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Slavery in East Florida

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SLAVERY IN EAST FLORIDA, 1776 TO 1785

Despite the fact that East Florida remained loyal to the British Crown, or rather on account of that fact, the status of slaves in the province was somewhat raised by the War of the American Revolution, and in the course of the conflict their numbers, like those of the loyalist refugees, were greatly increased. The first indication of the new importance given to the slaves -appeared early in February, 1776, when Governor Patrick Tonyn urged in his Council that the inhabitants be ordered to report to the commandant, Major Jonathan Furlong, the number of their slaves who might be entrusted with arms should the need arise.¹

Another exigency that gave added significance to the institution of slavery in Florida during this period was the stoppage of supplies from the provinces that were in rebellion, except in so far as such supplies and other portable property could be brought in from Georgia by small marauding parties. This was going on continually across the northern boundary, an important part of the booty being slaves, cattle, and horses. But the Georgia rebels were as adept at that sort of warfare as were the Florida loyalists, and by means of privateers extended their depredations as far south as New Smyrna. Even a Spanish privateer was now and then successful in plundering plantations on the east coast. At the end of August, 1778, a privateer entered Mosquito (now Ponce de Leon) inlet and carried off thirty negroes. Such operations reduced, however slightly, the ability of the province to raise its

Note-This article is in continuation of *Slavery and White Servitude in East Florida, 1726-1776*, which appeared in the *QUARTERLY*, July, 1931.

¹ Siebert, *Loyalists in East Florida, 1774-1785*, I, 33.

own provisions, besides depriving the owners of valuable productive property.²

Civil strife between the Whig and Tory parties and the enforcement of test acts under the penalty of expulsion in Georgia, and the Carolinas in 1778 and 1779 were responsible for the flight of about eight thousand loyalists to East Florida in those years. Most of these refugees seem not to have been accompanied by their slaves, doubtless because they were not allowed to take their human chattels with them. However, Benjamin Springer of South Carolina appears to have done so. He first joined the British troops in Georgia, and was thus enabled to pass into Florida in 1779. There he acquired two tracts of land of five hundred acres each. On one of these, near the Twelve-mile Swamp, he put forty working slaves by whose labor he erected huts and other buildings, cleared a score or more of acres, and fenced and planted a rice field.³

In May, 1779, General Augustine Prevost marched with a force from Savannah up to Charleston in the hope of taking that place. On the way he was joined by swarms of negroes. Fearing to lay siege to Charleston, he occupied Johnston's Island with part of his troops, leaving Lieutenant-Colonel John Maitland and a garrison at Stono Ferry. In June Maitland evacuated his post, and took only a part of the negro refugees with him. However, large numbers succeeded in reaching Otter Island, where hundreds died of camp fever and exposure. But three thousand survived and were transported in part to Georgia and in part to East Florida. Sooner or later they were shipped to the West Indies and sold.⁴

The public utility of slaves in East Florida was dis-

² *Ibid.*, I, 66, 60.

³ *Ibid.*, II, 223-227.

⁴ *Ibid.*, I, 76-78.

covered in another connection as early as the spring of 1777, although it may not have been taken advantage of at that time. The fortifications at St. Augustine were then in need of repair, and Chief Justice William Drayton offered twenty-two of his negroes to help perform the work. However, late in September, 1779, Lieutenant-Colonel Lewis V. Fuser, then in command of the garrison of two hundred men undertook to make extensive repairs. To do so he employed half of his little force, and requisitioned three hundred slaves belonging to the inhabitants.⁵ This example was followed three times during the year 1781, when East Florida was in grave danger of invasion by the Spaniards during or after their successful siege of Pensacola. Late in February by request of Lieutenant-Colonel Beamsley Glazier and the military engineer the Council authorized Governor Tonyn to call on the inhabitants for one hundred slaves to work on the fortifications. Four months later the General Assembly passed an act empowering the Governor to obtain the services of enough negroes to complete the works, the number asked for by the military authorities being two hundred. With the consent of the Council Tonyn immediately demanded from the people one-tenth of their working negroes for a period of six weeks. At the end of that time, however, the task remained incomplete, and a request was made for one hundred and fifty hands. Accordingly early in November a resolution of the Council enabled the Governor to call out for one month slaves enough to constitute one-fifth of the working negroes of the inhabitants.⁶

Late in April, 1781, the Commons House of Assembly undertook to formulate a new slave code, which should provide for the better management "of negroes

⁵ *Ibid.*, 63, 79.

⁶ *Ibid.*, I, 88, 94, 96, 99.

and other slaves” and to prevent their being stolen from their masters and employers. In due course the bill was sent to the Upper House or Council, which amended it in various respects and passed it on June 6, but failed to return it. The Commons House waited impatiently until July 25, and then voted to transact no further business until the negro bill should be returned. This action brought a statement from the Upper House that it was ready to give up all its amendments but one, namely, that providing for the protection of the law and security of life and limb for slaves who might be tried for capital offenses. It would not consent that justices of the peace should have jurisdiction over such cases, demanding that the culprits be tried by jury in the general court at St. Augustine. It maintained that this procedure was in keeping with the principles of humanity and with English law and would protect the interests of the owners. The Commons House argued that the proposed procedure would involve delay and expense by requiring that the culprit and witnesses be taken to the capital.

The Upper House defended its position in a set of resolutions and presented an address to Tonyn in which it ascribed to the Commons House the assumption of the exclusive power of legislation. The two houses also exchanged messages, but were unable to effect a compromise. In September the Governor prorogued them for a month, and then dissolved them on November 12. In January, 1782, a new Commons House was elected. This did not change the situation, for as Tonyn predicted the members of the old one were returned. Meanwhile, the Governor had written to inform the Board of Trade of the bone of contention between the two houses. Its reply, dated February 22, was decisive. It called attention to the fact that trials of slaves before justices of the peace and a jury of the vicinage

were customary in other provinces, and that. the inconvenience of holding trials at St. Augustine seemed "insuperable." It therefore recommended that the Upper House yield its point, and consent to vesting justices of the peace with authority to try slaves in capital cases. As finally enacted the new slave code empowered justices of the peace, or any three of them, to try such cases before a jury. At the end of May, 1782, Tonym signed the code.

The provisions of this code are of sufficient interest to warrant a summary of them. The code related to both negro and Indian slaves, and declared that the power of persons having charge of them should be regulated by positive law so that the slaves themselves might be kept in due subjection and the owners or other custodians might be restrained from treating them cruelly. The offspring of slaves were to follow the condition of the mother. For negroes claiming their freedom guardians might be appointed on the application of the persons seeking such guardianship to the chief justice or other justices of the general court. Guardians might bring actions against persons in possession of, or claiming property in, their wards, and a jury was to assess the damages sustained. However, in case judgment should be given for the defendant the court would inflict corporal punishment on the ward.

On sworn information by a free white person before a justice of the peace, or on any other creditable information before him, that a slave had been wilfully murdered, maimed, or tortured, the justice was to issue a warrant for bringing the accused before him. If he was found to be guilty he was to be committed to jail to remain in close custody until delivered by due course of law. The guilty party might take bail with two suf-

⁷ *Ibid.*, I, 96-100.

ficient sureties in the sum of 50 for appearance at the next general court. If convicted of maiming or torturing the slave to the extent of murder, in case the victim died within a year and a day, he should pay a fine not exceeding 100 and be imprisoned in the common jail for a term not exceeding twelve months.

Any person having a slave unfit for labor by reason of sickness, age, or misfortune must support him. Owners neglecting or refusing to do so would be fined 100 sterling. To prevent slaves from running away every one found within the limits of a town, or off the plantation where he was usually employed or who lived without a ticket or letter signed by the master or other person in charge of him might be stopped by a white person and carried back to his owner or employer, or delivered to the nearest constable or warden of a workhouse, whence he might be returned to the employer or owner on payment of the charges involved in apprehending and keeping him.

If a white person bought any article from a slave without the consent or ticket of his owner or overseer, or bartered anything, under the condition mentioned, he must pay a fine of 5 sterling levied by a justice of the peace. If a negro was guilty of purchasing from or bartering with a slave the justice was to impose corporal punishment not extending to life or limb. The confession of a slave, or proof given by another slave, to the owner or overseer should be accepted by the magistrate as sufficient evidence.

Any person stealing or carrying off a slave, or hiring or encouraging any one to do so, or aiding a slave in running away from his master's or employer's service, or giving a ticket or pass by means of which the slave might depart, was guilty of a felony. If convicted thereof and refusing to answer to the indictment, or challenging more than twenty of the jury,

he was to suffer death and be excluded from benefit of clergy. Any person giving a ticket or licence to a slave who was the property or under the care of another, was to forfeit to the owner 5 sterling in addition to the damages accruing to him by the absence of the slave.

Any person who without sufficient cause in the opinion of a justice of the peace, had beaten and disabled a slave employed in the lawful service of his master, overseer, or other person was to pay not exceeding 5 sterling for every offense in addition to damages to the treasurer in aid of the general tax. If the slave had been disabled the offended was to forfeit to the owner or his attorney not more than 3s. a day during the time lost and pay for the cure of the injured slave. He must also pay the owner for the damage done.

Any person maimed or disabled in pursuing or taking a fugitive slave, or one charged with a criminal offence, was thereafter to receive annually from the treasurer of the province during residence therein a specified sum.

When a complaint or information of an offence committed by a slave within the province was received by a justice of the peace, he was to commit the culprit to the workhouse, and by warrant give notice to the two nearest justices to associate with him, and to summon eighteen free white men of the neighborhood. Twelve of these were to be drawn by ballot as a jury to pass upon the offender. Within twelve days after the commitment the jurymen and justices were to assemble, and the slave was to be brought before them. They were to hear the accusation, and the accused might challenge as many as six of the jurors without showing cause. Further, if he desired to have any free white man of the district where the offense was committed present the justices must notify the latter,

so that he could attend in case he thought fit. However, he must take an oath to try the prisoner impartially and give a true verdict according to the evidence. The slave's defence must be heard, the witnesses examined, and the matter determined in the most expeditious manner. In case the offender was found guilty of a crime not capital the justices, or any two of them, were to give judgment inflicting punishment not extending to life or limb, and cause execution accordingly. However, in case the offender was convicted of a capital crime they must suspend execution until they had submitted a full report of the case to the Governor and had learned his pleasure.

The evidence of a free Indian or negro or of a slave without oath was to be allowed in all cases against free negroes or Indians, who were to be tried by justices and free white men in like manner as slaves.

In case of the commission of a crime by a slave within the province, which by the laws of England or East Florida was a felony for which the penalty was death, the offender being duly convicted was to suffer that penalty.

The following offences that might be committed by slaves, free negroes, and Indians were specified as felonies without benefit of clergy, for which the penalty was death: the burning or destruction of stacks of rice, corn, or other grain, kilns, barrels of pitch, tar, turpentine, resin, or other products of the province, or the malicious poisoning of free persons or slaves. Any slave guilty of the homicide of a white person, except by misadventure or in defence of his master or other person in charge of him, and any slave attempting to raise an insurrection, together with his accomplices, were on conviction to suffer death as in cases of petit treason.

To discourage the concealment of a slave's crime

by the owner to the prejudice of the public welfare the valuation of one executed was to be made by the justices and the jury and certified to the treasurer of the province, who was to pay the sum to the owner if it did not exceed 30 sterling.

Constables' fees were as follows : for whipping or other corporal punishment 5s. and for punishment extending to life 10s. In punishing an offender a constable might press one or more slaves of the neighborhood to inflict it under penalty of twenty lashes on the bare back for refusing to do so. The owner of the slaves pressed by the constable was entitled to 2s.

It was unlawful for any slave, except in the presence of a white person, to carry or use firearms or other weapons, unless he had a written permit from his master or overseer to kill game, cattle, mischievous birds, or beasts of prey, or was in the company of a white person sixteen years of age or older, or was engaged during the daytime in killing birds on the plantation where he belonged and lodged the gun at night in the house of his master or white overseer. Any person finding a slave with a weapon contrary to the intent of this act might take it from him, but within the next forty-eight hours must make oath before a justice of the peace as to the seizure. Having satisfied himself about the propriety of the deed and summoned the master or overseer to show why the weapon should not be forfeited, in case cause was not shown the justice was to give the seizer a certificate of ownership.

If any planter, farmer, lumberman, maker of naval stores, owner of a cow pen, or other person employing upwards of ten working slaves in the country without living there did not keep a white person above sixteen years of age on the place at all times, and refused or neglected to do so, he was on conviction before a justice to pay 50s. for every month of non-compliance.

Any slave found out of his usual place of abode after ten o'clock at night without a permit or a light, was liable to be taken to the workhouse, or other place of confinement, by any householder, planter, or overseer, and the warden must give immediate notice to the owner or manager of the slave if he lived in St. Augustine, but if not the notice was to be given as soon as convenient. If the slave was at fault he was to receive nineteen lashes, but if the owner or manager he must pay 2s. 9d. besides the warden's fees before the slave was released.

If any slave, or free negro, presumed to strike a white person the offender was to suffer for the first offense such punishment as the justices and majority of the jury should think fit, not extending to life and limb, and for the second offense death, unless some mitigating circumstance was found. In that case the punishment was to be specified by the justices and the jury. But if the assaulted person had been grievously bruised or wounded the offender on due conviction was to suffer the death penalty even for the first offence, provided the injury had not been inflicted by command of the owner or manager of the slave or in defence of him or his property. In this case the slave was to be excused and the owner or manager was to be answerable.

No owner, or master, of slaves after the passage of this act was to permit any of them to walk out without a written permit under pain of paying 30s. to the treasurer of the province for every offence.

Every person employing a slave without a ticket from the owner was to forfeit to the informer 15s. sterling for each day of the time of employment, not counting the slave's wages.

In order to distinguish free men from slaves every free Indian or negro was to wear on the left arm a

silver badge bearing his name and the word "free." If found abroad without the badge it was lawful for any inhabitant to inform on the offender to a justice of the peace, who was to issue a warrant for bringing him to be fined 5s. in addition to the charges for apprehending him. In case the offender did not pay the sum he was committed to jail for fourteen days.

The act was to continue in force during the term of two years and to the end of the next session of the General Assembly, and no longer. This provision made it effective to the end of May, 1784.⁸

One may think of this new slave code as a measure necessitated by the war through the bringing into East Florida of large gangs of slaves by their masters and the shipment of hundreds of others from South Carolina. The latter had been campfollowers and were masterless. Haling from belligerent areas, these newcomers constituted a dangerous element and were exported as soon as possible to the West Indies. That was not true of a considerable body of slaves brought in by James Hume from Georgia, where he had been a former member of the Council and acting attorney general. Expelled from that province in 1776, he had gone to England from which he returned about two years later with the appointment of chief justice in Florida. In April, 1780, he arrived at St. Augustine. In June, or July, he bought the former estate of William Drayton, four and one-half miles from St. Augustine, with its buildings and parks. On this Oak Forest estate Hume had sometimes twenty slaves, who made canals, planted hedges, built negro houses, and set out thirty-five hundred orange trees and numerous other fruit trees of various kinds. Mr. Hume also owned the Cypress Grove estate of twenty-five hundred acres on Six-mile Creek, on which he placed one

⁸ Public Record Office, Colonial Office, 5/624.

hundred and five slaves early in 1783. Of these, seventy appear to have been workers. They cleared twenty acres for rice, ten for Indian corn, erected several new buildings, and boxed thirty-two thousand trees for turpentine. On another turpentine tract, numbering only three hundred acres, he put twenty-five negroes.⁹

In November, 1781, a much smaller gang of slaves than Chief Justice Hume's arrived from South Carolina. They were the property of Major John Harrison, who sent them under the care of David Drenning. They were employed on a tract of two hundred acres on the north side of St. Johns River six miles from the Bluff. When Major Harrison arrived about a year later he found the land promising, and bought seventeen more negroes. They prepared fifteen or twenty acres and fenced double that number for planting, but the best working slaves cut lumber and shingles. In October, 1783, Major Harrison abandoned his settlement and removed his slaves to St. Augustine.¹⁰

The slave code had been adopted none too soon and must have seemed a providential measure when Florida began to swarm with loyalist refugees and their slaves in the summer of 1782 on account of the evacuation of Savannah. by the British troops.

According to a report made for General Alexander Leslie, who was in general charge of the evacuation of the Southern states and transmitted the figures to St. Augustine, ten hundred and forty-two white people and nineteen hundred and fifty-six black ones left Savannah for East Florida. This gives a total of almost three thousand. However, some of the Georgians in Florida declared that their number was four thousand, white and black. In view of the fact that instances are known of the departure of Georgians in

⁹ Siebert, *Loyalists in East Florida, 1774-1785*, I, 80-81; II, 37-43.

¹⁰ *Ibid.*, II, 141-143.

vessels which they chartered or bought, and in which they sailed before the military evacuation, one is inclined to believe that there is much probability in this estimate.¹¹

Some of these Georgians transported large numbers of slaves to East Florida. For example, in July, 1782, Lieutenant-Colonel John Graham brought in two hundred and fifteen, of whom one hundred and forty were working negroes. He took up five tracts of land of five hundred acres each for himself and his four sons. On two of the tracts one hundred and twenty acres were cleared, and on one of them a large reserve dam was begun and ditches were dug for making a rice plantation. Buildings were also erected, including cabins for about sixty working negroes, besides the children. On two other tracts forty slaves cleared ninety acres, of which seventy were planted with provisions and twenty with indigo. Necessary structures were built, and a beginning was made in excavating ditches and drains. Forty more slaves were employed in forming another settlement, where sixty acres were cleared and planted with rice and provisions. In December, 1784, Graham's agent shipped all his slaves to Beaufort, South Carolina, where he could get a good price for them.¹² In August, 1782, Colonel Graham had transferred the fifty-three slaves of his brother James from Georgia and employed the forty workers in clearing, fencing, and planting part of a tract of five hundred acres and in cutting lumber.¹³

Rations were supplied by the government for the throngs of slaves from Georgia and for the larger throngs brought from Charleston during the closing months of 1782, as well as for the large numbers of

¹¹ *Ibid.*, I, 106.

¹² *Ibid.*, I, 110-111; II, 76, 80, 82.

¹³ *Ibid.*, II, 71

white people who came with them. To the refugee planters the item of free rations was a great boon, and prevented not only starvation but also other forms of catastrophe in Florida. By withholding subsistence for several months from the hundred and seventy-eight dependents of Colonel Elias Ball, a planter from South Carolina, Brigadier-General Archibald McArthur compelled him to consent to the removal from his place of a structure in which part of the garrison's gunpowder had been stored. Colonel Ball must have been put to a heavy expense by his stubbornness.¹⁴

In the autumn of 1782, two or three months before the evacuation of Charleston, plundered slaves of South Carolinians were finding their way or were being shipped to East Florida. Complaints and protests were made to General Leslie, who in turn attempted to prevent the deportation of such property from East Florida. Brigadier-General McArthur promptly replied that twenty-eight negroes, "mostly rebel property," were being returned to Charleston. In April, 1783, Dr. James Clitherall, a loyalist from South Carolina who was in Florida, was engaged in trying to recover slaves for their Carolinian owners. Orders had just been received at St. Augustine to make preparations for the evacuation of Florida, and Governor Tonyn felt very much aggrieved. He was in no mood to promote the restoration of plundered slaves until he knew that South Carolina and Georgia would restore the confiscated estates of the loyalists. Consequently he and his Council found ways of obstructing the reclamation of vagrant negroes. Gentlemen who had come from South Carolina found their slaves willing to return, but were not allowed either to certify to them or take them away. Dr. Clitherall even affirmed that Tonyn aimed at making a profit by con-

¹⁴ *Ibid.*, I, 122.

fiscating the slaves. A commissioner sent from South Carolina to St. Augustine to negotiate for the restoration of the negroes, was put on his parole at once and not permitted to write home. Colonel James Moncrief, the commanding engineer at Charleston at the time of the evacuation, is said to have transported the eight hundred negroes in the engineer and ordnance departments to Florida.¹⁵ Numbers of the masterless slaves in the peninsula may have been liberated by the proclamation of some British officer. Various officers gave plausible excuses for carrying off negroes who had been their servants.

An enumeration at Charleston of December 13, 1782, shows twenty-two hundred and eleven blacks embarked for East Florida. But the report submitted to General Leslie increased that number by three hundred and fifty-two.¹⁶

An enumeration was also made in Florida covering arrivals from July, 1782, to April 20, 1783. This was the work of John Winniett, the commissary of refugees, assisted by a committee of two leading refugees from South Carolina and two from Georgia. The number of blacks according to their figures was eighty-two hundred and eighty-five. If we add to this the negro population of 1774, which Tonym said was three thousand, without even allowing for a normal increase during the following decade, the total is eleven thousand, two hundred and eighty-five, which was nearly double the white population in April, 1783.¹⁷

Some of the most common occupations of slaves in Florida have been already indicated in recounting the operation, of various planters in forming their settlements and in certain sections of the slave code. These

¹⁵ Siebert, *Loyalists in East Florida, 1774-1785*, I, 122-123, 115.

¹⁶ *Ibid.*, 124-131.

¹⁷ *Ibid.*,

were clearing the land ; fencing it; tilling and planting the soil with Indian corn and other grains, potatoes and various other vegetables ; planting and tending orange groves ; making dams and ditches on marshy ground for the cultivation of rice ; lumbering, which included sawing planks and boards, cutting pine and cypress shingles, making oak staves and barrel-hoops ; shaping hickory handspikes, etc. ; planting and cultivating indigo ; excavating and cementing rectangular vats about fourteen -feet long, eight feet wide, and eight feet deep for extracting the commercial indigo from the plant; producing "naval stores," which included boxing pine trees and collecting the sap for the manufacture of turpentine, building kilns and distilling tar from resinous woods, and making pitch and resin ; and tending cattle and caring for cow pens. Among the crafts practiced by slaves were those of house-building, carpentry, coopering, midwifery, weaving, and others. The list of exports from Florida suggest that plantation hands prepared raw hides and deerskins, cut mahogany, gathered logwood, lignum vitae, ginger, and sarsaparilla, made salt, grew a little sugar-cane and made molasses, and raised some tobacco.

The slave code stipulated the conditions under which slaves might hunt with firearms. No doubt they were given many opportunities to do so, and shared in the game they took. Governor Grant and some of his contemporaries speak of Indian corn as forming the staple of their diet, but this was certainly supplemented with yams or sweet potatoes, roast opossum, raccoon, wild turkey, and fried venison steak, to mention only the more common kinds of game for the table. Nothing is said about fishing in the slave code, because it did not involve the use of weapons with which humans might be shot. The presumption is that

slaves indulged in fishing whenever they were inclined to do so provided it did not inconvenience their masters or employers. As fish, turtle, oysters, and clams abounded in the waters of Florida, they must have supplied a part of the fare of those slaves who lived in localities convenient for obtaining them.

Contemporary documents contain little information about the housing of the slaves, except to mention the number of "negro houses" built in various plantation settlements. In some instances a dozen slaves or more would live in one house. Thus the thirty-five bondmen of William Chapman and his sons had only three cabins among them. In other instances the accommodations were more ample. William Watson provided eight houses for twenty negroes. John Imrie built six or seven for fourteen slaves. Robert Hope had seventeen framed houses with a boarded bed place in each for thirty-four negroes. Generally, however, the slave quarters were built of logs with board roofs. In St. Augustine also the slaves had separate dwellings. David Marran, one of the residents of the town who owned seven slaves, built for them a log house measuring twenty-four feet by sixteen feet. A few huts constructed of poles were the only quarters provided for slaves on the Florida shore of St. Mary's River, according to Oliver Whipple, who was sent in 1770 to the town of Arden on Amelia Island as customs officer. The population was so sparse and the prospect of collecting any revenue in that unfrequented port so poor that he left without asking permission after a short stay.¹⁸

In urging their claims after the Revolution for the lost labor of their slaves the Florida loyalists generally represented that their field hands were worth 10 a

¹⁸ Siebert, *Loyalists in East Florida, 1774-1785*, II, 220, 158, 163, 205, 206, 70; T. 1/482, f. 175.

year. However, one put in his claim at 20s. a month and another at 15 a year. General Robert Cunningham valued a field hand's labor at 2s. a day. This statement was confirmed by another claimant, who added that carpenters brought 7s. a day. Major Nicholas Welsh hired some negroes in April, 1783, at the rate of 1s. 2d. per day, but they proved to be rather worthless and ran away from him. The value of slave labor seems to have risen considerably during the latter part of the war when refugee loyalists were coming in rapidly and taking up lands for settlement. However, the tendency to rise must have been limited by the slaves who were being brought or shipped in in increasing numbers. Robert Payne stated that in 1778 the hire of a negro carpenter was 2s. a day and by 1783 6s. In the latter year that of a ship carpenter was 9s. Robert Robinson testified that the ordinary wages of negro carpenters were now from 7s. 6d. to 9s. per day. In August, 1782, Henry Robertson employed a negro carpenter to build a fence and paid him \$2 a day. In the spring of the following year he built a house on St. Johns Bluff. He hired two white carpenters at \$1.50 each, two negro carpenters at \$1 each and two negro helpers at fifty cents each, but he also supplied his workmen with provisions. Thomas Courtney paid as little as \$1 to each of two white carpenters, but admitted that they were not very good ones.¹⁹

The data given by East Florida claimants regarding their slave property is so limited as to prevent one from making a study of the actual prices of slaves at different times during the Revolutionary period. William Chapman and his sons report that in 1774 and 1775 they paid at the rate of 55 each for thirty-five negroes. One finds in the schedules of losses considerable differences in valuations. One may assume, gen-

¹⁹ *Ibid.*, 11, 142, 183, 78, 72, 134, 206, 7, 8, 10, 23, 21, 31.

erally speaking, that these were high, as they were claims for compensation. An added difficulty is found in the fact that in many instances nothing is told about the age, sex, or occupation of the slaves. One claimant puts in four negroes at 25 each; another, twenty-eight at about 35 each ; still another, one male slave at 45; another specifies seventy-seven field hands at 50 each ; another speaks of nine valuable slaves, well worth 50 apiece ; in a few cases male slaves are valued at 60 each and in one instance one is charged at 80. One expects that craftsmen will be listed at high figures, and one is not disappointed. A young negro carpenter, twenty-seven years old, is valued at 100 ; and another carpenter, who is also a cooper, at the same figure, while a field hand and sawyer is priced at 70. A "compleat servant" is also rated at 70, and a house wench, who served both as cook and washer-woman, is valued at 60. In the case of nine slaves, who died during their removal from Florida to New Providence, Jamaica, and the Bahamas, a scale of ratings appears, namely, for "a young fellow" 56, for a man forty years old 50, for a woman of forty 40, for a boy of ten 30, and for an old woman 15. In another list two slaves are valued at 50 each, two negro men at 40 each, a woman at 40, and two children at 15 each. Denys Rolle stated that "a compleat cooper" was worth \$150.²⁰ The total valuation of three hundred and eighty-three slaves belonging to various Florida claimants was about 17,750, which averages close to 46. However, one should not forget that the slave code, which was adopted at the end of May, 1782, that is, before the great influx of slaves, allowed only 35 to be paid to a master for the loss of a slave who was executed for a crime.

²⁰ Siebert, *Loyalists in East Florida, 1774-1785*, II, 217, 102, 125, 116, 292, 224, 188, 201, 66, 134, 229, 230, 283.

The arrival of the news of the recession of East Florida to Spain in the spring of 1783 produced a general turmoil among the inhabitants of the province, and from then until practically the end of the evacuation small bands of white men ranged through the country for the sake of the booty they could carry off. Slaves and horses seem to have been the principal objects of their depredations. How many negroes fell a prey to these "banditti" is not known, but the number seems to have been considerable. Henry Ferguson had five stolen from him, four of them about March, 1784. Three field hands belonging to James Scotland were abducted in St. Augustine at the beginning of 1785. In the following March three slaves were enticed from Alexander Paterson by some of the Greek colonists, who had formerly lived at New Smyrna. In July a negro of Peter Edwards, who was waiting for embarkation on the beach of St. Marys River, was carried into Georgia. In September seven slaves of John Fox also disappeared from St. Marys shore, either through theft or flight.²¹

After the Spaniards took possession of East Florida in the summer of 1784 the banditti received a measure of protection from Governor Zespedes, despite the vigorous protests of Governor Tonyn. Another cause of difference between the British Governor and his supplanter was a ruling contained in a proclamation issued by Zespedes early in August, 1784, namely, that every negro who was without a certificate of manumission would become the property of the Spanish Crown in case he failed to procure within twenty days a permit to work. Zespedes explained that this clause referred only to vagrant blacks, then numerous in East Florida. He had no intention of

²¹ *Ibid.*, I, 140, 165; II, 66, 67, 189, 127, 128, 179, 181, 182, 183, 184, 185.

interfering with negroes who had masters, but he insisted on knowing which ones had their freedom under the declaration or proclamation of some British officer. He would see that slaves were restored to their proper owners and free those of uncertain ownership.²²

Zespedes divided the negroes in the province into four classes, as follows: (1) those who were free; (2) those freed during the war by military proclamation; (3) those belonging to British subjects, and (4) those at large in St. Augustine and other parts of East Florida. Of this last class those who obtained their certificates to work would be included in the first group, but those without certificates would be treated as vagrants. Persons who claimed negroes as their property must register them and give proof of ownership in writing or by witnesses.²³

The regulations laid down by Zespedes were in numerous cases difficult to be complied with. Tonyn had surrendered no more of the plundered slaves to their Carolina masters than he could help, and he did not intend to be more generous to the Spaniards. It was one thing to lay claim to negroes, and quite another to produce convincing evidence of ownership. So also it was one thing for a British officer to proclaim the manumission of a host of black campfollowers, but a very different one to identify those who had been thus liberated. How the problem was solved is not clear. Tonyn heard that some slaves of John Fox were on board a Spanish brigantine in St. Marys River. Near the end of the evacuation of the province he sent Chief Justice James Hume and the provincial secretary, David Yeats, to recover them ; but these gentlemen received only a denial that the slaves were on board. Later, however, the slaves were permitted

²² *Ibid.*, I, 162-163.

²³ *Ibid.*, I, 178.

to make their appearance, but were not delivered up.²⁴ If the Spaniards kept possession of any large number of vagrant negroes they seem to have exported them promptly. Only two hundred were officially reported by the British commissioner of the evacuation as having remained with the Spaniards.

On October 16, 1784, the commissioner noted in his record that eleven hundred and thirty-three negroes were still in East Florida. A subsequent entry was to the effect that Governor Graham's negroes, numbering two hundred and seventy, had embarked. What appears to be the final report of the commissioner gives the names of various destinations and the number of negroes sent to each, as follows :

| | |
|---|---------------------------|
| to the States | 2,561 |
| to the Bahamas | 2,214 |
| to Jamaica and the Spanish Main | 714 |
| to Dominica | 444 |
| to Nova Scotia | 155 |
| to Europe | 35 |
| to other foreign parts | 217 |
| | Total 6,340 ²⁵ |
| As previously noted there remained with the Spaniards only | 200 |
| | 6,540 |

But according to the enumeration of negroes made in 1782 and 1783, not forgetting the three thousand in the province when Tonym assumed the governorship the total population was eleven thousand, two hundred and eighty-five, which is four thousand, seven hundred and forty-five more than are accounted for in the commissioner's final report.

²⁴ *Ibid.*, I, 178.

²⁵ Siebert, *Loyalists in East Florida, 1774-1785*, I, 167-168, 208.

It is known, however, that four or five thousand people, mostly of the back parts of Florida started for the west as soon as they were convinced that the province was to be restored to Spain. Probably a large proportion of these was slaves. If so, it would reduce the discrepancy very materially. The rest of it lies for an explanation between Tonyn and Zespedes, and they are forever silent.

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