

Florida Historical Quarterly

Volume 24
Number 2 *Florida Historical Quarterly*, Vol 24,
Issue 2

Article 3

1945

The Florida Banditti, 1783

Joseph B. Lockey



Part of the [American Studies Commons](#), and the [United States History Commons](#)

Find similar works at: <https://stars.library.ucf.edu/fhq>

University of Central Florida Libraries <http://library.ucf.edu>

This Article is brought to you for free and open access by STARS. It has been accepted for inclusion in Florida Historical Quarterly by an authorized editor of STARS. For more information, please contact STARS@ucf.edu.

Recommended Citation

Lockey, Joseph B. (1945) "The Florida Banditti, 1783," *Florida Historical Quarterly*. Vol. 24: No. 2, Article 3. Available at: <https://stars.library.ucf.edu/fhq/vol24/iss2/3>

THE FLORIDA BANDITTI, 1783 ¹
by JOSEPH B. LOCKEY

East Florida was ill at ease on receiving, in the spring of 1783, news of the retrocession of the province to Spain. The necessity of abandoning homes in a land to which government and people alike were attached, together with the uncertainties, vexations, and difficulties of finding new homes elsewhere presented to all a dark picture of the future. In the midst of these apprehensions some of the settlers at least were troubled by the depredations of a group of lawless men whom Governor Patrick Tonyn described as banditti. These individuals had recently come into the province from the Carolinas and Georgia, where some of them had served in the revolu-

Note - This article comes in substance from the manuscript of the Introduction to the first volume of the author's "Documentary History of Florida. East Florida 1783-1785" now completed. Dr. Lockey, who is a native of Florida, and who began his teaching as principal of the high schools of DeLand and Pensacola, was Inspector of Instruction in Peru for five years and has published several volumes relating to Pan-Americanism. He was lecturer on diplomatic history at Johns Hopkins University, and president of the Pacific branch of the American Historical Association. For the past twenty-five years he has been Professor of History at the University of California. The fact that that University sponsored through many years the securing of the materials for this research in Florida's history is further evidence of the cordial spirit of cooperation which has always been felt and shown by Florida's and California's culture and scholarship. - *Ed.*

1. This paper is based mainly on photographic reproductions or transcripts of materials in the following archives :
Archivo General de Indias, Papeles de Cuba, (Seville) (AGI :PC)
Archivo General de Indias, Santo Domingo, (Seville) (AGI :SD)
East Florida Papers (Library of Congress) (EF)
Public Record Office. Colonial Office (London) (PRO :CO)
The abbreviations used in the footnotes are enclosed in parentheses.
Most of the documents referred to, together with many others, are included in a volume now ready for publication on East Florida covering the period from the beginning of 1783 to the end of 1785. A similar volume on West Florida is in preparation.

tionary forces; but for one reason or another they had abandoned their former allegiance and sought safety across the southern border. Here they fell into the evil practice of attacking the persons and properties of the residents, especially along the lower reaches of the St. Johns river. The leader of the band was Daniel McGirtt and his chief lieutenant an individual by the name of John Linder, Jr. These two men Tonym characterized-a little severely perhaps-as "murderers and assassins."²

To protect the settlers from being despoiled, Tonym put a troop of light-horse under the command of Lieutenant Colonel William Young and instructed him to bring the marauders to justice. Young arrested McGirtt and one or two others and imprisoned them in the fort in St. Augustine; but as Tonym desired to end his administration with leniency, he instructed the attorney-general not to bring them to trial. Before further action was taken the prisoners escaped and were still at large, hiding in swamps and other places of concealment, when the Spanish Governor Vicente Manuel de Zespedes, arrived to take over the province. Forgetting his idea of clemency, Tonym urged upon Zespedes the necessity of rigorous action against the banditti. To assist in the undertaking, he offered the services of the light-horse, which, he suggested, might act under the orders of Zespedes in conjunction with such troops as he himself might be able to provide.³

But Zespedes chose to try a different procedure. He was just as desirous of beginning his administration as Tonym was of ending his, by acts of clemency. Accordingly, he issued a proclamation calling upon all those who had disturbed the public peace or committed capital crimes, to apply in person to the

2. Tonym to Zespedes, July 5, 1784, EF:b40.

3. *Ibid.*

authorities in St. Augustine for permission to depart with their property under a safe conduct to a place of refuge beyond the confines of the province.⁴ This proclamation was issued on July 14, 1784, two days after the formal transfer of sovereignty from English into Spanish hands. The next day five of the proscribed men took advantage of the proclamation and sought permission to emigrate to Louisiana. The most prominent of the five was Major William Cunningham, a native of Virginia. He had served in the revolutionary forces in North Carolina, but had turned Loyalist and was now a refugee in Florida. He, it seems, was in league with Daniel McGirtt, though Tonym did not regard him as the worst of the outlaws. The others who sought permits to emigrate were, William Mangum, John Linder, Sr., William Collins, and Belay Cheney. All had slaves and horses, and all, with the exception of Cunningham, had families;⁵ and all, it may be added, except Cunningham, seem to have left the province under the terms of the proclamation.

Thus, the first results of the plan were promising. With good understanding and full cooperation between Zespedes and Tonym the province might soon have been rid of the worst of its trouble makers; but their stay was in effect much prolonged by misunderstandings and lack of cooperation between the two governors. Unfortunately, they differed in temperament and in the conception of their separate spheres of rights and duties. By the treaty of retrocession the British were allowed eighteen months from the date of ratification (September 19, 1783) to settle their affairs and withdraw. The period was later extended for some months by agreement. In

4. Zespedes to Bernardo de Galvez, July 16, 1784, incl. No. 2, AGI:SD Legajo 2660.

5. *Ibid.*, incl. No. 3, Statement of William Cunningham and Other Americans, July 15, 1784, AGI :SD Legajo 2660.

consequence, Tonyn and a few of the British settlers did not retire from the province until the end of 1785. In the interval there was much friction and discord of which the lawless element took full advantage.

The first serious clash between Zespedes and Tonyn came about in connection with the proclamation of July 14. They were unable to agree on a lenient procedure on the one hand or on a severe one on the other. Zespedes understood however that his own plan would not be interfered with; that is, he understood that Tonyn would order Colonel Young to stand on the defensive and by no means to attack the outlaws now that they had been promised by public proclamation an opportunity to leave the province under a safe conduct.⁶ But Tonyn did not countermand his instructions to Colonel Young. Consequently when this officer, shortly after the issuance of the proclamation, received word that the outlaws were gathering on the St. Marys river with the supposed object of robbing the plantations—especially Tonyn's—on the west side of the St. Johns, he set out to apprehend them.⁷ "In my pursuit," wrote Colonel Young, "on Tuesday night [July 27] at Daniel Melyard's house I fell in with Linder, James McGirtt, George Phillips and William Whaley, and some negroes, all armed; and on my surrounding the House, those villains broke out of the House, and I fired on them and killed Linders waiting, man, and took the said Whaley prisoner, and the others made their escape into a very large swamp, so that we could not apprehend any more of them; but I got Linder's fine Horse called sweet

6. Zespedes to B. de Galvez, August 9, 1784, EF:b40.

7. Young crossed the St. Johns at the mouth of Julington creek. On the west side is McGirts creek which flows into the St. Johns near this point. Compare P. D. Gold, *History of Duval County* (St. Augustine, 1929), p. 53.

Willy, which is the fastest Horse for running a distance in the province, or in Carolina, and all their Saddles, Bridles and Cloaths, even their Hatts and Shoes."⁸

After an incident of this sort, following so closely on the heels of the proclamation, it is not strange that more of the outlaws did not risk going to St. Augustine in search of a permit to emigrate. It seemed to them that Zespedes must have been a party to the attack and that Tonyn still possessed the real authority in the province.

That such doubts did exist in their minds is shown by a report made a week after the event by Lieutenant Colonel Antonio Fernandez whom Zespedes sent with a detachment of dragoons to make a reconnaissance of the area of disturbance. Arriving at Colonel Young's camp the day after the attack, Fernandez discovered that no one in the camp - Young himself being absent-had heard of the proclamation. Fernandez was as yet ignorant of the attack on the outlaws, and he was told nothing about it by anyone present. After waiting in vain for Young's return, the officer went on with his dragoons to Daniel McGirtt's farm, which was in the neighborhood. There he learned for the first time of the attack and there he talked with Whaley, a mere boy, whom Young had released after tying him to a post-so Whaley asserted-and beating him in an effort to force him to tell where McGirtt's and Linder's horses were. Fernandez learned also that the men on the river were saying that the proclamation was of no use to them, that they were still being molested and abused, and that no respect was being shown the governor's authority. The officer convinced them however that they ought to remain at peace. But he "thought it necessary to leave a dragoon at McGirtt's habitation

8. Young to Tonyn, July 30, 1784, PRO :CO 5/561.

as a safeguard."⁹ A safeguard against Tonyn's armed forces!

It seemed doubtful now to Zespedes that he could entirely rid the province of its evildoers by lenient means.¹⁰ That he did not from the beginning adopt Tonyn's plan of a vigorous pursuit was due perhaps as much to his lack of a suitable force as to his desire to begin his administration with acts of clemency. If he had accepted Tonyn's proffer of Colonel Young's light-horse, he might have subjected himself to the censure of his government on the ground of using British arms in Spanish territory. To allow Tonyn to do what he himself could not do would not have improved matters: the use of armed force was properly the act of the sovereign, and the sovereign was now Spain. That Tonyn disregarded this legal objection was probably due to his growing exasperation against the banditti and to his genuine concern for the property of British subjects. But in the face of the well-grounded opposition of Zespedes, he could not carry his plan to a successful conclusion. Nor could Zespedes in the circumstances hope for the immediate success of his own plan.

Meanwhile the banditti reaped the benefit. For months they were left undisturbed. At last, early in 1785, Zespedes decided that he could safely undertake to chastise the ringleaders. Accordingly he had Daniel McGirtt, William Cunningham, Stephen Mayfield and three others arrested and imprisoned in the fort at St. Augustine.¹¹ And now Tonyn urged leniency. "I think it possible," he wrote Zespedes, "if these unhappy men were transplanted into an-

9. Fernandez to Zespedes, Aug. 2, 1784 (translation in) PRO: CO 5/561.

10. A few however had gone to the West, to the United States, and to the British dominions. See Zespedes to J. de Galvez, Oct. 20, 1784, EF:b323A.

11. Zespedes to J. de Galvez, Oct. 20, 1784, EF :b323A ; Zespedes to B. de Galvez, Feb. 9, 1785, AGI:SD Legajo 2530.

other country, that there is yet a ray of hope, that upon proper reflection of their past wicked courses, a reformation might be effectuated. . . . Motives of humanity and commiseration, passions that will creep into the human mind, have been impressed on me by the very decent Mrs. McGirtt, praying to have her husband transported to a British government ; a similar memorial has been presented to me by the friends of Major Cunningham, and I have engaged to address Your Excellency upon these matters, and to solicit your compliance in gratifying their wishes contained in the prayer of the petition." ¹²

In replying to this letter, Zespedes took advantage of the opportunity to heap coals of fire on Tonyn's head. He reviewed the whole course of his policy respecting the outlaws, reminded Tonyn that the arrests had been made on information that he himself had provided, expressed regret that he could not accede to the recommendation in favor of Cunningham and McGirtt-especially McGirtt, in consideration of his unhappy and decent wife-and finally declared that the only thing he could do would be to dispatch the recommendation and petitions to Havana, to which place he was about to send the prisoners under a decree of exile subject to the superior decision of the Conde de Galvez. ¹³

In accordance with this plan the prisoners were embarked for Havana late in April, 1785. By that time Galvez had left for Mexico to assume the duties of viceroy. The papers-the recommendations, petitions and a record of the judicial proceedings in St. Augustine-followed him, and his decision was promptly rendered. First, the exile decreed by Zespedes was approved; second, the prisoners were to be given their liberty with permission to emigrate to

12. Tonyn to Zespedes, Feb. 26, 1785, PRO:CO 5/561.

13. Zespedez to Tonyn, Apr. 11, 1785, PRO:CO 5/561.

any part of America not Spanish ; and third, they were to be permitted to remove their families and property from East Florida. ¹⁴ As soon as the vice-roy's decision was known in Havana, a few weeks later, the prisoners were liberated and given passports for Providence. Mayfield, it appears, reached his destination and we hear of him no more; but McGirtt and Cunningham contrived to change their course and land secretly on the coast of Florida. They were again apprehended, and finally both were transported to Providence-Cunningham late in 1785 and McGirtt early in 1786. ¹⁵ Whether William Cunningham had now made his final exit is a question, but as for Daniel McGirtt, he had definitely not done so. Florida had not yet seen the last of him.

Two years after the banishment, Zespedes was handed the following note from Lord Dunmore, formerly governor of Virginia, but now governor of the Bahama Islands.

The bearer Mr. MacGirtt goes from Hence to St. Augustine in a sloop named the *Mayflower*, to settle his private affairs.-he is a British subject, and as such, I beg leave to recommend him to Your Excellency's protection. ¹⁶

Perhaps McGirtt did have some private affairs to settle, but it is more probable that he had some secret scheme to promote. Suspicious of his aims, Zespedes kept him under guard ; but out of respect for Lord Dunmore permitted him to have an interview, in the presence of witnesses, with his agent, Francisco Sanchez. Then Zespedes shipped the exile back in the *Mayflower* to Nassau. ¹⁷ If Zespedes enter-

14. Troncoso to Zespedes, Nov. 7, 1785, EF:b1A.

15. Troncoso to Zespedes, Nov. 7, 1785, EF: b1A; Zespedes to Troncoso, Jan. 7, 1786, EF:b21 H2.

16. Lord Dunmore to Zespedes, Feb. 16, 1788, EF:b208.

17. Zespedes to Dunmore, Mar. 17, 1788, EF:b208.

tained suspicions of Lord Dunmore also he managed to conceal them.

What McGirtt's secret object may have been can only be inferred from the course of events. A few weeks after he was returned to Nassau, Zespedes had reports that British interlopers from the Bahama Islands had landed on the Florida coast at the mouth of Indian river.¹⁸ Still later, news came that William Augustus Bowles had arrived at the same point with a considerable body of men. Daniel McGirtt may have been with one or the other of these parties.

What Bowles' object was and whether Lord Dunmore was among his backers cannot be discussed in this paper. It must suffice to say that the enterprise was a lawless one and that it involved a march across country to Apalache, which, it was reported, was to be seized. As the Bowles party proceeded toward its destination and as the character of the intrusion became apparent, a number of the deluded participants deserted and making their way to St. Augustine surrendered to Governor Zespedes.¹⁹

It has been asserted that McGirtt played an important part in Bowles's undertaking.²⁰ This may be true, but the available documents do not confirm such a view. If he was in the party at all he may have been among the deserters who surrendered in St. Augustine. The only thing that can be asserted positively is that he was in St. Augustine soon after

18. Zespedes to Ezpeleta, Apr. 25, 1788, AGI:PC Legajo 1395 Doc. 30. See also Lawrence Kinnaird, "International Rivalry in the Creek Country," *Florida Historical Quarterly* (Oct., 1931), X, 79-85.

19. Zespedes to Ezpeleta, Oct. 11, 1788, AGI:PC Legajo 1395 Doc. 22; same to same, Nov. 24, 1788, AGI:PC Legajo 1395 Doc. 31

20. G. R. Fairbanks, *History of Florida* (Philadelphia, 1871), p. 247; J. L. Williams, *Territory of Florida* (New York, 1839), p. 192; W. H. Siebert, *Loyalists in East Florida* (Deland, 1929), I, 179.

the deserters arrived and that he was later sent to Havana under arrest. The letter giving this last information, dated February 24, 1789,²¹ is the end of the documentary trail. Perhaps the authorities in Cuba at last sent him away, or let him escape, to his old home in South Carolina where, it is said, he died, presumably, a short time after his return.

Lorenzo Sabine,²² among others, asserts that the death of Daniel McGirtt occurred in South Carolina. There is no reason to doubt the truth of this assertion. Nor is there any reason to doubt that McGirtt was, as Sabine contends, at first a zealous Whig of essential service to the popular cause; that, whipped by the sentence of a court-martial, he sought vengeance by harrassing the inhabitants of South Carolina and Georgia for several years; that hunted, as men hunt the wolf, he fled to the woods and swamps; and that the peace put an end to his depredations in the states of the South. Sabine's assertion that he continued his lawless career in Florida is, as we know, correct; but his statement that he was "cast into a dark, damp room or dungeon, and kept for five years" can be true only in case the imprisonment began in 1789; for we know that before that time no long period of imprisonment occurred. If he was held in Havana for five years, he would have been released in 1794. It is more likely, however, that Sabine's "five years" signify nothing more than the sum of the in-and-out periods of imprisonment of which we have documentary evidence. In this case the hunted man may have gone back to his native home to die around the year 1789.

Joseph Johnson,²³ adds some data of a somewhat

21. Zespedes to Ezpeleta, Feb. 24, 1789, AGI:PC Legajo 1395 Doc. 38.

22. See his *Biographical Sketches of Loyalists of the American Revolution* (Boston, 1864), II, 65.

23. *Traditions and Reminiscences Chiefly of the American Revolution in the South* (Charleston, S. C., 1851), pp. 172-174.

more colorful nature. According to him, McGirtt was a respectable young man of the Kershaw District in South Carolina. A practised hunter and an excellent rider, he entered the revolutionary service as a scout. He took with him a favorite mare on which he felt safe from pursuit when engaged on dangerous missions. This "elegant animal," called Grey Goose, was coveted by one of the officers whose efforts to get possession of her led to a quarrel and charges of insubordination on which McGirtt was tried and sentenced to whipping. He received one application of the punishment and while lying in prison awaiting a second he managed to escape. Recovering Grey Goose he rode away, proclaiming vengeance against all Americans. Johnson's account of McGirtt's exploits in Florida, and of his return to South Carolina is essentially the same as that of Sabine; and his statement regarding the time of the return and death, like Sabine's, is vague.

Mrs. McGirtt was held in high esteem in South Carolina as well as in Florida. She was a "very amiable lady," says Johnson; and he adds that she "ever received the Kindest attentions from her relatives and friends, notwithstanding the misdeeds of her husband."²⁴ But Johnson gives the impression that she did not follow her errant spouse to Florida. That she was in the province is clearly to be inferred, from the correspondence between Tonyn and Zespedes already referred to. Moreover, at the time of the deportation of the outlaws to Cuba, Zespedes specifically states that she was in St. Augustine and that two of her sons were with her. She earnestly sought permission to accompany her husband in exile. Feeling obliged to deny her that privilege Zespedes (always inclined to clemency) consoled her by telling her in advance of the viceroy's decision that

²⁴. *Ibid.*

McGirtt's property would not be confiscated.²⁵ When McGirtt was banished the second time, in 1786, not only Mrs. McGirtt but the whole family-Zespedes now says large family²⁶ - accompanied him to Nassau. From there Mrs. McGirtt and the children probably went by water to some point on the coast and thence to her girlhood home in the Sumpster District. There they awaited the outlaw's return.

How much of the ill-gotten gain the McGirtt's were able to save and remove from the province no one knows. But they had a capable agent in Daniel McGirtt's old friend Francisco Sanchez. With his aid and the kindly good-will of the governor, it is probable that they had, at least money for expenses, slaves for service, and horses for transportation.

Francisco Sanchez deserves further mention. He was born in Florida under the old Spanish regime. At the time of the British occupation he was about seventeen years of age.²⁷ Of all the Spanish inhabitants then in the province, he alone-at least as far as we have any certain information-decided to cast in his lot with the newcomers. That very fact marked him as a youth of daring and initiative. Industrious and energetic as well, he prospered, maintaining throughout good relations with the government and people of the province.

When Spain entered the war against England, in 1779, the situation of Francisco Sanchez became difficult and it grew steadily worse until Zespedes arrived to take over the chief authority. In these later years Tonyn had come to regard Sanchez with particular rancor. "This person," Tonyn wrote Zes-

25. Zespedes to B. de Galvez, Apr. 28, 1785, AGI:SD Legajo 2530.

26. Zespedes to B. de Galvez, Jan. 12, 1786, EF:b41 B4.

27. He was 40 years of age in 1786 according to the St. Augustine Census of that year. See J. B. Lockey, "The St. Augustine Census of 1786", *Florida Historical Quarterly*, XVIII, 23.

pedes,²⁸ “owes everything he possesses to the indulgence of the British Government, under which he rose from a State of obscure poverty to a degree of affluence seldom attained.” And Tonym went on to say that Sanchez had connected himself with McGirtt and his gang, had secretly supplied them with arms and ammunition, furnished them with provisions from his plantation, and found means to “convey away” a number of Negro slaves formerly the property of McGirtt, but later forfeited to the King. By eluding the vigilance of the civil magistrate he had escaped punishment until the arrival of Zespedes, out of respect for whom Tonym had ordered the prosecuting officer not to proceed with the case. The proofs of guilt were many, but Tonym selected only one for the information of Zespedes - a letter to which nothing, in Tonym’s opinion, could be added “to shew more fully than it does, the baseness of his practices, and the ingratitude and malignity of his heart.” The letter, it may be said, hardly justifies a denunciation so fierce.

So dark a portrait of Francisco Sanchez requires further scrutiny. It may be admitted that his associations with the outlaws were probably not altogether innocent, and it is certain that his life in other respects was not without blemish ; even so, it does not follow that he was as evil as Tonym made him out to be. Like some others who fell under the English governor’s displeasure, Sanchez was perhaps more sinned against than sinning. At any rate he deserves a hearing. His own justification,²⁹ written in great detail, ought to be weighed against the burning indictment pronounced by Tonym; but to do that would take us beyond the limits of this paper. It must suffice to say that the balance of justice

28. July 5, 1784. EF:b40.

29. Dated Mar. 8, 1785. It is found in EF:b305.

seems to incline in favor of Francisco Sanchez.

It ought to be remembered that this accused man was loyal and useful to the Zespedes administration in its time of need ; that he contributed by his accumulated means and industry to the general well-being of the province ; and that his descendants, some of whom rendered important services to the United States, reside in the state of Florida today. It is worthy of remark also that the descendants of Francisco Sanchez are among the few who can trace their ancestry back beyond the period of the English occupation.

James McGirtt, frequently mentioned by Tonym as one of the "infamous and detestable characters," was a brother of Daniel McGirtt.³⁰ Sabine, who refers to him briefly, gives Georgia as his place of origin.³¹ It is probable however that Georgia was merely a stage on his way to Florida from South Carolina. He too seems to have been a deserter from the revolutionary forces. The British rewarded him, says Sabine, with a commission as captain in Brown's Florida Rangers. It appears that he was never on Tonym's list of proscribed men; in fact, though Zespedes investigated his connection with the banditti, he found no fault with him.³² But he had close associations with the outlaws, and, as already indicated, he was among the group attacked by Colonel Young on the night of July 27, 1784. He managed however to evade arrest. Moreover he was not among those who sought voluntary exile. He remained in Florida, and, as far as we know, he was in later years a good citizen ; indeed he and some of the rest might have been free from censure under

30. Zespedes to B. de Galvez, Apr. 28, 1875, AGI:SD Legajo 2530

31. Op. cit., II, 65.

32. Zespedes to B. de Galvez, Apr. 28, 1785, AGI:SD Legajo 2530

more favorable circumstances. His name and the names of his wife and children appear in Hasset's Census of 1786 for St. Augustine. The father was put down as a native of Carolina, fifty years old. His occupation was stated as farmer, and his religion as Lutheran. The mother, Ysabela Sanders, was seven years younger, a native of the same state and of the same religion. The children - Jayme, Juan, Esacarias, Daniel, Rovertto, and Maria-ranged from twenty to ten years of age.³³ James McGirtt received a number of land grants and on one of them, near the St. Marys river, he settled in 1795.³⁴ He died a few years later. There is evidence to show that some of the children were converted to the Catholic religion.³⁵ Presumably they remained in Florida, though the census of 1830 seems not to list any one of the name of McGirtt.

A word must now be said about the Linders. John Linder, Sr., as we have already said, was among those who were granted permits to emigrate to West Florida or Louisiana. Two of these-William Mangum and William Collins-we have no further trace of. Another, Belay Cheney, whom Zespedes regarded as "a rogue of the first class"³⁶ settled in the Tensaw district about thirty miles north and slightly east of Mobile. There he succeeded admirably in maintaining his East Florida reputation.³⁷

33. *F. H. Q.*, XVIII, 23.

34. *Spanish Land Grants in Florida* (Historical Records Survey, Tallahassee, 1940-41), III, 122. For numerous other references see general index *ibid.*, V.

35. *Roman Catholic Records of St. Augustine Parish, 1784-99*, 2 vols. (Translation and transcription, State Library Board, Tallahassee, 1941), I, 56; II, 123.

36. Zespedes to B. de Galvez, Apr. 28, 1785, AGI:SD Legajo 2530. This individual's name appears in different forms: in East Florida as Beley Cheney and Colonel Chiney (Tonyn to Zespedes, July 29, 1785) : and in Tensaw as Bely Chaney, Baley Chene, Bailey China (P. J. Hamilton, *Colonial Mobile* (New York, 1910), p. 344.

37. Hamilton, *op. cit.*, p. 344.

John Linder, Sr. settled in the same district.³⁸ Little is known of his life in the new home, but apparently he was leading a peaceful existence as a cattle raiser. He was later joined - just when is uncertain but not later than 1786³⁹ - by his notorious son, John Linder, Jr. Of him the western trace is less faint, yet the circumstances of his abandonment of his old haunts on the St. Johns are vague in the extreme, as also are the incidents of his westward journey. It is only when he appears with his father at Tensaw that he comes somewhat into focus again.

Certainly the reader will want to know how much of the accumulations of his trade young Linder was able to take away with him to the west. We do not know. There is however some evidence to show that the property seized illegally by Colonel Young was restored to the bandits.⁴⁰ In that case "Sweet Willy . . . the fastest Horse for running a distance in the Province, or in Carolina" was again among Linder's possessions. We have no evidence on that point. But if Linder was as assiduous in plying his trade as we have been led to suppose, he must have set out for the west with a whole drove of horses and possibly, a herd of cattle,⁴¹ which he was no doubt careful to increase by additions on the way; and he must have had in his train a sufficient number of Negro slaves to serve his every whim. If, as we imagine, he rode into the Tensaw district at the head of such a procession mounted on his fleetest of steeds, he must indeed have created a sensation. But that likewise we do not know. We do not even know

38. *Ibid.*, p. 342.

39. *Ibid.* John Linder, Jr. however may have left East Florida soon after the arrest of McGirtt and Cunningham (see Tonym to Zespedes, July 29, 1785, PRO :CO 5/561).

40. See Petition of Linder, Daniel and James McGirtt to Zespedes, Aug. 5, 1784 forwarded by Zespedes to Tonym and Tonym's reply, Aug. 7, 1784, PRO:CO 5/561.

41. Tonym to Zespedes, July 29, 1785, PRO:CO 5/561.

that young Linder was in the least interested in creating an impression by means of a melodramatic entrance upon the western stage.

The only thing we know for certain is that the former bandit was now civil lieutenant of his district and a justice of the peace ;⁴² and that he was interested in the cattle business. The chosen location was good.⁴³ The Indians were friendly, markets-Mobile and Pensacola-were near, and the canebrakes along the streams provided excellent pasturage at all seasons of the year. In midsummer of 1788 we find John Linder, Jr. at Pensacola - not on a mission of selling but of buying cattle. With him and at his service were Carlos Hal,⁴⁴ a cowhand, and Archibald Sloan, the owner of a small schooner loaded with goods of Linder's ownership. Through the circumstance that these visitors, as well as others from the Indian country, were at this time compelled by Governor Arturo O'Neill to give sworn testimony⁴⁵ regarding another matter, we learn something, incidentally, about Linder's cattle business. Sloan's boat, it appears from the testimony, was loaded with shirts, blankets, coarse cloth, rum, and powder and ball. He was to proceed with this cargo along the coast to the town of the Indian "Buly"⁴⁶ in the Lower Creek country. There Linder was to barter the goods for cattle. Then, we may infer, he and the cowhands were to drive the cattle overland to Tensasaw, while the owner of the schooner was to return to the same destination by water.

The cattle business may have been the real motive

42. Hamilton *op. cit.*, pp.342-343.

43. William Bartram, *Travels* (Facsimile Edition, New York, 1940), p. 324.

44. Charles Hall? See Hamilton, *op. cit.*, p. 342.

45. AGI:PC Legajo 1394.

46. Location not known, but it may have been near the mouth of the Choctawhatchie. See J. W. Caughey, *McGillivray of the Creeks* (University of Oklahoma Press, 1938), p. 171.

of Linder's visit to Pensacola; but apparently O'Neill was not entirely convinced of that. In consequence Linder was soon in durance vile, the charge being that he had not reported on his arrival all that he knew about the landing at the mouth of Indian River to which reference has been made elsewhere in this paper. The incident was the cause of a considerable commotion in the west, particularly in the mind of Governor O'Neill.⁴⁷ This was the matter regarding which Linder, his cowhand, boatman, and all the other visitors in Pensacola at the time were required to give testimony under oath. The result of this inquisition was a number of depositions which throw much light not only on the main subject but on many subsidiary matters of interest to the historian.

Among the papers, for example, is a petition of Linder's written in his own hand.⁴⁸ It is not the composition of an educated man nor of a totally illiterate one. The syntax is bad and the spelling atrocious, but these faults were not uncommon on the frontier. The handwriting was good enough and the signature was distinguished; it was executed in bold strokes after the manner of the president of a great financial corporation, and must have cost the outlaw many hours of practice to perfect. The object of Linder's petition was to beg for his release, but he was still in prison when he gave his testimony. He may have been set at liberty shortly afterward, for no charge was brought against him except that he had withheld information. That information is contained in his declaration, which interests us for the moment only because it reveals two important facts about the man: that he was an Anglican Protestant and that he was at this time thirty-four years of age.

47. O'Neill to Miro, Aug. 22, 1788, AGI:PC Legajo 1394:

48. Dated Aug. 13, 1788, AGI:PC Legajo 1394.

The declarations concern us here only in so far as they throw light on the activities of the former banditti of East Florida. The evidence adduced was mainly hearsay. The declarants⁴⁹ - seven besides Linder - were from Tensaw or from the Creek Nation further north. All had heard of the landing, as it was a matter of common knowledge in the Indian country. One testified that Bowles had appeared, professedly as a British agent, at Kawita in July (1788) and had had a conference with Alexander McGillivray ; several that McGillivray had dispatched a hundred or more packhorses to the point of debarkation to transport the arms and ammunition and other articles to the Upper Creek towns ; two or three that Bowles's followers were British soldiers and that an expedition was brought to the Florida coast in a British war-ship; one or two that the establishment of Panton, Leslie and Company at Apalache was to be seized ; another that Pensacola was an object of attack; and Linder, among other things, that the invaders consisted largely of refugee American Loyalists and that the object was an attack on Georgia in conjunction with the Creeks under the leadership of Bowles.

This testimony, unreliable though it is, gives some idea of what was believed to be the nature and immediate object of Bowles's incursion into Florida in the summer of 1788. Linder's testimony and his activities during this same summer remove suspicion from him as a possible participant in the enterprise. There is nowhere any mention of Daniel McGirtt. He was, as we must suppose, not now well enough to take part in an adventure, which, under happier circumstances would have appealed to his restless and vengeful spirit. Others, especially the lesser ban-

49. The declarants were as follows: Thomas Miller, Charles Hall, John Jones, John Linder, Jr., Archibald Sloan, Antonio Garzon, Gerald Byrne, and Henry Snell.

ditti, may have been in Bowles's train ; but if so, they were not so fortunate, or unfortunate, as to have their names inscribed in his roll of honor. There is one possible exception, which we must now consider.

The possible exception is William Cunningham, often referred to as Major Cunningham. Within a year or two after his banishment to Providence he must have heard rumors-if he remained in the islands-of the invasion being planned by William Augustus Bowles with the connivance of Lord Dunmore. He must have heard the reports being discussed in the taverns and other places where the outcasts were accustomed to congregate. Here was a fresh opportunity for plunder, particularly if the attack on the Georgians was to be carried out. Cunningham had won for himself the unenviable nickname of "Bloody Bill" by the ferocity of his assaults on the inhabitants of the back country of South Carolina. He too had started out as a Whig, but because of some real or fancied wrong had changed sides.⁵⁰ Perhaps he had not yet had enough. Perhaps he did join Bowles. Perhaps he did set foot on Florida soil again. But these are conjectures, not history.

The correspondence relating to the landing in 1788 makes no mention of William Cunningham. Nor is there any trace of him in the papers relating to the intrigues of Bowles during his stay of nearly four years in the Lower Creek towns. At last, early in 1792, an agent of the adventurer was arrested at Apalache. His name was William Cunningham.⁵¹ The prisoner was taken to New Orleans, where Bowles was already held in custody. Here Cunningham made two statements from which it appears

50. Sabine, *op. cit.*, I, 348-349.

51. *F. H. Q.*, IX, pp. 177-192.

that he was an American Loyalist, and a former officer in the British forces with the rank of major. There the similarity ends. His statements furnish abundant proof of his separate identity. Nor does there appear in the Spanish correspondence⁵² relating to him over a period of years the slightest confusion with the man banished from East Florida. That man, we must admit, had been lost to view since he quit the shores of Florida late in 1785.

When the banditti had at last been dispersed, Zespedes could have asserted that his original plan of achieving his object by lenient means had been realized. Not one of the outlaws suffered the extreme penalty at his hands, though some of the more obscure fled to the United States and there, Zespedes heard, "paid with their lives the just price of their crimes."⁵³ Of those who risked a similar fate by delaying their departure, even the most notorious were merely sent into exile ; McGirtt and Cunningham each attended by a Negro slave to a pleasant asylum in the Bahamas, and John Linder with his possessions (presumably) and a safe conduct to a new home and a better life in the west. But they were gone. Florida was at ease again.

52. Much of it is in AGI:SD Legajo 2640.

53. Zespedes to J. de Galvez, Oct. 20, 1784, EF:b323A ; same to B. de Galvez, Feb. 9, 1785, AGI:SD Legajo 2530.