

## SPANISH SANCTUARY: FUGITIVES IN FLORIDA, 1687-1790

by JANE LANDERS

**H**ISTORIANS of slavery in colonial North America have frequently alluded to the lure of Spanish Florida for slave runaways from the English colonies of South Carolina and Georgia, and contemporary slave owners complained bitterly of the sanctuary provided in St. Augustine. They repeatedly charged the Spanish with deliberate provocation, if not outright theft. Nonetheless, few historians have addressed these issues from the perspective of Spanish Florida. The Spanish policy regarding fugitive slaves in Florida developed in an ad hoc fashion and changed over time to suit the shifting military, economic, and diplomatic interests of the colony, as well as the metropolis.

Although the colony of Florida offered little attraction in terms of wealth or habitat, the Spanish crown had always considered it of vital importance; initially, for its location guarding the Bahama Channel and the route of the treasure fleets, and later, as a buffer against French and English colonization. Throughout the sixteenth and seventeenth centuries Florida was a struggling military outpost, plagued by Indian and pirate attacks, natural disaster, and disease. Had it not been of such strategic significance, the colony might have been abandoned, but Spain would not give up its precarious foothold in North America, despite the costs.<sup>1</sup>

Spain had long claimed the exclusive right to possess colonies on this continent by virtue of the Alexandrine bulls. Her main rivals, France and England, denied this claim, instead basing colonization rights on the principle of effective occupation, and in the seventeenth century they made good their challenge. Dur-

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1. Robert L. Gold, *Borderland Empires in Transition—The Triple Nation Transfer of Florida* (Carbondale and Edwardsville, 1969), 5-8.

ing this period of Spanish decline, the British established a colony at Charles Town, Carolina, and Spain could do nothing to prevent it. The original charter for Carolina, however, actually included St. Augustine, and therein lay the grounds for serious boundary disputes. From 1670 forward, the Spanish and British contest for control of "the debatable lands" would flare up periodically in Florida itself, and in the larger European theater.<sup>2</sup>

One element in this conflict was the Spanish policy of granting asylum to slaves fleeing British masters. This policy, as with so many others, was not based on crown initiative, but rather, evolved as a response to unforeseen circumstances. The governors of Florida first shaped this policy, the Council of the Indies, after review and analysis, recommended keeping it, and the crown ultimately adopted it. Although the king preferred to stress the humane and religious considerations involved, the statements of the governors and the council reflect the more practical political and military ramifications of harboring runaways. The fugitive slaves were to become pawns of international diplomacy, and yet they gained in the bargain, for in Florida they achieved the freedom for which they had risked so much.

In October 1687, the first known fugitive slaves from the English colonies arrived in St. Augustine. Governor Diego de Quiroga y Lossada's first report stated the group arrived in a boat from St. George, Carolina, and included two females and a nursing child.<sup>3</sup> English accounts gave the names of the male fugitives as Conano, Jesse, Jacque, Gran Domingo, Cambo, Mingo, Dicque, and Robi, and added that the child was three years old.<sup>4</sup> Governor Quiroga assigned two males to work for a blacksmith and the others to construction on the Castillo. The women worked as domestics, ultimately for the governor himself, and all the slaves

2. Charles Loch Mowat, *East Florida as a British Province 1763-1784* (Los Angeles, 1943; facsimile ed., Gainesville, 1964), 3.

3. Diego Quiroga to king, February 24, 1688, Archivo General de Indias, Seville (hereinafter AGI), 54-5-12/44, in Irene A. Wright, "Dispatches of Spanish Officials Bearing on the Free Negro Settlement of Grace Real de Santa Teresa de Mose, Florida," *Journal of Negro History*, IX (April 1924), 150. The governor's initial report to the king stated that only six males, two females, and a nursing child had come in the group, but all subsequent reports change that to read eight males. Most secondary sources do not mention the presence of a nursing child in the group which is a significant oversight. An escape by boat with a small child would presumably be more difficult, indicating close family bonds.

4. Peter H. Wood, *Black Majority--Negroes in Colonial South Carolina from 1670 through the Stono Rebellion* (New York, 1974), 50.

were paid for their labor, indicating an ambiguity about their legal condition.<sup>6</sup>

Although an English sergeant major arrived the following fall to retrieve the fugitives, the governor refused to hand them over on the grounds that they had received religious instruction and converted to Catholicism, had married, and were usefully employed. The slaves also purported to fear for their lives, and so the governor offered to buy them. Thus, a fugitive slave policy began to evolve which would have serious diplomatic and military consequences for Spain. The governor and the royal treasury officials repeatedly solicited the king's guidance on the matter, and on November 7, 1693, Charles II issued a royal *cédula* detailing for the first time the official position on runaways, "giving liberty to all . . . the men as well as the women . . . so that by their example and by my liberality others will do the same."<sup>6</sup>

The provocation inherent in this policy increasingly threatened the Carolinians, for by 1705 blacks outnumbered whites in that colony, and there were chronic fears of slave uprisings. Although Charleston and St. Augustine had on occasion made agreements for the mutual return of runaways, these apparently were ineffective. In 1722 a joint committee of the South Carolina Assembly met to discuss the problem anew and suggested increasing the reward for capturing fugitives.<sup>7</sup> They also considered "a law . . . to oblige all Persons possessing Spanish Indians and Negroes to transport them off the Country."<sup>8</sup> Slave owners from South Carolina charged that successful fugitives even returned from St. Augustine, in the company of Spaniards and Indians, to carry off more slaves.<sup>9</sup>

In March 1725, two more groups of fugitive slaves arrived in St. Augustine, requesting baptism and freedom. The current governor, Antonio de Benavides, sent emissaries north, but the

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5. Royal officials of Florida to king, March 8, 1689, AGI 54-5-12/74, Wright, "Dispatches of Spanish Officials," 151-52.

6. Royal decree, November 7, 1693, AGI 58-1-2/74, John B. Stetson Collection, P. K. Yonge Library of Florida History, University of Florida, Gainesville (hereinafter SC).

7. Wood, *Black Majority*, 304.

8. *Ibid.*, citing journal of the South Carolina Upper House, December 12, 1722, microfilm BMP/D, 487, South Carolina Department of Archives and History, Columbia. Wood gives additional references to slaves escaping to St. Augustine from the same source on June 22, 23, and December 6, 14, 1722.

9. Wood, *Black Majority*, 305.

British balked at the proffered payment of 200 pesos per slave, claiming it was insufficient. Governor Benavides reported that "the English will never be satisfied" except by the return of their slaves.<sup>10</sup> Despite British intimations of war, the Council of the Indies recommended against returning the escaped slaves. It was not unmindful of British concerns, however, nor of the vulnerable position of the garrison settlement of St. Augustine. The council acknowledged that the residents feared the English and their Indian allies might invade to recover their slaves by force of arms, that slaves who fled their masters had actually committed a theft of themselves and should properly be returned to their owners, that the Spanish policy might lure great numbers of runaways to Florida who only simulated a desire to convert, and that the British were dependent upon their slaves and had just cause for complaint.<sup>11</sup>

While the Council of the Indies deliberated, Arthur Middleton, the acting governor of Carolina, complained to London that the Spanish, in addition to "receiving and harboring all our runaway Negroes," had "found out a new way of sending our slaves against us, to Rob and Plunder us; . . . they are continually fitting out Partys of Indians from St. Augustine to Murder our White people, Rob our Plantations and carry off our slaves."<sup>12</sup> In retaliation for such raids, Colonel John Palmer of the South Carolina Assembly led a raid against St. Augustine in 1728. Blacks fought bravely in the defense of the Spanish settlement, and in appreciation Governor Benavides freed them and abolished the St. Augustine slave market. Benavides suggested to the council that the freed slaves be sent north to foment revolt and that payment be made to them for English scalps. Although the council rejected this proposal, the incident lends credence to Governor Middleton's accusations.<sup>13</sup>

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10. Antonio de Benavides to king, November 2, 1725, AGI 58-1-29/84, Wright, "Dispatches of Spanish Officials," 165.

11. Council of the Indies to the king, April 12, 1731, AGI 86-5-21/33, Wright, "Dispatches of Spanish Officials," 166-72.

12. Wood, *Black Majority*, 305, citing Arthur Middleton to London authorities, June 13, 1728, in W. Noel Sainsbury, comp., "Records in the British Public Records Office Related to South Carolina, 1663-1782," 36 handwritten vols. 1895, XIII, 61-67, South Carolina Department of History and Archives, Columbia.

13. John J. TePaske, "The Fugitive Slave: Intercolonial Rivalry and Spanish Slave Policy, 1687-1764," in Samuel Proctor, ed., *Eighteenth-Century Florida and Its Borderlands* (Gainesville, 1975), 7.

On October 4 and 29, 1733, Philip V issued two new *cédulas* which officially amended the crown policy on fugitives, but which, in fact, regularized much that was already standing practice. The first *cédula* prohibited any future compensation to the owners of fugitives.<sup>14</sup> Although the crown had released funds to reimburse the owners of the first fugitives, Governor Quiroga disbursed these monies to his troops before the English could collect.<sup>15</sup> The English subsequently rejected the payment offered by Governor Benavides, and when several groups of Carolinians tracked their slaves to St. Augustine, the Spanish forced them to leave with neither slaves nor payments.<sup>16</sup> There is no evidence that the crown ever bore the expense of paying for any other than the first known runaways, and even in that case official reports noted that the labor performed by the slaves on royal works more than offset the cost of their purchase.<sup>17</sup>

The king's second *cédula* commended the valor displayed by the fugitives during the English attack of 1728 and reiterated Spain's offer of freedom to all who fled the cruelty of English masters. It stipulated however that fugitives would be required to complete four years of service to the crown prior to being freed. Although this *cédula* is the first to specify a required indenture, it only legitimized a policy that had been in effect for nearly half a century. It should be noted that the period of indenture was actually not as long as many required in the English colonies. The king also specifically forbade the sale of fugitives to private citizens, but despite the prohibition, some runaways continued to be reenslaved in St. Augustine. Such a group petitioned Governor Manuel de Montiano for their freedom in March 1738, and he granted it over the heated protests of their Spanish owners.<sup>18</sup> In gratitude the freedmen vowed to be "the most cruel enemies of the English" and to "spill their last drop of blood in defense of the Great Crown of Spain and the Holy Faith."<sup>19</sup>

14. Royal decree, October 4, 1733, AGI 58-1-24/256, SC.

15. The royal officials of Florida to king, May 20, 1690, AGI 54-5-12/101, Wright, "Dispatches of Spanish Officials," 154-55; Royal decree, November 7, 1693, AGI 58-1-26/127, SC.

16. Wood, *Black Majority*, 312.

17. Quiroga to king, June 8, 1690, AGI 54-5-12/108, Wright, "Dispatches of Spanish Officials," 156.

18. Manuel de Montiano to king, May 31, 1738, AGI 58-1-31/59, Wright, "Dispatches of Spanish Officials," 172-74.

19. Fugitive Negroes of the English plantations to king, June 10, 1738, AGI 58-1-31/62, Wright, "Dispatches of Spanish Officials," 175.

Governor Montiano restated the crown's offer of freedom to escaped slaves from the English colonies in a *Bando* issued in 1738, and in the same year he established a settlement for the fugitives, called Gracia Real de Santa Teresa de Mose, about one-half league north of St. Augustine. He provisioned the settlement and assigned Don Joseph de León to instruct the new residents in Christian doctrine and Sebastián Sánchez to teach them to farm. Montiano reported that twenty-three men, women, and children had arrived from Port Royal on November 21, 1738, and had been sent to live in Mose.<sup>20</sup> These may have been part of the group of nineteen slaves belonging to Captain Caleb Davis and "50 other slaves belonging to other persons inhabiting about Port Royal" that "ran away to the Castle of St. Augustine" in November 1738.<sup>21</sup> Captain Davis attempted to recover his slaves in St. Augustine, but the Spanish blocked his efforts, and he later reported that the blacks laughed at him.<sup>22</sup>

The War of Jenkin's Ear led to a new outbreak of hostilities between Spain and England, and in 1740 General James Oglethorpe commanded British troops in an attack against St. Augustine and Mose. The settlement of Mose had to be evacuated, but once again blacks helped defend St. Augustine and the governor subsequently organized a black militia which was maintained throughout the first Spanish period.<sup>23</sup>

Mose was re-established in 1748, but four years later, the interim governor, Fulgencio García de Solís, complained that most of the residents of Mose did not want to stay, and that although their pretext was fear of Indian and English attacks, their real motive was simply a desire "to live in complete liberty." He was forced to oblige them to stay, applying "light" punishments to some, and more severe punishments to the persistently disobedient. He did not specify what these punishments were, but it is evident that the "freed slaves" of Mose were not free to choose

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20. Montiano to king, February 16, 1739, AGI 58-1-31/62, Wright, "Dispatches of Spanish Officials," 176-77.

21. Wood, *Black Majority*, 306.

22. *Ibid.*, 306-07, citing J. H. Easterby and Ruth S. Green, eds., *The Journal of the Commons House of Assembly, 1736-1750*, 9 vols. (Columbia, 1951-1962), I, 596, and "The Journal of William Stephens," in Allen D. Candler and Lucien L. Knight eds., *The Colonial Records of the State of Georgia*, 26 vols. (Atlanta, 1904-1916), IV, 247-48.

23. John J. TePaske, *The Governorship of Spanish Florida, 1700-1763*, (Durham, 1964), 141.

where they would live. The governor justified his actions on the basis that Mose was vital to the defense and to the agricultural provisioning of St. Augustine, although he admitted that recurrent illnesses among the blacks prevented the latter.<sup>24</sup> To assuage the fears of the residents, Mose was more heavily fortified in the following years. Cannons were installed, a regular guard of Spanish cavalry was provided, and the black militia was reorganized.<sup>25</sup> Mose survived through the first Spanish period, but when the Spanish left Florida at the end of the Seven Years' War, the Mose residents went with them. Evacuation statistics vary as to whether seventy-nine or ninety-nine free blacks sailed out of East Florida to resettle in Havana, but there is no record that any chose to stay behind.<sup>26</sup>

The fugitive slaves from the English colonies had not escaped all tribulations when they fled to Spanish Florida. The incoming residents were forcibly segregated in Mose where they were subject to debilitating illnesses and to attacks by Indian and British raiders. They served as a kind of early warning system for St. Augustine. The Spanish themselves acknowledged that most residents wanted to leave and live in St. Augustine, although life there was fraught with many of the same hardships encountered at Mose.

Although living conditions were less than ideal, and liberty less than total, the fugitives, nonetheless, made important gains in Spanish Florida. They had achieved de jure freedom, had been welcomed into the Roman Catholic church and given access to its sacraments, and had borne arms in their own defense, proving their military competence. The benefits had not accrued solely to the freedmen, however. The Spanish crown had claimed new souls for the Holy Faith, as was its charge. Religious instruction was conscientiously provided to the former slaves, and careful records were kept on the number of conversions and baptisms.<sup>27</sup> The in-

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24. Fulgencio García de Solís to king, December 7, 1752, AGI 58-1-33/25, Wright, "Dispatches of Spanish Officials," 187.

25. TePaske, "Fugitive Slave," 9.

26. Gold, *Borderland Empires*, 67.

27. Melchor de Navarrete to the Marques de la Ensenada, April 2, 1752, AGI 86-6-5/114, Wright, "Dispatches of Spanish Officials," 185. In this correspondence, Navarrete reported the baptism of fourteen fugitive slaves living at Mose listing the names as follows: francisco Xavier, Rosa Xaviera, Juan Josseph, Juan Manuel, Antonio Josseph, Ana francisca, fran<sup>co</sup> Xavier, otro fran<sup>co</sup> Xavier, Maria de Loretto, Micaela, francisco

habitants of Mose had also provided added manpower for the Spanish in a variety of useful occupations, and had rendered valuable military services in defensive, as well as offensive, operations against Spain's enemies.

The foremost of these enemies, England, occupied Florida only until 1784, but during this interregnum, there was no haven for blacks in the colony. Encouraged by a generous land policy, the British established rice, indigo, cotton, and sugar plantations around St. Augustine. These were manned by large numbers of slaves. Planters like John Moultrie and Frances Levett transported blacks into the province from South Carolina and Georgia, although the terms of their grants required settlement by white Protestants. Richard Oswald, in 1767, imported Negroes directly from Africa to labor on his Mount Oswald plantation.<sup>28</sup> White immigration did not proceed as rapidly as black, and during the British occupation, blacks outnumbered whites, approximately two to one. This ratio became even further skewed when the British were forced by the course of the American Revolutionary War to evacuate Charleston and Savannah. Many of the loyalist refugees brought their slaves with them to East Florida, adding somewhat over 8,000 blacks to the population.<sup>29</sup>

At war's end, the Treaty of Paris returned Florida to the Spanish, and news of the cession exacerbated problems of slave control and encouraged notorious banditti to raid plantations for slaves and other "moveable" property. Disputes over the ownership of slaves would continue for years and plague not only the departing British but the incoming Spanish administration. Georgians and South Carolinians would contend that the British had stolen their slaves, and loyalists would level similar charges against their accusers. The British army had on a number of occasions promised freedom to blacks joining their ranks, and while many had responded voluntarily to this offer, others were impressed. Some slaves had taken advantage of the wartime chaos to run away from bondage, and others made their break during the British evacuation of East Florida in 1784.

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Xavier, Joeseph, Juan, Maria Angela. After 1735 religious data on blacks were recorded in a separate book of pardos in the St. Augustine parish registers.

28. Mowat, *British Province*, 67.

29. J. Leitch Wright, Jr., "Blacks in British East Florida," *Florida Historical Quarterly*, LIV (April 1976), 427.



Neither official commissions nor private suits were very successful in sorting out the complicated property claims arising from this confusion, and it was left to the new Spanish governor, Vicente Manuel de Zéspedes y Velasco, to settle matters as best he could. Realizing that quick action was necessary to prevent further theft of slaves, and also desiring to somehow control the blacks he considered to be vagrants, Zéspedes issued a controversial proclamation on July 26, 1784.<sup>30</sup>

This edict prohibited any ships from taking on passengers of any color or status who did not have a license signed by Zéspedes. Should any person be caught trying to ship out slaves, those blacks would be forfeit. Zéspedes also wanted an accounting of the blacks in his province. Any persons having "in their power" Negroes, free or slave, for whom they had no title, was required to register them. Finally, all Negroes or mulattoes without a known owner, or papers attesting to their free status, were ordered to present themselves within twenty days, clarify their status and obtain a work permit, or be apprehended as slaves of the Spanish king.<sup>31</sup>

The outgoing British governor, Patrick Tonyn, was alarmed by these requirements and felt they violated the provisions of the peace treaty. He solicited an opinion of his chief justice, James Hume, who outlined the British objections: the peace treaty of 1783 gave all individuals, regardless of color or status, full rights to withdraw from Florida; most slaves were held without virtue of titles, and it was unfair to require owners to produce them; and the slaves who had been freed for service in the British military had no documentary proof and by their illiteracy might not know to secure such.<sup>32</sup>

These British opinions only served to antagonize Zéspedes. He answered that he sought only to protect the property of British citizens from theft and restore law and order, and that he had no desire to impede emigration from East Florida. He maintained that his decree was aimed primarily at "the strolling vagrant Blacks with which this province abounds . . . a pest to the

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30. Joseph Byrne Lockey, ed., *East Florida 1783-1785: A File of Documents Assembled and Many of Them Translated* (Berkeley, 1949), 21.

31. Proclamation of Vicente Manuel de Zéspedes July 26, 1784, in Lockey, *East Florida 1783-1785*, 240-41.

32. James Hume to Patrick Tonyn, July 26, 1784, Lockey, *East Florida 1783-1785*, 328-30.

public tranquility."<sup>33</sup> He added, "many Blacks are now beheld passing through the Town with cheerful countenance, who before lurked dismayed in solitary corners, and are now acknowledged free people under the respectable signatures of your Excellency and General McArthur."<sup>34</sup>

Despite the controversy engendered by the proclamation, Zéspedes had his way. The blacks who managed to find out about the new requirements of the Spanish governor, came in to present themselves. Apparently word of the decree spread for the declaration of Juan Gres, a free mulatto from South Carolina, stated that he was a foreman on a ranch near Julianon on the St. Johns River, twenty-eight miles from St. Augustine. He presented himself, his free mulatto wife, and their two sons to the Spanish authorities as required.<sup>35</sup>

A collection of 251 of these declarations have survived. One hundred and fifty simply state the name and race of the presenting slaves who showed papers proving their free status. Of these, eighty-eight are signed by General Archibald MacArthur, commander of the Southern District after the evacuation of Charleston, twenty-one are signed by Governor Tonym, one by Tonym's aide-de-camp, Lieutenant Colonel William Brown, and one by Major Samuel Bosworth. The remaining thirty-nine are unsigned. The more complete declarations contain varying amounts of information on the fugitives, including their previous owners, family connections, occupations, reasons for running away, and information on their work contracts in St. Augustine. Those who made these declarations may not be representative of all who ran to Spanish Florida, for unknown numbers of fugitives remained outside St. Augustine in Indian or maroon communities. Nor are there any figures on how many runaways to Florida were re-enslaved by the Spanish or by others along their escape route. Nevertheless, when virtually nothing else is known about them, these declarations are a valuable source of information about blacks in the second Spanish period. Moreover, although scholars

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33. Patrick Tonym to Lord Sydney, December 6, 1784, Enclosure 3, 2, Remarks on Hume's Opinion, Lockey, *East Florida*, 339.

34. Zéspedes to Tonym, August 6, 1784, Lockey, *East Florida*, 335.

35. Statement of Juan Gres, Census Returns, 1784-1814, bundle 323A, microfilm roll 148, East Florida Papers, Library of Congress, microfilm copies in P. K. Yonge Library of Florida History, University of Florida, Gainesville (hereinafter EFP).

like Gerald Mullin, Michael Johnson, and Daniel Meaders have examined colonial newspaper notices on runaways and have provided information on this group of slaves, their data is derived from the accounts of white masters. These declarations represent the fugitives' own accounts, although they are recorded by Europeans. By piecing the fragments together with those gleaned from other sources, one may form a more precise description of a group that comprised "the backbone of East Florida's labor supply" and approximately one-third of the population of St. Augustine after 1784.<sup>36</sup>

An examination of the declarations reveals that some scribes apparently took pride in their penmanship, others did not. Many of the documents are hard to read; two pages had the top portions destroyed. Some of the fugitives' names were missing in part, and in two cases the gender could not be determined. Racial categories of Negro, mulato, and mestizo were entered after almost every name, but if no description of race was included the person was presumed to be Negro. If no direct statement indicated the person escaped as part of a group, he or she is listed as running alone. Fugitives' accounts of former masters, reasons for running away, occupations, and legal status are accepted as being accurate although that may not be true in every case.

The Spanish notaries recording these statements at times doubted their veracity. One complained that he believed Billy, former slave of Benjamin Kenel of Charleston, lied, because he presented a certificate of freedom that had "no formality, whatsoever" and further, that the handwriting was abominable.<sup>37</sup> When Abram, former slave of James Baxall of Charleston, gave his statement, the notary interjected that "everything he says hereafter forms a group of contradictions of which you can credit not one." Abram stated that he had escaped some years before from Mr. Baxall, but that a Mr. William Penn, since departed from the province, claimed ownership of him. Penn's agent, a Dr. Scott, then attempted to sell Abram at auction, but no one would buy him because Dr. Scott could not produce a bill of sale.<sup>38</sup> There is a certificate signed by Governor Tonym, December 18, 1784, sup-

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36. J. Leitch Wright, Jr., "Blacks in St. Augustine, 1763-1845," typescript at Historic St. Augustine Preservation Board office, 2.

37. Statement of Billy, Census Returns 1784-1814, bundle 323A, roll 148, EFP.

38. Statement of Abram, *ibid*.

porting Penn's statement that he transported Abram to St. Augustine from South Carolina, was obliged to leave him when he departed for New Providence, and that Abram was pretending to be free. Tonym authorized Dr. Scott to attempt to retake Abram, but apparently he was not successful because Abram presented himself to the Spanish sometime in 1787 or 1788.<sup>39</sup>

Certain data from these declarations are less controversial, and yield information about the demographic characteristics of the fugitive population. In this group numbering 251—165 were male, eighty-four female, and the gender of two could not be ascertained. Almost twice as many males as females presented themselves. The majority of the group, 206, were Negroes, and twenty-four males and twenty females were listed as mulattoes. The only direct reference to possible miscegenation between blacks and Indians was one female, Lucy Black, listed as mestiza followed by the notation black Indian. One cannot tell how many of those listed as Negroes were born in America, and how many were African-born. Only one runaway, Charles, formerly the property of Mr. Drayton of Charleston, stated that he was "brought to America before the last war."<sup>40</sup> However, Jacob Steward, a free black who emigrated to New Providence, stated that he owned a house in which "Negro rites in the style of Guinea" were celebrated.

The ages of adults were not given, but those of children up to the age of fourteen were listed usually as estimates. A total of fifty-five children were presented. Moreover more than half of the slaves presenting themselves (128) were part of a group. Thirteen groups consisted of husbands and wives and ten groups included a mother, a father, and their children. Seven of the units consisted of a mother and her children and five units of a father and his children. One sister and brother appeared without their parents. There were also fugitive groups who ran together from the same owners, but who were apparently not related. Unless a specific relationship was stated, it is assumed that none existed.

The numerous groupings suggest that fugitives sought to maintain family or friendship ties, even in flight. The largest of the family groups consisted of Bacchus, Betty, and their seven

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39. Certificate of Patrick Tonym, December 18, 1784, *ibid.*

40. Statement of Charles, *ibid.*

41. Statement of Jacob Steward, *ibid.*

children. The two parents are listed as field hands, as are their three children— Andrew, Isaac, and Sally. The ages of these children are not given, but they were probably adolescents. The younger children were Bacchus, age 9; Betsy, age 7 or 8; Kitty, age 5 or 6; and Grace, age 2. Bacchus stated the family fled to escape the bad treatment of their owner, Mr. Cameron of Savannah. In St. Augustine the family, with the exception of Isaac, hired themselves out to Leonardo Roque, an Italian wine merchant. Isaac hired out to the innkeeper, James Clarke.<sup>42</sup>

Although most of the fugitives did not list their occupations there was a wide variety of work skills among those who did. Most were field hands, but there were also carpenters, hostellers, domestics, cooks, seamstresses, laundresses, and manservants, and some said only that they were soldiers or sailors for the British. There were several hunters and fishermen, one overseer and a ranch foreman, and one said he owned an aguardiente shop. Another was a butcher who planned to leave with the British as soon as he completed butchering his cattle.<sup>43</sup>

It is not known if all continued in their former occupations in Spanish Florida, but they were required to hire themselves out and obtain a license when they registered. Apparently the contracts were for a year, but there are numerous notations indicating that the fugitives changed employment frequently, and apparently of their own volition. Particular contracts may have varied, but there are few details. Those of Small and Moris, two slaves who ran to escape the ill-treatment of their owner, William Day of South Carolina, stipulate that their respective renters, James Clarke, and Francisco Amer, dress and feed them and in all else treat them as free.<sup>44</sup> No reference to wages appears in the declarations. Some of the most prominent persons in the colony hired the fugitives. Among these were the governor, his secretary, Captain Carlos Howard, Juan Leslie, of the firm of Panton, Leslie and Company, and the wealthy planter, Don Francis Philip Fatio.

Men of influence also attempted to re-enslave some of these runaways. Lieutenant Colonel Jacob Weed of the Georgia Assembly advertised in December 1786, for the recovery of Prince, described as "6 feet high, strong built and brawny, a carpenter by

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42. Statement of Bacchus, July 5, 1789, *ibid.*

43. Statement of Guillermo, *ibid.*

44. Statements of Small and Moris, July 7, 1788, *ibid.*

trade, 30 years of age . . . talkative," his wife, Judy, "a smart, active wench," and their children, Glasgow, "about 8 years of age, a well looking boy of an open countenance and obliging disposition," and Polly, "6 years old, lively eyes and gently pitted with the small pox." Weed had been making arrangements to return this group to the original owners from whom they had been stolen by the British, and he believed that Prince had "carried them off with him to Florida to avoid a separation from his family to which he is much attached."<sup>45</sup> It is not known what transpired the next three years, but Prince presented himself to the Spanish on January 9, 1789, without Judy, Glasgow, and Polly. Prince hired himself out for one year to Francisco Pellicer, who was also a carpenter.<sup>46</sup>

The efforts of one prominent loyalist family to recover their slaves dragged on for more than four years. Major Henry Williams, formerly of North Carolina, fought for the British in North Carolina and Georgia, as did his father and brothers. After the evacuation of Savannah, the family moved to East Florida and Henry established a homestead of 500 acres on the St. Johns River.<sup>47</sup> Williams reported that slaves belonging to himself and to his brother, William, had departed the day after Christmas 1784. His notice stated that the runaways included Molly, an "old wench," and "Reynor, wife to Hector and Sam, for they both have her to wife." The date of this notice was May 6, 1785, yet there is a bill of sale for Reynor [Reyna] dated March 17, 1785, showing that William Williams had sold her to Lewis Fatio for twenty pounds sterling. In 1788 Hector, Sam, and Reyna presented themselves to the Spanish, William Williams submitted several memorials to Governor Zéspedes requesting their return.<sup>48</sup>

Hector's statement said that he and his two companions had accompanied Major William Williams to East Florida in Hector's

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45. Letter of Alexander Semple to McFerman, December 16, 1786, To and From the United States, 1784-1821, bundle 10809, roll 41, EFP.

46. Statement of Prince, January 9, 1789, Census Returns 1784-1814, bundle 323A, roll 148, EFP.

47. Wilbur H. Siebert, ed., *Loyalists in East Florida 1774-1785; The Most Important Documents Pertaining Thereto*, 2 vols. (Deland, 1929), II, 277, 366-67.

48. Runaway notice by Henry Williams, May 5, 1785, and bill of sale by William Williams, March 17, 1785, Papers on Negro Titles and Runaways, 1784-1803, bundle 359; roll 167, EFP; memorial of William Williams to Zéspedes, March 5, 1788, Census Returns 1784-1814, bundle 323A, roll 148, EFP.

own boat. He claimed the blacks lived as free persons in East Florida as a consequence of their military service. Sam's statement confirms their free status and military service. Yet, when Major Williams prepared to evacuate East Florida, he claimed them as his slaves, and they ran away from him. According to Sam's statement, he was the former property of Henry Alexander of South Carolina, and Hector and Reyna claimed that they had belonged to Diego Devaux. Hector and Sam both identified Reyna as Hector's wife.<sup>49</sup>

On March 5, 1788, Major Williams submitted a petition to Governor Zéspedes for the return of Sam, Hector, Reyna, and Cesar, whom he said ran from him in December 1784, and who were to be found on Fatio's Florida plantation. Zéspedes remembered dealing with the same matter at the time of the British evacuation. He supported Sam and Hector's accounts of their legal status, saying they had never been slaves of Williams, but rather of a Mr. Alexander and a Mr. Devaux. Williams appealed the decision and offered to present bills of sale for the slaves, but once again the governor denied the claim, noting that such items were easily forged.<sup>50</sup> By this time Williams had settled in New Providence in the Bahama Islands, and he finally submitted a claim to the British government for "a Negro woman slave" valued at forty pounds sterling. Henry Williams, also in New Providence, submitted a claim for Sam, a carpenter, valued at fifty pounds, and Cesar, a field hand, valued at forty pounds. There is no record the Williams brothers ever received compensation, and Hector, Reyna, and Sam hired themselves freely to Fatio.<sup>51</sup> In this long and complicated case the Spanish governor consistently supported the claims of the slaves to freedom.

The governor, however, never granted the fugitives absolute equality. On January 15, 1790, he issued a decree approving Manuel Solana's action in forcing free blacks from some land they were cultivating, for "no free black is permitted to cultivate lands, or live in the country side, unless it is with a white man,

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49. Statements of Sam and Hector, Census Returns 1784-1814, bundle 323A, roll 148, EFP.

50. Decree of Zéspedes, March 7, 1788, *ibid.*

51. Siebert, ed., *Loyalists in East Florida*, II, 277, 281; statements of Sam and Hector and Reyna, Census Returns 1784-1814, bundle 323A, roll 148, EFP.

and with a formal contract and my approval of the conditions."<sup>52</sup> Finally, on May 17, 1790, even the possibility of limited freedom was denied new fugitives, for the king bowed to pressure from the United States government and abandoned the century-old policy of sanctuary for fugitive slaves. The king suspended the *cédulas* which had been the basis for that policy, and ordered that notice of the change in policy be widely circulated to discourage any further immigration by fugitives.<sup>53</sup> On August 23, 1790, the royal order was forwarded to South Carolina and Georgia to be published in their *gazettes*.<sup>54</sup>

United States Secretary of State Thomas Jefferson in a letter to the new governor of Florida, Juan Nepomuceno de Quesada, expressed his pleasure with the new Spanish policy, and called it "essential" to the good relations between their two nations. Jefferson also wrote that United States Collector of Customs James Seagrove had been appointed to represent the United States in all matters concerning the capture and return of fugitives.<sup>55</sup>

Seagrove's initial proposals called for close cooperation between Spanish and American authorities, but he found the Spanish less dedicated to the pursuit of runaways than he would have liked, despite Governor Quesada's repeated assurances of friendship. Seagrove's correspondence suggests that the Spanish governor found the fugitives a bother, and that American slave-owners were doubtful the king's orders were actually being honored.<sup>56</sup>

The fact that Seagrove's own slave, Will, was able to escape, not only from Seagrove's house on the St. Marys River, but from his subsequent captors, seems to indicate deficiencies in the whole effort. Seagrove complained to Quesada that Will had been seen "sculking" around the plantation of John McQueen and that McQueen's slaves were harboring him, but apparently Will remained at liberty.<sup>57</sup>

Ending the official sanctuary in Florida did not resolve the

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52. Decree of Zéspedes, January 15, 1790, Census Returns 1784-1814, bundle 323A, roll 148, EFP.

53. Royal decree in letter from Luis de las Casas to Zéspedes, July 21, 1790, Letters from the Captain General, 1784-1821, bundle 1C, roll 1, EFP.

54. Juan Nepomuceno de Quesada to Leonard Marbury, August 23, 1790, To and From the United States 1784-1821, bundle 10809, roll 41, EFP.

55. Thomas Jefferson to Quesada, March 10, 1791, *ibid.*

56. James Seagrove to Quesada, December 17, 1790, and August 9, 1791, *ibid.*

57. Seagrove to Quesada, August 9, 1791, *ibid.*



American runaway problem, nor did it fully quiet the border conflicts between Spain and America. Fugitive slaves continued to find shelter in Seminole or maroon settlements outside the reach of Spanish control, and Americans continued their raids into Spanish territory to attempt to recapture them.

Meanwhile, the fugitives who had settled in St. Augustine and had been declared free did not lose this status, but they were less welcome in Spanish Florida than their predecessors had been in earlier years. Whereas runaways in the first Spanish period had been sequestered in Mose, with great pains taken to ensure their proper spiritual development, the fugitives in the second Spanish period lived among the Spanish citizenry, and there was more concern about controlling them. Governor Zéspedes had complained about the problem of black vagrants, “roving this City robbing and even breaking open houses” and declared that their “bad way of life . . . ought to be prevented.”<sup>58</sup> He had required registration and work permits for all freed slaves. Quesada also sought to control “the multitude of foreign blacks” by once again ordering them to enter the service of a propertied person within one month of his issuance of a “Proclamation of Good Government” on September 2, 1790.<sup>59</sup>

Fugitives in the first Spanish period had benefited from the international rivalry between England and Spain. The Spanish in Florida harbored and freed them because they had fled the control of Spain’s enemy, and because they sought baptism in the “true” faith. The Spanish knew that the slaves were vital to the economic interests of their British competitors in North America and that each fugitive represented a loss to the English and a gain for Spain. These fugitives were also a military asset to the Spaniards attempting to hold Florida in the face of British aggression.

By 1784, however, the fugitives did not enjoy the same leverage with the Spanish, who now viewed them as a source of constant trouble. Not only were they blamed for a variety of social ills, but their presence invited raids by angry American planters. More over, the new government of the United States seemed determined to protect the property rights of its citizens. There was

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58. Fernández to Zéspedes, August 2, 1784 and Tonyn to Zéspedes, September 24, 1784. Lockey, *East Florida*, 360, 340.

59. Proclamation by Quesada, September 2, 1790, Proclamations and Edicts, 1786-1821, bundle 278013, roll 118, EFP.

little chance of dislodging this neighbor and thus little to gain by antagonizing it by encouraging the flight of American slaves. The usefulness of the fugitives as pawns in international diplomacy had ended, and recognizing that fact, Spain ended their sanctuary in Florida.