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Growing Up, Sort Of, in Miami 1909-1915

By Will Davenport*

The house my family found soon after we arrived from central Florida was on the river where the bridge lifted 12th Street (today Flagler) across into pine and scrub palmetto country.

On our very first morning in this house I ran over to check out the bridge for fishing, spitting into the river, crawling around underneath, climbing the trusses.

*Will Davenport lived with his family in Miami from 1909 to 1915 storing up memories of the city, his school friends, and his involvement in many social and recreational activities. He attended Miami High School which was then a part of Central School in downtown Miami. He is well and favorably remembered by some of his classmates of the Class of 1914.

After serving in World War I, Davenport entered a career of magazine publishing as a writer of promotion for *Vanity Fair* in New York. He juggled a variety of interests – writing, art, skiing – wrote the first major article on skiing to appear in a national magazine – *Vogue*, 1935. He married a skier, Emily Hall.

In 1936 Davenport moved to London as advertising manager and American director of British *Vogue* and the Conde Nast Publications in Europe. During World War II he was chief of Combat Intelligence for combined Naval and Air Force operations from the Aleutian Islands against Japanese installations in the Kuriles, rose to the rank of lieutenant colonel. In 1952 came a shift in career – following graduation from the School of the Museum of Fine Arts in Boston he devoted himself to art and exhibited his paintings in many juried shows in the United States. In 1979 he received the L.E. Sissman Award for “successfully combining a career of advertising with excellence in the arts.”

Will Davenport and his wife, Emily, live in Weston, Massachusetts, where he continues to write and to paint.

Miami River, warm and red as tea, was laced with snakes and alligators, ornamented by blue herons. At the river's vague beginnings in the Everglades lived Seminole Indians of the tribes that had terrorized coastal settlements through years of massacre, burnings, robbery, ambush-cade until the peace of 1855.

The year was 1909. Fat, genial Mr. Taft was in the White House, lean and pugnacious Kaiser Wilhelm II was in Berlin, but that was far away and had nothing to do with us tucked away in our secret paradise on the ravelled edge of nowhere.

It was summertime, Miami was twelve years old and so was I. That morning, coming down the river, standing up in the stern of a dug-out canoe, was an Indian. He poled along slowly, recovered with grace, kept an exquisite balance in his fire- and hand-sculpted cypress log, proportioned like a pencil and with scarcely eight inches of freeboard.

Pinned to the bridge rail I watched him secure his canoe under bushes and climb the river bank, a tall man, dark red in color with a heavy fall of black hair cut the way of Japanese children. He wore a cotton blouse, tight at the wrists and a kilt-like skirt to his knees. Basically white, these garments showed bright-colored horizontal stripings and were stiff with narrow pleats. Above wide bare feet his calf muscles were formidable.

Lots of Miami kids never saw an Indian; I was lucky because the river was their only approach to the coast and 12th Street was the shortest way uptown. My family had moved to Miami from a remote village in Volusia County where the streets were of pine needles and our schoolhouse, although not painted red, had but one room. In that region men rode horses with Mexican saddles, wore pistols and on occasion shot each other. Among the young I was a bluebellied Yankee and forced to defend myself with rudimentary fisticuffs, brief by mutual consent. Frontier atmosphere was familiar to me. But Indians, wild Indians!

Eyes fixed on his path, foot tracking foot, my Indian moved along the weedy edge of the street, never glancing at the sprinkle of houses along the way. This walking style, a tribal invariable, was said to avoid the venomous cotton-mouth moccasins, rattlers and coral snakes plus a dozen harmless types that we all knew from chilling encounters in our own backyards. But perhaps the true reason the Indians never looked our way was because they disdained us and all our works. Their austerity was complete. We never spoke to them, hooted at them or approached them.

Children's curiosity is intense but fleeting. Everything is a marvel but not for long. So with the Indians; I failed to ask questions about them,

never looked them up in books. They came and silently went, aliens in their own country, while at the eastern end of 12th Street on Biscayne Bay a different astonishment presented itself with the advent each winter of northern people at the resplendant Royal Palm Hotel.

Our sidewalks in the few blocks of business buildings were hooded over against sun and rain partly by second-story balconies and partly by sheets of corrugated iron. Winter afternoons, along these shaded loggias, guests of the hotel would appear; tall, big-eyed, white-skinned ladies sheathed in eyelet-embroidered summer dresses in pale creamy colors. One season they befuddled us with hobble-skirts, decreed, our mothers assured us, by Mr. Paul Poiret of Paris, France.

At the opposite end of 12th Street, decreed by tribal custom of even more insistent authority, Seminole women trapesing along behind their men flaunted a bit of chic no less bizarre; around their necks, piled from shoulders to ears hung pounds and pounds of bead necklaces, making a truncated cone that held immobile their small top-knotted heads with bangs of fiercely black hair.

The shops of 12th Street offered no great attractions for our exotics from the North. No matter, in and out tripped and twittered these creatures to us suspended in the unknown. And from their passing a tinge of strangeness survived in the air, twitching our brown noses, nibbling away at our simplicity. Only Edith Wharton could have explained them to us.

Miami had its peculiarities of situation; at its back door a jungle with serpents, saurians and aborigines while its front door swung open on the Royal Palm's pageant of cosmopolitan civility. But undeterred by either of these disparate poles the little town's dauntless people heedless of heat, mosquitoes, hurricanes and cultural vacuum went on about their business of making real the American Dream. In 1909 there was little hint of grandiose destiny. House lots and acreage were cheap; Tatum Brothers took space in the High School Annual as late as 1914 to offer, "... a ten acre farm or a city lot for \$10 cash, balance monthly."

Our rented house on the river needed paint but it was a good big one. had screen doors and windows to say nothing of sporting proper fittings for slinging mosquito nets over the beds. Also it had been in place long enough to be blessed with bearing fruit trees.

Spang in the front yard rose an unusually tall avocado tree with smooth pears the size of small grapefruit; a dozen of them crammed my Irish Mail cart and each brought a nickel from the grocer up town, who then retailed them at ten cents. Lime, orange and grapefruit trees were out in back and to one side a thick grove of guava bushes six feet tall. Their

wide leaves made a canopy that turned pale gold in autumn and when sunlight blazed through and reflected from the gold leaves on the ground the intervening air was yellow, an effect of Arabian Nights splendor.

The guava itself, a fist-sized yellow thing, is edible skin and all, once you learn to tolerate its peculiar smell. My mother and elder half-sister converted them into a thick concentrate called guava butter as well as into that queen of all such confections, guava jelly, the dark-colored rubbery kind.

In some yards banana trees unfurled their startling blossoms. They did not prove commercially successful in southern Florida but pineapples did; Miami's legendary French Count, Jean d'Hedouville, an early settler, grew acres of them. There were odd fig trees, sapodillas and the totally ridiculous mammy-apple. Papayas grew almost wild but few bothered to eat them. New strains of mangos were being developed by the celebrated David Fairchild but most of our local trees produced a disappointingly fibrous fruit. The perfected mango of today is memorable eating but the place to eat one is over the kitchen sink. We had plenty of fruit and mostly for the picking.

A few fractionally seaworthy launches berthed near the Avenue D bridge made up our fishing fleet that brought us the elegant yellow shape of pompano, sometimes Spanish crawfish (clawless lobsters) which my mother made into salad. There were kingfish and Spanish mackerel. Shrimp we boiled in quantity, then put the pot on the table for each to shell his own. Red snapper captured both eye and taste buds. Marcellus Boyd, whose father owned one of the boats, introduced me to the excellence of a common panfish, the yellowtail, at its most delicious; brought up from three fathoms of transparent salt water, scaled, gutted and fried right there in the boat on a kerosene stove.

Owning and operating the fishing craft were the earliest south-Florida men, men who had been there before anyone else except the Indians, the permanently sun-dyed whose lives began in boats as had their fathers'. They were lean men who had ranged the Keys and the Florida Straits during the wrecking years, the Indian War years, hereditary practitioners of independence who conned the sea into yielding them a living. It was my luck to be friends with some of their sons and to go with them in the boats on some fairly ticklish occasions of men against the sea.

At sea and ashore the winds were part of our lives. At certain seasons on west winds mosquitoes swarmed among us but the trade winds prevailing from the northeast chased them back into the Everglades, there to resume feeding on the Indians. No wind, however,

prevailed against cockroaches which, as big as mice, drove our mothers to distraction.

Miami's acceptance as an outpost of the civilized world came with the Royal Palm Hotel, built for the purpose by the grand Henry Flagler the minute his Florida East Coast Railway made its way to the settlement in 1896. The hotel, an imposing six stories of wood, painted Flagler yellow, sported a 700 foot porch (covered of course since tanning was not in fashion) that provided, across tropical gardens, the dazzling blue of Biscayne Bay as well as a view of the river's mouth. It was the town's Taj Majal, its Waldorf-Astoria below the frost line.

To me it was a window. As a child I had lived in New York and seen its wonders but the Royal Palm was a jewel in a proper setting, a noble structure of its kind in a place that staged it superbly. Exposure to this monument and the other pleasure and business domes decreed by the imperial Flagler enriched our young lives and no doubt influenced our futures, too.

One of our pastimes was to meet the late afternoon train from the north and check out the day-coach passengers for pretty girls and for stocky youths who might beef up our school football team. Also noted was the dress and luggage of the Pullman rich bound for the Royal Palm. The ritual was exciting and it gave us a voice at supper.

Even more fascinating was the freight yard with its strings of cabalistically marked box-cars from remote and romantic states. Compulsively I memorized the railway lines the initials stood for and sang them over to myself, long before Thomas Wolfe did. And ages before Bing Crosby entranced us with his crooning of "... the Atchison, Topeka and the Santa Fe" during the War II. The song soothed me daily during eighteen months on the island of Adak, one of the Aleutian chain far out in the North Pacific.

Best of all was the Terminal Dock designed to handle ship-borne commerce from Cuba, Mexico, South America – the Flagler dream ranged far. The traffic did not materialize and the Dock became an aquatic playground for the young, a diving board, swimming hole and place to watch ponderous manatees graze along the bottom of the bay.

Soon after the railway reached Key West, last convulsion of Flagler's fierce genius, our Miami High School basketball team made the trip for a game with Ruth Hargrove Institute, an old and stylish landmark whose team gave us plenty of trouble. Afterward our hosts laid on a veritable ball, gleaming with intensely feminine dark-eyed girls with Hispanic names; the Delgado's five daughters were each named for a South

American nation – Colombia, Venezuela and others I have forgotten except the daughter by whom I was stricken dumb with adoration, the ravishing Argentina Republic Delgado.

Hurricanes finally destroyed the Overseas Railway as they did other great works of man along that coast – and would continue so to do. In those days they killed, drowned and blew your house away with no advance warning except for certain natural wonders about which Miami developed a measure of canniness. Days of heavy heat and a queer stillness brought the paradox of enormous surf on the ocean side, a pounding that could be heard at night across the width of Biscayne Bay. These were our sensors. In our house the kerosene tank on the stove got itself topped off and the lamps filled after which I was sent up town for a reserve gallon of kerosene. Padding home with this burden, a potato struck over the can's spout, gave me a feeling of importance. All ripe fruit was brought in and the window shutters checked for closure and latching. During these chores I would dart out into the street, study the sky and report my views – to which no one paid any attention. The waiting was nervous while the signals accumulated; blackening sky, little flicks of wind, a disquiet on the bay and then a great whelm of rain. When the hurricane struck we began to breathe again.

These storms were experiences private to each household; neighbor's houses were invisible, words were useless, communication was by glance and grimace, ducked heads, humped shoulders. When it was over the first move was to go outside and exclaim over the wreckage, an almost hysterical relief. After a couple of hurricanes, knowing it would be bad but knowing it would end, we learned a stance of resignation. In Miami's fecund climate, trees and shrubs recovered quickly, damage was cleared away, boats refloated and the town resumed its gentle simmer.

When we arrived in town, the area along the bay and a few blocks inland, was pretty solidly built-up with pleasant, closely set houses, tree-shaded, banked by hibiscus, jasmin, lantana, oleander, allamanda. Bermuda grass struggled to match the green lawns of richer soils. Bougainvillea would not arrive until later on, the Hispanic surge to delight all eyes, solve all landscaping problems. West of Avenue D and the railroad track houses dwindled to a sprinkling and west of the river almost entirely petered out. The grand sections of town were Fort Dallas Park and Brickell Point.

One of the town's special qualities was its implacable flatness. Another was its freedom from noise. Automobiles were not common in

Miami. Also lacking were industries, crowds, sirens, radios. This blissful situation enabled small, benign sounds such as bird noises to be heard. Another, unique to the tropics and unforgettable to me, was a faint dry rattle randomly induced in coconut palms by the trade winds, a sort of murmured exchange between the two, one in place the other in flight, a secret converse that those who listen with care may still hear, perhaps with a shiver, as long as wind and coconut fronds lean against each other. Like the sound of surf it is one of earth's purest sounds.

Miami's status as a sub-tropical town was clearly marked by the profusion of coconut trees whose nuts first floated in from the Bahamas and took root along the coast. Multiplied in the 1880's by commercial plantings they became a permanent glory. Miami adopted the tree for its own from the very first. Biscayne Drive was bordered, the Royal Palm Hotel was surrounded, they swarmed in the parks and every front yard had one. Their sweetly curved trunks with crowns tumbling in the breeze proclaimed tropical country loud and clear.

To footloose grammar-school kids these aesthetics were obscured by the practical delights of the nuts themselves, their heavy clusters always available to our pocket knives. We drank the tasteless liquid of the green ones, slurped the jellied lining of the half-ripe ones and chomped the brittle white meat in the ripe nut. Especially prized was the rich milk in the ripe ones, believed by us to have all sorts of strength-building properties.

It is sad to think that some sort of law probably prohibits such fun today.

In spite of its cozy small-town appearance with "everybody knows everybody else" connotations, Miami in its adolescent days under the coconut trees, was largely a collection of strangers, strangers to the town and to each other. We had all come from somewhere else. The first ten names in the list of Miami High School graduates, class of '16 turns up this assortment of birthplaces: Pennsylvania, Tennessee, Missouri, Florida, Louisiana, Michigan, Wisconsin, Kentucky, Georgia, Kansas – and so on throughout. They and their families "knew everybody" where they came from but in this formless new town all stood pretty much alone.

People who, after careful deliberation, had decided to pull up stakes and move south found that it took all their energies to cope with surprising, sometimes hostile, surroundings. In such a place where much remained to be decided, history still to be scribbled, conventions established there was not much time for social life. And, except for the

churches, of which a great number and variety had been set up, there existed practically no machinery for communication between families.

Miami had skipped the horse and buggy era but automobiles were still a luxury; urban transport thus devolved on the bicycle. But, given the climate, one's mother was not likely to hop on a bike and pedal across town to a tea party or afternoon of bridge – had such amenities been offered. Fathers biked to their occupations, knew their associates, but as families, the townspeople of those days were slow to become widely acquainted. On the other hand, children enjoyed in their schools a meeting place and a social scene ready made. Social cohesion was born at that level.

Effortless social creatures that we were, mingling day after day it was natural for us to develop our own hedonistic society, accepting the sun, salt water, luscious fruit, the general flux as devised especially to frame our comings and goings. With ease we established an accord and an atmosphere of good will that made us a genuine civilizing force all by ourselves.

As meeting places the churches did their part as well. I attached myself to the First Presbyterian for Sunday School, and later for Christian Endeavor with its Wednesday night meetings in the beautiful basilica surrounded by Australian pines, the Casuarinas that became for Florida what the Eucalyptus was for California. The Wednesday night rallies lured me since I was sure to see one or another of the girls who had me on leash. Moreover the church's fine organ and acoustics made the hymns genuinely uplifting. Occasional stints at the organ pump did me no harm either and I think orthodoxy took its grip on me at this church.

At school our education was helped along by frequent arrivals from elsewhere of students whose families had come for the winter or to stay. Welcomed and accepted at once, these newcomers delighted us with their prep-school poise, wit, athletic skills, the tone they imparted. They helped shape in our fortuitous conflux not so much a sub-culture but a separate one of considerable validity. Disparities among us were either ignored or celebrated; each moved freely to his own drummer in the general peelage. Athletes and grinds were equally respected, Northerners stood as tall as native Southerners. No one was asked where he had come from, nor his father's occupation. It seems to me quite possible that civic hegemony first began to form and function as our high school athletic teams brought the citizenry together for the games, while school dramatics, debates and glee-clubs equally contributed by gathering their town-wide audiences year after year.



William Ayer Davenport as shown in *Miami*, the Miami High School Yearbook, 1914.

Since all of us at school were more or less new to each other and with differing birthplaces, backgrounds, previous schooling, each of us offered a strain of mystery and many were magnetic. David McClure, for one, remained elusive throughout. He showed up for our sophomore year in high school and immediately aroused interest. He had something most of us lacked, reserve. Our corridor confabs leaned to bombast and badinage but in the midst of jabber Dave's style was to listen, his smile curved to one side, his pale blue eyes averted. He walked with a slightly mannered swing of shoulders, played a terrific game of baseball and water-polo, captained several of the teams, including basketball, and was class president in his senior year. A sufficient number of girls were much taken by him and his lively response was given an edge by a faintly sardonic note. He and I were particular friends but I was always a little awed by his confident presence. A sort of appointment in Samarra doom was tragically to overtake him in the excellence of his youth.

Another arrival, in this case from some military school in the north, brought a vivid slang and a fund of anecdotes that all found engrossing. His tall, brown-eyed person and uninhibited manner struck a resonant note with the girls, half a dozen of whom he fell in love with. His name was Seth Clarkson but Seth sounded to us old fashioned, so we called him Clark. He flatly refused to come out for any of the athletic teams, ignored cultural school activities, indeed jeered at the entire academic circus. Clark was romantic, his mind already set on journalism and after World War I during which he saw harsh combat in the Marine Corps his raffish figure was to become known among rueful newspaper editors as far north as the Carolinas. He wrote extremely well but it was said that meeting deadlines was alien to his mystique.

After I left Miami and before we both went to war the few letters I received from Clark first revealed to me that colorful writing was an art open to ordinary individuals, even high school pals, and not merely to authors. I remember him as my dearest friend of those days.

A leggy dandy named Raleigh Daugherty drifted in one year and by his own immediate choice took up a comic stance. Wherever you met him his approach was invariably the earnest query, "Are you legal?" This caught on instantly. He became known as R.U. Legal and everyone in School adopted the phrase to excess. Mouthing it across a classroom did great harm to decorum. In anonymous notes to girls it created hysteria.

Immensely endearing to us all, Forrest Gordon, our establishment fat boy, was a formidable guard on the football team. In school when he approached, his rosy face twinkling, his yellow hair in damp curls,

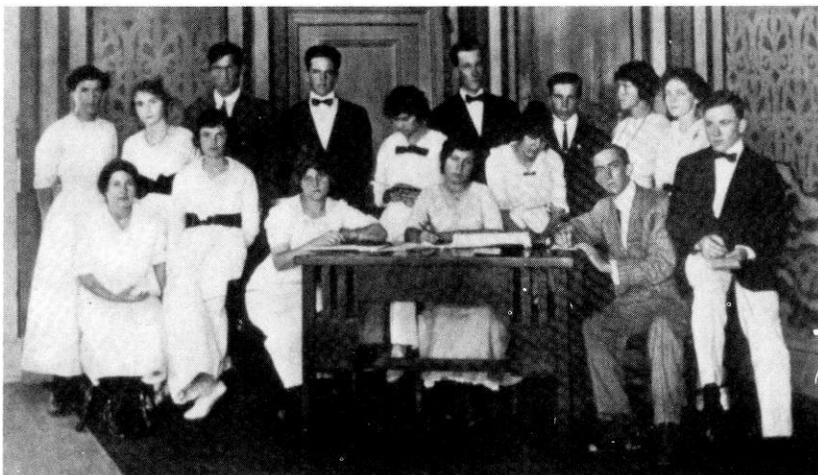


Miami High Baseball Team, 1914. *Left to right:* Jean Andrews, Wallace Green, Leon Rooney, William Schneidman, William Davenport, Edwin Shaw, William Green, Thomas F. Davis, John Mathers, David McClure.

everyone felt happier at once. His greeting was always “‘Lo fellers.”

Landon Carney, whose father helped establish Coconut Grove before the invention of Miami, had a rare quality, dignity. He also had available a stalwart Hudson touring car and kept it loaded with friends, a substantial enrichment of our lives. A good athlete, generally admired and loved.

Joy Heck lived out in the country somewhere. Gentle in manner, soft in speech, he was a demon on the basketball court. Vernon Weaver, a witty and electric personality with whom I did a lot of skiff sailing and swimming. Charles Pfeiffer, athlete and jolly companion. Edwin Shaw whose manic humors endeared him to students and faculty alike. Harold Barker, very tall, elegant and a grand basso in the Glee Club and in musical extravaganzas. Quietly urbane Van Huff, athlete and cavalier, a youth of great charm and to us the very glass of fashion. Memory hoards them all and dozens of others with whom I grew up, sort of, during a time when all we had, really, was each other.



Miami Staff, 1914. Standing: Candace Puffer, Gretchen Hand, Ralph Adams, Van Huff, Lucille Atkisson, Earl Hoag, Joaddie Harper, Dwight McCluney, Mamie Mizelle, Norma Duggan. *Sitting:* Kitty Karr, Bessie Sandlin, Dorothy Davies, Jessie Pratt, Julius Blackman, Edward F. O'Brien, Jr.

Miami was truly a frontier town but it got along without “West of the Pecos” violence although I suppose every family owned shotgun, rifle, or revolver—or all three. In our Avenue D saloon, its front wide open in the Cuban manner, its interior a dark cave spilling out a delicious whiff of beer—in there a man was shot. Perhaps there were knifings in our small black segregation.

Only one real bang-up murder trial took place during my time. The crime itself was commonplace but made front page headlines because of the baroque style of “Judge” Worley, a bigger-than-life lawyer and burr under the civic saddle. Whether defending or prosecuting, winning or losing, the case in hand was always a victory for Worley himself. His invocations could make a *cause celebre* of unpremeditated bicycle theft.

Burglary must have been rare. Robbery erupted only in 1915 when the Ashley Gang began to commandeer the stock-in-trade of banks at the points of repeating shotguns. Elusive as wolves the Ashley brothers were finally hunted down by the redoubtable Sheriff of Dade County, Dan Hardie.

Once a shocking accident overtook an automobile load of large ladies from our miniscule Red Light District on the weedy outskirts of town. Out for an afternoon airing their car was struck by a speeding

locomotive at a grade crossing. Moral overtones kept this gory affair alive for weeks while our mothers shuddered at its unmistakable revelation of the Wages of Sin.

It was Sheriff Hardie who put together and trained the juvenile troop of Zouaves that became famous along the coast. We were recruited during our grammar school years and it was quite a thing to belong and sport our red bolero jackets, yellow pantaloons, white leggings, red sashes topped off with yellow tasseled red fez. Equally dazzling was our manual of arms and the marching maneuvers that the Sheriff pounded into us during night drills in front of the 12th St. Fire House. We appeared at odd parades, dedications, corner-stone layings and I remember travelling north to march in a meagre procession in celebration of the incorporation of Fort Lauderdale, then hardly more than a string of shacks. In the Zouaves we learned to stand up straight, the sting of command, instant response and the satisfaction inherent in concerted action. It was all to prove helpful. For me, a few years later, it yielded quick Corporal's stripes in an infantry regiment of the Regular Army into which I had edged myself at Fort Oglethorpe, Georgia and which landed me in France within a couple of months.

In World War I David McClure was a fighter pilot—“pilot de chasse” as the French had it in their touching convention that air warfare would consist entirely of French pilots pursuing wildly fleeing Germans.

Dave was shot down behind the German lines, dragged out of the wreckage and thanks to excellent German surgeons, survived. In the '20s he and I enjoyed a reunion in Manhattan; we reminisced about our Miami days and he told me of his good life as a stockbroker in Los Angeles. Not long afterward, back in L. A., he and a girl friend drove down to one of the Pacific beaches where he took off from the swimming pool's high board in one of his beautiful dives and was pulled from the pool dead, it was ascertained before striking the water. A strange coincidence; evaded in warfare, death in the air had waited for its rendezvous with Dave on a sunny Saturday afternoon in peacetime California.

Biscayne Bay, our watering place, generally ignored by the citizenry was lushly praised by visitors from the north; its range of colors and textures, its gayety in sunshine, tantrums in storm. Moody at twilight, blissful at dawn it was undeniably magic when plated with tropic moonlight. And all the while, a couple of miles eastward, sparring with the Atlantic, on good terms with the Gulf Stream, reclined a narrow strip of sand, coconut trees, sea grapes and mangrove, uninhabited Miami Beach.

The beauty of our great bay went hand in hand with its navigational

bafflements, tidal channels that came and went, fugitive sand bars, impossible to buoy or stake. Nevertheless skippers wise to the hazards could nuzzle out the port. Once in a while an unkempt schooner from the Bahamas would tie up in our river with a few bunches of bananas, some conch shells and a few blacks who would jump ship and enliven our labor force with their velvet dialect.

We kids flapped around in skiffs, the fishermen threaded in and out but Miami, breathing salt air, lapped by an ocean, could not have been called a salty town. Mostly the people came from inland, did not have salt water in their blood and, in truth, few Miamians in those days had the leisure for fooling around with boats.

Along the bay, running for a mile or two north from the 12th Street axis, buried in trees lay a sequence of relatively imposing houses owned by people who in the earliest days had recognized a choice bit of real estate when they saw it. One of these houses, distinguished by a red tile roof, was believed by me and my pals to be that of Miami's intriguing Count d'Hedouville. And why not? A red tile roof suggested to us a chateau and since the known habit of French Counts was to live in chateaux this must house our Count.

The Count was rarely seen about town; the massive foreign car he was said to drive would certainly have caught our bright eyes. The house was hidden from the landward side by extensive pineapple plantings and a screen of trees. The title and the seclusion created a tissue of surmise about him among our elders: why had he exiled himself in our raw settlement? An unfortunately mortal duel, some financial debacle, military disgrace, an ill-chosen political stance were among the possibilities discussed. Of course the Count's existence was probably unknown to most newcomers but such guesses were useful should his name happen to come up.

Then it was my fate to stumble on a curious discovery that seemed linked to d'Hedouville but so inexplicably that it only added to the mystery surrounding him.

Across the road westward from his pineapple patch stretched one of those long-leaf pine forests known to Florida as "the flatwoods." It was easy to get lost in the flatwoods. Once in their depths the endless repetition of tall, bare boles laid on a strange and disorienting feeling that of course fascinated the young. It was an adventure I had been repeating since childhood with a mix of bravado and trepidation, usually lugging a shotgun for moral support.

On that afternoon, empty of everything but sun and that loneliness

known only to the half-hollow skulls of teen-agers, I was deep in the flatwoods because I had wrenched off one of the Count's pineapples and wanted a place well away from the scene of the crime to carve it up. Suddenly I noticed something out of place in the forest, a rectangular shape. Nature does not make square corners. This was a work of man, raised a foot or two from the forest floor and naturally camouflaged by a thick blanket of pine needles, clearly the roof of an underground room. The woods were still, there were no signs of life and scared as I was, curiosity crawled me up to a narrow sort of window. Light came in from a western window opposite mine and I could see a built-in bunk, a chair, a small table with some books and a kerosene lamp. The room was clean but it didn't look lived-in.

On the back wall hung a military uniform. As an avid reader of illustrated books about the Napoleonic as well as the Franco-Prussian wars, the match-up between their cavalry uniforms with the one I was staring at was unmistakable; tunic and facings, epaulettes, various marks of rank, lighter colored breeches. On the floor stood black jackboots. Slung on the wall was the curve of a scabbarded sabre, its hilt and tasselling catching bits of light. In all, what but the uniform of a French Dragoon, in younger days, our Count? His rank, that of a Captain, at least.

Bewildered and frightened, too, I ran from those woods, never to return. Nor did I tell anyone what I had seen. The secret was mine and the Count's. But to this day the questions remain. If not the Count's cabin and uniform, then whose? Regardless of ownership why was the uniform in that hidden place? If the Count's, why not in a mothproof closet under the red tile roof of the bay? On and on. An eerie affair that remains lodged in memory.

One Saturday night later that year, a great high-sterned, topless automobile, carbide headlamps and brightwork bedazzling and coming from the direction of the red tile roof, rounded the corner from Avenue C into 12th Street. From my angle the driver was invisible behind a towering vertical windshield and my eyes switched to its massive drive-chain bucking on the sprocket in the turn. As the car swept majestically westward on 12th one of my pals on the corner who had caught a glimpse of the man at the wheel uttered a yelp, "There goes the Count." I had missed him, our Chevalier of France, my Captain of Dragoons. I had missed him. Was he pale of face? Had he a mustache crisply upturned? The look of D'Artagnan?

The Count and his clanking Darracq, the mystery of the buried room

in the flatwoods, the Dragoon uniform—all these were erased by the arrival in Miami of flying machines. Biscayne Bay, neglected by its adult marginals became a magnet for all ages due to its ideal suitability as take-off and landing surface for the pontoon-fitted biplanes of Mr. Glenn Curtiss who installed moorings and a ramp on the Bay's edge just below the Royal Palm Hotel. For the young, the Curtiss machines became an obsession. Enthralled from the first clatter of engines, we quickly assumed mastery of the science of flight, loudly noting the fine points of take-off and landing, heralding maneuvers in advance of execution, our figures itching for the controls.

One afternoon a young fellow known to us all but somewhat older, parted the crowd, flashed a ten dollar bill, climbed aboard and was flown abundantly up and down the bay, thus achieving instant fame, a hero to us all. A few years later on a muddy street in a town in France, then brigade headquarters of an infantry division, I saw him again. Uniformed with exceeding smartness for a second lieutenant, even including a swagger stick tucked under his arm in the British style, he confided with a grin that he was hanging around HQ "awaiting court-martial." It would have been a breach of taste for me, a corporal, to enquire into the charges against him. Moreover I was still awed by the grandeur of his afternoon flight up and down Biscayne Bay. Ah, Swift, laughing cavalier, did you ever go back to Miami and the Green Tree Inn?

Summers were long. We explored up the river, swam, fished, hunted with our .22's and later on fooled around with a torpid sloop presented to us by a kind soul with the idea that we would organize a troop of Sea Scouts around it. We never got around to this and most of the time the sloop lay at anchor with a reputation for crankiness and leaking. Sometimes, however, one would take her singlehanded, or with a girl quite useless in handling the vessel, out into the Atlantic through Government Cut. In the open sea we would sail north until our nerve gave out, come about in the massive swells and in the late afternoon confront re-entry into Biscayne Bay through a shambles of tide-rip, flukey winds and mediocre seamanship.

Such exercises contributed perceptibly to growing up and perhaps helped to ignite the yen, latent in all men, for enterprise containing an element of risk. Warfare is one of these. Skiing, riding, climbing come to mind. And serious effort in any of the arts is hard, lonely, dangerous work.

Maybe Miami's emollient climate had something to do with it; in any case our anti-social acts were few and mild. One was an ingenious

arrangement for arousing half the town from sleep in the deep of night by clanging the high school bell. Involved was a tedious climb into the cupola to affix a breakable string to the bell clapper. Then, with a strong fishline tied to the string and ourselves well hidden half a block away we would clang out a doomsday clamor until lights came in the windows of honest citizens. Then a sharp jerk would break the string and let us retrieve our fishline and fade into the night.

Another exploit was the summertime invasion of the Home Economics Kitchen, there to combine ingredients left over from the school year into weird baked pastries. Afterward we always cleaned up with care.

During my student years not a single school-house window was smashed. Graffiti were unknown. This decency survived grammar and high school years intact. School was the social pivot around which our happy lives revolved; the vandalistic urge was totally absent.

Almost equal to the Curtiss flying machines in providing news for Miami's hustling journals was the advent of a company of moving picture people. On the premise that Miami had as much sunshine as California and was a lot closer to New York, a gaggle of producers, cameramen, scenic designers, grips, actors and camp followers swarmed upon us, set up headquarters in a grey-shingled hotel on the bayfront near the Terminal Dock, built a vast wooden platform over a vacant lot, rigged a muslin canopy over all to diffuse the sun's glare and began shooting.

High Schoolers of some presence who could rummage up reasonable facsimiles of formal evening clothes were recruited for a ballroom scene at five dollars a day, a fabulous proposition to us when twenty-five cents was pocket money for a week. The players brought us an authentic whiff of the outside world more tangible than that diffused by the seldom seen guests of the Hotel Royal Palm. Director and actors tooled around town in low-slung snorters and waved at us who had been extras. They were seen in the Spanish restaurants on Avenue D; a jolly crew, one of whom added to the fun by crashing his yellow racer against the Avenue D bridge. It was too good to last. After a while they folded their installations and neither they nor their film ever surfaced again. The actors in their fancy clothes were gone but for a time the echoes of a song that on moonlit nights had sometimes larked upward from the hotel window of the leading lady whose slave I had been since glimpsing her in the ballroom scene, a melody beginning, "... say, do you remember California in September..." a plaintive song whose echoes continued to wrench me.

Except for the fleeting appearances of hotel guests, fancy clothes

were rarely part of our scene. Miamians tended to wear the clothes they had on when they sold the plumbing business and left their homes in Michigan; thick woolens, stiff collars, derby hats. Indeed, after these hair shirts had worn out or been consumed by mildew and moth the same outfits seemed always to take their place. Women were the only ones able to cope with the climate; putting their sewing machines to work they whipped out light cotton dresses for themselves and daughters.

An astonishing part of becoming a high schooler was being addressed by the faculty as Miss and Mister, a dignity that brought male juveniles for the first time to some concern for their appearance – with mixed results. We could not aspire to the haberdashery of the young dudes holidaying at the Royal Palm; their superb flannels, white and blue-striped blazers, straw boaters, white oxfords, were not for sale on 12th Street. Few of our families would have been either likely or able to finance them anyway.

We settled for vested blue serge suits with augmented shoulders selling in the vicinity of fifteen dollars. Our shoes, relentlessly high-top, were laced or buttoned, some a feverish yellow in color and with peculiar raised blips on the toes. The Arrow collar man, painted by the immortal Leyendecker brothers was our nemesis. His elegant variations were advertised to the saturation point in magazines, billboards, store windows, his cool eyes commanding us to look like him day and night. Ah, those sleek types in dinner jackets, crisp wing collars, precise black bows and always the white-tipped red carnation boutonniere. The pain we suffered during those years of deprivation no doubt made us, when we achieved solvency, better than average customers of F.R. Trippler, The Bretheren and, in due course Savile Row.

Were the girls in high school similarly racked? It is doubtful. The circulation of *Vogue* in Dade County could not have been appreciable. Any sort of garment whose skirt reached the shoe-top was adequately in the mode, or so it looks in contemporary photographs. Middy blouses swathed a multitude of camisoled bosoms. A bit of fretwork around the neck of a dress, a locket on a thin chain and the girls were off and running. Hair ribbons, large bows in back, were important, sashes too. Underneath it all – corsets. What else, no one knew.

Photographs of the '15 and '16 high school classes arranged on the big front steps reveal a sort of della Francesca dignity in the faces of the girls. No one is saying "cheese." There are such lovely extroverts as Dorothy Davies, Joaddie Harper, Lucile Atkisson, who got up parties and taught us the art of Irene and Vernon Castle. There is Katie Dean whose

mission was the disciplining of pushy boys (her greeting all too often was, "... the trouble with you, Bill Davenport, is ..."), beautiful Bessie Sandlin, cool and elfin Florence Wharton, warm-hearted Mamie Mizell. There also is a fragile girl from Georgia's peach country to whom on moonlit nights, an ocean breeze troubling the palm fronds, I droned the *Rubaiyat*, every single quatrain by heart.

Growing up progresses by exposure to assorted humans against various backgrounds but the process is smartly accelerated by the reading of books. In that I was lucky. Before moving to Miami we lived my eighth to eleventh years in the hamlet of Lake Helen buried in Florida's high pine country. During its brief flowering as a winter haven for quiet people from upper New York and Massachusetts, one of the visitors, Mr. Hopkins by name, built and endowed a small jewel of a library. To me it was the Kohinoor.

Always an adroit shirker of chores, I devoted much of those years to swimming and bending the oars of my skiff on the lake. But mainly I wove in and out of the library. My family always had quantities of books but many migrations had depleted them and anyway I had read them all. Now for the first time I had access to an unlimited supply. Reading four or five a week I spun through staples, classics, novels, histories, biographies, books of archaeology, adventure, warfare and poetry with equal and insatiable zest, the beginning of a lifelong addiction. My sneaky custom was to load books and a sandwich into the skiff, row to a shady cove, tie up and read all day. A very good life it was. Characters, scenes, illustrations, ideas from those books butterfly about in memory but Swift and Kipling remain, perhaps, most firmly imprinted. Alexander Dumas and G.A. Henty close seconds.

In Miami magazines mitigated our provincialism, mainly the *Saturday Evening Post* and *Colliers* but off and on subscriptions to such as *McClures*, *Harpers*, *Outlook* and the *Literary Digest*. *Colliers* entranced me with a series of center spreads in some early color-printing process, of paintings by Frederick Remington, stunning evocations of Indians, cowboys and the U.S. Cavalry in the canyons, water-holes and prairies of the old West. Following this editorial coup was a series of the great explorers who forced their way through the new world's mazes.

In the rambunctious grammar school days, breathing chalk-dust and sweating out long division, we were not concerned with girls nor they with us. The mood was indifference; to each other we were non-persons. High school introduced a different tune whose beat was not easy to catch. No one had informed us that we were to confront relations between the

sexes, a subject that proved twice as touchy as algebra or Latin. Sex was a word like cancer, absent from speech and print.

Our girls, mysterious personalities, always from somewhere far away, were sweet and gentle creatures who spoke quietly, laughed often but did not giggle. We met on a straightforward basis, no coquetry on their part, no machismo on ours. Still, we were not the same kind of people. Fellow students enduring the same bruising introduction to learning, mixing in classes and all kinds of school activities, there remained an awkwardness on our part which they did not display. We breathed the same jasmin-scented air, bathed in the same unnerving tropical moonlight but the effect on us was more unnerving than it was on them.

Girls were a problem that demanded solution. We considered them social fixtures but difficult. They were, of course, far and away our social superiors, possessed of a moral solidarity based on the old established taboos. All in all they gave us a span of pleasant and sufficiently exciting years. The passes we made, inept, lacking in focus, were artfully grounded without demeaning us. Mutual infatuations revealed them as romantically vulnerable up to a point but that point was a stone wall. I am convinced that in not a single instance did chastity of any of our high school charmers suffer even the tiniest nick. Indeed the taboos were equally built into the male contingent. We were younger than our years—in retrospect, how fortunate we were! For our more timely discovery time and circumstance had preserved almost intact a delightful new landscape of human experience.

Opportunities for getting together were limited. The sole automobile in the school population was that of Landon Carney and he lived in Coconut Grove. From school we walked home in groups, together for a few blocks and then dispersed. Once in a while, after agonies of consideration, we took a girl to the movies followed by a grape-ice at the soda fountain. Holding hands walking her home was an electric intimacy. As social groups jelled there were impromptu get-togethers for an orgy of the haunting Hawaiian music then on records.

Other efforts toward sociability were evening parties which we called “killings,” with stuff to eat and grape-juice punch. There was no precedent for drinking anything stronger and no one did.

Smoking was not part of the scene either. In grammar school the baseball pictures enclosed in packs of cigarettes induced a bit of puffing but the craze was brief. In high school we tried the excellent “green” cigars made in Key West of Cuban tobaccos and sold untaxed in paper

bags but most of us were involved in some athletic team or other and considered ourselves “in training” and barred from smoking—an idea derived from the antiseptic books about prep school life by Ralph Henry Barbour of which we were rapt readers. The far superior books for juveniles by our Coconut Grove neighbor Kirk Monroe we read but disregarded since they were about the Everglades and the Keys. We called on him one day and he received us graciously.

In high school dancing arrived to boost our growing up along. The girls insisted that we learn and with the aid of victrolas put us over the jumps mastering turkey trot, bunny hug, hesitation waltz. The Argentine tango followed and tough going it all was. But to the tinny beat of International Rag, Too Much Mustard and other compositions decided by our elders we slowly caught on. Scraps of the International Rag lyrics survive;

*Dukes and Lords and Russian Czars
Folks who own their motor-cars
Throw up their shoulders to that
Raggedy melody, full of originality—
Italian opera singers
Have learned to snap their fingers
All the world goes around the sound
Of the International Raaaaaaagggggg.*

On scholarship within the non-ivied walls of our new High School there is little to be said. Out of my class of forty-six students no less than twenty flunked their exams and were required to repeat the entire Junior year. The seventeen males in this sheepish group included most of my close friends and my name would have led all the rest had not I moved away in mid-term. Our instructors were qualified and worked hard but we spent too many hours gazing from the study hall windows at airplanes skimming along over the coconut trees and weighing the Royal Canadian Air Force route to a hero's career in the skies over Flanders Fields. From this airy dream we were to come to earth crawling on our tummies through Argonne Forest mud and machine guns.

Roman-profiled W.R. Thomas led us through Gaul with Julius Caesar and coached basketball as well. His degree was a Master's from the University of North Carolina. Lilliam McGahey did her best to inculcate some faint understanding of mathematics, if only to preserve intact the athletic teams. Miss Brown, I believe, was from Boston—her drawling style being otherwise untraceable. With her we skimmed *Mac-*

beth and *David Copperfield*, wrote papers and grinned at her mannered reproofs; to one chronically tardy member of her class, "Late again, chewing gum and raising a disturbance as usual."

The school year ended with a picnic on Miami beach, reached in an implausibly afloat ferry launch to a rickety dock across Biscayne Bay and a trudge through sand to the gaunt shape of Smith's Casino, sole structure on the ocean beach. It offered cubicles for changing into bathing suits, orangeade and Coca Cola for refreshments. Upstairs was a breezy room which later on proved a pleasant dancing place on summer evenings.

Coconut trees posed in their beguiling curves, the ocean was benign, miles of untouched beach lay in the sunshine but Miami Beach with capital letters had not yet evolved. Far-sighted men were drawing plans, money was being rounded up but the awakening was not yet.

When surveying crews first began to chart the taming of Miami Beach's bayside swamp, jungle and mangrove I got my accustomed summer job as chainman. Handling the chain, which was not a chain at all but a heavy coil of steel measuring tape, was a form of galley-slavery marked out for high schoolers of strong back and weak mind. Armed with machetes and axes, lugging chain and bundles of stakes, our function was to slash and chop a line-of-sight through whatever intervened, measuring and driving stakes as we progressed guided by signals from the civil engineer squinting through the telescope of his tripod-mounted transit instrument. If response to challenge is a builder of character we must have laid in a bit, sweating day-long among snakes, mosquitoes and alligators, chest deep in swamp, knee-deep in mud, suffering infected cuts from dense sawgrass high over our heads. Luckily we were outdoor kids, the pay was satisfying, the science interesting and the engineers generally agreeable men.

One Llewellyn, tall, thin, stork-like in the riding-type breeches we wore with leather puttees as some small deterrent to snake-bite, was smitten by a lovely and vivacious aunt who visited us. Perhaps that was why he so often found work for me.

Another professional named Parlee, a Scot, was small, darkly sun-browned, spare of words, a hard driver with one inappropriate weakness; a cold horror of snakes. With him I worked on a three week expedition deep into the Everglades. On this enterprise, in addition to the tools of our job, including enormous bundles of stakes we were equipped with a 30-30 rifle in case of serious dispute with alligators and with revolvers to even things up between us and the serpent population. In practice and when necessary we killed snakes with our machetes; when push came to shove there was no time to fool around with a pistol.

Parlee asked me to bring along another chainman and I shanghaied from Joe Dillon's poolroom on Avenue C a semi-pro baseball player named Chapman with whom I had worked before. We took the train to West Palm Beach, met up with the engineer and were transported by launch through various watery ways a day's journey north and west of Lake Worth. Abandoned there to the glades we had for shelter a shack on stilts with cots and a kerosene stove. For food there was lumpy sacks and bundles of bulk stuff that required cooking of which none of us knew anything. Starvation stalked us throughout the entire affair.

The sawgrass was ten feet high, the water knee to waist deep. Hammock barriers required tree chopping and jungle slashing. Which-ever, there were perhaps half a dozen more or less intimate collisions with snakes during a day's work of which two or three would be with moccasins or rattlers. Poisonous or not the hazard was constant. Every step, machete stroke and driven stake had the possibilities of unpleasant response. Sometimes the tension self-destructed into wildly comic moments.

One forenoon in a soggy hammock we were felling a tall cypress that blocked the transit's cross-hairs, Chapman swinging the axe, Parlee standing near. As the tree trembled ready to fall, its high branches loosed a shower of assorted snakes, including one bright yellow one. I had seen them coming and ducked but they plunked down on Chapman and Parlee. Gallows humor, but a relief. I wonder if Parlee ever shook off those weeks of acute discomfort. Chapman and I suffered also to the degree our youth allowed.

Quite early we literally fell into a very private trick of the glades. After a long dry spell and in certain places the muck would develop deep cracks, crevasses, some of them, and when the normal water covering returned they were invisible, as we found out wading homeward after a wearying day.

Parlee was in the lead, the precious transit on his shoulder. Chapman and I sloshed along behind with the rest of our tools. Suddenly Parlee disappeared under the water. When we reached him he had resurfaced and was hanging on to the transit which had lodged athwart the crevasse. He said he had gone straight down and found no bottom. This was a trying new problem against which there was no defense except the post-facto staking of places where one of us had made the plunge.

Aside from the mosquitoes, serpents, crevasses and saurians the Everglades atmosphere was not actively hostile but neither was it a comfortable wilderness. The space was far too much. Between us and the level horizon all around lay nothing but water, sawgrass and the scattered

blobs of hammocks, all canopied by an overwhelming aloofness. We were there uninvited, at our own risk, our tiny presence totally ignored. One of the effects of this primeval emptiness was to make any sort of unexpected encounter disconcerting.

One day we were taking a short cut across a dry, open hammock, its earth white sand instead of black muck, its growth scrub pines and palmettoes in place of jungle. We walked as the Indians did, eyes on the ground and were startled when, stark in brilliant sunshine, appeared a ramshackle hut, its door shut and the sand in front untracked. On the door, stretched from top to bottom, hung the skin of a giant rattlesnake. The shock of coming on a human habitation in that wilderness, intruding on our isolation, upsetting the established monotony of our working day, was, as I have mentioned, disconcerting. None of us spoke, we just stood there. The idea of trying the latch on that outlandishly decorated door entered no one's head. We began slowly to circle away from the hut only to find our way barred by the glitter of a monstrous rattler, coiled and very much alive, tail sounding its vicious warning. Just behind the snake's head, no doubt adding to its ill-temper, clung a complete necklace of gray, bloated woodticks. A sinister neighborhood from which our extrication was delicate but swift and, thanks to the pattern of our surveying, for good.

An equally surprising and more wholesome sight greeted Chapman and me one day when we finished grubbing our way through a jungle hammock and with the last machete stroke were able to stand erect under an open sky. At our very feet stretched a dazzling expanse of pure white lilies cheek to cheek as far as we could see. Though growing in water they were not pond lilies. Wiping our sweat, Chapman and I swung our eyes out over the field and then looked at each other in the silence and surmise of those Spaniards on the peak in Darien. Then, as we stared again at the mat of white flowers rumples began to move across, a sign we well knew: alligators. I was glad our surveying line turned ninety degrees at that point and we had neither to bruise the lilies nor challenge the saurians.

I got back to Miami with a pocket full of money and a feeling of elation that comes with success whatever the contest but quite unconscious of the experience as a rung in the growing-up ladder and I was embarrassed when I met up with Clarkson who nearly wrung my hand off.

His grin ear-wide, he spoke, "By God, Bill, you are a man!" It is possible that a tear hung in Clark's admiring eye—or was it in mine.

Our growing up was indeed nourished by the surveying work, as it

was soon to be further fed by the coming of war to my generation. We liked to be seen heading off into the Everglades, the flatwoods or some fetid mangrove swamp down the coast. The hardships and dangers attendant were well known and the touch of bravado with which we accepted them gave us a twist of pride, a feeling that our manhood in some degree stood certified.

In 1915 Europe lay convulsed in war, first in a chain of wars the merciless 20th century was to inflict. Biscayne Bay was bridged to the beach. The town raised a couple of thousand dollars for promotional advertising. Our age of innocence had begun to crumble.

Grown up? Well, sort of. A big six years worth anyway, years I remember with love for the sunny young town and those who sort of grew up with me. The process does not culminate. Life and growing up bump along together all the way.

In the middle of my junior year at Miami High my family moved to Tennessee where no coconut trees grew and in winter it snowed.

At various times, by various routes, various of my family returned to Miami—some to stay. My half-brother A. Jay Sheldon and his wife and daughter Thetis, who was born in Miami in 1913, stayed for many years. My half-sister Helen and her husband Arthur James Wakefield with their daughter Gertrude, Miami-born in 1911, to stay. My mother, Gertrude Morrison Baker Sheldon Davenport returned to enjoy her final years with the Wakefields. Only my sister Alice and I had to content ourselves with visits. One of mine was in the spring of 1942 for six weeks in Air Force Officer's Training School billeted at the noble Roney-Plaza. Another visit, a very happy one, has been in the writing of this piece for Tequesta.

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Seminole Leadership: Changing Substance, 1858-1958

By James W. Covington*

In discussing Seminole leadership it should be understood that the concept of leader was considered in much different terms by the Indians than the whites. To the whites, the leader was one who issued orders, took the initiative in planning matters and whose orders, he hoped, should be followed. To the Indians, the traditional leader was a spokesman who determined and represented the consensus opinion of the group.¹ Decisions made by the Seminoles were group decisions which were binding upon all with no leader telling the others what to do.² Before the so-called leader made a move, he consulted with persons who had influence in order to clarify his thinking or to judge how the matter would be received by others. Should the issue be in doubt, the decision-making process was delayed or ever set aside.

Generally speaking, important tribal decisions were deliberated at councils and at the annual Green Corn Dances. Leaders of the tribe gathered during the Second Seminole War to decree a policy of death to those advocating surrender and in 1855 to decide that the military surveying parties should be attacked; thus starting the Third and final Seminole War. On Court Day held during the annual Green Corn Dance, all of the males gathered at a meeting where the Medicine Man and his

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assistants were seated in a small open structure and the others sat on logs or stood.³ To some white observers, the grouping of the Medicine Man and his several assistants represented a political and judicial council with the Medicine Man acting as a chairman. Elevation to the council was by selection by council members and Medicine Man from the ranks of those who had taken a prescribed course of training as a boy.

On Court Day at the annual Green Corn Dance charges were brought against those who had committed crimes and problems confronting the group or tribe were discussed. All males were encouraged to speak but the opinion of the Medicine Man, council members and oldest man of each clan present seemed to carry the most influence. Sometimes punishment has been decreed by the group that a person be banished from the group and cannot take part in any rituals or ceremonies. Should he decide to rejoin the group, he must put himself in the hands of the Medicine Man who tested him with various treatments designed to "break down his anti-social attitude." Only after he had obeyed all of the Medicine Man's orders to the fullest, was he allowed to take part in the group's activities. When punishment other than treatment by the Medicine Man was required, the male members of the clan of the wronged person met and decided upon a proper penalty for the culprit. In 1892 Charley Tiger, while drunk, told a white man that Big Tommy had killed the members of a white family during a pre-Civil War outbreak. The Seminoles met and decided that Charley Tiger be banished from the tribe and, in addition, should suffer the loss of part of one ear.⁴ Such punishment was carried out and thence forth Charley was known to the whites and Indians as Crop Ear Charley. Johnny Billie had killed two members of the Tiger clan on different occasions when he was drunk. Nevertheless, the tribe took no drastic action except prohibiting him from taking part in ceremonies for it was hoped he would be rehabilitated. Finally in 1938 after his beating a pregnant woman, the Tiger clan met and decided that Johnny Billie could not be reformed and should be executed. The oldest member of the clan was given a gun, taken to where Johnny Billie lived, and he killed him.⁵

All of the above incidents involved Seminoles with the violations of tribal and white law taking place on either reservation or non-reservation land. When Indians were involved in violations of the white laws that involved whites they were tried by the regular courts. When Sonny Billie was involved in two hit and run accidents in Miami, he was apprehended and required to make restitution.⁶

During the 1920-1940 period many changes took place in Seminole

way of life with the drainage of parts of the Everglades, the construction of the Tamiami Trail across the center of the Everglades and the opening of the Everglades National Park, many Seminole families that had formerly been scattered throughout much of lower southern Florida moved to points along the Tamiami Trail where they built homes near the highway and sold items in shops and charged admission to tourists who wished to visit their homes and watch the usual activities.

When cattle were introduced to the Muscogee-speaking Seminoles of the Brighton Reservation, the process started a trend that would lead to the introduction of democratic ideas to the majority of the Seminoles. Under the terms of the trust agreement approved by the Commissioner of Indian Affairs on September 12, 1939, three Seminoles were to be elected as tribal representatives to transact business in connection with the cattle program. Still, nominations had to be approved by the Superintendent and, in turn, by the Commissioner of Indian Affairs. First trustees of the cattle program were John Josh, Charlie Micco and Willie Gopher.⁷

Thomas Jefferson would not have been happy at this first experiment in democracy for the Seminoles. In preparing the Indians for their first election Fred Montsdeoca, the Extension Agent, and Willie King, a Creek Baptist Missionary from Oklahoma, serving as interpreter, explained the need for elected trustees. In the vote, the women gave scattered votes to virtually everybody and Willie Gopher, a man who knew much more about horses than cattle was elected as one of the trustees.⁸ The requirements for the elected trustees at this time seemed to be a knowledge of English and the fact that they were instrumental in furthering good white-Indian relations. Actually the election meant very little for Montsdeoca gave the orders. The Extension Agent was the one who tried to introduce new techniques to the cattle-owning Indians and, next to the agent, he was the most important white man on the reservation. Still, any decisions had to be accepted by the bulk of the owners and, if they were not in complete agreement, the decision would be delayed until officials had a chance to persuade certain individuals that a change was needed.⁹

In 1941, one hundred and fifty head of Florida cattle were acquired for the Big Cypress Reservation and, within a short time, the range cattle industry was able to make some good advances on the reservation. By 1944 the Indians at Big Cypress Reservation wanted their own separate cattle trustees. It was Josie Billie, accepted as spokesman for the Big Cypress group by the whites, who said through interpreter Stanley Smith, "the Brighton Indians signed some type of paper, what was it?"¹⁰

Consequently, as a result of this March 18, 1944 meeting held at Big Cypress, a new trust agreement was drawn up and approved by the Commissioner of Indian Affairs on August 8, 1945.

The above pact provided for the establishment of two groups, the Brighton Agricultural and Livestock Enterprise and the Big Cypress Agricultural and Livestock Enterprise. Each group was eligible to select three trustees but such selection was subject to approval by the Agency Superintendent and Commissioner of Indian Affairs. Besides provision for the cattle trustees, there was provision for the selection of tribal trustees. Each of the two trustee groups would select one trustee, the Superintendent would make another appointment, and the three selections would constitute a body representing the entire tribe.¹¹ In theory, it was the first time that a group was formed that would represent all of the Seminoles but actually the tribal trustees were given very little power either by the Indians or the Federal authorities. With the substitution of an appointive or elective power structure to take the place of the traditional one, persons who had been converted to the Christian faith were selected for high positions. Of the four elected for the Big Cypress positions, one was a former medicine man, two active Christians and one to be soon converted.¹² The principal reason these men were selected was that they were adept at mediating between the Indian and the white world. In explaining the Bible to the congregation or Sunday School class, they understood a little English and realized the necessity for consensus decisions.¹³

With the rise of the elected councils the Green Corn Dance Council declined in power in terms of political authority and tribal administration. Within a few years the authority of the council was restricted to the actual dance itself with selection of site, principal participants and other pertinent details. Since many of the new breed of leaders were or had been Christians, they did not take part in the Green Corn Dances. Nevertheless some Christians attended the annual ceremony and some Green Corn adherents attended church.

Although the two livestock groups and the tribal government unit seemed weak, it became the apparatus for a major move by the tribe. As early as October, 1948 several Indians met with Superintendent Marmon and attorneys concerning the prosecution of tribal claims against the United States Government. By October 15, 1949 a contract was signed with attorneys John O. Jackson and Roger J. Waybright of Jacksonville to represent the Seminoles in a \$50,000,000 claim case to be tried before the Indian Claims Commission.¹⁴ Those who signed on behalf of the tribe

were: Brighton Agricultural and Livestock Enterprise Trustees, Frank Shore, Jack Smith and John Henry Gopher; Big Cypress Agricultural and Livestock Enterprise Trustees, Morgan Smith, Junior Cypress and Jimmy Cypress; Hollywood Reservation Business Committee Members, Sammy Tommie, Ben Tommie and Bill Osceola and Seminole Tribe Trustees, Josie Billie, John Cypress and Little Charlie Micco.¹⁵ Non-reservation Indians representing forty percent of the tribe were quick to claim that they were not represented in this grouping and that the Superintendent had been the prime mover in the lawsuit and the retention of attorneys.¹⁶

In 1934, the Wheeler-Howard Act had been passed by Congress. Title I of the act reaffirmed the right of each Indian tribe living on a reservation to establish a system of self-government. When the Wheeler-Howard Act had been passed by Congress, the Seminoles saw no reason to become incorporated but by April, 1955 there were some compelling reasons to reconsider the decision. Both Bureau of Indian Affairs officials and tribal leaders were conscious of the fact that the tribe had no control over reservation land or use of funds and wanted a change. Although the tribe held \$116,000 in funds, it could not use those funds for improvement of the Hollywood reservation and construction of a community house because the Bureau of Indian Affairs noted that the Seminoles had no legal organization and would not release the funds.¹⁷

In 1957 Rex Quinn, Program Officer of the Bureau of Indian Affairs, came from Washington to assist the Seminoles in preparing a suitable constitution. After Quinn had drafted a preliminary version, he and Superintendent Kenneth Marmon went over each paragraph with a committee selected by the Indians debating each point and changing some concepts.¹⁸ Marmon and Quinn were doing their best to draw up a constitution which would be acceptable to the guidelines regarding tribal government in *Indian Affairs Manual 83-1* which would be issued on October 1, 1957.¹⁹ On March 5, 1957 the committee met with the tribal attorney Roger Waybright for three hours discussing such points as governmental control over membership status, budget requests and rules for election. The attorney explained that some controls were needed until the tribe proved that it was capable of managing itself.²⁰ Members of the constitutional committee included Bill Osceola, chairman; Jackie Willie, Hollywood; Mike Osceola, Miami; John Henry Gopher, Brighton; Jimmie Osceola, Big Cypress and Frank Billie, Big Cypress. The finished document which included a constitution and charter was approved July 11, 1957 by Assistant Secretary of the Interior Roger Ernst, submitted to

the tribe August 21, 1957 and given approval by a vote of 223 for and 5 against. Laura Mae Osceola had done much ground work for adoption by visiting all three reservations and explaining the details of the constitution and charter. Since the vote had included 55% of the 448 eligible voters, the charter and constitution were considered to be legal and binding.

The constitution and by-laws provided for a tribal council of eight members with the offices of chairman, vice-chairman, secretary and treasurer. In the charter there were provisions for an eight member board of directors. Elected as the first chairman of the tribal council was Billy Osceola and, as the first president of the board of directors, Frank Billie. Enactment of the constitution gave the tribe and its council limited control over the three Florida reservations and power to enact regulations to safeguard health, safety and progress of the tribe.²¹ Under resolutions adopted by the council, state and county civil and criminal authorities have been given jurisdiction within the Federal reservations but outside authorities were requested only when a serious crime had been committed or a white person was involved. In 1974, the legislature of the State of Florida established special improvement districts in which the Indians were able to plan and govern their own police, health care and public housing facilities.

Although the traditional leaders believed in a consensus or "low key" approach, there arose at this time white-oriented leaders who would tell the others what to do and took the place of the traditional leaders. Almost all of these new leaders had been trained in the methods and styles of the Christian church. Consequently, two of the most prominent preachers were elected as leading officers of the tribal organization for the next eight years. Most of the persons elected to posts prior to 1968 were mature men but in recent years younger persons including women have been elected. Nevertheless, Baptist, English-speaking cattle owners have been the ones who have been the leaders since the adoption of the tribal constitution.

Leadership under the constitution adopted in 1957 was not strong for there was little power for enforcement of authority. Since the leader was weak he must rely upon moral persuasion and economic threat. Representatives of the Federal government attend all meetings of the elected council and cattlemen and often control the trend of the meeting. Thus, elected officials needed to be able to please the agency people and yet be able to adjust to the need for virtually unanimous approval action to be taken by the Indians. Whenever the leader determines that there is some opposition to a proposal, the decision is delayed or sometimes never acted

upon. After seven years of "self government" under the Constitution of 1957, the Indians complained that due to a heavy turnover of Bureau of Indian Affairs personnel including the superintendents, credit officers and branch chiefs, little could be done at first for the Indians had to study the man's character in the office. Should they misjudge the superintendent, he could become angry and effectively undercut any of their programs.²² Nevertheless the Tribal Council and Boards were able to initiate a Corporate Revolving Credit Fund for repair of old houses and construction of modern ones and emergency loans for other projects including the purchase of furniture and cattle. Other activities stemming from incorporation included the Seminole Arts and Crafts Center, Okalee Village Enterprise and Land Development Enterprise.

NOTES

1. Merwyn S. Garbarino, *Big Cypress: A Changing Seminole Community* (New York, 1972), 183.

2. James O. Buswell "Florida Seminole Religious Ritual: Resistance and Change." Ph.D. dissertation, Saint Louis University, 1972, 59.

3. Louis Capron "The Medicine Bundles of the Florida Seminole and the Green Corn Dance." Bureau of American Ethnology, *Anthropological Papers*, 35 (Washington, 1953), 196, hereafter cited as "Bundles."

4. Charles W. Pierce *Pioneer Life in Southeast Florida*, edited by Donald W. Curl, (Coral Gables, 1970), 38-39.

5. "Bundles," 197-98.

6. Superintendent Kenneth Marmon to Chief of Police, Miami, Florida, November 6, 1953, 921 Employment, Record Group 75, Records of the Bureau of Indian Affairs, Federal Records Center, East Point, Georgia, hereafter cited as FRC.

7. Marmon to Commissioner of Indian Affairs, March 18, 1944, 930 Stock Raising, FRC.

8. Robert T. King "Clan Affiliation and Leadership Among the Twentieth Century Florida Indians," *Florida Historical Quarterly* L6V (October, 1976), 146.

9. Garbarino, *Big Cypress*, 118.

10. Marmon to Commissioner of Indian Affairs John Collier, March 18, 1944, 930 Stock Raising, FRC.

11. Marmon to W.O. Roberts, Area Director, March 30, 1951, Tribal Relations, FRC.

12. Buswell "Florida Seminole Religious Ritual," 419-420.

13. *Ibid.* 385.

14. *Hearing Before the United States Senate Select Committee on Indian Affairs* Distribution of Seminole Judgement Funds, 95th Congress, Second session on S. 2000 and S. 2188, March 2, 1978 (Washington, 1978), 217.

15. Marmon to Roberts, March 30, 1951.
16. *Hearing*, 210.
17. Minutes of Board of Directors of Seminole Tribe, April 4, 1955, 064 Tribal Matters, FRC.
18. King "Clan Affiliation," 148.
19. *Indian Affairs Manual* 83 IAM, Tribal Government, Bureau of Indian Affairs, Department of the Interior (Washington, 1959), 6.1.
20. Roger Waybright to Rex Quinn, April 15, 1957, Rex Quinn Papers, University of Florida, Gainesville, Florida.
21. La Verne Madigan "The Most Independent People: A Field Report on Indian Florida," *Indian Affairs* Number 31, (April, 1959), 4.
22. "Seminoles of Florida, Ten Year Program," June 1, 1966, Rex Quinn Papers, University of Florida.

The Seminole's Christmas

By J.W. Ewan*

To the Editor of the *Metropolis*:

*Ye, who love the haunts of Nature,
Find that e'en in savage bosoms
There are yearnings, longing, burnings,
For the good they comprehend not –
Listen –*

– Longfellow

I had met a few of the Indians from time to time during the fall and winter of 1874, but on Christmas Eve quite an assembly of them had met at Brickell's Point, with a view of celebrating the "White Man's Christmas," when, as they affirmed it, they would "all shake hands, white men, Indians, all the same good friends, drink plenty, shake hands."

It was about 7 P.M., when a party of us crossed the river from Fort Dallas and landed about half way between Brickell's Point and what then

*J.W. Ewan, born in Charleston, S.C. January 13, 1850, came to Miami in 1874 and was soon appointed resident agent by the owners of the Fort Dallas property. He resided at the fort until Julia Tuttle took over the property in 1891, then he moved to Coconut Grove where he had a homestead. For many years he was a United States commissioner, and in 1878 served a term in the state legislature where he was given the sobriquet "Duke of Dade." Ewan never married. He took a great interest in local history and the development of South Florida, and was respected for his scrupulous honesty. He died in 1917 at age 67. The two articles reprinted here are from the *Miami Metropolis*, the first on March 15, 1901, the second on March 7, 1903.

was known as the Barnes place. We saw about thirty Indians, of all sizes, from babes at the breast to "Old Halleck," about 90 years of age. We were formally introduced to the grown men, among them Key West Billy, Billy Sunshine, Miami Doctor, Miami Jimmie, Cypress Tommie, Johnnie Jumper, Big Mouth Tiger, Young Tiger Tail, etc.

The men were grouped around their sof-kee kettle, eating supper. The women stood by to serve them and replenish their lightwood fires, of which there were several, to give light and heat, and keep the pot boiling. Sof-kee is a combination of coontie starch and green corn, making a course gruel. A large brass kettle stood in the center of each group, and one large spoon was used to dip with, a wooden spoon made of cypress, with a very long handle. This single spoon was shared by all. They were also eating young alligator tails, terrapin and garfish barbecued, to which were added sweet potatoes and bananas. Coffee was also served, and occasionally a cork was drawn from a quart bottle and whiskey offered.

Little Tiger was there in full force, flourishing a flat quart bottle, which he informed us his great-grandfather had given him. It was of very ancient pattern, and he was very proud of it. Some years after this he sat with me on the piazza at Fort Dallas enlarging on the qualities of the bottle and its contents, when it slipped from his hands and broke into many pieces. He was amazed with grief, bottle and contents both gone. As he expressed it – "Bottle, whiskey, great-grandfather – all gone big sleep; no come back no more," in broken Indian, Spanish and English. Once as he elevated his "fi-las-co," as he called it, Big Mouth Tiger reached it from behind, took a large, quick drink, and said: "Little Tiger talk too much; lie plenty – holiwagus." To which Little Tiger responded: "Un ga alltakea drink – good friends."

The picture was soft and beautiful. It was moonlight; a light western breeze blowing, and the river flowing with a gentle lap-lap. The flickering lightwood flames brought out the bronze figures to perfection; the squaws standing partially draped, their outlines were softened and they became statuesque; the profiles were unusually fine in that light. Then there were groups of children playing with rattles made from palmetto leaves woven together and having shells inside; some had the shells of the box terrapin filled with sea shells. They were all bright-eyed and happy. Some few of the girls from the Big Cypress were there – three there were in a group, being about 16 years of age. They were lighter in color than our coast Indians. Their well-rounded busts and well-turned arms and ankles, sparkling eyes and fine heads of hair, snowy white and regular teeth made one think of "The Judgment of Paris," and wonder what these wood nymphs would like best.

We were offered eatables and partook of terrapin cooked in the shell, venison, sweet potatoes and bananas. After the men had finished eating, the squaws and pickaninnies, as they called their children, feasted, the men grouping themselves and talking over their adventures, not forgetting the bottle; and as they warmed up they would speak in a monotone of the past, bring in deeds of Osceola, Cophineo McIntosh, Arpiaka, Billy Bowlegs, and others – remembering Jackson, Worth, Taylor, Dade, Harney, etc. As the glow increased, dancing commenced. Ere I was well aware of it, Miami Doctor, to whom I was talking, had gathered me to his bosom – he is over 6 feet tall; my feet were off the ground and I was wriggling in space. The men were all dancing and singing, the chant was their music. When the Doctor got out of breath, I was “landed”; he gave me a withering glance and said: “White man dance good; Indian all the same; unguh.” He settled down with me to a cigar; told me how at one time all the trees in the hammocks north and south of the river were cut down, so the soldiers could see the Indians if they came near the Fort. He said: “Indians not fight nomore; soldiers plenty, too much, big officers Washington, [three worlds illegible] not make big fight; all good friends now; fight no good, pickaninnies no eat, no make fire, all go to Arkansas.” I left him; he had the right idea.

I found Big Head Tiger interviewing a pretty Indian girl. I asked Young Tiger Tail what it meant. “Big Head Tiger want to catch young squaw?” “Whose squaw is that?” said I, indicating a woman standing by. “Big Head Tiger’s old squaw; no like it,” he said. Now here stood a pathetic group in bronze. The maiden and the man, and the unwilling squaw looking on. The firelight flickered, the hearts throbbed, love’s arrows shed, and the serpent, jealousy, inflicted its fangs. Ah, woman! Red, or what color you may be, you must suffer. Well may Kipling write, “Mary, pity women!”

I will here add that Tiger eventually caught the young squaw, marrying her some months later. That night he became awfully loaded, terribly jagged, and when I next saw him his old squaw and some of her sympathizing friends had him down and were sousing him heavily with river water, which he seemed to enjoy. I will say here that I always found him one of the best-natured and most honorable Indians of the tribe. He really enjoys a joke.

About this time most of the men were at Brickell’s store trading, leaving the women. We tried our blandishments on these dark-eyed bronzes, gave them some ribbons and candy. We noticed one of the lot, an ill-favored squaw, going hurriedly “across lots.” I thought it would be well to follow her. She made straight for the store and told a tale of woe to

the men. Then there was a powwow. But I "seized Time by the bang" and told the dealer to "set them up," and commenced to vigorously shake hands with the braves. Then I got Young Tiger Tail a pint, told him to come quick and we went back to the squaws. He told them "it was all right; we good men and did not want to steal squaws; only wanted to please the 'lydies.'" I learned afterwards that the female who reported us was the only old maid in the nation and she was always left as a chaperone.

The night was growing old, clouds had risen, and at 12 o'clock quite a heavy shower came on. The squaws and younger Indians had cut brush and palmetto leaves, and made quite a substantial shelter. So all the elderly people present, red and white, were sheltered. The Seminoles are a thoughtful and kind people to their aged and young, manifesting the greatest love and affection for them.

During the entire night Old Halleck and one of our oldest citizens, an ex-Confederate warrior, were assigned a position of honor, side by side, and were the recipients of all courtesies, so much so, that these heroes of two nations, became hors du combat: they were overcome by King Bourbon, and were laid peacefully side by side to sleep and dream of past battles.

The show over, a final dance was held, interspersed with the Seminole rallying call and war whoop. As the day star rose, we shook hands all around; they asked us to come to their Christmas, or "Green Corn Dance," and we parted that Christmas morn, having been hospitably entertained by the Seminoles. And my thoughts as I crossed the Miami river, turned to a lone grave on the right hand side of the sally port as you enter Fort Moultrie, Charleston Harbor, where you will see a marble slab with these words on it:

OSCEOLA
Seminole Warrior,
Chieftain, Patriot.

And these we read of are his people, and their heritage are these traits, for they are "honorable men" in the light they have.

A Seminole Reminiscence

Some Interesting Facts about Old Tiger Tail

In 1875 while enjoying the hospitality of Mr. and Mrs. John A. Addison at what was then known as The Hunting Grounds – now Cutler – and their hospitality in those days was a thing “sui generis” and not to be despised, as their menu consisted of mullet roes, venison, home-cured bacon, 5 varieties of bananas, pawpaws, baked sweet potatoes, guava jelly and coontie pudding, all of which Mrs. Addison would prepare in a way that would make an ordinary chef turn billious. While sitting on the piazza sniffing the menu my attention was attracted to a tall – yes gigantic figure – passing through the scrub and moving rapidly toward the bay landing. I followed and recognized “Old Tiger Tail,” Seminole Chief, on his shoulders, knapsack fashion, was the entire carcass of a large buck whom Tiger had “met up with” as we Crackers say. The entrails were removed and the burden was about 80 pounds. Near the water were camped his two squaws and little Wel-ke, his daughter, then about 8 years old – a little sloe-eyed beauty – the pride of his old age, for Tiger was then over 80 years old, and royally descended on both sides, for her mother was a sister of Emathla, commonly called Mottlo, one of their finest war chiefs.

Tiger dropped his burden at the feet of his squaws, little Wel-ke ran to him and he gave her some soft pretty talk in Seminole – a Semelah, as they call it – then he turned to me, gave his hand, said “et-se” (tobacco), then threw himself on some palmetto leaves, filled his pipe, after removing his double-soled hunting moccasins, and commenced smoking. His squaws had taken his moccasins, placed them to dry, he had tramped through wet glade, and they soon commenced work on the deer, preparing the meat for sale, removing the antlers and getting the hide ready to turn

into buckskin. Little Wel-ke came to him like a little “red fawn of the flowerland” and nestled in his arms, looking at him with grave wonder. His sinewy hands stroked her bright black hair and he looked at her wistfully. Oh, it was a pretty study in human savage bronze!

He talked: “Me old too much; eyes no good; see little bit, see etcho plenty; rifle old, no good; git one etcho.” I looked at his gun; it was an old Kentucky rifle, muzzle loading, percussion cap; the stock was broken and wired together. He wore a ragged red turban, his calico shirt was in rags and his buckskin breech-clouts were much the worse for wear. He was then “Tiger Tail the Hunter” – tired – hungry, but affectionate. Wel-ke knew this and with her fingers she felt his veins and looked into his dim eyes.

Mrs. Addison called dinner and Mr. Addison came and asked Tiger Tail to join us. He rose and said: “John Addison, my friend long time; some time long time Addison cowboy fight, kill Indians plenty; now all good friends. Little bit me come, eat, you hiapus (go).”

We left him. As we eat, in about 20 minutes, the dogs – Rock and Butler – barked and we saw Tiger Tail Chief coming; about 6 feet 8 inches tall, very erect, a bright red turban with a tuft of egret’s plume waving, a beautifully braided shirt draped with silver disks, fine mangrove-tanned buckskin leggings, an elegant sash of beadwork and side pouch to match, and at his side a long buck-handled hunting knife. He said: “Squaws fix um good; me eat.” He took his place and acted like a gentleman, showed no embarrassment, and there we were – John Addison, a cowboy, once the terror of the Indians, and Tiger Tail the chief. Mr. Addison told us how in the fights they often ran short of bullets, how they looked in the mouths of dead Indians and supplied themselves, for the Indian dropped his bullet from mouth to muzzle as he loaded, no time to reach for them by hand; how the Cracker cowboys fought for their stock, slaves and homes and how, when the regulars were repeatedly repulsed, the cowboys came to the rescue, fought the Seminoles in their own way, and to this day the Seminole respects the cowboy if he don’t admire him.

We talked of various affairs of the past. I asked Tiger Tail about the Peter Johnson killing; it occurred on a tract of land now mapped as Ewanton Heights. On the property owned by J.W. Little is a well, and here Peter Johnson made coontie. Tiger said: “Me tell him three days, little moon, Indians fight: you my friend go – go! Johnson laugh; three days me come; Johnson work, make starch; me kill him, he my friend; me kill him quick; Indians take him kill him little bit; me not like that; squaws

hurt him.”* He simply did not want Johnson tortured. After this occurred a detail from Fort Dallas was sent. Buck and another man reported the affair; they were Johnson’s partners; Johnson’s skull was found scalped and taken to Miami.

After this I established a trading post at Fort Dallas, Miami. Old Tiger was one of my best customers. I remember one evening as the sun was setting, he came down the river. I asked him to supper; we retired: I gave him a bed on the floor in my room; he talked with me very freely, told me much of the past; at ten o’clock he said: “Big star get up, chickens holler, me go.” When the morning star rose and the rooster crowed, he would go and he did, and I did not hear him. That night he told me his father assisted General Jackson to defeat Pakenham at the battle of New Orleans. Indians fought on both sides but the Seminoles were with us, he said they never wanted to fight again, squaws and pickaninnies starved, Arkansas too cold, no want to go.

On another occasion he visited me. I went near him and asked him for a piece of his hair; he scowled, was very angry. I told him I wanted it to send away as the hair of a great warrior and chieftan, wanted it to send to good friends. He said “one chalk” (25 cents), and after it made the trip north it came back to me and I have now a lock of old Tiger Tail’s hair—snowy white it is—and a precious relic.

Old Tiger had by his first or old squaw, a son like him in build, but in countenance resembling his mother. He was known as Young Tiger. In 1882, while sailing from Biscayne to Miami I saw a canoe put out from Buena Vista, then Dan Clark’s place; I ordered a luff; one Indian was in the canoe—it was Young Tiger Tail. I asked him aboard. He took my hand and said; “My father, my old man, Old Tiger Tail gone big sleep; no git up no more.” He was all broken up, told me his father had been struck by lightning at his big cypress farm. Soon after that Young Tiger Tail met his death in St. Lucie Sound, and since then, to me, the Seminoles have been different. Tiger Tail was much respected. His say so was conservative he knew the prowess of the whites and told his people of it. Emathlo who succeeded him, is vindictive, a different type from Tiger Tail. I never saw Old Tiger Tail and Young Tiger Tail in company, but I thought of Chinga-Chook and Uncas, Cooper’s heroes, they were the last of the

*Johnson had angered the Seminoles by selling them gunpowder adulterated with ground charcoal. Cecil Warren: “Miami Pioneer Recalls Fights with Seminoles,” *Miami Daily News*, March 29, 1931.

Mohicans and the Tigers are to me the last of the Seminoles. Robert Osceola resembles his uncle, Old Tiger Tail, and Robert was ambitious, but Robert was not popular – and Robert will never be to the Seminoles what the Tiger Tails were.

Old Tiger Tail owned and enjoyed the labor of his slaves up to the time of his death. Mr. Lincoln's proclamation by which he changed the color of many Federal office holders did not reach or effect Tiger Tail. He long after the Southern Confederacy ceased to exist, vindicated State's Rights. The Federal government has placed a monument to Osceola with these words – "Osceola, Seminole Chieftain, Warrior, Patriot." The ex-Confederate States should erect a monument to Tiger Tail. He was the best representative of State's Rights, and to the end defied the strong powers that existed.

About two miles south of Miami on the Brickell property, is a ledge of rocks, among these is a profile rock, and it is a good outline of Old Tiger Tail's face. It should be preserved; it was photographed many years ago. The old man was a type of what we shall not see again. The past of the Biscayne section is fading – as it was and is are quite different things.

Richard Fitzpatrick's South Florida, 1822-1840

Part I: Key West Phase

By Hugo L. Black, III*

Introduction

By Dr. Charlton W. Tebeau

Richard Fitzpatrick was an important figure in the first two decades of the American period in South Florida. Aside from the prominent role he played in the economic and political life of the region, he represented a class of southerner more closely associated with the life of middle Florida in the territorial period. He came from the planter class in South Carolina, brought slaves with him, and sought to impose the plantation system with all of its caste and class system on the region. That he failed is due partly to the sparse population and underdeveloped character of the society in these early days. It is perhaps due even more to the unsuitability of South Florida climate and soil for any of the plantation crops, cotton, rice, tobacco and sugar cane. Key West is better understood as a cosmopolitan, even international island of economic, social and cultural activity, unlike any other in Florida, and having little contact with it. He did attempt to establish the plantation system on the Miami River, but neither he nor

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anyone after him there succeeded in the effort to adopt it to the natural conditions of the region. Cane growing and sugar making were not really tried until the 1920s and by that time the plantation system had ceased to be of importance in Florida. Cotton growing never recovered its earlier importance in Florida after the Civil War. One cannot generalize on the basis of such a limited society and experience, but it is highly interesting that this one man, in some ways an outcast from that society, but brought up in it, brought the plantation concept to South Florida and sought to establish it there. Though he did not succeed financially, it did determine his attitude on questions of the day. His 1831 letter quoted here reveals his expectations. This narrative account of his experiences gives us an interesting picture of early South Florida at the same time.

This Country (South Florida) has heretofore been considered as of no value, but a single look at the map is sufficient to convince any intelligent man that the difference of Latitude (and consequently of the climate) must, if there are good lands to be found there place them beyond the value of any in the United States. I have seen more of the country than any white man in Florida, one other excepted, and being brought up a planter in South Carolina it is natural to suppose I must know something of the quality of land and its fitness for cultivation. You will no doubt be surprised when I state to you this fact that the Lime and Banana trees grow here in the greatest perfection as well as the sugar cane which is never injured by frost and grows from year to year until cut. I have never seen better in the West Indies or South America . . . If this country is surveyed and brought into the market it would be bought up with avidity and in a few years what is now a wilderness will be turned into the finest sugar, cotton, and rice plantations in the Union.!

Richard Fitzpatrick

South Carolina Background

Born in 1792¹ in Columbia, South Carolina,² Richard Fitzpatrick was, in his own words, “brought up a planter.” His father was William Fitzpatrick, one of the leading members of the planter class in the Columbia area. William Fitzpatrick served as a Captain in the Revolutionary War,³ and was a member of the General Assembly of South Carolina from 1787-1794, and again in 1798-1799.⁴ A wealthy cotton planter, at his death in 1808 William’s estate was worth over \$80,000. Included were sixty-six slaves, his main plantation known as Bell Hall, and another separate tract of land including a mansion and over ten thousand acres.⁵

In contrast to his economic and political success, William’s family life was a disaster. Sometime soon after Richard’s birth, William Fitzpatrick and his wife Elizabeth Lenon Fitzpatrick separated. Thereafter, the two battled each other in the courts over Elizabeth Lenon Fitzpatrick’s claim for compensatory damages after William left her. Though William and Elizabeth never divorced, the Court of Equity did award Mrs. Fitzpatrick the sum of sixty pounds sterling to be paid her yearly for the rest of her life. By 1798, William Fitzpatrick had taken a mistress, Elizabeth Gillespie, with whom he moved away from Bell Hall to his other tract of land.⁶

William Fitzpatrick’s union with Elizabeth Gillespie must have been quite scandalous, for not only was William still legally married, court papers at the time said that “(William) Fitzpatrick was an old and ugly man and . . . Miss Gillespie was young and very handsome,” a woman of “good moral character . . . previous to her acquaintance with Fitzpatrick,” who “had lost her good character by the visits of said Fitzpatrick.”⁷ Soon after William began living with Elizabeth Gillespie, they had a son whom they named William Gillespie Fitzpatrick. William’s mistress and bastard son made it impossible for him to run for another term in the South Carolina General Assembly; he served his last legislative term in the 13th General Assembly of 1798-99, not coincidentally the first two years of his relationship with Elizabeth Gillespie. Columbia society must have made William Fitzpatrick and his whole family, including Richard and Richard’s older sister, Harriet, into social pariahs because of William’s illicit relationship with Elizabeth Gillespie. The Fitzpatrick family, for example, does not show up on the church lists of the time, including the First Presbyterian Church where Harriet later was buried.

After William began his association with Elizabeth Gillespie, he tried to arrange his affairs so that both Elizabeth Gillespie and William

Gillespie Fitzpatrick would inherit most of the Fitzpatrick property. A South Carolina law prohibited mistresses and their bastard children from inheriting more than one-quarter of the testator's estate. Through a complicated arrangement of gifts and third-party purchases, however, William tried to circumvent the law. Although William did not try to cut his natural children completely out of his will,⁸ we can only speculate that Richard's and Harriet's affection for their father must have dwindled as they saw him trying to give away what the law said should belong to them, and as Richard was dropped in a second will from being named one of William's executors. At the very least, Richard's ties to his family in South Carolina must have been somewhat more tenuous than was common among planter families of the day.

In 1808, William went mad, and in April of 1808 a Declaration of Lunacy was declared by the Court and the administration of William's business affairs was taken over by his son-in-law, Harriet's husband, Joseph English. Richard was sixteen at the time, and thus was not old enough to take over. In June of 1808, William died, leaving his huge estate to be fought over by his inheritors. Ultimately, through court actions lasting into the 1820's, Elizabeth Gillespie and William Gillespie Fitzpatrick had to turn over all the property William had given them and settle for a cash payment of \$20,000, one quarter of William's estate. Richard and Harriet were joint heirs of the remainder of the estate worth over \$60,000. In addition, Richard received ten slaves given to him as a gift by his father years before William's death, but which William had never released to Richard.⁹ The long court battle by no means deprived Richard of his inheritance during the time actions in the court took place. By 1810, Richard had turned eighteen and was listed in the South Carolina census as the head of household of a plantation which had sixty slaves in the Lexington District near Columbia. Richard Fitzpatrick was at the age of eighteen one of the largest slaveholders in the Columbia area.

For whatever reason, sometime around 1816 or so, Richard left South Carolina.¹⁰ We can only guess about the reasons Richard Fitzpatrick left South Carolina and his plantation. The state of his family's reputation undoubtedly played its part, and perhaps Fitzpatrick's childhood in a broken home lessened endearing attachments that might normally have kept him near his birthplace. Perhaps he just wanted to see the world and had the wealth to allow himself to do so. We do not know where Fitzpatrick went, but for whatever reasons, from this point on in his life, he "became a man of moving habits," as his grand-nephew later de-

scribed him.¹¹ One of Fitzpatrick's nieces remarked in 1854 that 'Uncle Fitzpatrick ... has seen so much of the World that he is very pleasant company.'¹²

We know little else about the effect of Fitzpatrick's South Carolina background on his later life. Quite likely Fitzpatrick's parents' marital difficulties contributed to the reasons why Fitzpatrick never married. Fitzpatrick's childhood also evidently made him quite a liberal on divorce, for he later supported nearly every divorce bill he ever had to vote on in the Florida Legislative Council. Fitzpatrick left no personal papers, however, that spoke directly of his personal values and attitudes that may have developed as he grew up in South Carolina. But although the innermost thoughts of Fitzpatrick are inaccessible to us, we may reasonably assume that he adopted the ideology and habits of mind that were characteristic of the planters of the South. His later actions are those of a man with the planter ideology outlined below by Eugene Genovese, an ideology characterized by:

... an aristocratic, antibourgeois spirit with values and mores emphasizing family and status, a strong code of honor, and aspirations to luxury, ease, and accomplishment. In the planters' community, paternalism provided the standard of human relationships, and politics and statecraft were the duties and responsibilities of gentlemen. The gentleman lived for politics, not like the bourgeois politician, off politics.

The planter typically recoiled at the notion that profit should be the goal of life; that the approach to production and exchange should be internally rational and uncomplicated by social values; that thrift and hard work should be the great virtues; and that the test of the wholesomeness of a community should be the vigor with which its citizens expand the economy. The planter was no less acquisitive than the bourgeois, but an acquisitive spirit is compatible to capitalism. The aristocratic spirit of the planters absorbed acquisitiveness and directed it into channels that were socially desirable to a slave society: the accumulation of slaves and land and the achievement of military and political honors.¹³

As the Florida peninsula opened up to American settlement in the 1820's, men from the South like Fitzpatrick brought their ideology with them. The manner in which these Southerners coexisted with Northern bourgeois, lower-class whites of both the South and the North, people from the Bahamas, blacks, and Indians – all part of the South Florida population – is the core of South Florida's early history.

EARLY ACTIVITIES IN KEY WEST

Thirty years old when he came to Key West in 1822,¹ Richard Fitzpatrick immediately became one of the foremost citizens of the small town. When William Adee Whitehead finished surveying the island and laying out the town in February, 1829, streets were named after friends and relations of the original proprietors and a few distinguished citizens such as Andrew Jackson and Joseph M. White, Florida's Territorial Delegate. Richard Fitzpatrick was the only prominent citizen of Key West after which a street was named.² Fitzpatrick Street exists today in the old section of Key West.

Fitzpatrick's importance in Key West was a function of the conditions of the society outside Key West as much as a result of the acceptance, and even deference, he received in Key West. At a time when Key West was extremely dependent on both the territorial and national governments for the legitimation and ordering of the wrecking industry in particular, and Key West's continued existence in general, Fitzpatrick fit the model of respectability held by the ruling classes outside Key West. Fitzpatrick's residency and importance in Key West life were valuable assets for the young town; he helped to bring respectability and legitimacy to an area threatened by its reputation for crooked dealings and wild disorderliness.

Wrecking was the chief industry in the early years of Key West's existence. One commentator in 1851 expressed the situation well:

... First came the wreckers – from three to four hundred of them – to prey upon the carcasses of dead ships; then came the merchants and traders to prey upon the wreckers; then came the doctors and the lawyers to prey upon both the traders and the wreckers; and last came the clergy of all denominations to pray for all!³

Fitzpatrick was an important man in the early unregulated wrecking industry, prior to the establishment of an admiralty court in Key West. During part of this period, he was the only authorized auctioneer of all the wrecked property brought to Key West, a situation which led to some controversy in 1826. Key West and Saint Augustine were battling over becoming the center for the wrecking industry during the 1820's, and the Collector of Customs of Saint Augustine, John Rodman, seized on Fitzpatrick's monopolistic auctioneer's position as an example of Key West's unscrupulousness. In a letter to the U.S. Secretary of the Treasury on May 9, 1826, Rodman wrote:

... Sir, I deem it my duty to make known to you a fact, (for the information of the President of the United States) which I think deeply concerns the government of this Territory. It is this, the business of *auctioneer* at Key West, since wrecked goods have been carried there and sold to an immense amount has become very profitable. By an Act of the Legislative Council passed at the last Session, the enormous commission of 6 percent is allowed to Auctioneers in this Territory in all cases. It is estimated that wrecked property to the amount of nearly half a million of dollars, since the passage of this Act has been taken and sold at auction at Key West; for notwithstanding the repeal of the Territorial wrecking law by Congress, the wreckers still carry their cargoes there, and by what they pretend to be an arbitration the same abuses are practised as formerly, from 75 to 80 percent is often allowed. There is but one auctioneer for the whole Island, and he is George Walton, Esq., the Secretary of this Territory, Treasurer, and Acting Governor himself. Col. Walton I believe resides at Tallahassee, but he carries on the business of an auctioneer at Key West, by deputy – that is Richard Fitzpatrick who resides there transacts the business in the name of Col. Walton as his deputy, agent or attorney. Whether Col. Walton holds the *commission* of Auctioneer from the Governor or not I do not know, but the fact that all wrecked goods carried to that Island are sold in his name as the Auctioneer, Mr. Fitzpatrick acting as his deputy, agent, or attorney, is unquestionably true. I derive my information from Mr. Thomas Murphy, a gentleman of this place of respectability and intelligence, who was at Key West about two months ago and saw advertisements of goods for sale at auction in the above mentioned manner, and a number of persons belonging to this place and who went to Key West several months ago have lately returned sick and in great distress. They all confirm the Statement of Mr. Murphy and say that it was generally understood and believed at Key West that Col. Walton was the partner of Mr. Fitzpatrick in the Auctioneer's business carried on there.

I do not indeed know of any express law which forbids the Secretary of this Territory, though holding a high honorable and profitable office by appointment of the President of the United States, from also holding a very profitable office by appointment of the Governor of this Territory, and exercising that office by deputy some five or six hundred miles from his place of residence. But there appears to me to be a great impropriety in such an arrangement. My views of the matter may however be erroneous, and I respectfully submit the above information to the consideration of the President...⁴

Although Rodman's 6% figure for the auctioneer's commission should have been only 4% (2% of the original 6% was a territorial tax)⁵ Fitzpatrick apparently made quite a lot of money for his parttime work as

an auctioneer. If we take Rodman's figure of \$500,000 as the correct figure for the amount of wrecked property sold in Key West in that one year, and make an assumption that Fitzpatrick split the 4% commission in half with Walton, then Fitzpatrick made around \$10,000 in auctioneer's fees in that year alone.

Although Fitzpatrick's arrangement with Walton was perfectly legal, Fitzpatrick later apparently had misgivings about the arrangement, since he sponsored a law, which passed in 1831, which provided "that it shall not be lawful for any auctioneer in this Territory to sell any goods, wares, or merchandise at auction, by deputy, or otherwise than in person, from and after the passage of this act." Perhaps Fitzpatrick's moral qualms about the auctioneer situation reflected his regret over having had to split his percentage with an absentee holding a sinecure.

Fitzpatrick held a variety of other governmental positions in the 1820's. After Fitzpatrick's term as auctioneer was over, he frequently was appointed on salvage cases as an independent appraiser of wrecked property by the Superior Court.⁷ On at least one other occasion, Fitzpatrick was also appointed by the Court as a commissioner to arrange the settlement of an estate.⁸ Fitzpatrick was appointed one of the judges of election in the first election held after Monroe County was formed.⁹ He was Clerk of the County Court in 1827,¹⁰ and was foreman of the Monroe County Grand Jury.¹¹ He was a member of the first Town Council of Key West.¹² Fitzpatrick was also one of the first notary publics on the Island.¹³ On the Federal level, when the Navy sold off their property in Key West and moved to Pensacola, a few buildings left unsold were left in Fitzpatrick's care.¹⁴ In 1828, Fitzpatrick applied for the post of U.S. Marshal for the newly created Southern District, but Henry Wilson, formerly the U.S. Marshal for the Middle District, was appointed instead.¹⁵

In 1829, Fitzpatrick found himself on the other side of the law when the Monroe County Grand Jury indicted him and George Hawkins for circulating a handbill calling Gustavus Harrison a coward for refusing to fight a duel.¹⁶ From January 17, 1827 to November 21, 1829, Florida had no law against duelling, but distributing handbills against an individual who refused to accept a challenge was punishable by a fine of up to five hundred dollars.¹⁷ Fitzpatrick ended up not receiving a fine for the handbill offense, however, for after one continuance, the prosecution dismissed the case in 1829. The prosecution most likely dropped its case because juries just did not want to convict men for duelling and duelling related offenses. Though some Floridians had begun to question the practice of

duelling by the late 1820's, the validity of the practice of duelling for a long time had been a part of planter ideology, and most Floridians approved of duelling as a means of settling disputes and maintaining personal courage and honor among the individual members of the society. Fitzpatrick's acquittal was one way the existence of the planter ideology among the people of Key West manifested itself.

On one other occasion Fitzpatrick found himself the subject of criminal prosecution, this time for breaking a federal law. In 1831, the Monroe Grand Jury indicted Fitzpatrick, saying that Fitzpatrick:

... At the said New River settlement in the county aforesaid with force and arms did cause and procure to be cut and as aforesaid did then and there aid and assist in cutting a certain quantity of live oak timber to wit of the value of three hundred dollars or thereabouts dollars with intent to dispose of, use or employ the same in some manner other than for the use of the Navy of the United States the same being then and there the property of the United States and then and there being and found on land the property then and there of the United States...¹⁸

The case came to trial, and Fitzpatrick was acquitted by the jury. The foreman of the jury was William Cooley, who occupied a plantation on the New River on land that Fitzpatrick owned and most likely rented to Cooley. Even if such a close connection between Fitzpatrick and the foreman of the jury had not existed, however, it was unlikely that a jury would have convicted Fitzpatrick or any other South Florida resident for such an offense, whether or not he was actually guilty. Illegal cutting and shipping of timber from the public lands was a common occurrence in Florida in the 1820's. Illegal timber cutters were in most areas of Florida the vanguard of frontier expansion.¹⁹ Federal and state officials at the time noted the failure of the courts to deal with the problem, and attributed the lack of successful prosecutions to "public indifference."²⁰

Ironically, shortly after Fitzpatrick's indictment he wrote a letter to John Simonton requesting Simonton to attempt to persuade the federal government to survey the land in what was to become Dade County, and in an attempt to sell the government on the importance of the area, Fitzpatrick spoke to Simonton of the valuable timber in the area. In Fitzpatrick's letter of December 20, 1831, he wrote:

... The Government is not aware of the abundance of fine timber suited for naval purposes to be found here, or something would certainly be done respecting it. There should be an agent on shore as

well as vessels on the coast to protect the property of the Government, and it is not possible for the agent at St. Augustine to attend to it here...²¹

We may perhaps be allowed a bit of cynicism about the degree of sincerity in Fitzpatrick's concern for the Government's timber interests. What the letter does show us is that the possibility of having southeast Florida readied for the immigration of other planters was far more important to Fitzpatrick than any profit he might have made from cutting timber.

While Key West's ruling class found itself with much in common, like societies everywhere disputes were also frequent among the ruling group. Several court fights Fitzpatrick had with Pardon C. Greene were representative and help to place these disputes in proper perspective.

Greene was one of Key West's largest landowners and also a prominent merchant. For many years the wharf and warehouses of Pardon C. Greene and Co. were the most important on the island.²² Greene was also the type of man who gave Key West a bad reputation and made Fitzpatrick's presence so valuable. Major James M. Glassell, Commander of the Army Port at Key West, described Greene in a letter of 1832:

... I understand that Mr. Greene left his native state (Rhode Island) to defraud his creditors; left his family; got command of a Guinea-man vessel in the slave trade for Havana; made money, and not daring to go home speculated on the lands in this place, the proprietors being much in want of funds: his wife and children in their native state, he has ever since my arrival here, until very lately, lived in open concubinage with a black woman from Nassau, by whom he has children, and who left him in consequence of continued brutal treatment, during his fits of intoxication, which occur every afternoon.²³

Fitzpatrick filed suit against Greene in May of 1830, alleging that on January 3, 1829, Greene had made out a promissory note for \$3,205.43 and that Greene had refused to pay the money to Fitzpatrick. Fitzpatrick sued Greene for the original sum plus damages to arrive at a total of \$3,400. Greene admitted his liability in an affidavit responding to Fitzpatrick's charges, but said Fitzpatrick in turn owed Greene \$2,644.75 for Fitzpatrick's account with Greene and Company. Greene thus claimed he owed Fitzpatrick the difference of \$560.25. The jury awarded Fitzpatrick the full sum Greene originally owed, \$3,205.23.²⁴

Not to be outdone, during the succeeding two sessions of the Southern District Court Greene filed three suits against Fitzpatrick. In

one suit filed November, 1830, Greene said that Fitzpatrick on February 20, 1830, "with force and arms at the county aforesaid (Monroe) did place and put a very large quantity of logwood upon one side of said wharf knowingly and with intent to injure said wharf and entirely destroy the same..." Greene further claimed that the wharf was out of service from that day, February 20, to March 16, and that the cost of repairs and damage done to Greene's business amounted to \$1,200. The jury found in Greene's favor and awarded Greene the full sum of \$1,200. Fitzpatrick's motion for a new trial was dismissed by the court.²⁵

At the next court term in 1831, Greene filed two suits against Fitzpatrick: one alleging non-payment of a debt for \$3,516 for Fitzpatrick's account with Greene and Company, and the second alleging a debt for \$600. In the \$600 case, Greene alleged that he had left Fitzpatrick in charge of Greene and Company's warehouse during one period while Greene was out of town, and that while Greene was gone Fitzpatrick took \$537 from Captain Lloyd of the wrecked vessel *Belle Isle* as payment for taking in the goods of the *Belle Isle* at Greene's warehouse, but had never turned over the \$537 to Greene. With damages, Greene said Fitzpatrick owed \$600 to Greene and Company. In reply to this charge, Fitzpatrick took the deposition of John Ford Pike of Havana. Pike testified that Lloyd had asked him (Pike) for advice about what to do with the wrecked *Belle Isle*, that he (Pike) had advised Lloyd to speak to Fitzpatrick for advice and counsel in Key West, and that he (Pike) had even gone so far as to give Lloyd a letter of introduction to Fitzpatrick. Thus, Fitzpatrick claimed that the \$537 was a fee for giving advice to Lloyd, a matter strictly between Fitzpatrick and Lloyd, separate from any fee for warehouse storage.²⁶

As these second and third suits stretched on into the latter part of 1831, Fitzpatrick filed a countersuit for \$8,100 against Greene, Joseph Cottrell, who was Greene's business partner in Greene and Company, and Ed Chandler, their lawyer, subject to a condition that Fitzpatrick would drop his countersuit if Greene paid all court costs and dropped his two suits, which combined totalled \$4,050. Fitzpatrick said the \$8,100 suit was for damages resulting from Greene's suit against Fitzpatrick for \$4,050 "which was obtained and published without cause and to injure the credit reputation and character of plaintiff..."²⁷ Though we find no final judgment in the incomplete court records on Greene's claims for \$4,050 or Fitzpatrick's claim for \$8,100, Fitzpatrick's countersuit apparently failed to scare Greene off, for from the evidence that does remain, it seems likely that Fitzpatrick lost the suit for \$4,050. On May

20, 1831, the Court ordered the Marshal to “attach and take into your custody . . . so much of the lands tenements goods and chattels of Richard Fitzpatrick of said County as will be sufficient to satisfy the demand of Pardon C. Greene, the Plaintiff in their attachment in the full sum of four thousand and fifty dollars,” which was then, “executed upon on Sloop *Eagle* and Lot No. Three in Square No. Eight in the town of Key West together with the Houses and improvements thereon.” While it is possible such an attachment was issued before the final judgment, it is more likely that the attachment was issued subsequent to Fitzpatrick’s losing the \$4,050 suits.²⁸

Fitzpatrick was involved in early Key West in more than just his tertiary roles in the Key West powerstructure, such as his position as an auctioneer. The sloop *Eagle* referred to in the previous writ of attachment was a wrecking boat which Fitzpatrick owned, working the Florida Keys. A subsequent court case between Fitzpatrick and his successor, P.J. Fontane and Company, contained account books which placed Fitzpatrick’s ownership of the sloop *Eagle* at least as early as 1825.²⁹ This case between Fitzpatrick and Cotterell and Company, Fitzpatrick’s only other legal battle, stretched from 1835 to 1842, when Cotterell’s lower court judgments for non-payment of debt against Fitzpatrick for \$1,124.92 and \$453.14 were overturned by territorial Florida’s final Court of Appeal on May 9, 1842.³⁰ References to the sloop *Eagle* in the Cotterell case stop with the 1831 account books, which lends even more weight to the evidence that Fitzpatrick lost the sloop *Eagle* in 1831 as a result of Pardon C. Greene’s suits.

Fitzpatrick’s direct participation in the central economic activity of Key West, the wrecking industry, did not end when Fitzpatrick gave up the sloop *Eagle*. While we do not know any specifics about the sloop *Eagle* during the time of its ownership by Fitzpatrick, we have more information about Fitzpatrick’s subsequent ownership of another wrecking boat; by at least 1834, Fitzpatrick had become the owner of the schooner *Florida* of Key West. Expenses for a year covering part of 1834 and much of 1835 were \$1,840.59, for such items as captains’ salaries and food (mainly pork, molasses, rice, coffee, flour, and tea). By the end of that fiscal year Fitzpatrick owed Cotterell and Company \$235.95 in the schooner *Florida* account, a year in which the schooner *Florida* had not salvaged any major wrecks.³¹ In the subsequent fiscal year in 1835, however, the schooner *Florida* had a huge success, when she received two-fifths of the value of the salvage of the brig *Sea Drift*. Wrecks such as the *Sea Drift* were what later made Key West the richest city per capita in

the United States. Of the salvage worth \$51,487.14, Fitzpatrick and the *Florida* received \$20,594.85.³² Even after giving the crew their share, Fitzpatrick had certainly realized quite a profit.

Fitzpatrick's ownership of wrecking boats is significant to us because it demonstrates that at least this one member of the planter class did not find wrecking incompatible with his ideology. Thus, the business of wrecking was not an activity restricted to owners and sea-captains from the North, though many of the wrecking-boat owners and sea-captains were from the North. While no one has ever studied the ownership patterns of Key West's wrecking industry, we do know that other Southerners like Fitzpatrick were involved. Fitzpatrick's nephew from South Carolina, William F. English, at one time captained a wrecker as well as owned one.³³

In March of 1830, Fitzpatrick broadened his economic activities beyond the wrecking business to attempt salt-making.³⁴ He leased an interest in the Whitehead portion of the Key West ponds. From the first days of Key West, according to Jefferson Browne, "the original proprietors and first settlers of Key West considered the manufacture of salt as the most probable means of making it known in the commercial world."³⁵ While this high expectation placed on salt-manufacture is usually attributed by historians solely to the existence of natural ponds on the island, an additional consideration was that salt-making was an activity thought to be particularly attractive for large slaveholders. One writer in the *Key West Register* on the salt ponds remarked, for example, that:

... The extent of the Ponds will afford employment to at least five thousand laborers, and from the terms which have been extended to those who have already made contracts, there can be but little resque in saying that many of our countrymen who have large gangs of slaves, would find it greatly to their interest to engage in this business.³⁶

And again, in another article in the *Key West Register*:

The extent of the pond will afford employment to a very large number of labourers in the formation of the pans; after the completion of which, except during the raking season, they might be otherwise employed. This fact should engage the attention of those who have embarked in sugar planting in Middle Florida, whose hands, during the growth of their cane, might be advantageously employed here.³⁷

Fitzpatrick leased an interest in the Whitehead portion of the salt ponds on March 29, 1830. Fitzpatrick's rental schedule was based on the amount of salt he would produce. For the first year, Fitzpatrick's rent was set at ten bushels of salt out of every 100 bushels of salt produced, for the second year 15% of the salt produced, and for the third and following years, 25% of the salt produced. Whitehead was also careful to reserve the right to become a partner at the end of three years.³⁸

The process of salt-making by solar evaporation, though often referred to at the time as manufacturing, was actually an agricultural activity. Like traditional agricultural pursuits, salt-making was a labor-intensive process in which one prepared an optimum situation for nature to work on its own, and after a period of time harvested the results. Jefferson Browne described how the process worked at Key West:

About one hundred acres of this property were subject to overflow at any ordinary high tide, a large portion being always under water. This was divided into compartments or "pans" one hundred feet long and fifty feet wide, separated by walls two feet high made of coral rock. Small wooden floodgates connected all ten pans, and sea water was turned into them from a large canal, in which was a floodgate for regulating the water supply; thus the water could be let into or cut off from all or any of the pans. The pans were then filled with salt water and the floodgate in the canal closed, and as the water was lowered by solar evaporation more salt water was let in. This process was repeated until the approach of the rainy season, when the water was allowed to evaporate and the salt precipitated into crystals, from an eighth to a quarter of an inch in size.³⁹

In the Bahamas, salt-making was an established business, and it was believed in Key West that, "if experienced salt-makers could be induced to leave the West Indies and reside here, (of which there can be no doubt), it may reasonably be presumed that this valuable source of wealth will be fully and fairly developed. . ."⁴⁰ Fitzpatrick, like everyone else in Key West at the time, was aware of the knowledge and experience of the Bahamians in salt-making, and thus "an intelligent, educated colored man named Hart was brought from the Bahamas and placed in charge of the works. . ."⁴¹ While this does seem rather remarkable, the presence of a free negro in charge of Fitzpatrick's works certainly did nothing to change the use of slave labor by Fitzpatrick in the salt-making process. In conjunction with other evidence, Fitzpatrick's hiring of a free negro for such an important position might be used to argue a lesser degree of

racism in Fitzpatrick, but every other bit of evidence we do have points to the contrary.

Although, according to Jefferson Browne, "several dry seasons promised favorable results," and though Fitzpatrick at one time "had over thirty hands employed," Fitzpatrick's salt-making activities were not successful.⁴² On February 25, 1832, the *Niles Weekly Register* put Fitzpatrick's production at "4,000 bushels annually," far less than the expectation stated in the same article which read: "Key West is a new source for the production of salt. Ponds have been made, which are expected to supply from 500,000 to 800,000 bushels a year."⁴³ The closest Fitzpatrick came to success was, again according to Jefferson Browne, "in the summer of 1832 (when) the prospect was thought good for sixty thousand bushels, but rains set in early, and the crop was lost."⁴⁴

Several reasons were advanced at the time for Fitzpatrick's failure. According to Walter C. Maloney, in *A Sketch of the History of Key West, Florida*, "(Fitzpatrick's) hopes were never realized, partly, as was thought at the time, from the demand for labor around the wharves in the town, at high rates, drawing off the hands. Prompt returns therefrom, very naturally inducing the master to disregard future prospects for present realization from the labor of his slaves."⁴⁵ This statement seems to indicate that Fitzpatrick himself hired out his slaves on the wharves rather than using the slaves when necessary at the salt works. Another reason advanced for Fitzpatrick's failure was the lessening of the duty on foreign salt, which duty had dropped from twenty cents to fifteen cents in 1831, and to ten cents in 1832.⁴⁶ It is quite possible that Fitzpatrick hired out his slaves at the expense of his salt business in the expectation that he would be able to concentrate on salt-making in the future, but that the lowering of the duty on salt and the disastrous harvest of 1832 discouraged Fitzpatrick from continuing his salt-making efforts.

THE 1831 AND 1832 LEGISLATIVE COUNCILS

Fitzpatrick's entrance into the salt business was a cause for exultation in Key West, for his undertaking promised the fulfillment of a dream of extraordinary prosperity for the whole town. One writer in the *Key West Register* had phrased his hopes for the salt ponds in the following terms:

... When we take into consideration the existing protecting duty on salt made in this country – the immense quantity of that article that

the pond on this Island is capable of furnishing – the geographical advantages of our port by which a number of our vessels annually return in ballast from ports in the Gulf of Mexico, Cuba, etc. we should not be thought visionary in predicting that the growth of our population and commercial importance must be certain, and unparalleled in its rapidity.¹

With the advent of his extraordinary popularity because of his salt-making activity, Fitzpatrick ran for Florida's Legislative Council in 1830.

Fitzpatrick defeated George Weaver of Indian Key, 69-48, in the 1830 election. Fitzpatrick carried the Key West precinct, 49-14, and the New River precinct, 13-1, but Weaver carried the Indian Key precinct 33-7.² While Fitzpatrick's strong showing at the New River precinct was probably attributable to his having begun to buy land for a plantation in that area, the abrupt difference between the Indian Key and Key West vote was due to more than just the traditional carrying of the home precinct. By 1830, Indian Key and Key West had begun an intense sectional rivalry over which port would be the center of the wrecking industry, a rivalry which was a factor to some degree in nearly every election for the Legislative Council in the 1830's in South Florida.

Fitzpatrick's election to the territory's Legislative Council in 1830 was the beginning of one of the most extraordinary legislative careers of any legislator in Florida's Territorial period. Only a few other men were as influential, and very few matched Fitzpatrick's record of election victories. Fitzpatrick served as the representative from Monroe from 1830-32, and again from 1835-36; as Dade's representative from 1837-40; and as Dade's representative in the Constitutional Convention of 1838.

Due to a change made by the 1829 Council in the date of holding both the election for the Council and the Council session itself, there was no 1830 session. In Fitzpatrick's first session, begun in January, 1831, he was appointed to the Finance Committee and the Committee on the State of the Territory.³ In nearly every subsequent legislative session, Fitzpatrick was on one or another variants of these two committees, often as Chairman. Such appointments gave him a central position in several of the most significant developments of the 1830's: the controversy over the creation of banking and other corporations, and the sectionally-divided debates over such issues as statehood and the removal of the capital from Tallahassee.

Fitzpatrick introduced only one bill in 1831, the previously mentioned bill to prevent the appointment of deputy auctioneers. Fitzpatrick

was involved in numerous other issues as well, however. On January 20, Edward L. Drake of Escambia County introduced a resolution, "That a committee of five be elected, whose duty it shall be to inquire into and report upon the expediency of removing the seat of Government from Tallahassee."⁴ The resolution passed overwhelmingly, and Fitzpatrick was one of the five men chosen. This committee's final report, which passed over Governor Duval's veto, became one of the most serious threats to Tallahassee's position in its history. The final report of the committee recommended the appointment of five commissioners to examine eligible places and make a recommendation for the site of a new capital. The committee's report strongly determined that Tallahassee should not remain the seat of government.⁵

Fitzpatrick was also involved in passing a bill to overturn the 1829 law which had made duelling illegal. Fitzpatrick was the Chairman of the committee of the whole which reported the pro-duelling bill to the floor, and his one affirmative vote proved crucial in the 8-7 vote passing the bill.⁶

Several local Key West matters were dealt with in the 1831 Legislative Council. Fitzpatrick helped to pass an appropriation for \$2,000 to build a jail in Key West.⁷ In 1828, Fitzpatrick had been a member of the Monroe Grand Jury which originally recommended the construction of a new jail. The 1829 Grand Jury had repeated the recommendation and requested the Legislative Council for funds, which request resulted in the \$2,000 appropriation in 1831.⁸

In another separate local matter, Fitzpatrick presented a "petition from the President and Councilmen of the Town of Key West, praying an amendment of their Charter of Incorporation, which was read and referred to a select committee, consisting of Messrs. Fitzpatrick, Booth and Sanchez."⁹ The petition informed the Council that no election for Town Council had been held in 1830, and that no one had continued the business of the Town Council in 1830. But that:

... On the first Monday in January 1831, agreeable to the Law establishing this Town the citizens proceeded to elect certain persons as Town Council and the choice was made of your memorialists. It having been doubted if the Act continued in force after a failure to elect members in 1830, your memorialists pray that a Law may be passed re-enacting the former act establishing the Town of Key West, with a further provision that should the Citizens omit to choose the Council on the First Monday in January in each year

they may have power to do so on the first Monday in any other month during the said year. . .¹⁰

Fitzpatrick's select committee reported out a bill which did exactly what the petition requested, and the bill passed.¹¹

Two incidents in the 1831 Council may have led to some opposition to Fitzpatrick in the next election. Twenty-five of Key West's most prominent citizens petitioned the 1831 Council soliciting "the enactment of a law constituting a salt company in the Island of Key West composed of Pardon C. Greene Esquire and others. . ."¹² Shortly afterward, Mr. Gautier of Jackson County "introduced a Bill to be entitled, An Act to Incorporate the North American Salt Company . . . at Key West."¹³ It was unusual enough that the sponsor of a local Key West bill should be Gautier rather than the home-county representative, Fitzpatrick. But even more unusual was that the bill failed at a time when nearly every bill creating a corporation passed unless it was one that excited sectional jealousies, which the North American Salt Company did not. Furthermore, the bill's defeat came about not through a roll-call vote on the floor, a procedure by which the bill would most likely have passed, but rather through legislative inaction. The bill passed second reading, but was postponed twice to a date certain and was not taken up on the second date specified.¹⁴ According to Jefferson Browne, "Mr. Fitzpatrick was a member of the Council and opposed the bill and prevented its passage."¹⁵

The Key West newspaper had "estimated that this new (salt) company would require 500 vessels to transport the salt that would be made annually."¹⁶ Dashing such hopes was not the way to insure re-election. Fitzpatrick's opposition to the North American Salt Company bill, "gave rise to an attack on him, which became very bitter before the election."¹⁷

Fitzpatrick's opposition to the North American Salt Company bill was motivated by self-interest: Fitzpatrick's interest in revenge against Pardon C. Greene as a part of the running battle between the two men, and Fitzpatrick's interest in protecting his own salt-making operation from competition. This confusion of the realms of public and private interest was not unusual at all at the time among the members of the Legislative Council. This type of action was quite different in their minds from something like stealing from a public fund. Acts of incorporation, for example, were routinely passed with several members of the Legislative Council on the Board of Directors. All over Florida, planters like Fitzpatrick believed they personally were creating the foundations of Florida's society, and were infected by an arrogance which did not allow them to

see the difference between their own personal interests and the interests of society as a whole.

Fitzpatrick may have caused Lackland M. Stone to run in the next election for Fitzpatrick's legislative seat when Fitzpatrick made a motion that endangered a relief bill introduced for Stone in the 1831 Council. Or perhaps Fitzpatrick knew about Stone's political plans beforehand, and tried to hinder Stone's relief bill out of pique. The "Bill for the Relief of L.M. Stone," introduced by William H. Allen of Mosquito County, had been making its way through the legislative process, having been read a second time and referred to a committee of the whole, from which "Mr. Byrd, from that committee, reported progress which report was received." But, for whatever reason "Mr. Fitzpatrick then moved that the petitioner have leave to withdraw his petition, which was granted."¹⁸ It is doubtful that Stone desired to actually withdraw his petition, for it was later taken up again and eventually passed. Although Fitzpatrick voted for the relief bill on final passage, Fitzpatrick's other actions, both in making his motion to allow Stone to withdraw his petition and in allowing someone from another county to introduce the bill in the first place, indicate a lukewarm attitude at the least toward Stone's bill.¹⁹

The ensuing campaign between Fitzpatrick and Stone, then U.S. Marshal of the Southern District and a former member of the Legislative Council from Jackson County, was a stormy one. Jefferson Browne described the campaign thus:

... Mr. Fitzpatrick was candidate for re-election; communications signed "Voter," "Honestus," "One of the People," etc., appeared in the *Enquirer* in which the good and bad qualities of the respective candidates were set forth. As both gentlemen were men of culture and high standing, the charges against them were no doubt as false as those promulgated in the primaries of the present day. Among other things, Mr. Fitzpatrick was charged with having traduced and slandered the people of Key West, calling them a "set of dishonest and unprincipled men and that the people of this county were unworthy of trust." He came in for the greater share of the abuse, but was triumphantly elected.²⁰

Fitzpatrick's elation about his re-election shows up in a chatty letter he wrote to Governor Westcott about the elections for the Council that year. (While it is important to be aware that class motivations received their concrete form through individual desires and emotions, it is also equally as important to give personal considerations their proper weight,

to realize the degree to which personal considerations were ends in themselves.) Fitzpatrick's letter to Westcott is the closest we have to a personal letter written by Fitzpatrick and reminds us of the extent to which the sheer joy of winning was a motivation in Fitzpatrick's political career.

Key West 22 Nov., 1831

James D. Westcott Esqr.

Dear Sir: I have been most anxious to hear from your part of the Territory relative to the different Elections. You will see by the returns that I make you a visit next session. The matter turned out as I always knew it would do, and I am sorry Stone offered himself as a candidate, those who call themselves his friends here have done him no good. I have heard he is very sick. Little more than half the votes in the County were taken and I lost "nearly the whole of those who did not vote" – I hope you and your family have not been visited by the dreadful fever which raged in Tallahassee and the neighborhood around it. I shall leave here about the 15th December and hope to have the pleasure to give you a hearty shake of the hand about Christmas. I hope Booth is re-elected, I want to see him. Dunlap is dead. You are truly unfortunate in the case of two in succession. Who will be the next? Please to make my respects to Mrs. W. and all the Babies –

Your friend & Sert.
R. Fitzpatrick²¹

In the 1832 Council, Fitzpatrick was appointed to only the Finance Committee, of which he was Chairman. He was more active than he had been in 1831, introducing several more bills than he had previously as well as continuing to be involved in local matters.²²

As he had been in the previous session Fitzpatrick was a central figure in one of the most controversial issues of the session, the relocation of the capital away from Tallahassee. The commissioners who the Council had appointed the previous year had been unable to decide on a proper location, and Fitzpatrick introduced a resolution "to provide for holding the next session of the legislative council of this territory in the city of St. Augustine, and for other purposes." The resolution passed, was vetoed by Governor Westcott, and then finally lost when the votes fell one short of overriding the veto.²³ The vote on the Tallahassee bill was motivated by sectional considerations, as was so much of the politics of the time. Fitzpatrick's position as a legislator for South Florida, unaffiliated with either East, Middle, or West Florida, gave him an objectivity born of

geography which resulted in the deferral of the initiative on intense sectional issues throughout the 1830's to Fitzpatrick by other more self-ishly involved legislators. Fitzpatrick's special position in this regard undoubtedly contributed to his extraordinary influence on the Council.

Fitzpatrick was again involved in several local matters during the 1832 session. No bids had been taken on the building of the Key West jail authorized at the 1831 session, so Fitzpatrick had the time extended within which the construction would be allowed to begin.²⁴ Later in 1832, bids were let for the building of the jail. Fitzpatrick submitted a bid to erect a jail with a cistern (the original Grand Jury report had recommended and the original bill had specified a cistern) for \$3,200, and John Simonton submitted a bid for \$1,699 without a cistern. The commissioners in charge of selecting someone to build the jail decided they could do without the cistern, and ended up deciding in favor of Simonton's bid.²⁵

As in 1831, Fitzpatrick again submitted a petition from Key West citizens requesting an amendment in their Charter. While the original petition no longer exists, the bill that passed probably merely implemented the suggestions in the petition. We can thus assume the petition related to the taxation situation in Key West. The first Charter granted in 1828 authorized only a poll tax and did not allow a tax on real estate. Browne said, "This was a source of much controversy, the large landed proprietors being opposed to taxing their realty, as the major part of it was unproductive and they were freely donating lots to induce settlers to come to Key West."²⁶ The new 1832 "Act to Incorporate the City of Key West" broadened the tax base considerably, allowing the Mayor and Alderman,

... to tax and license billiard tables, to tax and license hawkers, pedlars and transient traders, to tax retailers of dry goods, grocers, commission merchants and auctioneers; to tax free negroes, mulla-toes and slaves – provided the tax on slaves shall not exceed the territorial tax on them – They shall have power to levy a tax on improved and real estate within said city, of not more than one half of one per centum upon its value, and one half of one per centum on all unimproved lots within said city...²⁷

It is difficult to know just how much personal involvement Fitzpatrick had in this Charter change. The tax on real estate did not affect Fitzpatrick greatly, for he owned very little land on the island. On the other hand, the potential for a tax on slaves had more effect on Fitzpatrick

than anyone else. Most likely, the petition for a Charter change came from the existing Town Council, along with enough of Key West's prominent citizens such that Fitzpatrick could claim he was merely following a popular mandate in passing the Charter change. But even with this mandate, Fitzpatrick most likely earned the opposition of the large landholders. Though large landholders were quite a minority in Key West, they were a powerful minority. One of the largest landholders, Pardon C. Greene, already was feuding with Fitzpatrick. It is quite possible that this opposition of the large landholders, perhaps combined with some sectional jealousy on the part of Key West citizens over the amount of time and energy Fitzpatrick was putting into establishing a plantation on the Miami River, cost Fitzpatrick his seat on the Legislative Council. In the election for the 1833 Council, Fitzpatrick was defeated by Ed Chandler, a prominent Key West attorney and also, as Pardon C. Greene's lawyer, a target of Fitzpatrick's \$8,100 defamation suit.²⁸

FREE NEGRO IMMIGRATION

Although the defeat by Chandler temporarily knocked Fitzpatrick off the Legislative Council, he continued to play a role in the government of the island. One of the acts passed by the 1832 Council had made it unlawful for "any free negro or mulatto to migrate, or be brought into this Territory from any State or Territory within the United States, or elsewhere."¹ At first as a private citizen, and then as a Justice of the Peace, Fitzpatrick became the central figure in efforts to enforce this law on the island of Key West.

On August 10, 1833, Fitzpatrick appeared as a private citizen before Justice of the Peace Ede Van Evour and presented an affidavit naming ten Negroes who Fitzpatrick said had been brought into the territory of Florida contrary to the 1832 Act. Furthermore, Fitzpatrick swore that two of the Negroes had previously been deported under this act, which made their crime all the more serious because the penalty for a second offense under the law was to be sold into slavery for a period of five years. The Negroes were arrested and brought before Van Evour on September 18, 1833, who thereupon set them free "for want of testimony."² The incident did not end with the release of the Negroes, however. The 1834 Grand Jury, with Fitzpatrick as foreman, indicted Van Evour for malpractice for his action in setting the Negroes free. The Grand Jury charged that:

... the said Ede Van Evour being then and there and always a wicked and evil disposed person and well knowing the premises but devising designing contriving and subtly intending to prevent the due course and administration of law and Justice and to make the same subservient to his own private lucre and gain and to his own private wicked purposes and intentions did then and there ... cause and procure the said (negroes) to be discharged and to escape and go at large from and out of the custody of the said Marshal ... to the great hinderance and mockery of public justice of said Territory to the evil and pernicious example of all other in like case standing...³

As Justice of the Peace, Fitzpatrick was involved in several other cases involving the same statute. On May 20, 1834, as a Justice of the Peace, Fitzpatrick received testimony naming five Negroes who had been brought into the Territory illegally on several different schooners captained variously by Henry Fitzgerald and Frances Watlington. Four of the five Negroes had been seamen on boats captained by Fitzgerald, but had been discharged on reaching Key West and they had begun living on shore. In Fitzpatrick's opinion convicting the Negroes, Fitzpatrick expressed an extremely harsh interpretation of the 1832 law, an interpretation including a denial of any right of the Negroes even to appeal their conviction. Fitzpatrick's opinion stated:

... The Court will observe that the Law does not *require* any proof upon oath that a free negroe or mulattoe has been brought here contrary to law, any information of any kind is sufficient, or a citizen or officer can take hold of a free negroe or mulattoe *without a warrant* and bring him before a magistrate and if he, upon examination of the party *be of opinion* that he has come or brought into the Territory contrary to the law of 1832 to proceed and carry that law into effect. In this instance the Justice committed the Negroes and Mulattoes to jail as the Law directs. The Counsel for the free negroes asked an appeal under the 21 Section of the Law of 12 Feby. 1832 "Regulating appeals and writs of Certiorari;" upon examination of the Law under which the appeal was asked the Justice thought himself bound to refuse upon the ground that the Law in question has no bearing or reference to criminal proceedings before Justices of the Peace, and where the Justice has only the power to commit; a party could by the 2d Section of Law claim an appeal when committed by a Justice to Jail upon a charge of Murder or any other criminal offence where the testimony was ample and conclusive, if the ground taken by the counsel for the free negroes is tenable; and the criminal might by delay escape punishment. The

Act of 1832 relative to appeals and writs of certiorari, has reference to the Act of 1829, and repeals the 7th and 8th Sections of that Law, and which was not, nor never was intended to have any thing to do with criminal cases, but is applicable alone to civil proceedings before Justices of the Peace. This view of the matter is also sustained by the Law of 24th Nov. 1829 which repeals so much of the 10th and 34th Sections of the Law of 21 Nov. 1828, as conflicts with the Law of Congress the two Sections having reference to civil proceedings exclusively.

The Law of 10th Feby. 1832 is positively a criminal statute, because it prohibits the migration of free negroes and mulattoes to this Territory under certain pains and penalties, and every Justice of the Peace is bound by his oath to carry it into effect when any person or persons of this description (free negroes and mulattoes) are brought before him, and upon *examination of the party or other testimony* he be of opinion that said party "has come or been brought" into this Territory contrary to its provisions.

The Justice believes that the Law is a constitutional one, because the scrutiny of Congress and has been permitted to remain on the Statute books, and that there was no good ground for an appeal, and that the Law under which the appeal was asked had no relevancy to the case of the Free negroes.⁴

Although Fitzpatrick's interpretation of the free Negro law was harsh, his interpretation was not outlandish. The statutes in question could quite reasonably be interpreted in the manner in which Fitzpatrick interpreted them. Fitzpatrick had merely interpreted the law as harshly as it could reasonably have been interpreted. For the Judge of the County Court, William R. Hackley, however, Fitzpatrick's interpretation went too far. "It appears to the Judge of our said County Court, that the said Richard Fitzpatrick Esquire refused to allow an appeal for the final judgment rendered by him . . . , and that the same is illegal and unjust." Hackley had the Negroes discharged from custody after they put up bond to await their retrial in County Court.⁵

Two cases originally brought before Fitzpatrick and subsequently appealed to Judge Webb of the Superior Court became the major statements in South Florida interpreting the 1832 law on the immigration of free Negroes. In 1834 and again in 1835, Fitzpatrick convicted William Delancy, a free Negro who had shipped into Key West as a seaman and had then been discharged, of breaking the 1832 law. The 1834 Delancy case was appealed to Judge Webb, who upheld the conviction. But in upholding the conviction, Webb expressed the following dictum about the

1832 Free Negro Act: "The intention of the Legislature was simply to prevent free persons of colour from coming here to reside..."

... The Legislature could not have intended to say, that a free person of colour in travelling from New York to Louisiana, shall not pass along the publick roads of Florida, or if he did, should be taken up and confined in jail until it was convenient to the arresting officer to send him out of the Territory; nor could they have intended to say that a vessel passing on a voyage from New York to New Orleans, with a crew of free colour'd persons on board shall not stop at Key West or St. Marks to repair damages after a gale of wind, without incurring the liability of having the whole crew seized and sent to jail, there to remain until the Sheriff thought proper to send them out of the Territory...⁶

Webb made his dicta into law in the case of "Territory of Florida vs. John Steward et. al," a case in which Fitzpatrick had convicted a group of five free Negroes in 1835. Unlike the Delancy case, Fitzpatrick's convictions did not meet with approval this time from Judge Webb. In the first place, Judge Webb strongly disapproved of Fitzpatrick's evidentiary procedures.

... Had the applicants relied upon the defects in the commitment as shown by the return of the sheriff, I should have felt it my duty to discharge them from custody, as neither the return itself, nor the papers referred to, shew any offense on the part of the prisoners, or any good cause for their arrest and detention; but as they have themselves placed all the matters before me by the introduction of evidence, I must now, do that, which I conceive the magistrate should have done, when they were before him:...

According to Webb's investigation, all five of the free Negroes in the "John Steward et. al" case had migrated to Key West long before the passage of the 1832 Act, but had left the Territory for one reason or another, and then later returned to Key West. One of the men Fitzpatrick had convicted, Thomas Stout, had left merely on a short trip about a business matter. Fitzpatrick had interpreted the words, "not be lawful for any free Negro or mulatto to migrate, or be brought" in the original statute in such a way as to mean that if a free Negro resident left the Territory for any length of time and in any sense was "brought" back, like Stout had been brought back as a passenger on a boat, then the Negro was in violation of the statute. Webb's opinion was that the Council had not

intended for the word "brought" to mean anything different than the word "migrate." Webb believed that,

(the object) . . . sought to be attained was no other than to prevent the future settlement within the limits of Florida of a class of persons believed to be injurious, rather than beneficial to its interests . . .⁸

Judge Webb then went on to consider the other free Negroes besides Stout charged in the case, and determined that three of the rest were analogous to Stout's situation, having maintained their residency in Key West with no intention of establishing their residence elsewhere. The fifth individual, however, Felix C. Ruby, was determined by Webb to have established a home and family in the Bahamas, to which Ruby had travelled and then returned to his long-established business as a carpenter at Key West, Webb thus upheld Ruby's conviction on the grounds that by establishing a home and family in the Bahamas, Ruby had given up his residency in Key West and thus could not legally return to reside in Key West because of the 1832 law.⁹

In each of these cases concerning the migration of free Negroes, Fitzpatrick took a decidedly sterner position than did either Van Evour, Hackley or Webb. All over the South, planters were afraid of a slave insurrection aided and abetted by free Negroes. In particular, the Nat Turner insurrection, which had occurred shortly before the 1832 Legislative Council session, had inflamed the planters' fear of free Negroes and slaves and probably had led to the enactment of the 1832 Statute prohibiting the immigration of free Negroes. Fitzpatrick's interpretations of the 1832 law certainly were not inconsistent with the intention to keep the free Negro population as low as possible, which was the intention behind the passage of the bill. Even if one regards Fitzpatrick's interpretation of the word "brought" as irrational in a logical sense, one could hardly consider his interpretation as irrational from the point of view of a strong planter ideology; that is, one could hardly disagree that, if it was an irrationality, then it was one which grew out of planter ideology, one which was more consistent with a strongly and harshly felt planter ideology than the more limited interpretation of Webb.

The split between Fitzpatrick and the other judges is quite significant, for it is a concrete indication of weakness in the planter ideology among the ruling class in Key West. It is doubtful that three separate judges in Middle Florida would have decided the way these South Florida judges did. It is worthy of note that neither Van Evour,

Hackley or Webb were major slaveholders, and it is far from coincidental that they were not, since they lived and worked in a non-slave-based economy with comparatively greater numbers of Northern bourgeois among the ruling class. It is also far from coincidental that Fitzpatrick, the upholder of the most stringent interpretations of the 1832 Statute, was the man who owned the most slaves in the area, and who by the time of these cases had begun to establish a plantation on the Miami River where his slaves were involved in more economically significant activities than being household servants. The weakness in planter ideology as manifested in the free Negro cases can be attributed in some measure to the lack of a slave-based economy and its resulting social structure.

NOTES

Introduction

1. Fitzpatrick to Simonton, Dec. 30, 1831, enclosed in Simonton to Hayward, Dec. 24, 1831, *NA, GLA. (Misc. Letters, Received).

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9. Richland County Chancery, Denton vs. English.
10. Richland County Chancery, Denton vs. English.
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4. John Rodman to the Secretary of the Treasury, May 9, 1826, in *Territorial Papers of the United States, Florida Territory, Vol. 23* (Washington, D.C.: GPO), pp. 537-538.
5. "An Act to provide, in part, for raising a Revenue," passed Dec. 9, 1825, in *Acts of the Legislative Council, 1825*, pp. 60-62.
6. "An Act to amend an Act concerning the Appointment of Auctioneers," Approved February 10, 1831, in *Acts of the Legislative Council*, p. 240.
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4. "Territory of Florida vs. John Hepburn et. al.," Court Papers in MCPL.
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6. "Territory of Florida vs. William Delancy," Court Papers in MCPL.
7. "Territory of Florida vs. John Stewart et. al.," Court Papers in MCPL.
8. "Territory of Florida vs. John Stewart et. al.," Court Papers in MCPL.
9. "Territory of Florida vs. John Stewart et. al.," Court Papers in MCPL.

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Membership revenues benefit the public service and educational programs and projects of the Association.

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 Jemeson, Dimitri (I)
 Jenkins, Elsie A. (I)
 Jensen, Bob & Helen (F)
 Johns, Louis & Denise (F)
 Johnson, Mrs. Westerdahl (I)
 Johnson, David W. (I)
 Johnston, Mr. & Mrs. Shepherd D. (F)
 Johnston, Mr. & Mrs. Thomas McE. (F)
 Jones, Dr. & Mrs. Albert (F)
 Jones, A. Tillman (I)
 Jones, Mrs. Edgar Jr. (I)
 Jones, Mr. & Mrs. Jesse (F)
 Jones, Marie (I)
 Jones, Robert A. (I)
 Jones, Thompson V. (I)
 Jones, William F. (I)
 Jordan, Mrs. June (I)
 Joyce, Hortense H. (I)
 Jude, Mrs. James R. (F)
 Junkin, Mr. & Mrs. John E., III (F)
 Junkin, Mrs. Stella B. (I)
 Jupin, Ms. Elizabeth J. (I)
 Jureit, Mrs. L.E. (I)
- Kahn, Donald (F)
 Kammer, Mrs. Barbara (I)
 Kannner, Mr. & Mrs. Lewis M. (Fw)
 Kantor, Mr. & Mrs. S. (F)
 Kaplan, James S. (F)
 Karrenberg, Bill (I)
 Kassewitz, Mr. & Mrs. Jack (F)
 Kattel, G. Edward (I)
 Kaufman, Barbara J. (F)
 Kaufman, Mr. & Mrs. Otto (F)
 Keck, Mr. J.W. (F)
 Keep, Oscar J. (I)
 Keith, Mrs. Jean (I)
 Keith, Mr. William V. (I)
 Kelley, John B. (F)
 Kelley, Mrs. Marilyn C. (F)
 Kellner, Mr. & Mrs. Steven (D)
 Kelly, Mr. & Mrs. J. Terrence (F)
 Kelly, Jane (I)
 Kelly, Mr. & Mr. Loyd G. (F)
 Kelly, Minnie Pierce (I)
- Kelso, John & Ann (F)
 Kemper, Marlyn (I)
 Kendall, Harold E., Jr. (I)
 Kendall, Peter H.F. (I)
 Kendrew, James J. (I)
 Kenner, Mrs. Maynard (I)
 Kent, Mrs. Frederick A. (F)
 Kent, Olga (I)
 Kercher, W.C. III (I)
 Kern, Joe E. (I)
 Kesselman, Michael N. (I)
 Key West Art & Historical Society (IS)
 Keyes Company, Realtors (C)
 Kien, Mr. & Mrs. Stanley (F)
 Kimen, Mr. & Mrs. Thomas, Jr. (F)
 Kincaid, Gretchen Hand (I)
 King, Charles E. (I)
 Kinsey, Mr. & Mrs. Isaac (S)
 Kensloe, Evelyn B. (I)
 Kinsman, George (F)
 Kinzer, Mayor & Mrs. M. (F)
 Kislak, Jay I. (F)
 Kistler, Robert S. (F)
 Knight, Mrs. Annie (F)
 Knight, John S. (S)
 Kniskern, Mr. & Mrs. Kenneth (F)
 Knott, Judge James P. (ret) (I)
 Knotts, Tom (I)
 Knowles, Phyllis B. (I)
 Kobelin, Joel (I)
 Kollish, Mrs. Joseph M. (I)
 Kononoff, Hazel N. (I)
 Korth, Valerie W. (I)
 Kramer, Ms. Judi (I)
 Krause, Thomas & Rochelle (F)
 Krichton, Mrs. Carl V. (I)
 Krohn, Edward (I)
 Krome, William H. (I)
 Kunz, Mrs. Lyle B. (F)
- Labar, Ron (I)
 LaCroix, Mrs. Aerial C. (I)
 Lacy, George E., M.D. (I)
 Lake Worth Public Library (IS)
 Lamme, Robert (I)
 Langhorne, Richard M. (I)
 Langle, David C. (I)
 Langley, Wright (I)
 Langner, Mrs. Mildred C. (I)

- LaPorte, Peggy (I)
 LaRoue, Samuel D., Jr. (I)
 Larrabee, Charles, Jr. (I)
 Lary, Banning Kent (I)
 LaSalle, Mr. & Mrs. A.L., Jr. (F)
 Laso, Oswaldo (I)
 Lasseter, Harley O., Sr. (I)
 Lassman, Mrs. Harold (I)
 Law, Eleanor (I)
 Lawrence, Richard A. (F)
 Lawson, Toni (I)
 Laxon, Dan D. (I)
 Leake, Martin C. (S)
 **Leary, Lewis (I)
 Leflet, David (I)
 Lehman, Mrs. Joan (F)
 Lehman, Richard L. (I)
 Leigh, Mrs. Charles N. (F)
 LeNoir, Mayrene (I)
 Lenssen, Mrs. I.M. (I)
 *Leonardy, Dr. Herberta (I)
 Levenson, Robert K. (I)
 Levin, Jerry (I)
 Levine, Dr. Harold (I)
 Lewin, Robert (D)
 Lewis, Anne E. (F)
 Lewis, Mr. & Mrs. William C., Jr. (F)
 Library of Florida History (IS)
 Liles, Mrs. Clark E. (I)
 Lindgren, Mrs. M.E. (F)
 Lindsey, James B. (I)
 Lindsey, John R. (I)
 Lindsley, Mrs. A.R. (I)
 Linehan, Mrs. John (I)
 Lininger, Richard (I)
 Link, E.A. (F)
 Lipp, Mr. & Mrs. Morris N. (I)
 Lippert, Mrs. W.K. (I)
 Lipsky, Bernie & Terry (F)
 Little, Robert & Beverly (F)
 Livingston, John G. (F)
 Livingston, Mr. & Mrs. Robert (I)
 Lloyd, David M. (I)
 Lloyd, J. Harlan (I)
 LoCicero, Doreen Clara (I)
 Lohnes, Daniel & Doria (F)
 Lomax, Alice (I)
 Lone, William F. (F)
 Longshore, Frank (F)
 Lopez, Agular (F)
 Lores, Dr. & Mrs. Edward (F)
 Lowell, Mr. & Mrs. John, Jr. (F)
 Lowenthal, Larry (F)
 Loxahatchee Historical Society (IS)
 Lukens, Mr. & Mrs. Jaywood (F)
 Lummus, J.N., Jr. (F)
 Lunsford, Mrs. E.C. (I)
 Lutton, Mr. & Mrs. Stephen C. (F)
 Lynch, Mr. & Mrs. Stephen A. III (Fw)
 Lyon, Eugene (F)
 McAliley, Mr. & Mrs. Thomas W. (F)
 McArthur Foundation
 McCabe, Dr. & Mrs. Robert H. (F)
 McCall, Mrs. Howard (I)
 McCorquodale, Mrs. Donald, Jr. (I)
 McCreary, Ms. Jane (F)
 McCrimmon, C.T. (Fw)
 McCullough, Mrs. John I.B. (D)
 McDermott, Dorothy J. (I)
 McDonald, John Kirk (F)
 McDougal, Mr. & Mrs. Robert D. III (F)
 McHale, William J. (S)
 McInnis, Kenneth N. (I)
 McIntyre, Brookes (I)
 McIntyre, Patricia C. (I)
 McIver, Stuart (I)
 McKay, John G., Jr. (I)
 McKeller, Mrs. James D. (I)
 McKenna, Daniel C. (I)
 McKenna, Mrs. R.A. (F)
 McKey, Mrs. R.M. (I)
 McKinney, Mrs. Madge S. (I)
 McKinstrey, Mr. & Mrs. John W. (F)
 McKitrick, Sarah L. (I)
 McLaren, Donald (I)
 McLean, Lenore (I)
 McMillan, Dr. G. William (I)
 McNaughton, M.D. (I)
 McNaughton, Dr. & Mrs. Robert A. (F)
 McNeil, Mr. R.C. (I)
 McNeill, Robert E., Jr. (I)
 McPhee, Harriet (I)
 McVicker, Dan A. (I)
 MacIntyre, Mr. & Mrs. A.C. (F)
 Macy, Barbara, (I)
 Maer, G. Miriam (I)
 Mahany, Angela M. (I)
 Mahoney, Lawrence & Linda (F)
 Mahoney, L.T., Jr. (F)
 Maingo, Dr. & Mrs. Anthony P. (F)
 Maione, Paul (I)
 Malafronte, Anthony F. (I)
 Malcomb, Mr. & Mrs. John (I)
 Malone, Katherine (F)
 Malone, Mrs. Randolph A. (I)
 Maltby, Mr. & Mrs. L.A. (F)
 Manconi, Dean (I)
 Mandina, Kity Darling (I)
 Mandy, Connie (I)
 Mangels, Dr. Celia C. (I)
 Mangum, Mr. & Mrs. A.C., Jr. (F)
 Mank, Mr. Phillip J., Jr. (I)
 Mank, Mr. & Mrs. Phillip J., Sr. (F)
 Mank, Mr & Mrs. R. Layton (Fw)
 Manley, Miss Marion (I)
 Manly, Grace (I)
 Manning, Mr. & Mrs. J. (I)
 Marchant, Michael J. (I)
 Marco, Ed (I)
 Marks, Henry S. (I)
 Markus, Daniel O. (I)
 Markus, Mr. & Mrs. Victor (F)
 Marlowe, Helen L. (I)
 Marmesh, Dr. & Mrs. Michael (F)
 Marshall, Muriel S. (I)
 Marshall, Roger V. (I)
 Martin County Public Library (IS)
 Martin, Emmett E., Jr. (I)
 Martin, Mr. & Mrs. George P. (F)
 Martin, Mr. & Mrs. James O. (F)
 Martin, Harriet E. (I)
 Martin, Mrs. Kirby A. (S)

- Martin, Mrs. Sylvia G. (I)
 Martin, J. William (F)
 Martin, William R. (I)
 Martinez-Ramos, Alberto (I)
 Mason, Mrs. Joe J. (I)
 Mason, William C. III (I)
 Matheson, Mr. & Mrs. Finlay
 B. (Fw)
 Matheson, Mr. & Mrs. Finlay
 L. (F)
 Matheson, James (I)
 Matheson, Mr. & Mrs. J.
 Henry (F)
 Matheson, Mrs. Michael (F)
 Matheson, R. Hardy (F)
 Mathews, Delores W. (F)
 Mathews, Mr. & Mrs. A.
 Lamar, Jr. (I)
 Mathews, Suzanne Claugh-
 ton (F)
 Mathewson, Dr. & Mrs.
 Crover (F)
 Matkov, Mrs. Thomas J. (F)
 Mattucci, Mr. Donald (I)
 Matusek, Mrs. Virginia G. (I)
 Maxted, F.J., Jr. (D)
 Megee, Mrs. B.L. (I)
 Mendez, Marie (I)
 Menn, Suzanne (I)
 Mercer, Mattie J. (I)
 Mercy College Library (IS)
 Merrick, Mrs. Eunice P. (I)
 Merrill, Mr. & Mrs. Henry T.
 (F)
 Merrill, James C. III (F)
 Merritt, Mrs. Ward (I)
 Mertz, John (I)
 Mesnekoff, Mr. & Mrs.
 David (S)
 Metz, Martha J. (D)
 Miami Beach Public Library
 (IS)
 Miami Dade Community
 College Architecture
 Department, South (IS)
 Miami Dade Community
 College Periodicals
 Department, South (IS)
 Miami Herald Library (IS)
 Miami Public Library (IS)
 Miami—Coconut Grove
 Library (IS)
 Miami—Coral Gables
 Public Library (IS)
 Miami—North Dade
 Regional Library (IS)
- Miami—Northeast Branch
 Library (IS)
 Miami—South Dade
 Regional Library (IS)
 Miami—West Dade
 Regional Library (IS)
 Miami Times (IS)
 Miccosukee Community
 Library (IS)
 Middlethon, William R. (I)
 Miles, Richard M. Jr. (I)
 Millar, Mrs. Gavin S. (I)
 Millard, Dr. & Mrs. M. (F)
 Milledge, Deidre (F)
 Milledge, Evelyn (I)
 Milledge, Sarah F. (I)
 Miller, Miss Bessie (I)
 Miller, Bud (I)
 Miller, Mr. & Mrs. Dale (D)
 Miller, Mr. & Mrs. Dean R.
 (F)
 Miller, Delores & Charles (F)
 Miller, Mr. William Jay (I)
 Miller, William T. (I)
 Milton, Belle (I)
 Mincy, Mrs. Evlyne (I)
 Minear, Mrs. L.V. (I)
 Minor, Susan (I)
 Minsker, Joel N. (I)
 Mizel, Earl S. (F)
 Mizrach, Mr. Larry (F)
 Molinari, Dr. & Mrs. Robert
 L. (D)
 Monk, J. Floyd (I)
 Monnin, Mrs. Joanne (I)
 Monroe County Public
 Library (IS)
 Montague, Mrs. Charles H.
 (I)
 Monticino, Mrs. Alma (F)
 Moore, Mrs. Jack (I)
 Moore, Mrs. Jasper (F)
 Moran, Mrs. Ramon, Jr. (F)
 Mordant, Mr. & Mrs. Hal (F)
 Morgan Guaranty (C)
 Morgan, Capt. Robert G. (F)
 Morris, Mr. & Mrs. C.C. (I)
 Morris, Mr. & Mrs. Edwin S.
 (F)
 Morris, Mr. James (I)
 Morris, Ms. Thomasine (I)
 Morris, Mr. & Mrs. W.J. (F)
 Morrissey, Fran (I)
 Moore, Mrs. Edwin P. (I)
 Moylan, Mrs. E.B. (I)
 Mrozek, Ronald W. (I)
- M.R. Harrison (C)
 Muir, William T. (I)
 Muir, Mr. & Mrs. William
 Whalley (F)
 Muller, David F. (I)
 Mullins, Joanne (F)
 Munroe, Mr. & Mrs. Charles
 P. (F)
 Murray, Miss Mary Rugh (D)
 Mursten, Margaret (I)
 Mustard, Margaret Jean (I)
 Myers, Ruth Dowell (I)
 Myshrall, Leslie D. & Mindy
 (F)
 Napier, Mr. & Mrs. Harvey
 (F)
 Narup, Mavis (I)
 Nauce, R. Tracy, Jr. (F)
 Naujoks, Mr. Walter (I)
 Nelson, Mr. & Mrs. David
 (F)
 Nelson, Jonathan (I)
 Nelson, Theodore R. (I)
 Nettleton, Danforth H. (F)
 Newberry Library (IS)
 Newell, Ms. Barbara T. (I)
 Nicholson, Allene (F)
 Nicholson, Mr. Don G. (F)
 Nimnicht, Mary Jo (I)
 Nolan, Mr. & Mrs. Vincent
 B. (F)
 Noone, Mary Waters (I)
 Nordt, Mr. & Mrs. John C.
 (F)
 Norman, Dr. & Mrs. Harold
 G., Jr. (F)
 Norman, Walter & Berta L.
 (F)
 Norton, Mr. & Mrs. Edward
 W.D. (F)
 Noya, Ines R. (I)
 Nuckols, B.P. & Jean D. (F)
- Ockree, Norma (I)
 O'Connell, Peter J. (I)
 O'Hara, Mrs. James (F)
 Oktham, Dorothy C. (I)
 Oliver, Dr. & Mrs. Robert
 M., Jr. (F)
 Oren, Dr. & Mrs. Benjamin
 G. (F)
 Orlando Public Library (IS)
 Orr, Allyne S. (I)
 Orseck, Mrs. Robert (I)
 O'Steen, Mrs. Edna (I)

- Ostrenko, Witold, Jr. (I)
 Oswald, Mrs. M.J. (I)
 Otto, Mrs. Thomas Osgood (I)
 Otto, Mr. & Mrs. Thomas III (F)
 Overstreet, Estelle C. (I)
 Owens, Mrs. Bradley (F)
- Palmer, Mrs. Mary Virginia (F)
 Palmer, Miriam (I)
 Pancoast, Alice A. (I)
 Pancoast, John Arthur (I)
 Pancoast, Katherine French (I)
 Pancoast, Mr. & Mrs. Lester C. (F)
 Pappas, Ted & Cal (S)
 Papper, Patricia M. (I)
 Pardo, Juan & Cecilia (F)
 Pardue, Leonard G. (I)
 Pardue, L.G. III (I)
 Park, Dabney, Jr. (I)
 Parker, Alfred R. (I)
 Parker, Crawford H. (I)
 Parker, Robin E. (I)
 Parkhurst, Mr. & Mrs. William D. (F)
 Parks, Merle, (I)
 Parks, Mr. & Mrs. Robert L. (Fw)
 Parnes, Dr. & Mrs. Edmund I. (F)
 Parsons, Mr. & Mrs. Edward G. (F)
 Passela, Mrs. George (I)
 Patera, Meridith (I)
 Paterson, Merna (D)
 Patton, Mrs. Dan O. (I)
 Pawelkop, Mary R. (I)
 Pawley, Anita (F)
 Paxton, Mrs. G.B., Jr. (F)
 Payne, Mrs. R.W., Jr. (F)
 Peacock, Mrs. Albert, Jr. (F)
 Peacock Foundation
 Peacock, Mr. & Mrs. Lawrence (F)
 Peacock, Roy A. (F)
 Peacock, Mr. R.C. (I)
 Pearce, Mrs. A. Dixon (I)
 Pearson, Mr. Wilbur (I)
 Pederson, Phillip F. (I)
 Peeler, Miss Elizabeth (I)
 Peoples, Vernon (I)
- Pennell, Dr. Mrs. J. Phillip (F)
 Pepper, Hon. Claude (I)
 Perlman, Mulia, M.D. (F)
 Perner, Mrs. Henry (I)
 Pero, Joseph H., Jr. (S)
 Perry, Roy A. (I)
 Peters, Gordon H. (F)
 Peters, John S. (I)
 *Peters, Dr. Thelma (F)
 Peters, Mrs. Wirt (I)
 Peterson, Mr. & Mrs. Albert (F)
 Petrey, Mr. & Mrs. Roderick (D)
 Philbrick, W.K. (I)
 Piano, Lawrence J. (I)
 Pichel, Mrs. Clem A. (I)
 Pieke, Wesley C. (F)
 Pierce, Mrs. J.B., Jr. (I)
 Pierce, J.E. (I)
 Pierce, Mr. & Mrs. Staples L. (F)
 Pimm, Mr. & Mrs. Gordon (F)
 Pinecrest School (IS)
 Pirie, Mrs. L.M. (I)
 Piper, Mrs. Scott (F)
 Plumer, Richard B. (F)
 Plummer, Lawrence, H. (I)
 Poe, Frank H. (I)
 Polizzi, Mr. & Mrs. Nicholas G. (F)
 Polk County Historical Library (IS)
 Pollock, Mr. A. Richard (I)
 Poorman, Mrs. Elizabeth (I)
 Post, Amelia M. (D)
 Post, Howard M. (F)
 Potter, Chris (I)
 Potter, Gene (F)
 Potter, Robert E. (I)
 Potts, Mr. & Mrs. Joseph (F)
 Potts, Roy V. (I)
 Powell, Pamela (I)
 Prael, William (I)
 Preston, Ann S. (I)
 Prio, Maria A. (I)
 Price, Lew (I)
 Pritchard, Barbara (I)
 Proenza, Mrs. Morris G. (I)
 Provenzo, Dr. Eugene (I)
 Pruitt, Mr. Peter T. (F)
 Purvis, Mrs. Hugh F. (I)
 Pushkin, Dr. & Mrs. Emanuel (F)
- Quarles, Julian (I)
 Quarles, Miss Mary Nell (I)
 Quesenberry, William F. (F)
 Quigley, Shawn & Jim (F)
 Quillian, Dr. Warren II (F)
 Quinton, Mr. & Mrs. A.E., Jr. (F)
- Radeloff, Nancy (I)
 Ramblewood Elementary School (IS)
 Ramos, Pauline E. (I)
 Rappaport, Edward (I)
 *Rast, Mrs. J. Lawton (HL)
 Ratner, Mr. Nat (I)
 Rawls, Mrs. R.L. (I)
 Ray, Peter C. (I)
 Read, Mrs. Albert Cushing (S)
 Reagan, A. James, Jr. (I)
 Rebozo, C.G. (I)
 Redman, Virginia R. (I)
 Redmond, Norma S. (I)
 Reed, Miss Elizabeth Ann (I)
 Reed, Richard (I)
 Reeves, Garth C. (F)
 Reid, Dr. & Mrs. Edward (F)
 Reiger, John F. (I)
 Reilly, Phillip (I)
 Reinhardt, Miss Blanche (I)
 Renick, Ralph (I)
 Reno, Mrs. Jame (I)
 Reno, Janet (F)
 Rentscher, Mr. & Mrs. Joseph C. (F)
 Resnick, Larry (I)
 Reubert, Mrs. Jay Franklin (F)
 Rey, Amparo Barbara (I)
 Reyna, Dr. L.J. (F)
 Rhyne, Paul (F)
 Rice, Sister Eileen, O.P. (I)
 Rice, Mr. & Mrs. Ralph E. (F)
 Rice, R.H., Jr. (I)
 Rich, Louise (I)
 Richmond Heights Junior High School (IS)
 Rieder, Mrs. William Dustin (F)
 Rieder, W. Thomas (F)
 Rieman, Nancy (I)
 Riesenberg, Mr. & Mrs. Saul (F)
 Riley, Mrs. Bernard (I)
 Riley, Sandra (I)

- Rivera, Leslie (I)
Riviera Beach Public Library (IS)
- Robbins, Mrs. Lawrence J. (I)
- Robbins, Mr. & Mrs. William R., Jr. (F)
- Roberts, C. (I)
- Roberts, Richard E. (I)
- Robinson, Mr. & Mrs. Charles M. (I)
- Robinson, James (I)
- Roca, Pedro L. (I)
- Rodgers, Domino J. (I)
- Rodgers, John III (F)
- Rodriguez, Ivan (I)
- Rogers, Mr. & Mrs. Frank (F)
- Rogers, Mrs. Walter S.C. (I)
- Rone, W.R. (I)
- Roller, Mrs. G. Phillip (I)
- Rollins, Chris (I)
- Rollins College (IS)
- Rosborough, Dr. Melanie R. (I)
- Roscoe, Mr. & Mrs. Lucky G. (F)
- Rosendorf, Mr. & Mrs. Howard S. (F)
- Rosinek, Jeff (F)
- Ross, Mrs. Richard F. (I)
- Ross, Mrs. Stanley E. (I)
- Rothra, Mrs. Elizabeth (I)
- Rowell, Donald (D)
- Rowland, Blake (I)
- Rubini, Joseph R., M.D. (I)
- Rudolph, Alfred (I)
- Ruffner, Charles L. (I)
- Ruggles, R.S., Jr. (I)
- Ruiz, Joseph A.J. (I)
- Russell, Ms. Darlene (I)
- Russell, George (I)
- Russell, Sabrina (I)
- Russo, Mr. Lewis T. (I)
- Rutledge, Nina (I)
- Ryder, Ralph (L)
- Ryder System Inc. (C)
- Sacher, Mr. & Mrs. Charles P. (F)
- Sadler, Mr. J.D. (D)
- Sadler, Margaret A. (F)
- Sadowski, Robert (I)
- Saks, Peggy R. (I)
- Salles, Mr. & Mrs. Sherman (F)
- Salvatore, Mr. & Mrs. Lewis L. (F)
- Salzman, Phyllis S. (I)
- St. Lucie County Museum (IS)
- Samet, Alvin M. (F)
- Samet, Barbara J. (I)
- Sams, Elizabeth & Francis (F)
- Samueloff, Shima (I)
- Samuels, Leslie & Harris (F)
- Sanderhoff, Jean (I)
- Sanders, Barrett (I)
- Sandler, John (I)
- Sands, Harry B. (I)
- Santa-Maria, Ms. Yvonne (I)
- Sargent, Priscilla M. (I)
- Saster, William (I)
- Sauvigne, Cecile D. (F)
- Sawyer, Viola (I)
- Sax, Connie A. (I)
- Sayder, Richard R. (F)
- Scarborough, Mrs. Chaffee (I)
- Schafer, Mr. & Mrs. George (F)
- Schechter, Jessica (F)
- Schelberg, Mrs. Richard (I)
- Schley, The Rev. Fr. Joseph, Jr. (I)
- Schmucker, Bob (I)
- Schober, Warren (I)
- Scholz, Michele R. (I)
- Schuh, Niles (I)
- Schultz, Mrs. Lenore (I)
- Schwabe, Sharon (I)
- Schwalke, Elinor T. (I)
- Schwarz, LuAnne & Michael (F)
- Selby Public Library (IS)
- Seley, Ray B., Jr. (I)
- Selvaggi, Albert (I)
- Semat, Roger P. (I)
- Serkin, Manuel (I)
- Seule, Mrs. Bernard W. (I)
- Sharer, Cyrus, J. (I)
- Sharp, Harry Carter (D)
- Shaw, Mr. & Mrs. Harry (F)
- *Shaw, Dr. Luelle (I)
- Shaw, Mrs. W.F. (I)
- Shea, Mr. Charles J. (I)
- Shearston, Misses Helen & Alice (I)
- Sheffman, Dorothy (I)
- Shenston, Tiffin Highleyman (I)
- Sherman, Mrs. Ethel Weatherly (I)
- Sherman, John S. (S)
- Sherman, John S., Sr. (I)
- Sherman, Virginia C. (F)
- Sherrick, Dora (I)
- Shiple, Mr. & Mrs. Vergil (F)
- Shields, Mr. & Mrs. Robert E. (F)
- Shiver, Otis W. (I)
- Shoffner, Mr. & Mrs. A. George (F)
- Shook, Sherry (F)
- Shouse, Abbie H. (I)
- Sibert, Mr. J.D. (I)
- Sicius, Frank (I)
- Simmonite, Col. Henry G. (I)
- Simmons, Mr. & Mrs. Glen (F)
- Simms, Mrs. Robert (F)
- Simon, Mr. & Mrs. Edwin O. (F)
- Simon, Philip (I)
- Simons, Mr. & Mrs. J.P. (F)
- Sisca-Cook, Marietta (I)
- Sisselman, Mr. Murray (F)
- Skigen, Dr. & Mrs. Jack (F)
- Skolits, Mr. & Mrs. Gary (F)
- Skipp, Marjorie (I)
- Slack, Mary Sue & Ted C. (F)
- Slesnick, Mr. & Mrs. Donald (F)
- Smiley, Dr. & Mrs. Karl (F)
- Smiley, Nixon (I)
- Smith, Mrs. Avery C., Jr. (I)
- Smith, C. (I)
- Smith, Mrs. Edward F. (I)
- Smith, Harrison H. (I)
- Smith, Mrs. Lillian J. (I)
- Smith, Mr. & Mrs. Linton (F)
- Smith, Louise T. (I)
- Smith, McGregor (F)
- Smith, Ralph S. (I)
- Smith, Mrs. Robert L. (I)
- Smith, Mr. & Mrs. Samuel (F)
- Snare, Rose Tower (I)
- Snidow, Richard K. (I)
- Snodgrass, Miss Dena (I)
- Snyder, Mrs. Frederick R. (F)
- Sobel, Jack (F)
- Soler, Frank (S)
- Songer, Mrs. Gerald R. (I)
- Soto, Alex (F)

- Southard, Mr. & Mrs. Joe B., Jr. (F)
 Southeast First National Bank of Miami (C)
 Southern Illinois University (IS)
 Southern Florida Water Management district (IS)
 Souviron, Dr. R.R. (I)
 Spach, Helen Keeler (I)
 Sparkman, Mr. John B. (I)
 Spersoni, Dorothy (I)
 Spieth, Jeanee (I)
 *Spinks, Mrs. Elizabeth (I)
 Stadler, John B. (I)
 Stadler, John W. (L)
 Stafford, Robert C. (I)
 Stanford, Dr. Henry King (F)
 Stearns, Frank F. (I)
 Stearns, Laura P. (I)
 Stearns, Mr. & Mrs. Reid F. (F)
 Steel, William C. (F)
 Steinbring, Mr. & Mrs. Steven (F)
 Stephens, RADM I.J. (ret) (S)
 Stepnec, Mrs. Leo S. (I)
 Stetson University (IS)
 Stevens, Mrs. Elizabeth (I)
 Stevens, Mr. & Mrs. Jack (I)
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