

THE FAÇADE OF UNITY:  
BRITISH EAST FLORIDA'S WAR FOR DEPENDENCE

By

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On August 11, 1776, the Declaration of Independence was read aloud in the market plaza in St. Augustine, East Florida. The throng of common folk and elites alike became so enraged that they burned John Hancock and Samuel Adams in effigy. The following day, proclamations of loyalty for King George III flowed from the colony's civil leadership. Over one hundred letters can be found in the George Washington Papers mentioning St. Augustine or East Florida. As early as December 18, 1775, the Commander in Chief was calling for the capture of St. Augustine and its large cache of powder and munitions stored in the Castillo de San Marcos. However, not only did the American army fail to take East Florida after three invasion attempts, but the royal governor did not evacuate the colony until November 19, 1785.

The significance of these events is mysteriously lost on generations of historians. The historical omissions that have left the memory of East Florida and the evacuation of St. Augustine relatively unknown are inexplicable. The Revolutionary War involved not only the present state of Florida, but circumstances in St. Augustine were significant in the shaping of southern Revolutionary events. The plight of Loyalists and blacks in East Florida is no less a part of the American narrative than those of other southern colonies, especially considering how many of those Loyalists, free-blacks, and slaves from the traditional southern colonies found

their way to East Florida during the war. This study is an effort to restore their place in American history and to return East Florida from the shadows of marginalization.

## CHAPTER 1 INTRODUCTION

On November 19, 1785, with the wind finally in its sails, the HMS *Cyrus* put the coast of East Florida to her stern and carried the last remnants of a weary, but loyal, colony back to England—though not necessarily back home. Many of these last few refugees from the Floridas, Georgia, and the Carolinas were born in North America and never known an English sunset. Some left behind the only hopes they possessed for a new life, in a new home, on the shores of a land they diligently toiled to make prosperous—only to have it voluntarily abandoned by politicians and diplomats who never experienced the cypress-lined banks of the St. John’s River or felt the warmth of a January afternoon sun in this moderate climate. It was a colony that boasted the rich soils and long planting seasons of the Caribbean without the deadly plagues of malaria and yellow fever. East Florida had become home, with St. Augustine at the heart, for every loyal British subject who was forced to leave its splendor. On this day the last British evacuation vessel in all of North America sailed with the loyal refugees of a long and bitter humiliation at the hands of “civilized allies and unnatural colonists [who] are ungrateful to British designs.”<sup>1</sup> The author of these words was Major General Patrick Tonyn, governor of East Florida—Great Britain’s last colony in what is now the United States.

To both amateur and professional historians alike, the preceding paragraph has all the plausibility of an imaginative novel based upon “what-ifs” and “maybes,” surrounded by wild

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<sup>1</sup> “Patrick Tonyn to Lord Sydney, St. Augustine, December 6, 1784,” PRO CO 5/561, P36, p. 8. In several passages located in the documents of the Public Records of the Colonial Office in Kew, England, the word “unnatural” can be found in reference to rebellious actions in the British colonies. During this era of the British Empire, it was viewed that the relationship between the metropole and its colonies was similar to that of a mother and child. Therefore, an act of rebellion was deemed “unnatural” to the propriety of the relationship. Historian J. Leitch Wright contends that “[w]hen East Florida had refused to revolt in 1775, it had followed precedents, because loyalty to the mother country was the colonial norm. It was the thirteen colonies who, by rebelling, had broken with tradition.” J. Leitch Wright, “Blacks in British East Florida,” *Florida Historical Quarterly*, Vol. 54, Issue 4 (April 1976), 435.

conjectures of historical fiction. The idea that there was an American colony inside what is today the geographic borders of the United States that remained loyal to Great Britain throughout the course of the American Revolution—holding steadfastly to its grip on the North American continent long after the Battle of Yorktown or the Treaty of Paris—seems ludicrous. The fact remains that this scenario actually occurred and, like many other misplaced pieces of information on the war, is perplexingly absent from the familiar canon of American history. I will argue that historians are thus forced to reconsider the traditional interpretations and memory of a united War of Independence. Closer scrutiny teaches us that from the town meeting to the state legislature to the Continental Congress, American colonists were rarely unified on any subject—what historian John S. Pancake calls a “façade of unity”—forcing many significant questions to be asked concerning what we as a nation know, and are told, about the American Revolution.<sup>2</sup> The clarifications of these seemingly hushed topics are readily available, but Americans must be willing to contextualize the discussion from a British perspective.

For over two centuries Loyalism during the American Revolution has been viewed primarily from an American standpoint, lending to the vilification of Tories as traitors, dissentionists, and enemies of American liberty. But such a general analysis is far from comprehensive, as the representation of British East Florida for the opposing conscience of the Loyalist discussion will demonstrate. American colonists were equally passionate for loyalty to a British form of democratic government as Patriots were to the Founding Fathers. Loyalists struggled for their own rights and liberties, and the freedom to remain steadfast to their current way of life. They too were Sons of Liberty—British liberty; and they fought for the centuries-old British freedoms that had been won many times on many battlefields. But that’s not the story

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<sup>2</sup> John S. Pancake, *1777: The Year of the Hangman* (Tuscaloosa: University of Alabama Press, 1977), 131.

historians have propagated upon the American public. The discussion of Loyalist East Florida is removed from Revolutionary dialogue—erasing the story of every human being on the North American continent who faced these Loyalists on the battlefields, smoked the pipe with them in the longhouses, or peered through the bars at them from the slave pens.

To marginalize East Florida in the American Revolution into nonexistence is to expunge the memory of a significant portion of early American history. For example, American schoolchildren are taught from an early age that it was George Washington's rag-tag Continental Army of Yankee farmers and Boston malcontents that shocked the world as they confounded Great Britain's powerful military machine into submission during the Revolutionary War. But they hear little or nothing of the efforts of America's southern army—a wholly distinct department from the Minute Men and Continental regulars who fought in New England and other points north. From George Washington's correspondence with the Continental Congress, the southern army's existence is verified as early as December 18, 1775, as well as Washington's concerns for British fortifications in East Florida.<sup>3</sup>

The American Southern Department's military leadership throughout the war included such notable patriots as Charles Lee, Robert Howe, Benjamin Lincoln, Horatio Gates, and Nathaniel Greene—some of them heroes, all of them major-generals in the Continental Army, commissioned by congress and assigned to the southern department personally by George Washington. Yet, until 1780, when Sir Henry Clinton and Charles Lord Cornwallis landed the main North American body of British troops in Charleston, South Carolina, the efforts of the

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<sup>3</sup> On December 17, 1775, the British packet ship *Betsey* was taken off the coast of New England. Her confiscated correspondence revealed St. Augustine's build of powder and arms, which prompted Washington's request to Congress for action. The George Washington Papers, "George Washington to Continental Congress, Cambridge, December 18, 1775." <[http://memory.loc.gov/cgi-bin/query/ \(gw040168\)](http://memory.loc.gov/cgi-bin/query/ (gw040168)). For details concerning events of December 17, see also George E. Buker, Richard Apley Martin, "Governor Tony's Brown-Water Navy: East Florida During the American Revolution, 1775-1778." *Florida Historical Quarterly*, Vol. 58, Issue 1 (July 1979), 58.

Southern Army are largely overlooked in American textbooks. Most timelines for the Revolution—including those of the Library of Congress, the National Parks Service, and the Public Broadcasting System—consistently assert that the war was conducted primarily in the northern colonies until 1780, moving into the south almost exclusively from that point forward.

This simple division of dates and geography—the result of the traditional practice of military history being recorded by the victors—does not hold up to scrutiny. Great Britain was rich in its history of international warfare and certainly aware of the impending disaster of ignoring the entire southern region of the American colonies. For this reason, Sir Henry Clinton viewed Charleston as a prize as early as June 1776, and the Loyalist colonies of East and West Florida steadily built up troops, munitions, powder, and gunboats to protect the valuable shipping lanes of the Mississippi River, the Gulf of Mexico, and the Atlantic Ocean's Gulf Stream. But in order to make sense of such strategies one must first understand that East and West Florida indeed remained loyal British colonies from 1775-1783 and 1781, respectively. This will require setting aside the traditional American textbook and viewing the war not only from the other side of the Atlantic, but from a pre-1781 mindset.

But if Americans insist on such time-lines, one should ask these questions: what was the Southern Department of the Continental Army doing for the first five years of the war, if not engaging British troops in combat? If there was no significant threat from British forces in the south until Cornwallis' juggernaut arrived in Charleston in 1780, then who manned the British warships that were repulsed at Fort Sullivan in Charleston Harbor in 1776? It certainly was not the Spanish who chased General Howe's American troops out of Savannah on December 29, 1778. And what army, if not the British, repelled a combined American/French force led by General Benjamin Lincoln, Admiral Count d'Estaing, and Count Casimir Pulaski as they

attempted to recapture Savannah in 1779—all prior to the appearance of Cornwallis’ main army?<sup>4</sup> Furthermore, if there was no significant military activity in the south from 1775-1780, then why was this body of southern Continental regulars never utilized in the early stages of the war to bolster Washington’s oft-depleted, half-starved, battle-worn army in the North?

These questions are supposedly confounded by a lack of documentation concerning the war’s early years in the south due to the fact that an inordinate number of early America’s historians were from New England. Had Joseph Plumb Martin been from Georgia or South Carolina rather than Connecticut, one might also presume the southern conflicts would have received more acknowledgements, as well.<sup>5</sup> As a result, very little is known about the southern theater of the war prior to 1780, and what we do know seems to have only gained interest on a regional basis due to an absence of preeminent Revolutionary figures. But it is naïve to presume that a lack of early American authorship on the subject resulted from a scarcity of Revolutionary activity in the south.

In all fairness, even Parliament presumed that “the trouble in America was the work of a small number of dissident radicals who had no considerable popular support, and who were confined largely to New England.”<sup>6</sup> However, in 1774 and earlier, documented Sons of Liberty activity was prevalent in Charleston, Savannah, and St. Augustine. There is also documentation that from 1776-1780, considerable military activity occurred in the south, much of it orchestrated

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<sup>4</sup> Savannah was Britain’s first objective of the shift to the southern theater, not Charleston. The main invasion arrived only once troops from Florida and New York secured the territory between Savannah and St. Augustine. W. Calvin Smith, “Mermaids Riding Alligators: Divided Command on the Southern Frontier, 1776-1778,” *Florida Historical Quarterly*, Vol. 54, Issue 4 (April 1976), 462.

<sup>5</sup> Joseph Plumb Martin was a common soldier in the northern Continental Army who wrote a memoir of his eight-year service to the revolutionary cause. It is from this memoir that historians know as much detailed information concerning the northern campaigns of the war as they do. James Kirby Martin, ed., *Ordinary Courage: The Revolutionary War Adventures of Joseph Plumb Martin* (St. James, N.Y.: Brandywine Press, 1993).

<sup>6</sup> Pancake, *1777*, p. 18.

from a distance by George Washington, which involved Continental regulars, British infantry, and Spanish military personnel from New York, Virginia, Georgia, both Carolina's, both Florida's, New Orleans, and Havana. It would be negligent to presume that such a dearth of early American historical works concerning the southern colonies indicates that these events were never put to paper. A more accurate depiction of the southern region during these years was not one of inactivity until Cornwallis arrived, but rather that it took Washington's southern generals until after 1780 to develop a winning strategy. Centuries of ignoring American military failures in the southern theater by American historians have created a vacuum of information concerning almost all southern Revolutionary activity.

Volumes of British primary documents reveal an abundance of information on this topic and have been available for the world's perusal since the Treaty of Paris. Therefore, this study will rely heavily upon official British correspondence especially that of East Florida's royal governor, Major General Patrick Tonyn, to better understand the southern theater of the American Revolution and contextualize those events within the historical discussion of East Florida's Revolutionary War effort. Governor Tonyn's correspondence with politicians, dignitaries, and military commanders of the empire exposes a unique British perspective on the war. The "pugnacious Irishman" takes the reader behind British lines as he denounced high ranking officials within the colony—most specifically Chief Justice William Drayton and Secretary of the Colony Dr. Andrew Turnbull—as Sons of Liberty, loyal to the American rebellion.<sup>7</sup> British records also enable the reader to understand the diplomatically explosive atmosphere of the province as civil and military authorities strove to maintain a judicious relationship with Creek and Seminole war chiefs, while simultaneously quashing an attempt

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<sup>7</sup> Bernard Bailyn, *Voyagers to the West: A Passage in the Peopling of America on the Eve of the Revolution* (New York: Knopf Publications, 1986), 60.

within the colony to defraud these nations of millions of acres of ancestral lands. As governor, General Tonyn was directly involved with the political turmoil and southern military campaigns of this region.

In addition to multiple altercations with factious elitists within the colony, Revolutionary events include facing down three failed attempts by the American Continental Army to invade East Florida in 1776, 1777, and 1778, and the constant threat of Spanish invasion from New Orleans and Havana. When East Florida's military units were not concentrating on the colony's defenses, continuous skirmishes, raids, and intelligence-gathering sorties flowed from St. Augustine into the back countries and chief municipalities of Georgia and South Carolina by the East Florida Rangers. Over 5,000 regular British troops under Major General Augustine Prevost utilized the asylum of Loyalist East Florida to launch successful invasions against Savannah, Augusta, Ninety-Six, and ultimately Charleston. As early as December 1775, George Washington brought attention to St. Augustine, with its large cache of powder and munitions, fearing that East Florida would serve as a base for a southern campaign. After 1778, subordinate generals and French commanding officers repeatedly coerced Washington to focus his attention away from further invasions of East Florida.<sup>8</sup>

The fact that this information continues to elude American history books creates many of questions concerning this neglected portion of the Revolution. Why, for example, must the exploits of an American southern army be ascertained from the writings of British Loyalists?

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<sup>8</sup> The George Washington Papers, "George Washington to Continental Congress, Cambridge, December 18, 1775." <[http://memory.loc.gov/cgi-bin/query/?\(gw040168\)](http://memory.loc.gov/cgi-bin/query/?(gw040168)). A fourth invasion was authorized by the Continental Congress for late 1778, but plans were abandoned when congress learned of the British siege of Savannah. A fifth invasion was stymied in 1780 by the counsel of French General Jean B. Donatien de Vimeur, Comte de Rochambeau. Martha Condray Searcy, *The Georgia-Florida Contest in the American Revolution, 1776-1778* (Tuscaloosa: University of Alabama Press, 1985), 157-59; see also the George Washington Papers, "George Washington to Jean B. Donatien de Vimeur, Comte de Rochambeau, and Charles Louis d'Arsac, Chevalier de Ternay, New Windsor, December 15, 1780." <[http://memory.loc.gov/cgi-bin/query/?\(gw180288\)](http://memory.loc.gov/cgi-bin/query/?(gw180288))

Why are American school children not told that no American armies, or those of their European allies, ever occupied any portion of East Florida and the colony remained dogmatically loyal to Great Britain until the war's end. For American historians, East Florida appears to be an anomaly best forgotten; their silence on the subject allows conjecture and presumption to replace fact and actuality. As a result, East Florida and the American Southern Department sink into an age old abyss, which simply denies the existence of unpopular history.

Unfortunately, Britons would also like to forget the tumultuous circumstances of the poorly orchestrated evacuation of ten thousand loyal British citizens from St. Augustine. It is documented that as many as 40,000 Tories fled New York and Charleston at the war's end, but most accounts fail to mention that the primary destination of those from Charleston was an already refugee-swollen St. Augustine—the closest safe haven for southern British Loyalists.<sup>9</sup> Nor do British historians discuss that eighteenth-century protocol then forced British Loyalists in East Florida to wait out the definitive terms of the Treaty of Paris, not hearing of the colony's cession to Spain until April 24, 1783. Then came the unpleasant task of supervising the ill-devised mass departure of the dumbfounded Loyalists. To complicate the evacuation, the treaty dictated that Governor Tonyn acquiesce to the new Spanish governor in St. Augustine, maintaining a politically impotent administration from July 12, 1784, until the evacuation was completed on November 19, 1785—over four years after the Battle of Yorktown and two years after the war officially ended.

The historiography of this study is as fascinating as the events themselves. Wilbur H. Siebert wrote the definitive tome on the Loyalist evacuees of East Florida in 1913, but a great

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<sup>9</sup> Loyalists from Savannah, and the back-countries of Georgia and the Carolinas had already made their way to St. Augustine six months earlier, uncomfortably overcrowding the town's hospitalities. Wilbur H. Siebert, ed, *Loyalists in East Florida: The Narrative* (Deland: Publications of the Florida State Historical Society, No.9, Vol. I and II, 1929.*Loyalists in East Florida*), 1:7.

deal of information has surfaced in the last ninety-five years. Siebert wrote several follow-up articles for the *Florida Historical Quarterly* over the next three decades, but nothing that encompassed the entire Revolutionary period—and certainly nothing pertaining to the military activity in and around East Florida. For that information this study looks to the primary documents for information in the extreme southeast, and to military historian John S. Pancake for the rest. Articles and dissertations by graduate students ranging from the University of Florida to Northwestern University were located, but the topics are narrow enough to constitute a piece or two of a much larger puzzle. Since the concept of an Atlantic world study was not yet born during the tenure of Dr. Siebert and his contemporaries, no one had developed and promoted the notion that the American Revolution reached as far south as it did north, or the importance of such information. The American invasion of Canada gained notoriety because of the participation of a highly recognizable historic figure in Benedict Arnold, but what of the multiple American invasions of East Florida? A significant amount of American history has been either ignored or forgotten due to the political circumstances of East Florida during the war which involves every aspect of an Atlantic world study for which one could hope.

In 1985, Martha Condray Searcy wrote *The Georgia-Florida Contest in the American Revolution, 1776-1778*, which was found to be one of the most useful resources available on this topic. Searcy located landmark information concerning four all-black companies of regular British troops that were formed in St. Augustine, and gave the most in-depth information on the three invasions of East Florida by the American army. The only drawback with Searcy's book for the purposes of this study was that she covered but a few years of the Revolutionary era and the author restricted her efforts to the military conflicts between Georgia and East Florida. In reality, East Florida's role in the American Revolutionary era is an epic, multi-faceted story that

must be revealed in total, but flounders because it is being told piecemeal and to small, regional audiences. It is a fascinating story that involves more than just the military aspects of the region. Each facet of the account is equally vital for the purpose of contextualizing East Florida into the Atlantic world discussion, especially during this most crucial period.

Two historians have sought to bring East Florida to the forefront in broad views of general history. Charles Mowat brings a great deal of detail to the William Drayton affair, a critical topic in this discussion that many have completely overlooked, but his other works on East Florida are basic over-views of narrative history covering larger periods of time. Daniel Schafer's research on Governor James Grant's administration from 1763-1770 is worthy of emulation and his on-line information on the British colonial period of East Florida outstanding. But Schafer has not as thoroughly investigated the administration East Florida's second British governor, Patrick Tonyn, who governed the colony from 1774-1785 and supervised the British evacuation after the American Revolution. As a result, his coverage of the Revolutionary period leaves room for further investigation.

The works of historians such as Jane Landers, Carol Watterson Troxler, and J. Leitch Wright, who have investigated the many records of white business transactions, slave issues unique to the region, court cases, proclamations of international import, and claims for loss of property after the Revolution are imperative to the social facets of this study and utilized frequently. Several renowned scholars, including Joseph Byrne Lockey, William S. Coker, and Patrick Riordan provide insight to official government correspondence relating to the state of the colony, military service of slaves and free-blacks, slave conditions on East Florida plantations, and complicated Native American alliances. Other noted historians such as Sylvia Frey and Simon Schama draw British East Florida into the overarching conversation of the American

Revolution as they provide insight to the on-going conditions within the traditional southern theater of the war. These circumstances held major implications for the thousands of slaves and free blacks forced to flee these regions and crowd into the tiny provincial capital of St. Augustine. This portion of the research confirmed initial conclusions from the primary documents that East Florida was an integral part of the entire Revolutionary conversation, especially concerning southern American history. What was confusing was why both of these authors made such great strides to demonstrate an enslaved population moving out of the traditional southern colonies in search of refuge, but both stopped short of bringing East Florida into the central discussion.

Helen Hornbeck Tanner, Rafael Altamira, and Richard Herr lead a myriad of authors utilized in this study who offer a specifically Spanish perspective of what took place before, during, and after the American Revolution, and how Spanish edicts and proclamations affected the colonies of the Americas. Jane Landers asserts her expertise in these discussions, as well, providing her unique and extensive insight to the plight of slaves during both the first and second Spanish periods in Florida. From these historians one is able to understand the political and military mood of the Spanish Empire toward Great Britain from the days of Ponce de Leon through the retro-cession of the Floridas to Spain in 1783. It is now understood why Spain was experiencing an era of prosperity in 1784, but the new Spanish Governor of East Florida had insufficient funds to travel from Havana to St. Augustine. This was an important aspect of the project so that the full perspective of the transition from English to Spanish control of East Florida in 1784 could be realized.

The only thing lacking was for someone to bring the entire array of specific discussions concerning British East Florida into one complete conversation. It was also felt that the story

must be presented from a British perspective since there are few if any American primary documents on the subject. Attention was then turned to the British for secondary materials. If anyone would honor their dead with proper pomp and circumstance it would be the British. This theory led to Schama, but, surprisingly, finding a book on the topic of East Florida by a British historian was even less fruitful than with American scholars. Schama is a storehouse of information on East Florida compared to other British historians.

A classic example of British efforts on the history of East Florida can be found in a work by Richard Holmes. Holmes, who focused fourteen books on British military history, included a map of North America illustrating the major cities and battle sites of the American Revolution in his book, *Redcoat: The British Soldier in the Age of Horse and Musket*.<sup>10</sup> Yet there are no indicators on this map showing war-time involvement in St Augustine, Pensacola, Mobile, Baton Rouge, or Natchez, all of which were East or West Florida provincial capitals and/or important battles sites for the British army against American or Spanish regular infantry during the Revolution. While each location in West Florida omitted from this map depicts a significant defeat for the British military, East Florida is an epic tale of undaunted loyalism. Yet, like Holmes' conspicuously incomplete map, neither passages of historical note for the defenders of St. Augustine nor biographical essays of her inhabitants flow from the British side of the Atlantic either. Such historiographical silence unwittingly perpetuates the vilification of British Loyalists by American historians and students alike. Few historians visit the American Revolution from a Loyalist perspective, much less portray Loyalists as heroes of the British Empire. Literature on British loyalism during the Revolution has been discussed by such historians as Wilbur H. Siebert, Robert S. Lambert, Robert M. Calhoon, and North Callahan, to name but a few. But

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<sup>10</sup> Richard Holmes, *Redcoat: The British Soldier in the Age of Horse and Musket* (London: W.W. Norton & Company, 2001), p. xxv.

those who have done so have not generated as much interest in the United States or Great Britain as the topic deserves. Americans view Tories and Loyalists as no better than traitors and simply do not care what happened to them after war. And like so many lost causes in the annals of military history, British accounts of the American Revolution are understandably lacking. Tales of empires lost and refugees fleeing for their lives rarely embody the glamour of a Dunkirk—an escape-to-the-sea that might not have been so ardently revered had the British military not concluded World War II victoriously.

Florida did not “bob” like a cork to the surface of the Atlantic Ocean at some mysterious moment during the nineteenth century. Florida possesses the oldest European-based history on the North American continent and played a significant role in many aspects of this continent’s history prior to its “emergence” as a Confederate state. The story of British East Florida during the American Revolution is one of a forgotten colony in an indistinct theater of one of the most important wars in world history. These scarcely noticed British documents expand North American history and present a unique analysis of the Atlantic world perspective of the American Revolution through the eyes of British Tories, and Spanish and American conquerors. It is a story which also highlights Native American loyalties and the ever-volatile status of African-Americans—both free and enslaved—as European intentions would once again prove suspect.

But this study is much more than just the discovery of a royal governor’s inimitable contributions to the missing military history of the American Revolution. The war served as but intermittent background music to the daily strains of internal factions, wholesale charges of sedition, great financial ruin, a calamitous end to a bitter struggle, and the potential re-enslavement of thousands of free blacks. It is a unique look inside the electrically charged

atmosphere in what George Washington perceived to be a critical sector of the war, and an opportunity to consider a wholly British perspective of the political chaos that enshrouded eighteenth-century North America. Official British correspondence allows us to observe the inner workings of one of the most dynamic anomalies of the American Revolution: a Loyalist American colonial government at war, militarily undefeated, with the whole of its populace adamantly loyal to King George III and stubbornly clinging to North American soil two years after most modern historians profess they evacuated.<sup>11</sup>

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<sup>11</sup> Example: “In 1783, the Union Jack was lowered, Florida returned to Spain, and British inhabitants of St. Augustine crowded aboard ships headed for the West Indies, the British Isles, or Nova Scotia.” Colin G. Calloway, *The Scratch of a Pen: 1763 and the Transformation of North America* (New York: Oxford University Press, 2006), 157.

## CHAPTER 2 BRITISH EAST FLORIDA AND THE AMERICAN REVOLUTION

After the Treaty of Paris, 1763, Great Britain seized control of all of Spanish Florida, from the Mississippi River to the Atlantic Ocean, and divided it into two colonies simply called East Florida and West Florida. West Florida's borders ran from the Mississippi River in the west to the Apalachicola River in the east. In 1764, Parliament expanded its northern boundary from the 31<sup>st</sup> parallel to 32° 28', with Pensacola as the provincial capital. East Florida contained the same boundaries as modern day Florida, less the panhandle, therefore, ending at the Apalachicola River in the west rather than the modern day western border of the Perdido River. The capital remained in the former Spanish garrison town of St. Augustine, the only municipality in the colony. Control of East and West Florida gave Great Britain command of the shipping lanes from Havana to New Orleans.<sup>1</sup> Anglo/Spanish aggravations now reached new levels as Spain walked away from two hundred and fifty years of tenure on the North American continent, losing control of valuable sea lanes from Havana to New Orleans and a protective port for the treasure fleets in St. Augustine.

East Florida's first governor, a politically well-placed Scotsman named James Grant, hoped to avoid the large scale endowing of massive land grants to court favorites. However, his pleas fell on deaf ears as the vast majority of the colony's habitable land was handed out in 10,000-20,000 acre lots—100,000 acres to Lord Dartmouth and his heirs, alone. While some of these lands were cultivated, most grantees planned to leave the land idle until the colony's property values increased enough to sell off for large, easy profits. But a new colony required laborers, physicians, merchants, and craftsmen of every variety in order to survive. Governor Grant enticed "five hundred industrious and successful settlers," including some religious-

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<sup>1</sup> William S. Coker, Jerrell H. Shofner, *Florida: From the Beginning* (Houston: Pioneer Publications, 1991), 41, 47.

freedom seeking French Protestants, to begin the re-population process of the colony.<sup>2</sup> The Royal Proclamation of 1763 was designed to enhance this effort, but the colony found little favor within the common population of the other North American British colonies.

Historian Linda Colley details the progression of status for Scottish citizens in British society; from savage tribesmen north of Hadrian's Wall to important members of a united empire. Colley notes the accomplishments of these previously marginalized people through intellectual enlightenment, prolific economic endeavors, and military service as she traces their ascendancy in British society. Though the author's emphasis is on Scotland, Colley includes Irish Protestants and the Welsh in her study of the evolutionary process for which the peripheral members of the "island kingdom" became "peers of the English."<sup>3</sup> The succession of eighteenth-century imperial wars greatly enhanced an Irishman or Scot's "prospects of rapid advancement through the ranks and their opportunities for booty...securing British victories could be the means of securing their own."<sup>4</sup> As the Scottish gentry broke through national political barriers in London during the 1750s, a rash of nepotistic appointments followed to insure the longevity of this new-found prestige. When Lord Bute, a Scotsman and future Prime Minister, was Secretary of State of the Northern Department he "ensured that his countrymen got the lion's share of the

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<sup>2</sup> Daniel L. Schafer, "St. Augustine's British Years, 1763-1785," *El Scribano: The St. Augustine Journal of History* (St. Augustine: The St. Augustine Historical Society, Vol. 38, 2001), 17, 18. In 1763 Madrid dispatched aides to the governors of St. Augustine and Pensacola to assist with the evacuation process and establish fair market values for personal property. All Spanish citizens were strongly encouraged to leave Florida permanently with compensations of free land elsewhere within the empire. Calloway, *Scratch of a Pen*, 152-53.

<sup>3</sup> As one proof of this peer status, Colley writes that "[t]he English and foreign are still all too inclined today to refer to the island of Great Britain as 'England.' But at no time have they ever customarily referred to an English empire." Colley, *Britons*, 130.

<sup>4</sup> *Ibid*, 127. As a profound example of just such opportunities for an Irish Protestant, Colley cites the careers of such Anglo/Irish proconsuls as Arthur Wellesley, the 1<sup>st</sup> Duke of Wellington, and his brother, Marquess Charles Colley Wellesley. *Ibid*, 132.

crown appointments in East and West Florida, colonies only acquired in the Seven Years War and therefore singularly free of any prior English stranglehold.”<sup>5</sup>

Given this atmosphere, one can imagine the air of tension in 1774 surrounding the arrival in St. Augustine of an imperial governor of Irish birth. Many of East Florida’s elites were politically well-placed Scotsmen and there were some who were highly insulted by the selection of an Irishman from outside the colony as their new chief administrator. When Patrick Tonyn arrived in St. Augustine the air was thick with tension over local political appointments and the constant jockeying for position by East Florida’s elites. Tonyn was not the least interested in the jockeying for position by such sycophantic elitists, as issues of sedition and rebellion were of primary concern.<sup>6</sup> It was an era of tempestuous political turmoil in North America and the new governor’s initial dealings with the people of the colony attest that he was neither concerned with his popularity nor allowing the seeds of dissent to germinate into unrest as the result of administrative ineptitudes. Political and social errors of judgment by novice governors who acquired their positions through various degrees of nepotism created a great many of the current tribulations in the American colonies, and Tonyn would not step into those traps easily.

Tonyn’s predecessor did not avoid such mistakes. From the beginning of his tenure as governor of East Florida in 1763, Governor Grant gained immense popularity in St. Augustine, due largely to the extravagant parties and banquets he would host several nights each week. Grant, a bachelor, boasted North America’s most voluminous selections of wine, beer and

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<sup>5</sup> Colley, *Britons*, 128.

<sup>6</sup> As previously mentioned, Tonyn’s last will and testament later tells us that he was pre-deceased by two of his daughters, but it is not known if they died prior to his arrival in St. Augustine or at a later date. From the historical records, the only known fact is that the two children did not die while Tonyn was governor of East Florida. “Will of Patrick Tonyn, General of His Majesty’s Forces of Saint George Hanover Square, Middlesex,” National Archives of the United Kingdom, Catalogue Reference: prob 11/1424, <<http://www.nationalarchives.gov.uk/search>>

liquor—as well as three ““French Negroes’ already trained in the arts of French cuisine.”<sup>7</sup> This lavish lifestyle prompted the boisterous governor to boast, “There is not so gay a town in America as this is at present, the People Mason[ic], Musick and Dancing mad.”<sup>8</sup> Grant’s popularity waned by 1770, prompting him to make his most astute political move and return to London, leaving Lt. Governor John Moultrie as the acting governor from 1771 to 1774. During this interim, various members of the colony’s Grand Council felt slighted by Moultrie’s appointment, as factions developed. Chief Justice William Drayton’s hostile outbursts during council meetings and public conflicts with Moultrie became fodder for rumor throughout the colony.<sup>9</sup> The news of Patrick Tonyn’s appointment to permanently replace Grant heaped fuel on an already inflamed situation. As a result, John Moultrie, the wealthiest planter in the colony, returned once again to his position of Lt. Governor and became one of Tonyn’s most trusted political associates. This alliance would serve Tonyn well with the people, as well as in future political upheavals.

Little is known about Governor Tonyn’s life prior to his arrival in St. Augustine on March 1, 1774, other than he was born the son of a British colonel near Belfast, Ireland, and served admirably in the Seven Years War.<sup>10</sup> In 1767, married and with his regiment stationed back in England, Lt. Colonel Tonyn’s fortunes took the kind of turn of which most people only dream.

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<sup>7</sup> Schafer, “St. Augustine’s British Years,” 41.

<sup>8</sup> Ibid, 45.

<sup>9</sup> Ibid, 170-77.

<sup>10</sup> Tonyn served first with his father’s regiment, the 6<sup>th</sup> (Inniskilling) Dragoons at the battles of Warburg and Kloster Kamp (1760), then in Martinique (1762) with the 104<sup>th</sup> Regiment of Foot. After the Treaty of Paris, 1763, the 104<sup>th</sup> was absorbed into the 48<sup>th</sup> (Northamptonshire) Regiment of Foot, with which Tonyn ultimately achieved the rank of general and remained commissioned until his death in 1804. Oxford Dictionary of National Biography, “Patrick Tonyn (1725-1804).” <http://www.oxforddnb.com/articles>; Mark Mayo Boatner, *Encyclopedia of the American Revolution* (New York: D. McKay Co., 1966), 119; Robert Stansbury Lambert, *South Carolina loyalists in the American Revolution* (Columbia: University of South Carolina Press, 1987), 262. T.F. Mills, *Land Forces of Great Britain, the Empire, and Commonwealth*. <http://www.regiments.org>

His brother-in-law, Francis Levett, Sr., arranged for Richard Oswald, a wealthy London merchant, to convince the governor of East Florida to set aside 10,000 acres of pristine forests for Levett along the Julington Creek near the St. John's River for a "'worthy friend' to whom he owed 'particular obligations.'"<sup>11</sup> Somewhere in the negotiations, Oswald also counseled Governor Grant to assign a claim for 20,000 acres on the east bank of Black Creek, a tributary of the St. John's River, to Levett's brother-in-law, Patrick Tonyn.<sup>12</sup> Though Tonyn remained an absentee land holder for seven more years, the forty-two year old British officer—who did not come from noble birth or a privileged rank in English aristocracy—was among an exclusive and elite cadre of the largest landholders in one of Great Britain's newest North American colonies.<sup>13</sup>

In 1773, Tonyn's regiment moved to the West Indies to provide a military presence to what was becoming the most politically charged hemisphere of the British Empire. The details behind Patrick Tonyn's appointment are unclear, but it is known that Tonyn solicited the position by writing to the Earl of Dartmouth, Secretary of State of the American colonies.<sup>14</sup> What may have ultimately made Patrick Tonyn the King's choice for such a prestigious assignment was a combination of the future governor's military background during such turbulent times in North

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<sup>11</sup> Richard Oswald made much of his fortune as a slave trader, heavily involved with the "slaving entrepôt of Bance Island at the mouth of the Sierra Leone River, where he bought captives from the Temne people." Oswald was one of the British representatives who signed the Treaty of Paris, sitting across from Henry Laurens of South Carolina—the man who would pocket ten percent of all Oswald's slave transactions in Charleston prior to the Revolution. Simon Schama, *Rough Crossings: The Slaves, the British, and the American Revolution* (New York: HarperCollins Publishing, 2006), 137-38.

<sup>12</sup> Daniel L. Schafer, "Florida History On-Line," with special acknowledgment to the James Grant Papers and the Florida Claims Commission.  
<[http://www.unf.edu/floridahistoryonline//Plantations/plantations/Julianton\\_Plantation.htm](http://www.unf.edu/floridahistoryonline//Plantations/plantations/Julianton_Plantation.htm)>

<sup>13</sup> There were 27 land grantees of 20,000 acres or more: among them are Lord Grenville, The Earl of Dartmouth, Charles Legge, Lord Egmont, Sir William Duncan, Denys Rolls, Richard Oswald, Peter Taylor, Francis Levett, Sr., and Patrick Tonyn. "The Turnbull Letters, 3:1; "Patrick Tonyn to Lord Germain, St. Augustine, January 19, 1778," PRO CO 5/546, pp.227-28; see also Schafer, "Florida History On-Line," <<http://www.unf.edu/floridahistoryonline/Plantations>>

<sup>14</sup>Schafer, "St. Augustine's British Years," 178.

America, Tonyn's vested interest in colonial matters due to his large land holdings in East Florida, and the officer's current proximity to North America. Having Lord Dartmouth in one's corner was a definite boon to Tonyn's prospects, as well.

There were several factors that would help East Florida maintain its loyalty to British interests as rebellion loomed on the horizon. Among them was geographic seclusion from the other provinces, and the fact that East Florida possessed the smallest overall population in the North American colonial system. Some of the colony's elites were concerned that no political assembly had been called due to the infancy of the province, but there were also no taxes yet levied on the inhabitants of East Florida as a direct result of its small size and lack of commercial production. Therefore the populace had no complaints of taxation without representation. Also, having never set foot on American soil, East Florida's new governor had viewed the American colonies from a European perspective his entire life. His military analysis of colonial politics made him well aware of the powder keg that was threatening British North America.

Though sedition was spreading in New England during the spring of 1774, in East Florida the immediate concern was the need to ensure peace with the Creek and Seminole nations—specifically through the Seminole chief, Cow Keeper. On March 13, 1774, British military and civil authorities sponsored a council near the St. Marys River with Cow Keeper, Okoneé King, Long Warrior, and several minor chiefs for the purpose of introducing the new governor and re-establishing a good rapport. Though this was Tonyn's first documented meeting with an indigenous people, his preparation for the event clearly demonstrated a gift for diplomacy under such circumstances. After making several conciliatory gestures, the new governor casually reminded the chiefs of the magnitude of the "Great King" across the ocean: "altho his warriors and people are in numbers like the leaves on the trees, and his Ships like the trees in the woods,

and altho he is able with these to fight the whole world; for neither the strength of his enemies, nor the Mountains nor Rivers, nor Sea can stop him when he goes to War against them.” Tonyn then manipulated the conversation effectively into a discussion which emphasized that the all-powerful king loved peace more than war, and was happiest when “[Indians] and his white children are like Brothers and children under one Father.”<sup>15</sup> Whether the Seminole chief trusted the sincerity of the new governor’s oratorical display or a veiled British threat had its intended effect, Cow Keeper’s pledge of unending loyalty to Great Britain remained a solid fixture in East Florida’s Revolutionary-era policies and military strategies.

Anglo relations with southern Native Americans were historically dubious, at best, since the British arrived in East Florida in 1763. Small scale hostilities and killings which disrupted the peace in the past began to resurface in the summer of 1774. On August 5, Georgia’s governor, Sir James Wright, and Governor Tonyn agreed to stop trading with various tribes until the aggression ceased. This was successful for only a few weeks, as in early September renewed killings of Indian warriors by whites near Savannah threatened to start a full-scale war. Governor Tonyn sent what few uniformed British troops he could spare on a hastened march from the southern regions of the colony near New Smyrna, up and down the St. John’s River, and across the northern borders of Georgia along the St. Mary’s River. Such an artificial show of force—with strict orders to “observe peace and good order”—had a calming effect on Creek and Seminole tempers.<sup>16</sup> The British display of presumed strength brought peace to the colony and was a rousing success for East Florida, both militarily and economically, as planters could return to the plantations they had been forced to abandon out of fear of uprisings.

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<sup>15</sup> “Address of Patrick Tonyn to Cow Keeper, St. Marys, March 13, 1774,” PRO CO 5/554, pp. 21-22.

<sup>16</sup> “Patrick Tonyn to Lord Dartmouth, St. Augustine, September 16, 1774,” PRO CO 5/554, pp. 26-29.

With the mood of the colony relaxing, agriculture production increased, and the governor was able to focus on more mundane, but highly essential tasks such as lowering the cost of corn by purchasing large quantities in Philadelphia to flood East Florida's market. Tonyn also resolved the problem of St. Augustine's hazardous sand bar which covered the width of the St. Augustine Inlet into Matanzas Bay, the town's harbor, by purchasing a launch "with 16 oars duple banked." The craft could function as a tug boat to tow smaller vessels into port or act as a personnel and cargo transport for those that could not enter.<sup>17</sup> There may have been no raucous parties at the governor's home, as was before, but the economy was healthy, the land could be worked safely year round, and the harbor was capable of handling larger shipments of commerce directly in and out of St. Augustine. For a colony that was established on the premise of bringing large profits to a select few, this was indeed good news in very high places.

But the turmoil of rebellion in North America soon consumed the serenity in East Florida, leaving civil authorities but one objective—to quash any hint of dissent at home that was currently enveloping East Florida's sister colonies, thereby securing the colony's new-found prosperity. Just as historian Rhys Isaac describes American revolutionary interests in colonial Virginia as a "gentry-led patriot movement," so East Florida's circumstances might be viewed as a gentry-led defense of British liberties.<sup>18</sup>

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<sup>17</sup> "Patrick Tonyn to Lord Dartmouth, St. Augustine, September 16, 1774," PRO CO 5/554, pp. 30-31. Wilbur H. Siebert tells us this of St. Augustine's sand bar: "Ordinarily the bar could be crossed by three channels, often by two only. Admitting nothing but small and light vessels, the channels were narrow and crooked and shifted in stormy weather. Ships were often kept from eight to fourteen days unable to pass the bar on account of wind and weather." Wilbur H. Siebert, "The Port of St. Augustine during the British Regime, Part II," *Florida Historical Quarterly*, Vol. 25, Issue 1 (July 1946), 92.

<sup>18</sup> Rhys Isaac, *The Transformation of Virginia: 1740-1790* (Chapel Hill: University of North Carolina Press, 1982), 270. This protective spirit of a planter elite class for status quo was not unusual and would be seen again on the North American continent many years after the Revolution, specifically in nineteenth-century South Carolina. Catherine Clinton, *Harriet Tubman: The Road to Freedom* (New York: Little, Brown and Company, 2005), 165.

Governor Tonyn's tenure in East Florida virtually coincided with the outbreak of the American Revolution. Parliament initiated the Coercive Acts only two weeks after the new governor's arrival in St. Augustine, and just thirteen months later shots were fired at Lexington and Concord.<sup>19</sup> In April 1775, all pretenses were removed; the discord was now a rebellion. Tonyn—a man who spent the last thirty-three years of his life in military service to king and country—would not remain idle if he believed that his colony was leaning toward joining the revolt. In a letter to Lord George Germain, Tonyn emphasized what he perceived as his ultimate responsibility: “The Good of His Majesty’s service and the protection & defense of this province are the main objects I have constantly in view.”<sup>20</sup> These were difficult times, on a very turbulent continent, for a colony to preserve the Loyalist status quo.

Chief Justice William Drayton and Dr. Andrew Turnbull were among the first casualties. Prior to Tonyn's arrival, Drayton was removed from office on more than one occasion as the result of recalcitrant political conflicts with acting-governor John Moultrie. Each time he was ultimately reinstated by the London connections of his colleague, Dr. Andrew Turnbull.<sup>21</sup> One might speculate that Moultrie took great pleasure relating to his new superior the many instances of insubordination and political shenanigans Turnbull and Drayton had inflicted on East Florida's Grand Council. Drayton made a powerful enemy in John Moultrie, one who was deeply respected throughout the province. Moultrie's political alliance with the rigid Tonyn brought a degree of empathy for the people to the administration. But with Moultrie came his umbrage for

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<sup>19</sup> Smith, “Mermaids Riding Alligators,” 446.

<sup>20</sup> “Patrick Tonyn to Lord Germain, St. Augustine, January 19, 1778,” British Colonial Office Records, held at the P.K. Yonge Library of Florida History University of Florida (Gainesville: University of Florida, Vol. I & II, 1984), 2:482

<sup>21</sup> Schafer, “St. Augustine's British Years,” 170-77.

anyone suspected of self-serving motives which might weaken the colony's fiber during this time of rebellion.

Revolutionary-era St. Augustine was home to a “cabal” of dissentionists and agitators—a political luxury for men in calm surroundings, but the American colonies were anything but stable in 1774. Drayton and Dr. Turnbull were listed prominently among these men, along with James Penman, Lt. Colonel Robert Bissett, Arthur Gordon, Lt. Colonel Lewis Fuser, Spencer Mann, and the colony's attorney general, Arthur Gordon.<sup>22</sup> Governor Tonyn was as intolerant of such factions as he was of the idea of a Colonial General Assembly. England was headed to war with its own colonies, and Tonyn believed that legislatures were boiling pots for treason, promoted by men who designed factions against the crown. From a Loyalist perspective of contemporary colonial events it is hard to deny that such despotic attitudes were not justified, as that is almost precisely what happened in New England and the other American colonies. That there had never been a General Assembly in British East Florida was a major point of contention for Dr. Turnbull and Chief Justice Drayton, who were “advocates of the rights of Englishmen in the colonies.”<sup>23</sup> As early as 1768, Drayton “warned that proclamations of the [East Florida] Royal Council were potential violations of English law unless sanctioned by an elective assembly.”<sup>24</sup> But Tonyn regarded general assemblies in the American colonies of the 1770s as a “source of sedition, the great bulwark of American liberty,” which only encouraged his belief that Turnbull, Drayton, and their cohorts were Sons of Liberty, sympathetic to the rebel Patriots of Boston and Virginia. The governor accused Drayton of being a “Leveler,” and ultimately a

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<sup>22</sup> Spencer Mann's last name is often found spelled with just one “n.” Siebert, *Loyalists in East Florida*, Vol. I, 17, 80; see also Charles Loch Mowat, *East Florida as a British Province, 1763-1784* (Berkeley: University of California Press, 1943), 87.

<sup>23</sup> Schafer, “St. Augustine's British Years,” 170.

<sup>24</sup> *Ibid*, 170.

traitor; in Tonyn's mind only those bent on treason would openly argue for the existence of a legislature. Determined to keep such factions from developing in East Florida, the governor's first strike against seditious activity came, unintentionally, just seven months after his arrival in St. Augustine.<sup>25</sup>

On October 1, 1774, Patriot sympathizers hijacked a shipload of various goods in Charleston Harbor, including two chests of infamous East Indian tea. The proprietor, James Penman, complained vociferously that the crown owed him for his losses. But the details concerning the theft made it clear to Tonyn and Moultrie that the ship never reported to the proper customs house, anchoring instead far out into the harbor. East Florida authorities wanted to know why such a valuable cargo was not properly processed, but sat out at such a distance awaiting transfer to a ship heading directly to St. Augustine. Tonyn's report to Lord Dartmouth on this affair acknowledged his belief that Penman was attempting to smuggle the goods into East Florida without paying the proper taxes.<sup>26</sup> To Loyalist sentiments, these actions were no less criminal than those of rebels in New England, and Penman was pegged as a potential threat to the harmony in St. Augustine. Penman immediately recruited his colleagues, who complained determinedly to their contacts in London, but to no avail. Smuggling became rampant in the American colonies soon after Parliament passed the old Townshend Acts in 1767, and were a sore subject among London's elites. Penman avoided prosecution, but was forced to consider the cargo lost. The incident made the new governor acutely aware of whom his adversaries were.<sup>27</sup>

Just one month later Chief Justice William Drayton attempted to pass a land scheme, developed by Jonathan Bryan of South Carolina, under the new governor's nose. The conspiracy

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<sup>25</sup> Mowat, *East Florida as a British Province*, 85.

<sup>26</sup> "Patrick Tonyn to Lord Dartmouth, St. Augustine, October 1, 1774," PRO CO 5/555, pp. 1-2.

<sup>27</sup> "Patrick Tonyn to Lord Dartmouth, St. Augustine, August 1, 1774," PRO CO 5/555, pp. 1-3.

involved bilking the Creek nation out of hundreds of thousands of acres of land in East Florida by securing the signatures of lower ranked Creek chiefs on deeds to the land. Jonathan Bryan was introduced to Drayton in South Carolina while the magistrate was visiting his uncle, William Henry Drayton. The younger Drayton saw the financial opportunities of this venture but knew that he would need the backing of well-placed elites in London—associations which he did not personally possess. But, as mentioned before, his ally, Dr. Turnbull, was in good standing with several members of British aristocracy who were the financiers of Turnbull’s experimental settlement in New Smyrna.<sup>28</sup> With this guarantee all but secured, Bryan welcomed Drayton and Turnbull into the world of high-stakes real estate swindling.

Bryan later informed Drayton that Governor Wright of Georgia had torn up the Creek leases once it was determined that the signatures were illegally acquired.<sup>29</sup> What Drayton did not know was that Governor Wright had already informed his East Florida counterpart of the land scheme and had issued a warrant for Bryan’s arrest.<sup>30</sup> Later, when Revolutionary fighting reached East Florida’s borders, George Washington appointed Jonathan Bryan to command a militia brigade during two of the three invasion attempts against East Florida. Tonym suspected that one of the primary objectives of Bryan’s land scheme was to stir up another Anglo/Indian war to divert valuable British troops during the war with the colonies.

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<sup>28</sup> Dr. Turnbull had convinced a group of prestigious financial backers that the Greek and Minorcan farmers were better suited to agricultural labor in the Florida climate, due to their natural acclimation to what was presumed to be similar latitudes in Mediterranean region. Turnbull founded New Smyrna in 1767 with 1,400 of these people signed on as indentured servants. By 1775, the numbers were down to 600, though none of the contracts had matured. Records do not indicate a reason for the plummeting population, but natural attrition due a “seasoning” period may have occurred. However, in eight years one would presume that such an occurrence would have run its course. In 1777, atrocities committed against the indentured population, many of which resulted in death, were reported by escapees from New Smyrna to authorities in St. Augustine. Such events may have also been responsible for the declining population. George R. Fairbanks, *The History and Antiquities of the City of St. Augustine*, (New York: C.B. Norton, 1858), pp. 169-70.

<sup>29</sup> “The Turnbull Letters,” Vol. I, pp.106-07; PRO CO 5/555, p. 281.

<sup>30</sup> *Ibid*, p.111; PRO CO 5/555, pp. 277-81.

Meanwhile, Governor Tonyn described in a letter to Lord Dartmouth how Drayton called on him one night to explain the nature of the speculative land deal. “I made no reply, but silent amazement,” Tonyn wrote, as Drayton, with the assistance of Andrew Turnbull “who said he would join with him, and support it with his interest at home,” presented the land conspiracy as a means of obtaining a finder’s fee from the British government of at least 20,000 acres.<sup>31</sup> Allowing Drayton enough leeway to orchestrate his own arrest for treasonous activities, Tonyn ordered the magistrate to proceed immediately with a legal injunction against Jonathan Bryan. Drayton’s next move confirmed the governor’s suspicions. The Chief Justice returned to the governor’s office the next morning to discuss the proceedings against Bryan in hopes of convincing Tonyn to reconsider his decision in this matter. Tonyn wrote to Lord Dartmouth that “[Drayton] said, he found this affair, required a good deal of consideration: he advised the proceedings against Bryan, to be put off, for a little time...this affair might be turned to a public benefit, he recommended to me, to adopt Bryan’s plan.”<sup>32</sup> By presuming that this was nothing more than another opportunistic business negotiation, Chief Justice Drayton failed to consider the governor’s overall perspective of the volatile political atmosphere in the colonies—not to mention the enormous amount of work Tonyn had ahead of him in hopes of smoothing relations with the Creeks.

Tonyn’s stance was unmovable, as the governor also considered Drayton’s intentions to be reprehensively illegal. He wrote, “I replied, I never would give countenance to a fellow, that, had the impudence to fly in the face of the Kings proclamation, had daringly violated his prerogative;

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<sup>31</sup> “Patrick Tonyn to Lord Dartmouth, St. Augustine, November 23, 1774,” PRO CO 5/555, pp. 53-60; “The Turnbull Letters,” 1:115-16.

<sup>32</sup> “Patrick Tonyn to Lord Dartmouth, St. Augustine, November 23, 1774,” PRO CO 5/555, pp. 53-60; “The Turnbull Letters,” 1:116.

was doing all in his power to rob His Majesty of his land, and to get into possession of it.”<sup>33</sup>

Upon hearing from governors Wright and Tonyn, Lord Dartmouth proclaimed that the Bryan conspiracy “is big with the greatest Mischiefs, and being subversion of every Principle, upon which the Crown claims a Right to the Disposal of all unappropriated lands, it cannot be too strenuously opposed, and I have the satisfaction to acquaint you, that the King approves every Step you have taken in that Business.” Dartmouth went on to write about Drayton’s role in the affair and referred to his actions as “[c]onduct so diametrically opposed to the Duty he owes the King & which his Character & situation required of him.”<sup>34</sup>

This land scheme has no real equivalent in the modern era. The plan was a direct violation of the Proclamation of 1763—an edict, though unpopular with the people, was still very much in effect.<sup>35</sup> In 1774, a well-understood propriety of land ownership existed in the British American colonies. The land in question belonged to the Creek nation, but only if the British crown chose not to take it, whether by negotiation or by force. The ultimate owner of the land, according to the mindset of the metropole, was King George III. Landholders in East Florida, for example, were granted their property and allowed to possess it only by the grace of their monarch. Bryan, Drayton, and Turnbull were behaving as if this land did not belong to the king until the Indians relinquished it, and only then it would be English soil. The three conspirators then hoped to be rewarded with a sizable portion of the land as a commission for their services.

Just as the world had never witnessed the likes of colonial mobs confronting British troops in Boston, or defiantly ransacking the houses and property of royal officials who were about the

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<sup>33</sup> Tonyn was referring to the Royal Proclamation of 1763. “Patrick Tonyn to Lord Dartmouth, St. Augustine, November 23, 1774,” PRO CO 5/555, pp.53-60; “The Turnbull Letters,” 1:116.

<sup>34</sup> “Lord Dartmouth to Patrick Tonyn, Whitehall, May 3, 1775,” PRO CO 5/555, pp. 124-25.

<sup>35</sup> Charles L. Mowat, “The Enigma of William Drayton.” *Florida Historical Quarterly*, Vol. 22, Issue 1 (July 1943), 20.

king's business, there was an audacity in Bryan's plot that was abhorrent to eighteenth-century British culture. Drayton hoped to find in Governor Tonyn sense of ego over duty, as he suggested that this land scheme would dramatically increase the population of East Florida virtually overnight. By Jonathan Bryan's promise, Drayton claimed that there were thousands of eager inhabitants in Georgia awaiting such an opportunity for new lands. That Tonyn would ever "injure a Royal Colony to build up [his] own" was an insult to the governor's integrity and his honor as a servant of the crown, further fueling Tonyn's repulsion.<sup>36</sup>

Less than one month later, Tonyn's case against Drayton suffered a severe blow when Lord Dartmouth resigned his position as Secretary of State of the American Colonies and was replaced by George Lord Germain. A former soldier, Germain (born George Lord Sackville) was disgraced at the battle of Minden during the Seven Years War and banished from the army by King George II. Now, with a new king, and a newly inherited title, Lord Germain would be the East Florida governor's immediate superior.<sup>37</sup> Tonyn gave no indication of animosity toward a man with Germain's stained military reputation, but the new Secretary of State was more calculated in his decisions than was the irrepressible Dartmouth. Tonyn's campaign against Drayton sputtered during the first year of Germain's appointment, but the governor's tenacity was relentless, feeling justified in his actions.

In the meantime, the earliest opportunity for a council with members of the Creek Nation did not avail itself until December 1775. Therefore, the governor found it necessary to keep a lid on any potential disruptions to the delicate relationship with the Indians until then. Tonyn called

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<sup>36</sup> "Patrick Tonyn to Lord Germaine, St. Augustine, January 14, 1775," PRO CO 5/556, p. 133.

<sup>37</sup> "During these critical phases of the battle Prince Ferdinand sent four separate orders to Sackville to attack with his powerful cavalry force. Every time Sackville refused to obey the order. Sackville's deputy commander, the Earl of Granby attempted to lead the force forward but was ordered to halt by Sackville. It has been said that if the British and Hanoverian cavalry had charged the overthrow of the French army would have been complete."  
<<http://britishbattles.com/seven-years/minden.htm>>

on Lt. Colonel Thomas Brown for assistance. Brown was the commander of the East Florida Rangers, a special military unit drawn from former Georgia and South Carolina backwoodsmen and small planters, refugees from revolutionary upheaval in their home colonies. Governor Tonym hand-picked these rugged men for the purpose of performing what would be called today “Special Units” functions, or “Black Ops.” Brown earned a strong reputation with the various Indian nations and eventually became East Florida’s Agent of Indian Affairs in 1779.<sup>38</sup> Under Brown’s guidance, and General Thomas Gage’s authorization, East Florida civil authorities maintained a strong support of the Native American tribes with gifts of munitions, essentials, and presents. Both Gage and Brown determined not to repeat the negative Anglo/Indian relations that existed during the French and Indian War, in which the Native Americans enjoyed great benefits from playing one European power against another.<sup>39</sup> Brown utilized the influence of British Indian agents to help organize the Seminoles and Creeks for war against possible rebel incursions into East Florida.<sup>40</sup> Though historians often lampoon this strategy as ineffective, Britain’s goal in East Florida was to exploit the psychological affect that Native American war parties had on the colonists of Georgia and the Carolinas.

After spending the first nine months of 1775 attempting to overcome the political nightmare with the Creeks that Bryan, Drayton, and Turnbull created, Tonym took the offensive and held a series of small councils with various Native American leaders. When the brother of Cupité King came to St. Augustine to inquire about an overdue shipment of gunpowder, he

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<sup>38</sup> John Stuart had been the Southern Region Indian Agent, previously stationed in Charleston until forced to evacuate to St. Augustine in 1775. His sudden death in 1779 allowed Brown to fill the position. Siebert “Loyalists in East Florida,” 1:24, 76.

<sup>39</sup> “Thomas Brown to Patrick Tonym, St. Augustine, May 8, 1775,” PRO CO 5/555, p. 176; “General Gage to Patrick Tonym, Boston, September 12, 1775,” PRO CO 5/555, p. 181.

<sup>40</sup> J. Leitch Wright, “Blacks in British East Florida,” *Florida Historical Quarterly*, Vol. 54, Issue 4 (April 1976), 431.

learned that one-hundred and eleven barrels of gunpowder—all slated for Creek villages—were stolen from the sloop *St. John* by American pirates as the boat lay anchored across the bar from Matanzas Bay. In a moving speech in which Tonyn swore on his life that he would never deceive the Indians, he then instructed them to seek their lost gunpowder from the thieving “Virginians” who stole it.<sup>41</sup> A large council between British officials and Creek leaders was finally arranged from December 6-8, 1775. During this congress Jonathan Bryan’s plot to swindle the Creeks out of their lands was exposed. Documentation shows that this address carefully avoided the inclusion of Bryan’s British cohorts, thus safe-guarding East Florida from potential Native American wrath. Tonyn equated Bryan’s devious nature to all Americans who stole British gifts destined for Creek villages. He promised that “[t]he Great King is now sending great armies of his Land and Sea Warriors, like the trees in the Woods, for the guard and protection of His good white subjects, that have not joined with these bad unnatural Subjects...when they are punished it will all be peace.”<sup>42</sup> As a result of this council, Kaligie and The Pumpkin King, both exalted head men of the Creek nation, swore oaths of allegiance to Great Britain. They asked Brown to orchestrate a council between them and the Seminole chiefs to discuss gifting the land in question to the British as reward for their faithfulness to their Indian allies. The Pumpkin King added, however, that “it cannot be done unless all consent.”<sup>43</sup>

By December 18, the East Florida emissaries had not only secured relations with the Creeks, but also authorized the merchant William Panton to meet with Seminole chiefs to determine the best locations for storehouses. Panton was then invited to St. Augustine to

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<sup>41</sup> “Virginian” was a term of derision among many Southeastern Native Americans for the Americans fighting for independence. Governor Tonyn to Lord Germain, St. Augustine, September 15, 1775,” PRO CO 5/555, pp. 65-67.

<sup>42</sup> “Address of Patrick Tonyn to Creek Leaders, Cowford, December 6, 1775,” PRO CO 5/556, pp 54-57.

<sup>43</sup> “Address of Creek Chiefs to Patrick Tonyn, Cowford, December 7-8, 1775,” PRO CO 5/556, pp .60-61.

organize the first shipments of supplies to these locations. With Seminole and Creek relations smoothed, Governor Tonyn turned his full attention to the men who nearly brought Great Britain to war with both Indian nations.

### CHAPTER 3 SONS OF LIBERTY

William Drayton's connections to rebellious factions in South Carolina became strikingly evident as he was investigated more thoroughly. His uncle, William Henry Drayton, was an ardent leader in the Revolutionary movement in South Carolina, "who stiles himself, 'A member of the [American] Congress, the general Committee, the Council of Safety, the secret Committee, and the Committee of Intelligence, which last acts as Secretary of State [of South Carolina].'"<sup>1</sup> In a fit of rage, the younger Drayton once told Captain F.G. Mulcaster, Surveyor General of East Florida and the illegitimate half-brother of King George III, that "not one of the King's Governors did not deserve hanging...that from the machiavellian Administration of H[aldimand] in the North down to the blundering tyranny of T[onyn] in the South."<sup>2</sup>

Patriots in Charleston intercepted a royal mail packet in June 1775. After reading Governor Tonyn's official correspondence from London, William Henry Drayton forwarded the letters to his nephew in St. Augustine, along with a personal letter of explanation dated July 4. When Drayton presented the packet of letters to Governor Tonyn on July 21, he also read aloud a portion of his uncle's message for the purpose of assuring the governor that there was nothing in the letter beyond family correspondence. After insisting upon seeing the entire letter, Tonyn discovered a tone rife with rebellious rhetoric, which included, "Georgia shall not be a place of Refuge for any Person whose Public conduct has rendered them obnoxious to the censure of any part of the united Continent." Though written exactly one year prior to the signing of the Declaration of Independence, the Revolutionary leader boasted that "Peace, Peace, is now, not even an Idea. A Civil War, in my opinion, is absolutely unavoidable—We already have an Army

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<sup>1</sup> "Patrick Tonyn to Lord Dartmouth, St. Augustine, July 21, 1775," PRO CO 5/555, p 50-57; see also "William Henry Drayton to the Honorable William Drayton, Charleston, July 4, 1775," PRO CO 5/555, p. 255.

<sup>2</sup> Mowat, *East Florida as a British Province*, 86.

and a Treasury with a million of Money. In short a new Government is in effect erected.”<sup>3</sup> Over three pages of such language filled this document, yet Drayton, a magistrate of his king’s court, concealed them from the colonial authority, claiming all the while he had not acted improperly.

Jonathan Bryan, as previously mentioned, was a very suspicious political bedfellow for men such as Drayton and Turnbull—men who insisted on being revered as loyal subjects of the king. In 1776 Bryan led the American attack on Tybee Island, Georgia, one of the preliminary battles conducted by Patriot troops during the first invasion attempt of East Florida.<sup>4</sup> Later, on March 17, 1777, George Washington wrote a personal letter to Jonathan Bryan saying, “I have wrote to General Howe who Commands in Georgia, to consult with you and the President of South Carolina, the Propriety of making [a second] Attempt on St. Augustine...[t]he good consequences that will certainly result from such an Expedition, if attended with success, are too obvious to escape your notice.”<sup>5</sup> Washington’s confirmation of an individual’s patriotic dependability is hailed as heroic in the United States. However, putting this letter in perspective with Great Britain’s view of Atlantic world politics, Washington simply corroborated the initial distrust of Bryan by all British authorities involved in the case—except, of course Chief Justice Drayton and Dr. Turnbull.

Andrew Turnbull’s antagonistic relationship with Governor Tonym was only beginning. The Scottish physician was not a landholder, per se, though he carried himself throughout the colony as such. The financial connections in London which fed Turnbull’s arrogance in East Florida were tied to the peculiar system of absentee land ownership of the era. Though Turnbull

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<sup>3</sup> “William Henry Drayton to the Honorable William Drayton, Charleston, July 4, 1775,” PRO CO 5/555, pp. 255-57.

<sup>4</sup> “Patrick Tonym to David Tait, St. Augustine, April 20, 1776,” PRO CO 5/556, p. 161.

<sup>5</sup> The George Washington Papers, “George Washington to Jonathan Bryan, Morris Town in Jersey, March 17, 1777.” <[<http://memory.loc.gov/cgi-bin/query/... \(gw070293\)>](http://memory.loc.gov/cgi-bin/query/... (gw070293))>

received a grant from his financial backers in London to initiate the plantation's formation, he would receive no proceeds from the colony until his benefactors recouped their initial investments. Until that time, Turnbull acted as their agent in East Florida and was wholly subordinate to their decisions. The only influence that Dr. Turnbull truly possessed lay in his promises to reap large profits from the enormously expensive venture of the plantation of New Smyrna, in which several British aristocrats invested heavily. As the result of a patrons' limited options to do much other than back their chosen representatives, men in Turnbull's position in the colonies possessed a great deal of clout, by proxy, due to the precarious position they held over their financiers fortunes.

Dr. Turnbull's disdain for the new governor was clear after Drayton's censure by a grand jury on December 20, 1775.<sup>6</sup> The grand jury reconvened on February 13, 1776, as the governor brought official charges of treason against Drayton and suspended him from office. This allowed the Chief Justice the opportunity to defend his honor and refute the allegations. Two weeks later, a clandestine meeting took place on February 27 at Wood's Tavern in St. Augustine—a locale which catered to men of all stations of life in the small provincial capital. According to Turnbull's later testimony, it was an impromptu gathering of citizens who were concerned about the leadership of the despotic new governor.

One might presume it was no small coincidence that Dr. Turnbull just happened to be in St. Augustine, seventy miles from his home in New Smyrna, on the night of this surreptitious assembly. Turnbull insisted that the crowd prevailed upon him to officially conduct the meeting so that their protests might be brought before King George III. When the people in attendance demanded to know the result of Drayton's trial, Turnbull, who was a member of the grand jury,

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<sup>6</sup> "Patrick Tonym to Lord Germain, St. Augustine, December 20, 1775," PRO CO 5/556, pp. 21-24.

produced a written declaration of Drayton's testimony which was not yet officially cleared for public access. Turnbull not only revealed the contents of the document, but when asked for his opinion as to whether Drayton sufficiently argued his case, Turnbull replied, "I believe he has."<sup>7</sup> Such a proclamation by one whose status was so much greater than the average patron of Wood's Tavern had a profound impact on the crowd to act out against the royal governor. The result was a written declaration—signed by all seventy-four men who were present—to be delivered personally to the king by Dr. Turnbull.<sup>8</sup> On February 28, Turnbull called on Tonyn, seeking an authorized passage to leave the colony (a customary requirement at this time in all British colonies). Turnbull was bold enough to inform the governor of his intentions as he presented him with the document signed at Wood's Tavern the night before. Tonyn was amused that a private citizen thought so highly of himself to attempt breaking all protocol by subverting the proper procedures for delivering such a request before the crown. But when Tonyn asked to see the document and realized that it was a merely a copy which did not include the signatures of the complainants he was outraged at the audacity of the insult and summarily dismissed Turnbull by turning his back—a significant gesture of disrespect in this era.<sup>9</sup>

Less than a week later, on March 4, 1776, Governor Tonyn, with battles already in progress with Penman and Drayton, brought charges of sedition against Dr. Turnbull and sought his suspension from colonial office.<sup>10</sup> Through the years these charges have caused some to label Tonyn as paranoid of any gathering of more than a few people. But again, one must remember that such tavern meetings in Boston produced the Sons of Liberty movement which engulfed the

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<sup>7</sup> "The Turnbull Letters," February 17, 1777, 2:168-177, PRO CO 5/546, pp. 77-85.

<sup>8</sup> Siebert, *Loyalists in East Florida*, 1:34; see also "The Turnbull Letters," 1:127-30.

<sup>9</sup> "Patrick Tonyn to Lord Germain, St. Augustine, March 22, 1776," PRO CO 5/556, pp. 25-28.

<sup>10</sup> "The Turnbull Letters," 1:126.

colonies, spreading wildfires of sedition and rebellion. It is plausible that Tonym, with his ardently loyal British outlook concerning the groundswell of independence coursing through the American colonies since the Stamp Act in 1765, was greatly alarmed by the news of such a meeting in St. Augustine at a time of armed rebellion in thirteen of the North American colonies. What choice would any competent administrator have but to presume that the revolt was making its way into East Florida, via Andrew Turnbull and his colleagues? Prior to all of this activity, Tonym wrote to Lord Dartmouth on November 1, 1775, stating that “I am perfectly informed that Doctor Turnbull, Mr. Penman, with a few more of the Chief Justice’s Creatures, are intriguing and endeavouring to raise a Faction...[t]he Chief Justice and Clerk of the Crown [Turnbull] compose the Juries of such men, as always to have a Majority.”<sup>11</sup> The meeting at Wood’s Tavern simply confirmed in the governor’s mind what he already believed to be true: Dr. Turnbull was East Florida’s Samuel Adams, and the governor would have none of that taking place at Wood’s or any other tavern.<sup>12</sup>

An even more audacious turn of events was Turnbull’s course of defense for his actions. He plainly stated in a letter to the governor exactly what had taken place, admitted his role in the meeting, and proceeded to inform Tonym that he had done nothing wrong. Turnbull went on to remind the governor of his connections in London, and his importance in the colony due to the

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<sup>11</sup> “Patrick Tonym to Lord Dartmouth, St. Augustine, November 1, 1775,” PRO CO 5/556, P.39, p. 118.

<sup>12</sup> As a royal governor, Tonym was kept abreast of the events of the day by frequent correspondence from Whitehall. As there was no newspaper in the colony until the early 1780’s, printed news of colonial events reached St. Augustine via the *South Carolina Gazette*. Given the volatility of that colony, these stories would be inclined to relate news of seditious activities from both views—depending on which army governed the colony at the time of print. Governor Tonym accused William Drayton of using the *Gazette* to reveal important information to the American Patriots concerning East Florida. An example of the broad scope of information concerning news in the colonies for which Tonym accused Drayton of utilizing in the *Gazette*, Samuel Adams’ reputation in East Florida as an agitator of American Patriot politics was acknowledged fully on August 11, 1776 when citizens of St. Augustine burned him in effigy, along with John Hancock, after hearing the news of the signing of the Declaration of Independence. Since Adams was not a signer of that document, this action could only be the result of news of his many revolutionary activities reaching St. Augustine by printed or spoken medium. Searcy, *The Georgia-Florida Contest*, 54.

size of the project of New Smyrna, and he cautioned that Tonyn should “let not the hasty Anger of a Moment counteract his Majesty’s most gracious Intention towards me, nor carry you out of the line of Government.”<sup>13</sup> In short, Dr. Turnbull threatened Tonyn’s position as governor, boasting that he not only had the ear of the King, but the clout to cause unpleasant men like Tonyn to be recalled to London. Turnbull’s ego was clearly out of control, but in an era of patronage and cronyism this did not mean that his financial supporters in London would not support him in order to protect their investments in East Florida. However, the eighteenth century was also an era of manners and protocol, where effrontery resulted in duels to the death to defend one’s honor.<sup>14</sup> Governor Tonyn’s response on March 18 was basically a verbal doubling of his fists, which let Turnbull know that he was not so easily intimidated.<sup>15</sup> Tonyn, as governor and a large landholder in the colony, was Turnbull’s social superior in every way, and it was just a matter of time before he would exact his pound of flesh.

On March 22, 1776, Tonyn officially accused Dr. Turnbull of forming a faction to hinder the government in time of war, but by March 30 both Turnbull and Drayton bribed a ship’s captain and fled to London without official passes.<sup>16</sup> While not every nuance of the on-going dispute between these proud and arrogant men will be recounted here, a multitude of documents in the collection of Joseph Byrne Lockey elucidate Tonyn’s perspective on the growing strife in St. Augustine—especially considering what was taking place at this time in the other colonies.

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<sup>13</sup> “Dr. Andrew Turnbull to Patrick Tonyn, St. Augustine, March 15, 1776,” PRO CO 5/556 pp. 89-93; see also “The Turnbull Letters,” 1:128-30.

<sup>14</sup> A classic example of this is found in the letter of one Joseph Purcell upon being accused of perjury by Dr. Turnbull, referring to the charge as a “cruel attempt made to destroy the character of one who has but, that precious Jewel to recommend him through life.” “Joseph Purcell to Patrick Tonyn, St. Augustine, May 4, 1778,” PRO CO 5/558, p. 495; see also “The Turnbull Letters,” 2:256.

<sup>15</sup> “Patrick Tonyn to Dr. Andrew Turnbull, St. Augustine, March 18, 1776,” PRO CO 5/556, pp. 97-100; “The Turnbull Letters,” 1:132-35.

<sup>16</sup> *Ibid*, 143.

These documents demonstrate Tonyn's fanatical determination to suppress what he considered flagrant disloyalty and challenges to his authority as a royal governor. It should be noted that Dr. Turnbull did indeed bring charges against Governor Tonyn before Parliament, putting Lord Germain in the politically uncomfortable position of arbiter.<sup>17</sup> Germain's next four correspondences with Tonyn on this subject were rife with castigations and rebuke.<sup>18</sup> The governor was on extremely thin ice.

Turnbull returned to St. Augustine in September 1777, only to find that the Minorcan and Greek indentured servants of New Smyrna brought charges of cruelty and testified of horrendous conditions at the plantation. Tonyn, in bold defiance of multiple, explicit orders from Lord Germain to appease Dr. Turnbull upon his return, used this opportunity to dissolve the plantation at New Smyrna, exposing the scandal to all of London. Though Turnbull returned with orders from Germain to resume his office as Secretary of the Colony, Tonyn took advantage of the aforementioned scandal to suspend the good doctor once again, on January 30, 1778. The charges against Dr. Turnbull had all the appearances of being nothing more than trumped up allegations to satisfy the governor's wounded ego, but the financial crisis now inflicted upon New Smyrna forced Turnbull's supporters in London to turn their backs on the doctor and sue him in court for their losses. It was a move indicative of Governor Tonyn's fixated tenacity to prosecute—even persecute—any who would defy him in his charge to defend the colony as he saw fit.

The end result of the governor's actions was not only to ruin Turnbull financially but to expose the fragility of the doctor's relationships among the aristocracy in London, the

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<sup>17</sup> "Dr. Andrew Turnbull before the British Parliament, London, February 17, 1777," PRO CO 5/546, pp. 77-85.

<sup>18</sup> "The Turnbull Letters," 1:151-52, 154, 164, 176-77.

consequence of which was numerous law suits filed by well placed aristocrats, including the widow of former Prime Minister George Lord Grenville. Turnbull was forced to await trial in the St. Augustine jail where he stayed until March 10, 1780.<sup>19</sup> Turnbull rightfully complained of the structure of his trial as Tonyn established himself as the judge, chief prosecutor, and primary witness for the prosecution. The governor had no intention of seeing Turnbull go free.<sup>20</sup> William Drayton, Dr. Turnbull and family, James Penman, and several other associates fled to Charleston to escape Tonyn's dogged legal pursuits. Two years later when the British evacuation of Charleston was completed, Dr. Turnbull and James Penman were unable to remove themselves to St. Augustine with the other British Loyalists and remained under American sovereignty until their deaths. Much to their honor and to Tonyn's discredit, "after the evacuation of Charleston, Dr. Turnbull and Mr. James Penman were required to become [American] Citizens, which they refus[ed] to do," yet they were allowed to remain in Charleston. It is believed to be the only such case in South Carolina granted to Loyalists after the war.<sup>21</sup> While these men were guilty as charged for being outrageously arrogant, unscrupulous businessmen, and even cowards in the face of the enemy, as will be discussed later, it cannot be proven that they were ever traitors to their king.

Prior to all of this, Chief Justice Drayton had returned to St. Augustine in December 1776, also with orders from Lord Germain to resume his office in the colony. However, Drayton began releasing American P.O.W.'s on March 9, 1777—especially any who were personally

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<sup>19</sup> Turnbull wrote a letter of complaint to Lord Shelburne from his cell with the date of May 10, 1780 ("The Turnbull Letters," 1:272-76). However, a sudden turn of events must have taken place for on that very same day Josiah Smith records in his diary that Dr. Turnbull and family left for Charleston on the Sloop *Swift*, captained by James Wallace, loaded with personal property and slaves belonging to Turnbull, Spencer Mann and family, and William Drayton. Josiah Smith, Mabel L. Webber, ed., "Josiah Smith's Diary, 1780-1781 (cont.)." *The South Carolina Historical Magazine*, Vol. 33, No. 2 (April 1932), 115.

<sup>20</sup> "Lord Germaine to Patrick Tonyn, Whitehall, July 2, 1777," PRO CO 5/557, pp. 297-98.

<sup>21</sup> "Lord Germain to Patrick Tonyn, Whitehall, July 2, 1777," PRO CO 5/557, p. 376.

imprisoned by the decree of Governor Tonyn—according to English laws of Habeas Corpus. He went as far as to arrest George Osborne, to whom Tonyn granted a letter of marque, for “100 damages for carrying off some hogs and a small bit of beef” from Little Tybee Island, Georgia—an American settlement.<sup>22</sup> This was Drayton’s obvious attempt to deny the governor the power to issue letters of marque in the wartime defense of the colony—one of the responsibilities historically bestowed upon all colonial governors. Once this news reached London, Drayton’s defenses—and Parliament’s patience—were exhausted.<sup>23</sup> In May 1777 Governor Tonyn, now vindicated on both sides of the Atlantic, suspended Drayton from colonial office a final time.

Chief Justice William Drayton was most likely the actual ringleader of factious activities in St. Augustine; Turnbull’s verbosity simply conferred upon Drayton the appearance of being the doctor’s toady. Like his colleague, Drayton left for Charleston in 1780, as the result of Tonyn’s relentless prosecution, but unlike Dr. Turnbull and James Penman, Drayton preferred to stay in Charleston after the American occupation.<sup>24</sup> It is well established that in 1790 this same William Drayton became the first Federal Judge elected to represent South Carolina, and his son, William Drayton, Jr., became a U.S. Congressman from South Carolina.<sup>25</sup> This is a far cry from Turnbull and Penman’s refusals to swear allegiance to the United States under threat of being sent back to St. Augustine and Governor Tonyn’s wrath. It was Drayton, not Turnbull, who first became associated with Jonathan Bryan, and Drayton who withheld valuable war-time information from

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<sup>22</sup> Mowat, “The Enigma of William Drayton,” 28.

<sup>23</sup> Drayton also jailed “Mr. Mackie,” the surgeon of the East Florida Rangers and former resident of South Carolina, for reporting Drayton as being “a friend to the cause of America.” Drayton then issued a warrant for Lt. Col. Thomas Brown’s arrest on the same trumped-up charge as Mackie. “Patrick Tonyn to Lord Germain, St. Augustine, May 8, 1777,” PRO CO 5/557, p. 105; see also “Lord Germaine to Patrick Tonyn, Whitehall, July 2, 1777,” PRO CO 5/557, p. 103.

<sup>24</sup> Schafer, Florida History Online,  
<[http://www.unf.edu/floridahistoryonline//Plantations/plantations/Drayton\\_Island.htm](http://www.unf.edu/floridahistoryonline//Plantations/plantations/Drayton_Island.htm)>

<sup>25</sup> Congressional Biographies, William Drayton, Jr.,  
<<http://bioguide.congress.gov/scripts/biodisplay.pl?index=D000490>>

Governor Tonyn in a letter written by a politically well placed American Patriot. As early as October 25, 1775, Governor Tonyn wrote Lord Germain to explain that he must rely upon the local Anglican minister, John Forbes, to take depositions—a task which would normally fall within Drayton’s job description—because “one cannot let go ones breath, in this place, that a report of it is not made to Rebel Committees of Carolina and Georgia.”<sup>26</sup> It would be easy to make the claim that this was simply evidence of Tonyn’s paranoia; however, Dr. Turnbull, in his accusations against the governor before Parliament claimed to know that Tonyn was plotting against him because “I was informed of this intention by a man of Truth & Honour,” indicating that there was indeed an informer in Tonyn’s cabinet.<sup>27</sup> Either Turnbull was lying or Governor Tonyn’s suspicion of a mole in his midst was accurate. It should also be noted that in another letter to Lord Germain, Tonyn stated that the entire colony incorporated into the militia, with the exception of Drayton and the attorney general, Arthur Gordon—whom Tonyn referred to as “the image of wax of Drayton and his creatures.”<sup>28</sup>

Two letters written by Lord Germain on April 2 and April 14, 1776, completely vindicated Governor Tonyn was for his persecution of the Drayton/Turnbull cabal. In the first letter Germain profusely apologized to the Tonyn for his harsh stance in previous correspondence concerning the hostilities between the two parties involved. Germain admitted his own assumption that the strife was “more the colour of personal dislike than public delinquency.” However, he then stated that if “there should appear sufficient ground to suspect [Drayton] of

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<sup>26</sup> “Patrick Tonyn to Lord Dartmouth, St. Augustine, October 25, 1775,” PRO CO 5/555, p. 81.

<sup>27</sup> Turnbull’s attitude on the social classes would not have allowed him to refer to a house servant or commoner as someone of “Truth and Honour.” (The Turnbull Letters,” 2:173; see also “Dr. Andrew Turnbull before the British Parliament, London, February 17, 1777,” PRO CO 5/546, pp. 77-85.

<sup>28</sup> “Patrick Tonyn to Lord Germaine, St. Augustine, February 19, 1777,” PRO CO 5/558, p. 167; see also Siebert, *Loyalists in East Florida*, 1:17.

disaffection to His Majesty, or want of attachment to the Constitution I shall not hesitate to submit my humble Opinion to the King that he is no longer fit to serve His Majesty as Chief Justice of East Florida.”<sup>29</sup> That “sufficient ground to suspect him” came to fruition once the news of Drayton’s habeas-corporis-prisoner-release program reached London.

The second letter gave continued warnings to Governor Tonyn of Turnbull’s supporters in England and explained why he pushed the governor so intensely to settle the dispute with Turnbull quietly. Germain feared that Parliament would recall Tonyn to London to defend himself, forcing the Secretary of State to send out a replacement—a circumstance which usually resulted in a permanent change.<sup>30</sup> Germain explained that he would not have “the same Reliance as I have upon [Tonyn]. To avoid the Necessity of so disagreeable a Step, I thought it best to endeavour to get rid of the whole Matter.”<sup>31</sup>

Governor Tonyn faced down the most challenging political attacks of his career during the Drayton/Turnbull ordeal and crushed his opposition with relentless, if not unscrupulous, determination. It was perhaps this same furor against rebellion that fueled East Florida’s resolve during the three invasion attempts by American armies and the constant threat of a large scale Spanish offensive. To the British, the American Revolution was about honor and loyalty, and Tonyn’s actions prove that he believed the rebels possessed neither. What man in his position would? Some might say his attacks on Turnbull and Drayton were the actions of a tyrant quashing any challenge to his authority. Tonyn’s evidence of treasonous activities was never proven beyond what can be defined as circumstantial. However, in eighteenth-century North

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<sup>29</sup> “Lord Germain to Patrick Tonyn, Whitehall, April 2, 1777,” PRO CO 5/557, p. 112.

<sup>30</sup> Lord Germain’s concerns were not unprecedented. In 1766 Governor James Murray of Quebec was recalled to London as the result of disturbances in Montreal and general complaints pertaining to his administration. Murray never returned to Quebec, though all charges against him were dismissed. Calloway, *Scratch of a Pen*, 121.

<sup>31</sup> “Lord Germain to Patrick Tonyn, Whitehall, April 14, 1777,” PRO CO 5/557, pp. 116-17.

America it was the duty of a colonial governor to take whatever measures necessary for the safe-keeping of his charge and to defend the honor of king and country. This was not the first case of individual rights being sacrificed for the sake of a nation's war effort on this continent, nor would it be the last.

## CHAPTER 4 THE REVOLUTION'S SOUTHERN-MOST THEATER

Traditionally, the American Revolution is viewed as a New England war, fought primarily by Yankee Minute Men and Massachusetts Sons of Liberty, though historians fully understand that blood was shed by men and women throughout North America. However, the great historiographical error committed by generations of American ideologists is the notion that every British colony rallied behind George Washington for the unified cause of American liberty. In addition to the two Canadian provinces of Quebec and Nova Scotia, neither of the two Floridas sent representatives to the 1774 Continental Congress in Philadelphia, nor did they ever desire to declare themselves independent of Great Britain. On October 19, 1770, as the rest of the American colonies dealt with the fallout from the Boston Massacre, East Florida governor James Grant stated, “We have nothing of the Spirit of Dissention which rages all over America.”<sup>1</sup>

Nor did the tumultuous years ahead alter this sentiment, as is evidenced on August 11, 1776, when news of the signing of the Declaration of Independence reached St. Augustine. That night a large throng of jeering citizens burned the effigies of John Hancock and Samuel Adams in the town square as a public condemnation by loyal British citizens of all walks of life toward the rebellion.<sup>2</sup> Common folk and elites alike proudly exalted their local chief citizens who refused to join the Revolution as delegates, “though strongly solicited.”<sup>3</sup> Document after

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<sup>1</sup> Schafer, “St. Augustine’s British Years,” 169. J. Leitch Wright contends that “[w]hen East Florida had refused to revolt in 1775, it had followed precedents, because loyalty to the mother country was the colonial norm. It was the thirteen colonies who, by rebelling, had broken with tradition.” Wright, “Blacks in British East Florida,” 435. Military historian John S. Pancake reminds us that the French Canadians of Quebec did not follow the route of revolution because they were a separate ancestry from their American neighbors and felt endeared to their new British citizenship having recently received approval to maintain their Catholic traditions as a result of the Quebec Act. John S. Pancake, *1777*, p. 34.

<sup>2</sup> Searcy, *The Georgia-Florida Contest*, 54.

<sup>3</sup> After being warned by Lord Dartmouth of a circular, dated January 4, 1775, inviting men to attend the Continental Congress in Philadelphia, Governor Tonyn assures Dartmouth that there are no sympathizers in East Florida. “Patrick Tonyn to Lord Dartmouth, St. Augustine, May 29, 1775,” PRO CO 5/555, p. 35; see also John Wells, *The*

document proclaiming the colony's profound loyalty to the King—affirmations penned by the inhabitants, not royal officials—were signed and issued in 1774, 1776, and again in 1781 after the formation of the first General Assembly. East Floridian oaths of loyalty rang out with strong sentiments of condemnation for the actions of their rebellious countrymen to the north, such as: “one of the first steps leading to the unnatural revolution, was a refusal of the rebel colonies to acknowledge the supreme right and authority of the British Parliament.” East Florida assemblymen also made declarations that it was their honor bound duty to “recognize our allegiance to the blessed Prince on the throne, and the supremacy of Parliament; and be establishing on the most solid foundation, our constitution, liberties and dependence.”<sup>4</sup>

It is an uncanny irony that both the American Loyalists and their Patriot adversaries believed in the exact same virtues of sound government—a strong constitution guaranteeing certain liberties—but from opposing perspectives: the sanctity of *dependence* as opposed to *independence*. Historian Gordon S. Wood contends that “American patriot leaders insisted that they were rebelling not against the principles of the English constitution, but on behalf of them. . . . By emphasizing that it was the letter and spirit of the English constitution that justified their resistance, Americans could easily believe that they were simply protecting what Englishmen had valued from the beginning of their history.”<sup>5</sup> From the historian's advantage of 20/20 hindsight, there is little question that the lines drawn during the American Revolutionary were quite clear militarily, politically, and socially—red coat/blue coat; Tory/Whig; Loyalist/Patriot. However, like a classic Monet painting, the picture blurs the more closely we look.

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*Case of the Inhabitants, April 2, 1784*; P.K. Yonge Library of Florida History (Gainesville: University of Florida, 1984), 3.

<sup>4</sup> Wells, *The Case of the Inhabitants*, .33-34.

<sup>5</sup> Gordon S. Wood, *The American Revolution: A History* (New York: Random House, 2002), 58.

Several theories exist as to why the citizenry of East Florida were so faithful to the same British authorities that stirred emotions of angst and rebellion in the other American colonies. As previously mentioned, the size of the population of East Florida, due to its infancy, was very small. There were also no taxes to create animosity between the people and Parliament; many of the inhabitants were enjoying a ten year reprieve of quit-rents on any lands received.<sup>6</sup> However, other factors were involved in the province's undying loyalty to the crown. Unlike the thirteen colonies in rebellion, East Florida did not have a populace that could trace its roots several generations deep into the history of the region, as could the Byrds, Lees, and Carters of Virginia. Most of the turbulence which created the revolutionary groundswell resulted from the American colonists' resentment of Parliament's actions and policies after the French and Indian War. The infamous British taxes of the mid-to-late 1760's produced much of this rebellious spirit, but did not impact East Florida as its population had no significant commerce, industry, or sizable population until several years later. With the exception of Indian traders, English inhabitants did not move in to East Florida until well after the Treaty of Paris in 1763, and even then it was a sluggish process.

Like the sugar islands of the Caribbean, much of the land in East Florida was initially granted to absentee landholders and, as a result, an overwhelming majority of the English residents who lived in East Florida did not reside in the region until after 1764—many of whom came from non-North American locales. There was no sense of shock, anger, or even dismay in East Florida resulting from controversial laws like the Proclamation of 1763, because, again, such legislation had no impact on this region. Historian Colin Calloway reminds us that the Earl

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<sup>6</sup> This also applied to refugees. On February 19, 1778, King George III gave permission to Governor Tonyn to break up the large, undeveloped land grants of absentee owners and disperse them accordingly to Loyalists from Georgia and the Carolinas. *Ibid*, 17.

Lord Shelburne, president of the Board of Trade in 1763, promoted the royal proclamation specifically to redirect the westward movement of the American population north and south, to Nova Scotia and the Floridas. He hoped this would serve the dual purpose of temporarily alleviating western border warfare with Indian tribes, while simultaneously populating the virtually empty peripheral colonies. Even at this, “there was no immediate influx of British [American] immigrants to repopulate East Florida.”<sup>7</sup> Another reason that such a large percentage of the new British inhabitants of East Florida were also relatively new to North America was that few long-term residents of the continent saw the Floridas as a destination boasting the typical enticements of westward expansion. Large land grants worked by slave labor were, by design, established in East Florida for wealthy, well-connected patriarchs, not idealistic back-woodsmen desiring to carve out a niche in the wilderness ten acres at a time.

*La Florida* was unavailable to English expansion for two and a half centuries due to Spain’s monopoly of the region. St. Augustine was incorporated in 1565 to protect the shipping routes from the Caribbean to Spain and, though the province was never more than a dismal backwater military post, the town served a valuable service to the Spanish crown. However, Spain put very little emphasis on St. Augustine as anything other than a military outpost. Therefore, the lack of industry by their Spanish predecessors encouraged Great Britain to focus on farming, as exports of indigo, sugar, rice, timber, naval stores, and barrel staves lay at the heart of the colony’s economy. King George III decided that the quickest way to accomplish this goal was to grant sizable tracts of land to his court favorites, creating economic opportunities for new planter elites.<sup>8</sup> The British felt that Spain had squandered its time in Florida. British East Florida planters were men of great fortunes and sensed an opportunity to realize similar amounts

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<sup>7</sup> Calloway, *Scratch of a Pen*, 93, 94, 155.

<sup>8</sup> Wright, “Blacks in British East Florida,” 427.

of vast wealth, as had previous generations in the Caribbean. East Florida was a new and exciting hope for those born too late to reap the full benefits of plantation ownership as their fathers and grandfathers in Jamaica, St. Kitts, and Barbados. East Florida represented the dream of every junior son of a British lord or nobleman who knew he would never inherit anything but handouts of the family fortune. This was a new chance to become the patriarch of one's own manor.

East Florida more closely resembled the West Indies than the other colonies in North America. The soil was fertile, the climate mild, and the environment healthier than that of the Caribbean. But like the Caribbean, black human beings were the beasts of burden that were exploited to reap other men's fortunes. While historians often point to South Carolina as the only American colony with a black population which exceeded that of whites at 60%, East Florida's demographics demonstrate a pre-Revolution population that was a minimum of 66% black.<sup>9</sup> Remarkably, these numbers are rarely noted.

As mentioned before, land in East Florida belonged to the crown and could not be possessed unless duly authorized by the king. Absentee land owners left millions of acres of East Florida undeveloped prior to the American Revolution. As a result there was only a slight influx of American-born Georgians and Carolinians into East Florida from 1763-1775. Those who did move down from other colonies, such as John Moultrie, represented some of the wealthiest planters in the region. With the advantage of perfect hindsight, Governor Tonyn took a great deal of pride, not to mention political gain, as he would later recall the Jonathan Bryan land scheme to Lord Germain's attention. Tonyn believed that a significant number of Americans from Georgia and South Carolina would have swarmed into East Florida if Bryan had succeeded in securing

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<sup>9</sup> Wright, "Blacks in British East Florida," 427.

such a large tract of land. Tonyn wrote, “the country, my Lord, would have been settled with the turbulent, seditious, and disaffected.” The governor went on to say that he would bet his life that East Florida would have become an American colony had Bryan and Drayton not been found out.<sup>10</sup> When one considers the evidence that Tonyn believed he uncovered against Bryan and Drayton—which included Drayton’s statement concerning the many Georgians Bryan had ready to move into East Florida—there is enough fact to substantiate the plausibility of his argument.

One theory concerning East Florida’s loyalty to King George that is prevalent today is that the colony was simply too small, commercially unproductive, and militarily impotent to concern the American war effort. Virtually isolated from the other colonies, St. Augustine was the only practical military target in East Florida. Once it fell, the owners of the outlying plantations who depended upon the provincial capital as a market for the consumption or shipping of their commerce would have no choice but to change allegiances or leave the colony. East Florida could, therefore, be ignored by the Americans until after the war when independence would allow the luxury of time and concentration of forces to seize it for the new nation.

However, George Washington referenced St. Augustine and/or East Florida over one-hundred times in his personal papers, and usually in terms of military concern.<sup>11</sup> As mentioned previously, Washington called for the sacking of St. Augustine as early as December 18, 1775, and South Carolina Representative John Rutledge arrived in Savannah on February 13, 1776, with full expectations that the victory would have been won already.<sup>12</sup> On each of the failed invasions into East Florida in 1776, 1777, and 1778, Washington personally promoted the need

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<sup>10</sup> “Patrick Tonyn to Lord Germain, St. Augustine, November 1, 1776,” PRO CO 5/557, pp. 8-9.

<sup>11</sup> These references may be found in the George Washington Papers, held by the Library of Congress.

<sup>12</sup> The George Washington Papers, “George Washington to Continental Congress, Cambridge, December 18, 1775.” <[http://memory.loc.gov/cgi-bin/query/\(gw040168\)](http://memory.loc.gov/cgi-bin/query/(gw040168))”; “Martin Jollie to Patrick Tonyn, Charleston, February 13, 1776,” PRO CO 5/556, p. 81.

to remove such a strategic British stronghold from America's southern borders. Even after the three disastrous offensives Washington had to be dissuaded by French General Rochambeau from launching another attempt in 1780. Rochambeau felt there were concerns closer to the heart of the conflict that must be dealt with first.<sup>13</sup> But Washington recognized that as long as St. Augustine remained under British control the military contingency of the colony would continue to harass the Georgia and Carolina back-country militias and distract the American Southern Army away from critical northern conflicts. British military officials in St. Augustine, too, were well aware of the thorn East Florida represented to the efforts of the American Continental army. In a letter to Lord Germain in 1779, the governor applauded the colony's war effort as he asserted "that the depredations by the Loyal Inhabitants of this Province by Sea, and Land, have contributed to sicken the Rebels of their Revolt, and forced them to keep those Troops in the Southern Provinces for internal defense, which could otherwise have strengthened Washington's Army."<sup>14</sup>

One factor that Washington did not recognize, nor could he have recognized without personal knowledge of the area or much improved reconnaissance, was that the terrain of East Florida and the defenses of St. Augustine made the capital virtually impossible to conquer. In the town's two hundred years of existence an invading army never successfully subjugated St. Augustine. Surrounded by swamps, creeks, and rivers to the west and south, the harbor to the east

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<sup>13</sup> Kathryn T. Abbey, "Florida as an Issue During the American Revolution" (Ph.D. dissertation, University of Illinois, 1926), 184-185; see also the George Washington Papers, "George Washington to Robert Howe, Edward Rutledge, and Jonathan Bryan, Morris Town in Jersey, March 17, 1777;" "George Washington to Robert Howe, Head Quts., Camp at Morris Town, July 4, 1777;" George Washington to John Rutledge, Head Quarters, Morris Town, July 5, 1777;" "George Washington to Benjamin Lincoln, Head Quarters, Morris Town, April 15, 1780;" "George Washington to Jean B. Donatien de Vimeur, Comte de Rochambeau, and and Charles Louis d'Arsac, Chevalier de Ternay, New Windsor, December 15, 1780;" "George Washington to Nathaniel Greene, Head Quarters, Verplanks Point, September 23, 1782." <<http://memory.loc.gov/cgi-bin/query/...>>(gw080298; gw070292; gw070293; gw080305; gw180288; gw200526; gw250217)

<sup>14</sup> "Patrick Tonyn to Lord Germain, St. Augustine, July 3, 1779," PRO CO 5/559, pp. 443-56.

and the Castillo de San Marcos to defend the northern boundary and the harbor's inlet, St. Augustine was impenetrable.<sup>15</sup> Due to the treacherous sand bar extending the width of the inlet into the harbor, no ship with over seven to ten feet of draft, depending on the tide, could enter therein.<sup>16</sup> Local pilots were necessary to escort even the smaller ships over the bar. War ships attempting to attack St. Augustine were forced by these circumstances to remain in the Atlantic, unable to reach the Castillo with their canon and extremely vulnerable to inclement weather.

Bringing an army into East Florida by land was a perilous endeavor, again due to the terrain. The Okefenokee Swamp which covers a significant portion of the Georgia/Florida border funnels an invading army into a relatively narrow strip of land filled with treacherous topography, snakes, alligators, and few bridges. An army must navigate the St. Marys and then the St. Johns rivers—both of which are wide, deep, and powerful—before being channeled once again by the swampy terrain, past three small forts to march directly at the Castillo. Almost immediately upon his arrival in St. Augustine in 1774, Governor Tonyn began equipping the Castillo with additional guns, strengthening redoubts, fortifying palisades, and completing a perimeter of earth-works around the town. A large barracks was erected on the southern end of town opposite the Castillo to provide a sense of omni-presence to the garrison should St. Augustine be attacked from multiple directions. Additional defensive structures included a large

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<sup>15</sup> The Castillo de San Marcos was built by the Spanish in the sixteenth century and successfully stood against several English invasions for almost two hundred years. During the British colonial period the name was anglicanized to the Castle St. Marks, but the Spanish moniker has remained the local designation. As mentioned in the National Park Service tour of the fort today, the Castillo was thought by one British officer in 1740 to be made of cheese due to the resiliency of the fort's coquina construction to cannonballs. The officer's journal is now kept in the Special Collections Library at the University of North Florida. (St. Augustine Historical Society/National Park Service).

<sup>16</sup> "Patrick Tonyn to Lord Dartmouth, St. Augustine, July, 1, 1774," PRO CO 5/554, p. 31.

watchtower on Anastasia Island to watch for southern sea-born attacks, and small western outposts on the St. Johns River to warn of raids from the west.<sup>17</sup>

But even though large war ships could not intimidate the defenses of St. Augustine, there was a myriad of waterway networks throughout northern East Florida which gave the British constant concern. The colony depended upon an inconsistent task force of shallow water vessels to provide a naval presence to “reconnoiter East Florida’s riverine frontiers (the St. Johns and the St. Marys), and to communicate with Loyalist elements in other colonies.” Tonyn employed his Admiralty commission and issued letters of marque in 1776 to Captain John Mowbray of the *Rebecca* to patrol the St. Johns River, and pressed several private ships into service.<sup>18</sup>

But in spite of all the preparations to defend the colony, it was small pox, poor planning, and rumors of 2,000 Creek and Cherokee warriors threatening the back country of Georgia that repulsed the 1776 invasion force of over 2,500 Continental regulars and militia, though remote fighting did take place. Washington recalled Major General Charles Lee to Charleston before he ever reached the St. Marys River. The 1777 invasion involved an American army of approximately 1,200 men, including Continental regulars from Virginia and Georgia.<sup>19</sup> By the end of April 1778 a combined army of Major General Howe’s Continentals and Gov. Houstoun’s Georgia militia amassed nearly 2,000 troops on the St. Marys River for a third invasion attempt of East Florida.<sup>20</sup> Unlike the attempt of 1776, both of the later invasions succeeded in breaching the initial lines of British border defenses, both on land and by the Intercoastal Waterway.

According to some historians, the Americans knowledge of five armed British vessels on the St.

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<sup>17</sup> Albert Manucy, Alberta Johnson. “Castle St. Mark and the Patriots of the Revolution.” *Florida Historical Quarterly*, Vol. 21, Issue 1 (July 1942), 8.

<sup>18</sup> Buker, Martin, “Governor Tonyn’s Brown-Water Navy,” 58-59, 61, 65-66.

<sup>19</sup> Searcy, *The Georgia-Florida Contest*, 88-90.

<sup>20</sup> Smith, “Mermaids Riding Alligators,” 439.

Johns River is what turned back the invasion attempt of 1778.<sup>21</sup> But there was certainly more than rumor involved in this final expulsion of the American army from British soil. A sound defeat at the Battle of Alligator Creek Bridge, along with the unremitting hit-and-run guerilla raids of Thomas Brown's East Florida Rangers and allied Native American warriors proved too much for American morale.

But ultimately it was the in-fighting between Continental and state militia leadership that brought a degree of disaster to each of the invasion efforts, far out-weighting the built up defenses or Major General Augustine Prevost's combined forces of British regulars, St. Augustine militia, and East Florida Rangers. It is no small wonder when considering the East Florida landscape, British determination, and the American military's lack of cooperation and professionalism that all three invasions fell far short of capturing St. Augustine. The resounding results of the collective American invasions were the tying up valuable American resources of men and supplies badly needed for the campaigns in the northern theaters—exactly what Governor Tonyn boasted to Lord Germain that he was hoping to accomplish.

Another invasion threat came from Great Britain's Spanish foes in New Orleans and Havana. Upon entering the war in 1779, Louisiana governor Bernardo de Galvez' Spanish armies devoured real estate easily in West Florida, first taking Baton Rouge and Natchez, then Mobile. By 1781, invasion forces left Havana for Pensacola and St. Augustine. Pensacola fell quickly, but the eastern prong of the invasion landed inexplicably on Providence Island, the Bahamas. Even George Washington presumed that St. Augustine and the treasure of gunpowder and munitions kept in the Castillo de San Marcos were the obvious targets for the Spanish

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<sup>21</sup> Buker, Martin, "Governor Tonyn's Brown-Water Navy," 70.

fleet.<sup>22</sup> But the British never allowed their defenses to relax once West Florida became a Spanish prize, for who better would know of St. Augustine's weaknesses? Then again, who better would know the town's strengths? The Spanish already knew what the Americans failed to learn in three invasion attempts. Spain had designed and improved the city's defenses for two hundred years; they knew that St. Augustine could not be taken by force. The British, however, were not eager to entrust the safety of East Florida to Spanish ingenuity. On February 27, 1781, the governor acquired the power of a prohibitory proclamation allowing him to withhold all provisions, gifts, and essentials to the Seminole nation if they did not actively participate in the defense of the colony against the threat of the Spanish from the west.<sup>23</sup>

Such determination is the final factor that kept East Florida safe from foreign invasion. As stated earlier, the residents volunteered almost to a man to defend the colony. During the invasion of 1777, when British Major General Prevost recommended a scorched-earth policy to keep the outlying plantations from provisioning the invading American army, Governor Tonyn readily ordered the complete destruction of his personal plantation, including his two large frame houses, every outlying building and mill, and all 20,000 acres of produce and timber.<sup>24</sup> But that is not to say that every East Floridian had the same resolve to obstruct the invasions at any cost. In a letter to Lord Germain, the governor rightly accused three members of Drayton's cabal of cowardice in the face of the enemy. As the second invasion gained temporary steam by infiltrating the East Florida border with cavalry, Spencer Mann, James Penman, and Lt. Colonel

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<sup>22</sup> The George Washington Papers, "George Washington to Jean B. Donatien, and Comte de Rochambeau, and Charles Louis d'Arsac, Chevalier de Ternay, New Windsor, December 15, 1780. <[http://memory.loc.gov/cgi-bin/query/... \(gw200526\)](http://memory.loc.gov/cgi-bin/query/... (gw200526))

<sup>23</sup> Siebert, *Loyalists in East Florida*, 1:89.

<sup>24</sup> Schafer, "Florida History On-Line," [http://www.unf.edu/floridahistoryonline//Plantations/plantations/Colonel\\_Patrick\\_Tonyn.htm](http://www.unf.edu/floridahistoryonline//Plantations/plantations/Colonel_Patrick_Tonyn.htm)

Robert Bissett came to Tonyn and demanded their right to capitulate to the invading forces. These three even proposed to compensate the Americans financially if “certain properties” went unmolested. Penman declared that he would personally meet the oncoming army with a “flag of truce from the ‘Inhabitants,’ ignoring the government altogether to arrange terms with the Georgians.”<sup>25</sup> This is not the kind of demand one would want to make to an individual who destroyed his own valuable property in order to frustrate the invading army. When the smoke cleared, and the British repulsed the second invasion of the colony, the humiliation that followed these three men plagued them for the rest of their existence in East Florida.<sup>26</sup>

Governor Tonyn also organized and maintained networks of spies throughout Georgia and South Carolina, even sending the local minister, Rev. John Forbes, to Havana on a fact-finding mission when he anticipated a sea-born invasion from Cuba.<sup>27</sup> All of the espionage was coordinated by Lt. Colonel Thomas Brown—a man driven to abject hatred of all Patriots after a tar and feathering incident at the hands of Charleston’s Sons of Liberty. The incident cost Brown the horrible injury of burning off three toes when the blistering tar collected in his boots.<sup>28</sup> When American generals of the Southern Army hoped to starve East Florida into submission, Brown, with the aid of back-country loyalists in Georgia, rustled entire herds of cattle and drove them into St. Augustine by way of an intricate network of paths and trailways twisting through the Okefenokee Swamp. Brown’s detailed accounts of American plans for invasion, troop movements and strength, resources and munitions levels, and other intelligence reports proved invaluable to the survival of East Florida. Brown and his Rangers were frequently sent on

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<sup>25</sup> Searcy, *The Georgia-Florida Contest*, 107.

<sup>26</sup> “Patrick Tonyn to Lord Germain, St. Augustine, May 8, 1777,” PRO CO 5/557, p. 104.

<sup>27</sup> “Patrick Tony to Lord Cornwallis, St. Augustine, January 29, 1781,” PRO 30/11/67(35): ALS

<sup>28</sup> “Patrick Tonyn to Lord Germain, St. Augustine, November 23, 1776,” PRO CO 5/557, pp. 20-21.

lightning-strike raids into Georgia and the Carolinas. On one occasion the Rangers and their Creek allies captured Fort McIntosh in Georgia, though just for an evening, before burning it to the ground the following morning. The Rangers then rounded up over 2,000 head of cattle as they headed home.<sup>29</sup> Brown and his Rangers also played roles in the taking of both Savannah in 1779 and Charleston in 1780.

It is a very popular concept that the basis of the British southern campaign in 1780 centered on the expectation of over-whelming civilian support from the back country. However much one might want to believe this theory, it was not Loyalist civilians who routed Major General Robert Howe's American regulars in the retaking of Savannah—it was Major General Augustine Prevost's invading British army from St. Augustine. British general Sir William Howe learned in 1777 that civilian support was not dependable when he landed his army outside of Philadelphia. There the supposed “Loyalists” destroyed their crops rather than let them fall into the hands of Howe’s invading army.<sup>30</sup> Lord Germain was apprehensive of that tactic then and nothing had changed in 1780 to alter his convictions. “In the final analysis, then, the Loyalists never had a base to launch a counterrevolution...by 1777 any hope that Germain and the ministry may have had for Americanizing the war was at an end.”<sup>31</sup>

This leads the discussion back to the earlier years of the war. With a British military build-up in St. Augustine of 5,000 strong by 1779, East Florida figured prominently in Great Britain’s plans for a southern campaign. If any one of the three repulsed American invasions of East Florida in 1776, 1777, or 1778 is successful and St. Augustine falls to American troops, the Continental army would have controlled the Atlantic seaboard above and below Charleston for

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<sup>29</sup> Schafer, “St. Augustine’s British Years,” 202.

<sup>30</sup> Pancake, *1777*, p. 167.

<sup>31</sup> *Ibid*, 113.

hundreds of miles. An invasion of Charleston in 1780 would have landed the British army in the middle of a hornets nest, as there would have been no ground support for Cornwallis' sea-born invasion—Prevost's East Florida-based forces made up approximately one-third of the British troops involved in the siege of Charleston. Also, If East Florida belongs to the Americans in 1780 then Cornwallis' southern invasion may have been forced to take place in St. Augustine rather than Charleston. But more probably, there may have been no Southern Campaign at all—no Yorktown—if East Florida doesn't remain loyal and provide this strategic base of loyalism. History is then possibly re-written as the British ministry would have been forced to consider other options in 1780; perhaps suing for peace as early as 1778. After Saratoga, Lord North's ministry was "ready to present a peace plan for its immediate action." It is interesting to note that as soon as France declared war on Great Britain in 1778, King George III "immediately relegated the American war to secondary status...suggest[ing] that the government's policy of applying a military solution to the American rebellion was simplistic and shortsighted."<sup>32</sup>

With such decisions being made at the highest levels, it is inconceivable that Lord Germain could have pushed through a southern invasion campaign based on the flawed premise of civilian support. But a large army steadily working its way north from St. Augustine since 1778, securing the Atlantic corridor from East Florida to South Carolina as it moved, would allow a sea-born invasion to land as far north as Charleston without having to contend with a hostile environment to its back. This discussion forces a literal redrawing of the map of Revolutionary activity on the North American continent from a viewpoint far to the south of Washington and the Founding Fathers. St. Augustine and the threat posed by an East Florida-based British army to the southern

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<sup>32</sup> Pancake, *1777*, pp .218, 226.

colonies figured prominently in Washington's mind, hence the commander-in-chief's obsession with the overthrow of the colony.

## CHAPTER 5 REVOLUTIONARY LIFE FOR BLACKS IN EAST FLORIDA

The history of enslaved blacks in East Florida became enmeshed in European duplicity long before the British took possession of the region. Soon after the first conquistador set foot on the eastern shores of *La Florida* in 1513, African slaves “constituted a significant minority of the population, if not an absolute majority,” to that of their European owners.<sup>1</sup> One hundred years in advance of an infamous Dutch slave ship dispensing twenty African captives at Jamestown, Virginia, blacks were utilized in Florida by Spain for the purpose of establishing the first European foothold in North America. But from Ponce de Leon’s first visit in 1513 to the end of the American Revolution the shifting politics emanating from colonial St. Augustine created an ambiguous sanctuary of existence for the African and African-American slaves who lived there.

From earliest colonization until the time of the American Revolution, European powers struggled against one another, using any means necessary to gain whatever advantage they could—which included allying themselves with various Native American tribes to secure an advantage. A similar struggle ensued between the Spanish in Florida and the British in the Carolinas and later Georgia. In Florida, however, in addition to Indian alliances, black slaves were used as pawns to sway the balance of power in the struggle to gain supremacy in the American Southeast. Spanish laws toward slaves and the subject of slavery itself relaxed dramatically in comparison to English slave codes of the seventeenth and eighteenth centuries. That these slaves were vital to the British economic system in North America was not news to the Spain as they exploited the opportunity to cripple the Carolina market by actively promoting sanctuary to the British enslaved labor force. Intensified by a dispute over the inclusion of St. Augustine in Carolina’s original charter, Anglo/Spanish animosities ripened over the next

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<sup>1</sup> Wright, “Blacks in British East Florida,” 425

seventy-six years as the issue of runaway slaves rendered the Atlantic corridor from Charleston to St. Augustine a lightning rod of international conflict.<sup>2</sup>

From a European perspective, other than the Floridas changing hands in 1763, little else between Great Britain and Spain had been altered by the time of the American Revolution. Constantly at war, the two powers continued to fight over colonial possessions in the Americas and slaves were still the beasts of burden used to fatten imperial coffers. But for African and African-American slaves, a great deal had changed after 1763. While the Spanish departed, blacks continued to pour into St. Augustine by the thousands, though not as refugees or runaways—but as British slaves. Same town, same latitudes, but Florida as a sanctuary for fugitive slaves ceased to exist. A world they came to depend upon had disappeared. Britannic slavery had snared yet more lives within its slave quarters and returned the sale of human flesh to the market in St. Augustine.<sup>3</sup> By the unfortunate miscalculation of joining the French in the Seven Years War in a last minute effort to reap undeserved spoils, the Spanish Crown subjected thousands of black lives to a slave continent with no friendly borders—only the sea.

Historians remind us that by 1775 there was an undisclosed percentage of free blacks in East Florida. Lord Dunmore's proclamation of freedom for military service was not uniform throughout the American colonies by any means, but during the American Revolution many British officers exercised their right to manumit any slaves who fought in the service of the king. East Florida was no different; in fact, Lord Dunmore sent many free blacks to East Florida in 1776, on the same ships as he sent prisoners of war and evacuated Loyalists.<sup>4</sup> Soon the number of

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<sup>2</sup> Jane Landers, "Spanish Sanctuary: Fugitives in Florida, 1687-1790." *Florida Historical Quarterly*, Vol. 62, Issue 3 (April 1984), 296.

<sup>3</sup> Wright, "Blacks in British East Florida," 426.

<sup>4</sup> Edgar Legare Pennington. "East Florida in the American Revolution, 1775-1778," *Florida Historical Quarterly*, Vol. 9, Issue 1 (July 1930), 31-32.

blacks in East Florida, free or enslaved, was growing fast enough to give British authorities concern. Governor Tonyn wrote to Lord Germain that in order to frustrate more invasion attempts by the American Patriots, he “established and armed the Companies of militia, who may be employed in ease of invasion, and will be at all times useful in keeping in awe the Negroes who multiply amazingly.”<sup>5</sup> Another source of Africans and African-Americans in East Florida during the Revolution was those taken from American, French, and Spanish ships captured by the British.<sup>6</sup>

Governor Tonyn’s assessment was not completely accurate, however, as far as how many blacks lived in East Florida during the early years of the American Revolution. The demographics of the colony had not changed drastically as a result of the influx of free or enslaved black refugees. The plundering of slaves in East Florida by American Patriots was rampant, keeping the percentage of blacks to whites in East Florida fairly constant. On July 1, 1776, Governor Tonyn reported that the theft of slaves was a discernable goal of the invading Patriot army as “they took upwards of thirty Negroes, and a family” from the first two plantations they reached.<sup>7</sup> Theft of slaves, however, was the business of both sides in the conflict. Patriot John Berwick lost seven slaves from his plantation when regular British troops raided his plantation in mid-July 1776 while he was helping in the defense of Charleston.<sup>8</sup> Raids from the sea cost many East Floridians their slaves, as well. Spanish privateers would patrol the coasts above and below St. Augustine, and in 1778, one such privateer entered the Mosquito Inlet and

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<sup>5</sup> “Patrick Tonyn to Lord Germain, St. Augustine, October 30, 1776. PRO CO 5/557, p. 21

<sup>6</sup> Wright, “Blacks in British East Florida,” 433.

<sup>7</sup> Pennington, “East Florida in the American Revolution,” 25.

<sup>8</sup> Wilbur H. Siebert, “Privateering in Florida Waters and Northwards During the Revolution.” *Florida Historical Quarterly*, Vol. 22, Issue 2 (October 1943), 67.

carried off thirty slaves.<sup>9</sup> One of the benefits of slave raiding utilized by both sides in the war was as a tool for recruiting militia in the back country fighting. On the average, one slave for one year's enlistment was the going rate. This became especially effective as it became more difficult to pay soldiers and militia in actual currency. Plundered slaves were also used to carry other items taken from plantations, such as furniture, household goods, food stores, and farm equipment.<sup>10</sup>

The plight of slaves on East Florida's plantations during the three American invasions of 1776, 1777, and 1778 was trepidatious as each offensive had a significant impact on their well-beings, if not their lives. British Loyalists would attempt to rush their slaves into St. Augustine during these invasions in order to avoid losing them to the ransacking and ravaging that took place on their plantations. Regardless, many slaves were captured and taken back to Georgia, and some were killed as they chose to protect either their master's property or one another. Capture by Patriots was not always the worst result of these raids. One planter, in an effort to remove his slaves from harm's way, got them lost in the swamps and woods near the St. Marys River. As a result, twenty-four slaves died of starvation in the ensuing weeks of aimless wandering.<sup>11</sup>

In between invasions it was business as usual on the plantations, as one letter to Lord Germaine explained, "the Plantations...employ their Negroes in providing lumber and naval stores for the West Indies, having raised sufficient provisions for the ensuing Year, a proof of which is, their purchasing new Negroes."<sup>12</sup> Governor Tonyn made this observation in order to show how secure the colony was, in spite of American attempts to bring their rebellion to East Florida and

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<sup>9</sup> Wright, "Blacks in British East Florida," 432; also see Siebert, "Slavery in East Florida," 139.

<sup>10</sup> Frey, *Water from the Rock*, 91-92; see also "Sumter's Law" in Frey, *Water from the Rock*, 134, 137.

<sup>11</sup> Wright, "Blacks in British East Florida," 432.

<sup>12</sup> "Patrick Tonyn to Lord Germain, St. Augustine, October 30, 1776. PRO CO 5/557, p. 24.

deprive loyal subjects of their livelihood. If slaves were stolen or killed in the defense of the British way of life, planters had the work load and the means to justify the purchase of more.

Such a cavalier attitude toward the lives of blacks, free or enslaved, in East Florida was manifested in other forms. As mentioned before, many British officers opted to follow the Earl of Dunmore's 1775 example of manumitting slaves who fought against their former masters. In 1779, Sir Henry Clinton declared his "Philipsburg Proclamation" which was deemed by South Carolina's blacks as a complete emancipation, "absolved from all respect of their American masters, and entirely released from servitude."<sup>13</sup> Clinton's proclamation transformed the Revolution in South Carolina into a "complex triangular process involving two sets of white belligerents and at least twenty thousand—probably more—black slaves."<sup>14</sup> But Dunmore and Clinton were in seditious colonies, outnumbered by the growing Patriot populations. Granting freedom to the enslaved population of a Loyalist colony would have been counterproductive. Governor Tonyn saw no advantage in freeing enslaved blacks who were already fighting on behalf of the Loyalist cause.

From this it may be observed that serving in the British army did not always result in receiving absolute freedom for enslaved blacks. Decisions made in the field on such matters were determined by the officer in charge and in accordance to how that individual interpreted their present circumstances. There were also those British officers who simply did not concern themselves with the fair treatment of blacks, as long as the imperial cause had been served. In May 1779, Major General Prevost took on "swarms of negroes" as he marched from Savannah to Charleston. En route they secured Johnston's Island with a portion of this army, including the

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<sup>13</sup> Frey, *Water from the Rock*, 118.

<sup>14</sup> *Ibid*, 108.

entire contingent of newly manumitted blacks. Lt. Colonel John Maitland was left in charge as Prevost ultimately marched back to Savannah. “In June Maitland evacuated his post, and took only a part of the negro refugees with him.” Many of those abandoned by Maitland were wounded or too sick to travel. Fearing capture, a large number of the remaining blacks tied themselves to the sides of Maitland’s boats rather than be left behind to face the impending punishment of their former masters. The British soldiers used bayonets to cut the former slaves loose, leaving them to drown. Other blacks either swam or rafted to Otter Island where hundreds more “died of camp fever and exposure.” Over three thousand of these refugees survived the ordeal only to be shipped to the West Indies and sold back into slavery by their British comrades.<sup>15</sup> There were other instances in East Florida of black Loyalists, free and enslaved, who evacuated to St. Augustine during the war and “received temporary protection, then were taken out of the province for sale in the West Indies.”<sup>16</sup>

The primary usage of healthy blacks by British authorities in St. Augustine involved the defense of the colony. As early as 1775, slaves were utilized to bolster the military fortifications of St. Augustine as laborers in the town’s defenses, soldiers, and as East Florida Rangers. “The earthen walls surrounding St. Augustine, the parallel lines north of the town, the powder magazine, the redoubts on the St. Johns River, and Fort Tonyn on the St. Marys in part were all constructed by slave labor.” Regular army and militia units in East Florida were 1/7<sup>th</sup> free-blacks or slaves, as “blacks enlisted in the East Florida Rangers and helped garrison Fort Tonyn and protect the St. Marys frontier.”<sup>17</sup> In 1781 alone, Lt. Colonel Lewis V. Fuser requisitioned over

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<sup>15</sup> Siebert, “Slavery in East Florida,” 140; see also Frey, *Water from the Rock*, 92.

<sup>16</sup> Helen Hornbeck Tanner, *Zespedes in East Florida, 1784-1790* (Jacksonville: University of North Florida Press, 1989), 49.

<sup>17</sup> Wright, “Blacks in British East Florida,” 434-35.

nine hundred slaves from the plantations of East Florida in order to make the earthen works ready for the anticipated invasion of Spanish troops from West Florida.

As East Florida elites argued over slave codes in the colonial assembly, Tonyn requisitioned ten percent of the colony's slave population to strengthen the defenses of St. Augustine. He eventually increased that number to twenty percent.<sup>18</sup> This was not an extraordinary circumstance, however, as the British defenders of Savannah and Charleston used slave labor to build those cities' defenses. Due to the time frames of each siege and the multiple evacuations of Loyalists, black and white, it is not inconceivable that many of these slaves may have worked on the defensive structures of all three towns.<sup>19</sup> By putting this large labor force to work on St. Augustine's defenses, civil authorities followed Sir Henry Clinton's official policy concerning the containment of slave revolts, as issued in South Carolina. It was Clinton's intention to put the healthiest slaves who responded to the Philipsburg Proclamation to work either on Loyalist plantations to keep that economy productive, or in other support roles for the army. Historian Sylvia Frey argues that this strategy "was a major factor in preventing the outbreak of a slave rebellion" as these slaves were quickly worn down by oppressively difficult work and inferior food.<sup>20</sup> There is no evidence, however, that Governor Tonyn utilized this particular strategy. The ever-threatening American army just across the Georgia border served well enough to keep slave insurrections under control.

The American Revolution held many paradoxes, one of which being that the American Patriots of the southern colonies broke with British tradition by not arming their slaves to any great degree during the war. The Earl of Dunmore, so vilified in American history, was acting in

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<sup>18</sup> Siebert, "Slavery in East Florida," 141.

<sup>19</sup> Frey, *Water from the Rock*, 96

<sup>20</sup> *Ibid*, 127, 141.

a manner that was consistent with traditional British approaches to protecting a colony from foreign invasion. “The southern states considered it dangerous ever to trust slaves with arms. This was another step in dehumanizing the institution of slavery and depriving blacks of a measure of dignity and independence.”<sup>21</sup> As early as February 1776, East Florida commanders complied with British protocol in the American colonies as they requested that slaves be armed in time of war. Governor 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.”<sup>22</sup> Following Lord Dunmore’s precedent when he established the Ethiopian Brigade, Governor Tonyn formed four companies of enlisted black soldiers in St. Augustine on August 20, 1776.<sup>23</sup> Major General Prevost was also present in Savannah when two companies of “Black Volunteers” were formed during the failed Franco/American assault on that city in 1779. In addition to the “Black Volunteers,” another three hundred blacks were charged with holding the “double-horn” position of Savannah’s breast works. In another specific example of blacks asserting themselves by serving in the British military, Francis Marion wrote to John Matthews on August 30, 1782, that he was attacked at “the affair at Wadboo...by a hundred British horse and ‘some Coloured Dragoons’ led by Major Thomas Fraser.”<sup>24</sup> And rumors were wildly rampant in the Goose Creek area north of Charleston in the final months of British occupation as “Leslies’ Black Dragoons” made nightly raids, “committing the most horrible depredations and murders on the defenseless parts of our Country.”<sup>25</sup>

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<sup>21</sup> Wright, “Blacks in British East Florida,” 434-35.

<sup>22</sup> Siebert, “Slavery in East Florida,” 139.

<sup>23</sup> Searcy, *The Georgia-Florida Contest*, 57.

<sup>24</sup> Frey, *Water from the Rock*, 138; see also Schama, *Rough Crossings*, 9.

<sup>25</sup> Frey, *Water from the Rock*, 138; see also Schama, *Rough Crossings*, 139.

The Americans were much less trusting in their incorporation of blacks in the Continental army. When the Patriot army was hoping to keep Charleston from falling back into British hands in 1780, they impressed over five thousand slaves to build the city's fortifications, though few, if any, were allowed to carry weapons.<sup>26</sup> But the carrying of weapons was not the only significant difference between black members of the two belligerent armies. When a former slave was allowed to enlist in a black unit of the regular British army, such as Sir Henry Clinton's Black Pioneers and Guides, he was required to recite the following oath: "I [name] do swear that I enter freely and voluntarily into His Majesty's service and I do enlist myself without the least compulsion or persuasion into the Negro Company..."<sup>27</sup> Who can know the impact of such words and phrases as, *freely*, *voluntarily*, and *enlist myself* on former slaves as they were ushered back into the human race by the virtue of a simple ceremony.

Given the historically adverse relationship between slaves and their British masters in the American Southeast, it was a strange twist of events that led blacks to partake in the defenses of a British colony. But the oppressive attitudes of southern Americans toward evacuated and plundered slaves promptly motivated this unusual partnership. Though the British held a long history of horribly mistreating their slaves, the Americans had already shown themselves to be the greater of the two evils. In South Carolina and Georgia a slave exodus prompted by the British invasion and occupation—fueled by rumors of and actual manumissions for service against the American Patriots—created a severe labor shortage on southern plantations, virtually destroying the economy. The Philipsburg Proclamation, as mentioned before, was issued "to establish and upset the delicate balance of southern society for British political and military

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<sup>26</sup> Ibid, 110.

<sup>27</sup> Schama, *Rough Crossings*, 84.

advantage.”<sup>28</sup> However, while having a significant impact on Patriot economics, this shortage was a two-edged sword as it severely affected the existing Tory plantations whose slaves also joined the flight to British military camps in search of manumission. In addition, Loyalist efforts to claim abandoned Patriot plantations and utilize them for the good of the crown were equally hindered by the labor shortage.<sup>29</sup> In East Florida, however, the slave population was growing daily and the plantations, though affected by raids and some wholesale mischief during the American invasions, were never ravaged en masse as those in Georgia and South Carolina. This surplus of black refugees allowed them to become even more involved with the military and defensive efforts in East Florida, thus creating the need for two major legislative acts. Having only recently instituted a General Assembly in 1781, Governor Tonyn called upon this body to make haste in completing a Militia Act and enacting a formal slave code.

The East Florida Militia Act basically replicated militia laws in other American colonies and took very little effort for both the Upper and Lower Houses of the assembly to pass. Where the greatest variance occurred between this particular act and the militia structures of the newly formed American states was in the fact that an unlimited number of slaves could be drafted and used as a labor force or armed as soldiers. Any plantation managers not providing militia captains with a list of all able-bodied slaves who were fit to serve were fined £50. Slave owners were compensated £1 each month for any slave impressed into the defense of the colony. “For breaches of military discipline slaves were to be whipped rather than fined like their white contemporaries, though for sleeping on duty or betraying the password blacks were treated equally with whites: both were to be executed.” The one major similarity East Florida’s Militia

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<sup>28</sup> Frey, *Water from the Rock*, 119.

<sup>29</sup> *Ibid*, 211.

Act had in common with those of the American states’—and greatest deviance from those of other British colonies—was there was no provision for the freeing of slaves who fought in the war effort. “For acts of bravery slaves were to be awarded clothing, money, medals, and some relief from service,” though “in a variety of ways [slaves] had the opportunity of winning their own freedom.”<sup>30</sup> Dunmore and Clinton’s versions of manumitting slaves who served in the British army were incentives for blacks to leave their masters and take up arms against them. No such action was needed, nor desired, by British authorities in East Florida.

A slave code was the second act of legislation that concerned the black population of the colony and was not as easily determined as the Militia Act. As the colony’s first assembly tackled such topics as a militia, internal improvements, regulating public houses, collecting small debts, and taxes, deriving at a slave code that would suit the needs and whims of St. Augustine’s white voting population took longer—and generated more controversy—than all the other issues combined. Governor Tonyn’s frustration over the whole process concerning this singular issue prompted him to dissolve the assembly only six months after its formation. Like the Militia Act, East Florida’s slave code had similarities to those of Georgia and South Carolina. Any Negro, mulatto, or Mestezo who could not prove his or her freedom was regarded a slave, with children following the status of their mothers. A silver armband with the word “free” inscribed for all to see was to be worn by free blacks. “Slaves needed a ticket from their master to be absent from the plantation or to carry a firearm in peace time, and masters were to be fined for cruelty to slaves.” Owners received monetary compensation from the colony for a slave who was

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<sup>30</sup> Wright, “Blacks in British East Florida,” 435-36.

legally executed, and provisions in the law allowed for white patrols to keep illegal slave activities under control.<sup>31</sup>

However, East Florida's slave code differed from all other North American colonies in that court cases against slaves accused of any crime must be heard in St. Augustine and tried before a white, twelve-man jury. Slaves in other English colonies were not afforded a trial by jury and could be tortured to extract information.<sup>32</sup> Such cruelty was not allowed in East Florida courts and the presiding judge could determine, at will, to allow the defendant "more, but not all, of the protections under the English law." Even in the most rural areas of East Florida where trials by justices of the peace were allowed, these proceedings were to be reviewed by the governor and capital punishment administered only by his authority, in St. Augustine.<sup>33</sup> This was a major point of contention between the Upper and Lower Houses of the assembly. Members of the Lower House protested that a trial by jury could potentially keep a working slave, and the witnesses involved, in St. Augustine and out of the fields for longer periods of time than they were willing to concede.<sup>34</sup> Leaders of the Upper House sought to insure that East Florida slave codes would be the "most humane in America and contrast[ed] it to the thirteen colonies where 'liberty' was supposed to be flourishing."<sup>35</sup> Lt. Colonel Thomas Brown armed over 150 blacks—free and

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<sup>31</sup> Wright, "Blacks in British East Florida," 436.

<sup>32</sup> Parliament introduced the Negro Act in Great Britain during the reign of King George II which stipulated that any slave caught attempting to incite rebellion or participating in such must be tried by "three to five freeholders and three judges, rather than by three royal justices alone." Schama, *Rough Crossings*, 63. East Florida's slave code took this alteration in legal procedures a step further by including a jury, be it of white men. Wright, "Blacks in British East Florida," 436-38.

<sup>33</sup> Wright, "Blacks in British East Florida," 436-38.

<sup>34</sup> *Ibid*, 437.

<sup>35</sup> *Ibid*, 438.

enslaved—in the East Florida Rangers and believed that a more lenient slave code would make blacks in the Rangers and the militia more reliable.<sup>36</sup>

In addition to these measures, provisions for a workhouse were made by Governor Tonyn near the end of the Revolution. It was to serve as a jail for runaway slaves, blacks of ambiguous status, and whites deemed worthy of such humiliation by the governor. Most of St. Augustine's blacks, however, were incarcerated in the jail on St. Augustine's plaza.<sup>37</sup> Fortuitously, the slave code was signed into law in May 1782, less than two months before Savannah emptied thousands of Loyalist refugees and their slaves into East Florida.

Governor Tonyn, while in some ways demonstrating a certain benevolence on the subject of slavery, was also a large slave holder. The governor's wife had a reputation for extreme malevolence toward her slaves and was called out by Dr. Andrew Turnbull on charges of murder.<sup>38</sup> But such charges in a society as rife with racial prejudices as British East Florida against one so well positioned would never see the inside of a courtroom. Even the clergy of St. Augustine were not without such feelings. Records of the Anglican Church indicate that the needs of black salvation were of considerably less import in East Florida than those of whites. The sole minister in St. Augustine, Rev. John Forbes, was a member of the council, judge of the vice-admiralty court and the court of common law, acting chief justice during the Drayton affair, and the owner of a large plantation and many slaves. While he did teach at the only school in St.

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<sup>36</sup> Schama, *Rough Crossings*, 123.

<sup>37</sup> Wright, "Blacks in British East Florida," 437-38; see also Siebert, "Slavery in East Florida," 143-49, for a full copy of the East Florida Slave Code.

<sup>38</sup> While such a charge against a royal governor's wife concerning the life of a slave might sound ludicrous, Turnbull's accusations were motivated by Tonyn's disbanding of Turnbull's plantation of New Smyrna after complaints of holocaust-like conditions were leveled. Siebert, *Loyalists in East Florida*, 1:30; see also "The Turnbull Letters," from September, 19, 1776 through the end of his life in 1792, for innumerable accusations of said events.

Augustine, there is no evidence that his spiritual calling filled him with enough compassion to “suffer [all] the little children,” for he never taught a black pupil.<sup>39</sup>

As in most predominantly Protestant North American colonies, blacks met their own spiritual needs and provided their own clergy. Johann D. Schoepf, a German traveler in East Florida at the end of the Revolution, “discovered a black Baptist minister preaching to a Negro congregation in a cabin outside of [St. Augustine].”<sup>40</sup> It should be no surprise to see this kind of spiritual activity and in such a formalized setting as an established church. These were dark days and difficult times, and many of these blacks made unfathomable sacrifices to be in St. Augustine. Once there, their existence may have even been more tenuous than before, making their spiritual needs great. Their minister was most likely an evacuee from one of the great early black Baptist churches at Silver Bluff, South Carolina, or Savannah, where significant black Baptist churches were established in the mid-1770s. The identity of this man remains a mystery, for once the British evacuation of East Florida was complete this itinerant preacher disappeared from all known records. But the important thing is that they met. They found their own clergy. They established their own church building. How fascinating it would be to learn of his sermon topics, his advice, and his solace for their troubled lives. Though we have no recorded words of blacks in East Florida, this activity demonstrates the collective voices of those who worshipped in that small church. For within that congregation it can be assured that blacks—free or enslaved—were expressing their views, sharing their sorrows, and comforting their infirmed. In that church they were once again human beings as a direct result of their will to be so.

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<sup>39</sup> Wright, “Blacks in British East Florida,” 439-40. For the Biblical reference in quotes, see Mt. 19:14.

<sup>40</sup> Johann David Schoepf, *Travels in the Confederation*, [1783-1784], transl. and ed. by Alfred J. Morrison, 2 vols. (Philadelphia, 1911), 2:230; see also Wright, “Blacks in British East Florida,” 439.

As the war shifted in favor of the American cause and Patriots returned to their devastated, often completely abandoned properties, the American planter/merchant elites struggled to resurrect the labor-deficient plantation system. “White planters and merchants of the revolutionary generation were convinced that full economic recovery was inseparably linked to the restoration of slave labor.”<sup>41</sup> One can sense the tension in the region during the postwar era as American planters attempted to scrape their former existence back into being as they imported massive numbers of slaves to rebuild the collapsed economies—one such method for this being the aggressive nature with which they pursued abducted and runaway slaves in East Florida. American planters enacted repressive slave codes, “formulating a patriarchal ideology, which drew upon scriptural sanctions and revolutionary ideology.”<sup>42</sup> This allowed planters to introduce a new concept that the “characteristics of the social order were authorized, if not decreed by God, nature, and reason. In the process they created a racial community bound into a common religious and cultural framework.”<sup>43</sup> Unquestionably, the new American nation was now the greatest of evils to southern slaves in search of freedom.

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<sup>41</sup> Frey, *Water From the Rock*, 211.

<sup>42</sup> *Ibid*, 211.

<sup>43</sup> *Ibid*, 211.

## CHAPTER 6 LOYALIST REFUGE

After the fall of Yorktown in 1781, decisive battles gave way to back-country skirmishes as peace negotiations dominated the remainder of the war years. The British army still occupied New York City when the Treaty of Paris was initially signed in November 1782, but Savannah experienced the evacuation of thousands of loyalist refugees into East Florida in July. Charleston began its evacuation procedures in July as well, with the more resolute hanging on until December. Where to go became the predominant question for the expatriates as North American port cities under British control emptied their inhabitants into the waters of the Atlantic, while the inland Loyalists clogged the back roads near the borders of Canada and East Florida. Nova Scotia, Quebec, the Bahamas and West Indies, England, and Central America became ports of call for this loyal band of emigrants.

But in St. Augustine, the smallest provincial capital in North America, an unprecedented event took place from 1782-1785. For most southern Loyalists the Canadian climate was presumed utterly unsuitable for planter society and the slave ownership that made them prosperous. Southern Tories saw East Florida as a sanctuary where they could rebuild their lives without leaving the warmer regions of the continent to which they were accustomed.<sup>1</sup> The West Indies, in addition to being known as a white man's graveyard due to the impact of yellow fever and malaria, were brimming with plantations and maroon hide-outs; the thin, sandy soil of the Bahamas was referred to as "mere rocks, fit only for fishermen."<sup>2</sup> A general pattern of

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<sup>1</sup> Common thinking at this time was that African slaves were not capable of tolerating cold climates. Also, the types of crops that these planters had become proficient in raising needed a southern climate. Still, almost 30,000 Americans evacuated New York City and Charleston for Nova Scotia. Another 7,000 made their way to Quebec and Ontario during the winter of 1783-84, without assistance from London. North Callahan, *Flight From the Republic: The Tories of the American Revolution* (Indianapolis: The Bobbs-Merrill Co., 1967), 34, 72.

<sup>2</sup> "Patrick Tonlyn to Thomas Townsend, St. Augustine, May 15, 1783," PRO CO, 5/560, pp. 583-90.

evacuation after the war quickly developed as “slave owners went mainly to the West Indies and the Bahama Islands, and people with few or no slaves moved to Europe and Nova Scotia.”<sup>3</sup> However, it must be remembered that this was not the first time that Charleston and Savannah had changed hands. Even after Yorktown, most American Loyalists firmly believed that it was simply a matter of time before the United States became crippled economically and/or militarily. Therefore, they wanted to remain close to their former land holdings in Georgia and the Carolinas in order to reclaim their property as quickly as possible, just as they had after previous evacuations during the war.<sup>4</sup> It has also been said that “[c]ivilian Floridians suffered proportionately more than those in any other American colony,” due to what might be perceived as the insensitivity of Parliament toward the sufferings these loyal émigrés endured in the war.<sup>5</sup> Most of these people had already experienced one forced evacuation—two, for those refugees from Savannah. It would not be their last.

In a perverse déjà vu, their dreams of a British safe haven in East Florida came to a mind-numbing halt on April 24, 1783, when Governor Tonyn received a special envoy from London announcing the cession of East Florida to Spain. The shock was so great when Tonyn announced this edict to the combined Houses of the Assembly that they dismissed all protocol and dispatched a letter of lamentations directly to King George III. John Moultrie and William Brown represented the sentiments of both elected Houses in a similar response to Governor Tonyn, as they wrote, “we bitterly deplore the dire necessity, which compelled our parent state to

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<sup>3</sup> Carole Watterson Troxler, “Loyalist Refugees and the British Evacuation of East Florida, 1783-1785” *Florida Historical Quarterly*, Vol. 60, Issue 1 (July 1981), 21.

<sup>4</sup> This was not an idle thought, as J. Leitch Wright tells us that “[Lord Dunmore] believed, as was commonly assumed in Europe, that the United States would soon break up” after gaining her independence. J. Leitch Wright, “Lord Dunmore’s Loyalist Asylum in the Floridas.” *Florida Historical Quarterly*, Vol. 49, Issue 4 (April 1971), 377.

<sup>5</sup> J. Leitch Wright, *Florida in the American Revolution* (Gainesville: University of Florida Press, 1975), 131.

multiply the accumulated distresses of many of His Majesty's most faithful subjects, who had taken refuge under the promise of a permanent asylum in the Province."<sup>6</sup> These legislators were devastated that their king sacrificed them like a pawn in a geopolitical chess match when the war never successfully crossed East Florida's borders nor gave firm root to any disloyal sentiments or participation.

That this was an era when political maneuvers did not materialize quickly made the remainder of the Loyalists stay in East Florida all the more stressful. The Treaty of Paris of 1783 was first signed on November 30, 1782 by Benjamin Franklin, John Adams, and John Jay. French representatives signed the treaty in Paris on January 20, 1783. United States representatives re-signed the treaty on September 3, 1783—the official date in history books. The American Congress then ratified the treaty on January 14, 1784. Just the signing of the treaty, from beginning to end, was a process which took fourteen months to complete.

These dates are critical to understanding the dire circumstances involving the population of St. Augustine. Unlike New York, Charleston, and Savannah, St. Augustine was not located in a colony that had been overthrown by combative forces; therefore, there was no liberation accompanied by immediate occupation. Since the cession of East Florida to Spain was the product of the treaty, there could be no official directive in St. Augustine—no evacuation—until the treaty was signed and ratified by all parties. Unlike the occupation of a conquered territory by a physically-present armed power, this process was slow and deliberate, as it literally took months to simply deliver official documents to each delegation. From the date of the treaty's

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<sup>6</sup> In November 1775 Governor Tonyn began promoting East Florida as a sanctuary for refugees of Georgia and South Carolina. In a bulletin dispatched to Charleston and Savannah, Tonyn offered land with ten year quit-rents to any Loyalists who relocated to East Florida. John Moultrie, speaker of the Upper House and William Brown, speaker of the House of Commons in East Florida, were reminding the king of those promises. Siebert, *Loyalists in East Florida*, Vol. I, 24; see also "Address of Both Houses to the King, April 30, 1783," PRO CO, 5/560, pp. 599-602.

original signing, it would be sixteen months before British inhabitants received a directive of embarkation; thirty-six months before the last British ship would leave East Florida. All the while these loyal subjects were unremittingly hopeful that further negotiations would somehow reverse the decree. What they would never understand was that East Florida was nothing more than a bargaining chip for the British crown. The primary interest in all of the bartering of colonies that took place between the thrones of Europe after the Revolution was Gibraltar. Spain was willing to make any concession to get the tiny, but strategic, position on the Iberian Peninsula back from British control. It took months of negotiations before the Spanish realized that Britain was willing to concede almost any other protectorate in order to maintain its domination of the narrow opening to the Mediterranean Sea.

Trade, not people, was the ultimate catalyst in a world governed by mercantilist economics. Thus, East Florida became an easily sacrificed pawn in a never-ending game of global chess. To add insult to injury, Governor Tonyn received a taunting letter from Benjamin Guerard, the new American governor of South Carolina, and one-time prisoner of war on the prison ship *Torbay*, informing Tonyn that the *Charleston Gazette* made public the details of the treaty to the people of South Carolina on April 17, 1783—one week prior to Tonyn receiving the official news from London.<sup>7</sup> Guerard then warned Tonyn that even though the treaty did not specifically prohibit British refugees from evacuating slaves or other property taken out of South Carolina, there would be dire consequences if such actions were attempted.<sup>8</sup> East Florida's insignificance in international events had never been more pronounced, nor were the insults concluded.

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<sup>7</sup> Smith, "Josiah Smith's Diary, 1780-1781 (cont.)," *The South Carolina Historical Magazine*, Vol. 33, No. 4 (October 1932), 282.

<sup>8</sup> "Benjamin Guerard to Patrick Tonyn, Charleston, April 17, 1783," PRO CO, 5/560, p. 661.

In May 1782, Sir Guy Carleton replaced Sir Henry Clinton as the ranking British official in New York City and begin the proceedings for the evacuation of that municipality. But there was a problem in that “[t]here weren’t enough ships available for any speedy, efficient evacuation of all the men and material involved. It ended up taking a full eighteen months from the time Carleton arrived in New York in May 1782 until the final departure of the British, on November 25, 1783.”<sup>9</sup> The ramifications of this situation for the people of St. Augustine were two-fold: first, The shortage of available ships meant that East Floridians were going to have to wait at least until the evacuation of New York City was completed; and, second, Sir Guy Carleton was officially made aware of the outcome of the war and the basics of the treaty a minimum of eleven months prior to Governor Tonyn. The passage also insinuates that, as most American textbooks teach, November 25, 1783, was the final evacuation date for all British refugees in North America—two full years prior to the last British ship leaving East Florida in 1785. Sadly, in July 1782, Carlton originally called for the evacuation of St. Augustine rather than Charleston. When he later reversed that decision it was believed by the people, as well as Governor Tonyn, that their loyalty was being rewarded and this was a positive step toward East Florida remaining a British colony regardless of the outcome of the war. The real reason, as mentioned, was a lack of available tonnage for multiple removals, both civilian and military. Carleton told General Alexander Leslie, however, that the residents of East Florida needed to prepare themselves for eventual evacuation. East Florida authorities never received this information, as is evidenced by their reaction to the news of cession on April 24, 1783.<sup>10</sup>

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<sup>9</sup> Don Cook, *The Long Fuse: How England Lost the American Colonies, 1760-1785* (New York: Atlantic Monthly Press, 1995), 157.

<sup>10</sup> Linda K. Williams, “East Florida as a Loyalist Haven,” *Florida Historical Quarterly*, Vol. 54, Issue 4 (April 1976), 472-73.

Demographically, East Florida was a small province. Historian Charles L. Mowat cites the total population being at about 3,000 inhabitants at the outbreak of the American Revolution, not counting the garrison.<sup>11</sup> But this figure becomes questionable as J. Leitch Wright specifically lists over 2,000 blacks present in East Florida in 1775, outnumbering free whites by a ratio of two to one.<sup>12</sup> That does indeed add up to 3,000 people, but it has been heavily documented that over 1,400 Minorcan and Greek indentured servants also were brought to New Smyrna in 1767. By 1775, however, that number had been reduced to 600.<sup>13</sup> This would bring the pre-war population to at least 3,600 people. As mentioned earlier, Governor Tonyn disbanded New Smyrna in 1777, and the Minorcan and Greek population there were given lots near the Castillo de San Marcos in St. Augustine on which to build small homes.

This does not sound like a significant number at first glance, but during the early course of the war there was an ebb and flow of refugees as Savannah was initially lost to the American army and then retaken in 1778.<sup>14</sup> Southern militia hostilities from 1778 to 1781 created a constant fluctuation of the Loyalist population in East Florida, but not much more than a few thousand people. However, given St. Augustine's confined perimeter due to the earth-work defenses encompassing the tiny town, an extra few thousand people amounted to the beginnings of a population explosion.

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<sup>11</sup> Charles L. Mowat, "St. Augustine Under the British Flag, 1763-1775," *Florida Historical Quarterly*, Vol. 20, Issue 2 (October 1941), 133.

<sup>12</sup> Wright, "Blacks in British East Florida," 427.

<sup>13</sup> The point being that exact numbers concerning the population are anything but exact. Fairbanks, *The History and Antiquities of the City of St. Augustine*, 169-170.

<sup>14</sup> The passage of the confiscation and banishment acts drove Loyalists out of Georgia and the Carolinas through the end of 1778, until the British retook Savannah on December 29, 1778, and Augusta on January 29, 1779. Troxler, "Loyalist Refugees," 1.

One would think that under such congested conditions, and with food supplies being cut off from the colonies to the north, that hunger would weaken the colony's defenses much more efficiently than an invading army. The Georgia Assembly was adamant that by cutting off all food supplies they could "force the surrender of the fort in St. Augustine, which would win over the Indians, stop slave runaways [from Georgia and the Carolinas], and end all future raids from Florida."<sup>15</sup> In the early years of the war, the short food supply became an issue, climaxing in 1777. However, once the refugee situation pushed the population of East Florida toward 10,000 people, there were enough free men and slaves in the colony to defend the town while the plantations nearest St. Augustine could be converted to the production of consumable food, as well as continue to produce naval stores, deerskins, hides, barrel staves, and indigo for profit.<sup>16</sup> As one article states, "[w]hile Washington's troops were starving at Valley Forge, the plantations around St. Augustine were producing over 1,000 barrels of rice, 148 hogsheads of molasses and 13 puncheons of bellywarming rum, in addition to sugar and experimental coffee and cocoa."<sup>17</sup> Combining that effort with Thomas Brown's cattle rustling ventures, expert fishermen from Minorca and Greece working the local waters, and reliable shipments of necessities and farm implements from England, food ceased to be an issue throughout the remainder of the war.<sup>18</sup> Space was becoming the real enemy. By the invasion of 1778, legroom became a greater problem than foot-soldiers. And the problems were just beginning.

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<sup>15</sup> Smith, "Mermaids Riding Alligators," 448.

<sup>16</sup> Williams, "East Florida as a Loyalist Haven," 471; see also Siebert, "The Port of St. Augustine, Part II," 80.

<sup>17</sup> Manucy, Johnson, "Castle St. Mark," 5.

<sup>18</sup> Williams, "East Florida as a Loyalist Haven," 474.

The first American prisoners of war arrived in East Florida in September 1775—the result of the Earl of Dunmore’s Virginia campaign.<sup>19</sup> From then until June 15, 1781, St. Augustine became the recipient of approximately 2,000 French, Spanish, and American P.O.W.s from the Carolinas, Georgia, Virginia, and the high seas—including three signers of the Declaration of Independence.<sup>20</sup> Due to the small size of St. Augustine’s harbor in Matanzas Bay and the notorious sand bar which made the entry of large vessels impossible, there was a brief attempt to anchor the prison schooner *Otter* out into the Atlantic. However, its inaccessibility for the efficient replenishment of victuals made it functionally unsuitable to Governor Tonyn’s sense of good form.<sup>21</sup> Therefore, the British housed the more hostile of the P.O.W.s in the former barracks within the walls of the Castillo de San Marcos; those of gentlemanly rank and polite manners were allowed to take their leave in the town itself, providing, of course, they could pay the rent.<sup>22</sup> The build-up of prisoners was slow, but steady as Tonyn repeatedly refused to negotiate any exchange of P.O.W.s. He believed that in demonstrating his humanity by allowing the detainees to enjoy the comforts of life outside a prison barge, he inadvertently exposed the town’s defenses to the scrutiny of the enemy.<sup>23</sup> Tonyn’s concerns here were more than just paranoia as Josiah Smith referenced in his diary some of the methods that prisoners utilized to

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<sup>19</sup> Schama, *Rough Crossings*, 87.

<sup>20</sup> Arthur Middleton, Edward Rutledge, and Thomas Heyward, Jr. Smith, “Josiah Smith’s Diary, 1780-1781 (cont.)” *The South Carolina Historical Magazine*, Vol. 34, No.4 (October 1933), 199.

<sup>21</sup> Manucy, Johnson, “Castle St. Mark,” 9. Considering the propensity of the British to use prison barges in New York harbor during the French and Indian War and the American Revolution, in spite of their barbaric conditions, this was a surprisingly humane gesture.

<sup>22</sup> Josiah Smith writes in his diary that those prisoners allowed in the town were to “Not pass to the Southward of the House now occupied by Henry Yonge, Esq. or to pass that lane, extending West of the Bridge near the Church Street.—Not to pass to the West of the Church Street leading to the Parade, from thence to the Barracks.—Not to pass Northward of the lane that leads from the house not occupied by Mr. Man to the Eastward, to the Engineers house formerly occupied by Major Sherdy (?) Not to pass to the Eastward of the Bay.” Smith, “Josiah Smith’s Diary, 1780-1781,” *The South Carolina Historical Magazine*, Vol. XXXIII, No.1 (January 1932), 10.

<sup>23</sup> Manucy, Johnson, “Castle St. Mark,” 12-13.

ship home concealed letters containing military intelligence.<sup>24</sup> But on June 15, 1781, Lord Cornwallis authorized a wholesale exchange of all prisoners of war in St. Augustine.<sup>25</sup> Forced to comply, Tonyn arranged the exchanges, which provided a temporary respite to some of the congestion woes within the town.

This reduction in the population was not enough, however, to offer a permanent reprieve to the on-going problem of overcrowding. The increased flow of refugees from southern back-country fighting swelled the civilian population to approximately 7,000 by early July 1782. Whitehall was informed that an additional deluge of over 7,000 British loyalists from Savannah and Charleston arrived in St. Augustine from July 12-25.<sup>26</sup> In mid-December another 3,826 loyalists from Charleston embarked for Matanzas Bay, meaning that by Christmas 1782, the city limits were bursting with almost 18,000 civilians.<sup>27</sup> These numbers do not include the British garrison stationed in St. Augustine at the end of the war, or troops evacuated from northern assignments—the South Carolina Royalists (456), the King’s Rangers (302), the Royal North Carolina Regiment (volunteers) (265), and the North Carolina Highlanders.<sup>28</sup> Nor do these numbers allow for the natural progression of a population due to birth rates. Wilbur H. Siebert listed the population in St. Augustine at this time to be exactly 17,385—but on which day?

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<sup>24</sup> Smith, “Josiah Smith’s Diary, 1780-1781 (cont.)” *The South Carolina Historical Magazine*, Vol. 33, No. 2 (April 1932), 111.

<sup>25</sup> Wright, *Florida in the American Revolution*, 106.

<sup>26</sup> Siebert, *Loyalists in East Florida*, 1: 7.

<sup>27</sup> Troxler, “Loyalist Refugees,” 1. Land was being distributed by Gov. Tonyn to alleviate the population explosion in town, but due to British attitudes toward property rights land ownership it was a slow process. Joseph Byrne Lockey, *East Florida, 1783-1785: A File of Documents Assembled and Many of them Translated* (Berkeley: University of California Press, 1949), 10; see also Siebert, “The Legacy of the American Revolution,” 8-9.

<sup>28</sup> All but the North Carolina Highlanders are listed by both Troxler and Siebert. Siebert alone lists the Highlanders. The South Carolina Royalists numbers represent the entire regiment. By early 1784, 340 of their members opted to become discharged from the military while in East Florida rather than risk assignment to the West Indies or Nova Scotia. Troxler, “Loyalist Refugees,” 6; also see Siebert, “The Legacy of the American Revolution,” 20.

People were straggling in and out of town hourly, military personnel were deserting their ranks and melting into the country side in order to avoid being shipped to the West Indies, people died, and babies were born. Native Americans were never included in the town's population figures, but their presence in St. Augustine during the war was continuous and often numerous. Exact numbers are virtually impossible due to the lack of precise information available. However, counting the pre-1782 population of the city, with the refugees, military personnel, and the ebb and flow of Native Americans estimated as conservatively as is reasonable, it is plausible that the city may have escalated to well over 20,000 inhabitants by January 1, 1783.

In addition to this staggering number, just one week after the most recent convoy of refugees from Charleston arrived in Matanzas Bay in mid-December 1782, a delegation of over 6,000 Native Americans, representing Indian nations from the Gulf of Mexico to the Great Lakes, arrived in St. Augustine to affirm their loyalty to Great Britain through Lt. Colonel Thomas Brown.<sup>29</sup> Historian Colin Calloway points out that this was not an unusual gesture in Native American culture as two separate precedents for such activity occurred at the conclusion of the French and Indian War.<sup>30</sup> With the outcome of the American Revolution fundamentally determined at Yorktown and peace talks being common knowledge, it was a significant gesture for these people to align themselves with the British at this point. The proof of their sincerity was in the thousands of miles they traveled in the dead of winter to reach St. Augustine.

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<sup>29</sup> Siebert, "The Legacy of the American Revolution," 10. It is not known if this number included the families of these emissaries

<sup>30</sup> In July 1763, chiefs from nearly a dozen southern Native American nations, including the Choctaws, poured into New Orleans to "express their undying devotion to the French." In July and August 1764, 2,000 Native Americans from twenty-four nations congressed at Niagara with William Johnson, British Indian Superintendent of the Northern Region. The Indian delegates traveled from as far west as the Mississippi River, east from Nova Scotia, and north from Hudson Bay. Calloway, *Scratch of a Pen*, 97, 135.

This pledge of loyalty is a monumental testimony to the relationship that British East Florida built with the Creek and Seminoles nations throughout the Southeast, and it evidences that a good-faith reputation with their Native American allies traveled by a word-of-mouth communication network far across the North American continent. East Florida contributed over £1,000 in food and provisions to the Seminoles and Creeks during the winter of 1779-1780, when near-famine conditions in the back countries threatened the lives of these people.<sup>31</sup> It is quite conceivable that news of this generosity reached countless Native Americans. It may also be presumed that Native Americans collectively knew that their war with the “Virginians” would never be over and they were in hopes that the British in East Florida would continue the fight. Regardless, a contingency of at least 6,000 Native American chiefs and delegates were settled in a make-shift community just outside of the perimeter of the city’s earth-works until March 1783. St. Augustine had no room to expand and was now bursting at the seams.

One final element that must be considered in the demographics of this enormous population increase is the number of blacks, free and enslaved. Brigadier General Archibald McArthur calculated that of the more than 20,000 people in St. Augustine, three-fifths of that number, or 12,000-13,000 souls, were black. While many twenty-first-century North American cities have similar population bases, eighteenth-century slaveholding communities were in perpetual fear of an armed revolt. A significant number of the white inhabitants of St. Augustine became concerned with the close proximity of the free blacks to the slaves.<sup>32</sup> Many of the free blacks in St. Augustine at this time were either former slaves who purchased their freedom prior to the war, slaves who attained their freedom by joining the British army, runaways from

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<sup>31</sup> Calloway, *Scratch of a Pen*, 80.

<sup>32</sup> Siebert, “The Legacy of the American Revolution,” 9.

American masters, or those who simply became lost in the shuffle and had no idea where their masters were. With the enormous population explosion taking place it was virtually impossible to verify the identity of each individual black person and their relationship to the whites around them.

In sum, by late winter of 1783, the immediate vicinity of St. Augustine exploded with a transitory population of at least 26,000 people. Even though supplies from London by this time were heavily taxed, Lt. Colonel Brown distributed provisions and presents of rum, dry goods, and munitions to the Native Americans in hopes of bringing a quick, but diplomatically correct, conclusion to the Indian conference. Still unaware at this time of the pending cession to Spain, East Floridians understood the magnitude of this Indian alliance and gained further confidence in the potential longevity of the colony as a British foothold in the North American underbelly. Officials in London, however, “felt some trepidation about the attitude the red men in that province would assume when they should learn of the intended cession of this region to Spain.”<sup>33</sup> Governor Tonyn anguished over those very concerns once the news of cession broke, but from a much closer proximity, as he later expressed his concern that the planters “will not think themselves and Negroes safe in the Country.”<sup>34</sup>

In February 1783, Whitehall issued orders to Lt. Colonel Brown to empty the storehouses of all presents to friendly Indian nations and then withdraw all traders as there would be no more gifts from Great Britain. Fortunately, this news did not arrive in St. Augustine until after the delegation of 6,000-strong returned to their home lands. Brown realized that these orders must be followed, emphasizing even more that once news of the cession became public knowledge

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<sup>33</sup> Siebert, “The Legacy of the American Revolution,” 10.

<sup>34</sup> “Patrick Tonyn to Thomas Townshend, St. Augustine, May 15, 1783,” PRO CO, 5/560, pp. 583-616.

throughout the American Southeast there would be need for a quick evacuation. The bulging provincial capital would be indefensible to a hostile indigenous uprising. An Indian assault on St. Augustine would find the natural barriers of the town's western defenses much more accessible than a European-style army, prompting Brown to organize a congress with local chiefs on May 15, 1783. Chiefs of the Upper and Lower Creeks who met with Tonyn, Brown, and Brigadier General Archibald McArthur reacted in an exact opposite manner to the startling news as they pleaded to leave the region with the English when the time of evacuation was at hand.<sup>35</sup> These were the same chiefs who accepted Governor Tonyn's word that the Great King's armies would defeat the Virginians, and now they wanted to be taken away on ships with the British as they feared the inevitability of American and Spanish retributions.<sup>36</sup> The worried population of St. Augustine heartily received the news of Native American sympathies. However, it was also understood that the alliance formed in January might now be temporary at best, and possibly turn hostile, once the Indians fully realized the impact of the broken promises and abandonment by the British government.<sup>37</sup> There was still justifiable reason for the inhabitants to be concerned with a sudden outbreak of hostilities, even with such a sizable assortment of British troops concentrated in the city. However, this protective shield of British might was soon to be in question.

On September 9, 1783, Governor Tonyn received two letters from Admiral Robert Digby with orders to withdraw all British troops from St. Augustine prior to the evacuation of the civilian inhabitants. At this point the people of East Florida, feeling forgotten and overlooked,

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<sup>35</sup> "Lower Creeks" is a synonymous term for Seminoles. "Substance of Indian Talks Delivered to Governor Tonyn, St. Augustine May 15, 1783," PRO CO, 5/110, pp. 71-74.

<sup>36</sup> "Substance of Indian Talks Delivered to Patrick Tonyn, Thomas Brown, and Major General Archibald McArthur, St. Augustine, May 15, 1783," PRO CO 5/110, pp. 1-3.

<sup>37</sup> "Thomas Nixon to Evan Nepean, London, October 22, 1783," PRO CO, 5/560, pp. 843-50.

had no idea what to presume from Whitehall in the form of aid.<sup>38</sup> As Tonyn expressed in his response to former British Prime Minister Frederick Lord North concerning this matter, “We are perfectly in the dark my Lord, what assistance to expect for the faithful inhabitants, upon His Majesty’s instructions for the dissolution of the civil Government or surrendering to the Spaniards.”<sup>39</sup>

The people of St. Augustine were in a unique diplomatic quandary as they were not viewed as refugees because their removal from St. Augustine was not considered militarily motivated. Even those forced by the war to move to the city from other locations where they *were* refugees were not classified as such. There was no conquering horde crushing in to annihilate them at a moment’s notice, as was portrayed in other North American cities. Peace had been negotiated; therefore, the Spanish army was not arriving for the purpose of pillage and plunder. To the aristocracy of London there were more expedient demands, such as the evacuation of New York.

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<sup>38</sup> Callahan, *Flight From the Republic*, xi, xii, 29.

<sup>39</sup> “Patrick Tonyn to Lord North, St. Augustine, September 11, 1783,” PRO CO, 5/560, pp. 685-88.

## CHAPTER 7 NO MAN'S LAND

As mentioned before, one week prior to Governor Tonyn receiving an official decree from London concerning the cession of East Florida to Spain, on April 22, 1783, Governor Benjamin Guerard of South Carolina contacted his East Florida rival and demanded the return of “stolen” American property—slaves.<sup>1</sup> Guerard compounded the insult by sending a representative, William Livingston, to personally collect the fugitives and supervise their return. In a letter filled with his famous aptitude for smugness, Tonyn promptly snubbed Livingston and told Guerard that he would wish for a different choice in representatives as “Mr. Livingston rendered himself obnoxious to several here, that I might have had an opportunity of shewing him every civility.”<sup>2</sup> Another representative from South Carolina came to St. Augustine to negotiate the restoration of plundered slaves and was “put on his parole at once and not permitted to write home.” This is not to say that the evacuees from Savannah and Charleston were not guilty as charged for taking slaves into East Florida—Colonel James Moncrief of the Royal Engineers brought eight hundred slaves from the engineer and ordnance departments in Charleston with him to St. Augustine in 1782.<sup>3</sup> The question involved here was whether or not the taking of these slaves was an illegal action. “Southern Whigs confiscated large amounts of Loyalist property, and East Florida Loyalists reciprocated by ensuring that few blacks ever return to Whig owners.”<sup>4</sup> Thus, while it

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<sup>1</sup> Governor Guerard’s motives were less than stellar, as he lost forty-seven of his own slaves to abduction and absconding. Frey, *Water from the Rock*, 92. The charge of stealing slaves by American planters was not a simple matter. Americans wanted to declare any slave, whether Loyalist owned or Patriot owned, taken to East Florida as stolen property. The British laid claim to their own slaves as personal property and the removal of American owned slaves as plunder, or spoils of war (the purpose for placing the word *stolen* in quotations is the author’s emphasis to demonstrate the disagreement concerning the suspect classification of these people).

<sup>2</sup> “Patrick Tonyn to Benjamin Guerard, St. Augustine, June 10, 1783,” PRO CO 5/560, p. 668.

<sup>3</sup> Siebert, “Slavery in East Florida,” 153.

<sup>4</sup> Wright, “Blacks in British East Florida,” 440.

was true that Loyalist refugees in East Florida absconded with slaves other than their own, they felt that slaves were “the most salvageable form of wealth” to compensate them for their loss of real estate in the liberated colonies.<sup>5</sup> Governor Tonyn may have felt Sir Guy Carlton set a legal precedent in the evacuation of blacks from New York. Historian Simon Schama provides evidence that by 1783 there was a “‘Somerset effect’ (the benign misreading of the Mansfield judgment) operating on the decisions of Carlton and his principle officers” concerning the evacuation of blacks.<sup>6</sup> Carlton’s “Precis Relative to Negroes in America” added that “negroes who came into the British lines were considered free, ‘the British Constitution not allowing of slavery but holding out freedom and protection to all who came within.’”<sup>7</sup> A loose interpretation of Carlton’s “Precis” was not beyond Tonyn’s methodology for dealing with his American adversaries.

By autumn 1782, in addition to the official evacuation of Charleston, large numbers of slaves were finding their own way to East Florida—by their own volition. British General Alexander Leslie attempted to block the efforts of another British officer, Brigadier General Archibald McArthur, to return any of these blacks to Charleston. Many sequestered blacks were evacuated from Charleston on British military transports and, therefore, were deemed spoils of war rather than runaways.<sup>8</sup> In another case, “Dr. James Clitherall, a loyalist from South Carolina who was in Florida, was engaged in trying to recover slaves for their Carolinian owners...Governor Tonyn was in no mood to promote the restoration of plundered slaves” due to

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<sup>5</sup> Troxler, “Loyalist Refugees,” 1.

<sup>6</sup> In 1772, magistrate William Murray, 1<sup>st</sup> Earl of Mansfield, determined a runaway slave, James Somerset, to be free based on his decision that a master cannot “force a slave out of the country.” Schama, *Rough Crossings*, 427n. 16.

<sup>7</sup> *Ibid*, 153.

<sup>8</sup> Frey, *Water from the Rock*, 175.

his stance on the confiscation and banishment laws of Georgia and South Carolina.<sup>9</sup>

“Consequently, he and his Council found ways of obstructing the reclamation of vagrant negroes.” Some gentlemen from South Carolina claimed that their slaves were willing to return with them, but East Florida authorities would not allow them to take the slaves away or even verify their case in a court of law.<sup>10</sup>

Blacks were undoubtedly used as pawns in the never-ending struggle for compensation after the war as Governor Tonyn refused to negotiate the return of any slaves until the banishment and confiscation acts in the Carolinas and Georgia were repealed. Tonyn clearly equated slaves with real estate in an effort to gain monetary settlements for the faithful East Florida refugees.<sup>11</sup> In the meantime, blacks in East Florida—many who built the defenses of St. Augustine and bravely helped to defend her borders—did not know if Governor Tonyn would indeed trade them back to the Americans in a quid pro quo for confiscated plantations in the Carolinas, or whether he just cruelly using them as part of a bluff. Either way, their circumstances in East Florida were extremely tenuous during the entire British period and could only improve once the Spanish regained power. Or so they thought.

When Spain re-claimed power in St. Augustine on July 12, 1784, they brought only five hundred soldiers of foot. Spanish governor Manuel de Zespedes was initially allotted only 40,000 pesos to run the colony—an amount so insufficient that he could not afford to purchase horses in order to mount his dragoons. Though the Spanish represented a victorious army in

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<sup>9</sup> Siebert, “Slavery in East Florida,” 152. Georgia, North Carolina, and South Carolina passed banishment and confiscation laws that declared all abandoned Loyalist property in those states as confiscated spoils of war. They also passed laws banishing thousands of Loyalists from ever entering their borders again, many on pain of death.

<sup>10</sup> There are no documents available to verify that the refugees indeed agreed to return willingly to their former Carolinian masters. As bad as the British had been historically to their slaves, the Americans were clearly deemed a worse option. Siebert, “Slavery in East Florida,” 152.

<sup>11</sup> Troxler, “Loyalist Refugees,” 10; see also Wright, “Blacks in British East Florida,” 440.

North America, their physical presence in St. Augustine was not sufficient to properly protect the colony from local outlaws—referred to in official correspondence as banditti. The news of East Florida’s cession back to Spain “exacerbated the problems of slave control and encouraged the notorious ‘banditti’ to raid plantations for slaves and other ‘movable’ property. Disputes over the ownership of slaves would continue for years and plague not only the departing British but the incoming Spanish administration” as Americans would continue to accuse the British, and even the Spanish, of having stolen their slaves—rightful property of the United States.<sup>12</sup>

To compound the issue, hundreds of regular British troops terminated their service to the crown, legally or not, while still in St. Augustine rather than risk deployment to the West Indies where the fear of contracting malaria or yellow fever became reality. Most of these men were Scots, Hessians, and French-speaking Swiss conscripts who felt no compassion for the beleaguered civilians of East Florida.<sup>13</sup> These troops were Europeans who found themselves in North America involuntarily and, to their way of thinking, all Americans were equally responsible for their current lot in the British army. Banditti gangs offered these men employment and an opportunity to continue the good fight—but this time they would fight for spoils rather than king and country.

The East Florida banditti’s leaders were Daniel McGirtt, Lt. Colonel Thomas Brown’s second-in-command and personally commissioned by Governor Tonyn, his brother James, a former captain in the Rangers, and John Linder, Jr. Due to Daniel McGirtt’s heroics in the defense of the colony during the war, his influence among the people was powerful enough to enable him to conduct business—both legal and illegal—while incarcerated in St. Augustine.

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<sup>12</sup> Landers, “Spanish Sanctuary,” 303.

<sup>13</sup> Wright, *Florida in the American Revolution*, 105.

Like a scene from the *Godfather*, when Governor Tonyn ordered McGirtt's property seized, the banditti leader protected his net worth by selling forty-six slaves to a local merchant from the confines of his jail cell in the Castillo de San Marcos.<sup>14</sup> The banditti were motivated by outrage at the British government for ceding East Florida to Spain after so many of them put their lives on the line in service to King George III during the war.<sup>15</sup> Governor Tonyn conveyed to London that he raised two troops of Light Horse for the purpose of protecting the inhabitants of St. Augustine from the banditti. But in two letters to Governor Zespedes, Tonyn freely admitted that the Light Horse was raised for the purpose of protecting certain outlying plantations from having their slaves stolen—one of those plantations being his own.<sup>16</sup> Much to Tonyn's chagrin, Governor Zespedes sought to control the banditti through an alliance, which galled the British official until the day he left the continent.<sup>17</sup>

One of the local known confederates of the banditti who managed to keep himself just enough on the proper side of his legal battles to avoid jail was Francisco Sanchez, a resident from the first Spanish period who continued to live in East Florida after the British gained control of the colony in 1763. He earned Governor Tonyn's ire after his business dealings with Daniel McGirtt's gang came to the governor's attention. In a letter to McGirtt's wife on July 1, 1784, which was intercepted by British authorities, Sanchez instructed the woman to relay to her

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<sup>14</sup> Tanner, *Zespedes in East Florida*, 40.

<sup>15</sup> McGirtt testified that his life of crime began the day he was told of the colony's cession to Spain. Siebert, *Loyalists in East Florida*, Vol. II, 329. For more references to the Banditti see Lockey, *East Florida*, 14-18, 157, 175, 195-196, 214-215, 220-221, 231, 235-236, 248, 290, 298, 321, 333-338, 346-347, 353-357, 368-371, 373, 388-395, 401-404, 443, 446, 526, 585-593, 607, 653; see also, Lockey, "The Florida Banditti, 1783," *Florida Historical Quarterly*, Vol. 24, Issue 2 (October 1945), pp. 87-107.

<sup>16</sup> Lockey, *East Florida*, 220, 247.

<sup>17</sup> Many things about these two men annoyed the other. Tonyn was an Irishman in an English army, while Zespedes was a Hidalgo—a nobleman—from the peninsular Spanish region of Castile. "In a rank-conscious society, these distinctions were more valuable than monetary wealth." In the Spanish army, Irishmen were more or less mercenaries and Tonyn did not strike Zespedes as being more than that. Tanner, *Zespedes in East Florida*, 3.

husband a plan to rob a ship on the St. Marys River of its cargo of blacks. The plan called for ten to fifteen men in a “Good large cunoo” to board the ship at night and steal all blacks onboard. There is no mention as to how many blacks were targeted, or their status as slave or free.<sup>18</sup> Not surprisingly, it was Francisco Sanchez who purchased Daniel McGirtt’s forty-six slaves while the banditti leader was in prison.

Only two days after his arrival in East Florida, Governor Zespedes decreed that he would appoint two British residents, John Leslie and Francis Philip Fatio, as judges in a court of arbitration to preside over any disputes involving British residents.<sup>19</sup> John Leslie, of Panton, Leslie, and Company, proved himself worthy of his appointment as he sought to protect his reputation in the colony as a fair businessman. Philip Fatio had other aspirations. On June 7, 1784, Fatio, claiming to represent the wealthy “Planters, Merchants and other Inhabitants of the Province of East Florida,” declared his loyalty to King George III, Great Britain, and Governor Tonyn. Considering that Fatio then applied for Spanish citizenship immediately upon Governor Zespedes arrival only thirty-five day later, his motives for this pledge of loyalty become suspect.<sup>20</sup> Governor Tonyn complained to Lord Sydney, the new Secretary of State, of Zespedes’ selection of Fatio “who assumes a jurisdiction of a very extensive nature, styling himself Judge over His Britannic Majesty’s Subjects.” According to Tonyn, the Swiss-born Fatio “has a very imperfect knowledge of the Laws, Language, and constitution of Great Britain, and is an obnoxious Character in the Community.” Tonyn also accused Fatio of determining his judgments

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<sup>18</sup> Lockey, *East Florida*, 216-17.

<sup>19</sup> Ibid, 49. Lord Sydney, the namesake for the city of Sydney, Australia; also known as Thomas Townshend, brother of Charles Townshend of the infamous Townshend Act imposed on the American colonies in 1767. Prior to 1783, Tonyn’s letters to Lord Sydney are addressed to Thomas Townshend, as Townshend’s barony was not bestowed until January 1783.

<sup>20</sup> Ibid, 204.

based upon decisions of cases that “originated in another Country, and had been heard in a British Court of Justice.” Because Fatio was never embraced by British East Florida’s elite society Tonyn accused the new magistrate of rendering personal retribution on the British inhabitants: “he prejudices Causes, and decides by whim and caprice.”<sup>21</sup> All was for naught, for neither Tonyn, nor his superiors at Whitehall, had jurisdiction in Fatio’s appointment, thus, Zespedes’ decision could not be over-ridden.

Issues concerning slave ownership and slave theft soon choked Panton and Fatio’s court dockets, convincing Governor Zespedes that the black population “constituted the most serious threat to local harmony and civil disorder. Negro slaves were the most valuable moveable and negotiable capital in the province, the object of the cupidity of unscrupulous individuals other than the McGirtt banditti.” Throughout the American Revolution, both sides pilfered and plundered blacks and “shifted [them] about like livestock; a part of the Southern population displaced and uprooted during the period of hostilities.” East Florida was no different. Free blacks were often seized during the confusion of the evacuation process and “held under false claims of ownership.”<sup>22</sup>

On July 26, 1784, just two weeks after his arrival in St. Augustine, Governor Zespedes set off a chain reaction of events concerning all blacks in the colony that even he could not likely have foreseen. Article Five of the Treaty of Paris, 1783, decreed:

His Catholic majesty guarantees that the British inhabitants, or others, who may have been Subjects of the King of Great Britain in Florida may retire within a time prescribed, in full security and liberty where they shall think proper, and may sell their Effects as well as their persons without being restrained in their Emigration under any pretence whatsoever, except on Account of Debts or Criminal prosecutions...His Britannic Majesty shall have

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<sup>21</sup> “Patrick Tonyn to Lord Sydney, St. Augustine, December 6, 1784,” PRO CO 5/561, pp. 28-30.

<sup>22</sup> Tanner, *Zespedes in East Florida*, 48-49.

the power of removing all the Effects which may belong to him, whether artillery or otherwise.<sup>23</sup>

In short, what belonged to British subjects could not be arbitrarily taken from British subjects, by order of the King Charles III of Spain. Being an enlightened ruler, the Spanish emperor considered British citizens in East Florida as his guests.

Governor Zéspedes' proclamation of July 26, on the other hand, stated 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."<sup>24</sup> This was a very peculiar declaration, given the long history of the Spanish government for offering sanctuary to runaway British slaves. Governor Zéspedes claimed that his only intention was to curb the lawless stealing of blacks by banditti and other whites by forcing a determination of ownership on all people of color within the colony. He believed that this would also greatly reduce the numerous vagrant blacks "'roving this City robbing and even breaking open houses' and declared that their "bad way of life...ought to be prevented."<sup>25</sup> Zéspedes then removed all doubt as to who would be affected by his proclamation as he categorized every black in the colony into four classes:

The first are blacks absolutely free, the second are them who deserve their liberty by virtue of different proclamations ordered to be published to British Generals during the War; the third belong to British subjects known to be their owners; and the fourth are Blacks, who have no Owner, and are strolling about this Town and province—this last class of Blacks whenever they will present themselves within [twenty days] shall by virtue of the proclamation be considered as free, but them that after that time...did not come and present themselves should be considered... as vagrants.<sup>26</sup>

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<sup>23</sup> "Patrick Tonyn to Lord Sydney, St. Augustine, December 6, 1784," PRO CO 5/561, p. 47.

<sup>24</sup> Siebert, "Slavery in East Florida," 159.

<sup>25</sup> Landers, "Spanish Sanctuary," 312.

<sup>26</sup> "Vicente Manuel de Zéspedes to Patrick Tonyn, 'Remarks on James Hume's Opinion,' St. Augustine, August 6, 1784," enclosure number 2 in "Patrick Tonyn to Lord Sydney, St. Augustine, December 6, 1784," PRO CO 5/561, p. 80. As inhumane as these categorizations may sound, Zéspedes showed a very enlightened approach to blacks as human beings, who also happened to be property. The normal perception of this era was "the brutal absurdity of racial classifications that derive[d] from and also celebrate[d] racially exclusive conceptions of national identity

Governor Zespedes held very little compassion for the black population, as he wrote, “The term of twenty days were held out merely in *terrorem* which the very stupidity of the Blacks rendered necessary.”<sup>27</sup>

Governor Tonym and Chief Justice James Hume vociferously denounced the proclamation as a violation of the Treaty of Paris, 1783.<sup>28</sup> “Tonym had surrendered no more of the plundered slaves to their Carolina masters than he could help, and did not intend to be more generous to the Spaniards.”<sup>29</sup> Exacerbating the situation was the large quantity of presumably free-blacks in St. Augustine who were manumitted en masse by either Lord Dunmore’s Proclamation, the Philipsburg Proclamation, or at will by any British field officer who deemed a slave performed an exemplary service in battle. In many cases, British officers manumitted entire groups of black camp-followers, making it virtually impossible for them to personally identify each black they liberated. None of these people possessed proper documentation to verify their manumissions and were therefore in violation of Governor Zespedes’ decree. Chief Justice Hume interpreted Article Five of the treaty to include “every individual, black as well as white, Slave as well as freeman that was under the protection of the British Government at the arrival of His Excellency Governor De Zespedes.” The chief justice believed that five out of six blacks in St. Augustine would be adversely affected by this new law.<sup>30</sup>

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from which blacks were excluded as either non-human or non-citizens.” Paul Gilroy, “The Black Atlantic as a Counterculture of Modernity,” In *The Black Atlantic: Modernity and Double Consciousness* (Cambridge, Mass.: Harvard University Press, 1993), 6.

<sup>27</sup> “Vicente Manuel de Zespedes to Patrick Tonym, ‘Remarks on James Hume’s Opinion,’ St. Augustine, August 6, 1784,” enclosure number 2 in “Patrick Tonym to Lord Sydney, St. Augustine, December 6, 1784,” PRO CO 5/561, p. 80.82; see also Siebert, “Slavery in East Florida,” 159.

<sup>28</sup> James Hume replaced William Drayton as Chief Justice of the colony in 1780. Siebert, *Loyalists in East Florida*, 80.

<sup>29</sup> Siebert, “Slavery in East Florida,” 159.

<sup>30</sup> “Patrick Tonym to Lord Sydney, St. Augustine, December 6, 1784,” PRO CO 5/561, pp. 47-48.

Hume first drew a line in the sand by accusing the Spanish of conspiring to illegally confiscate British property. He then maneuvered his interpretation to include British subjects of all colors, of all stations in life, to be under the protection of the treaty. But the chief justice concluded his interpretation of this portion of the proclamation with a bombshell that could not be ignored by anyone in London, Madrid, or St. Augustine: “all persons of the above description, who do not pay obedience to the Proclamation... shall be seized, declared, and held Slaves to His Catholic Majesty.”<sup>31</sup> Hume admitted that the treaty clearly made allowance for the incarceration of any British subject guilty of a crime that an international court would declare to be *malum in se*, such as murder. A crime such as failing to register the known whereabouts of a person of color, whether free or enslaved, would fall into the category of *malum in prohibitum*, a minor offense that no international court would deem punishable by permanent enslavement. Hume appealed to the jurisdiction of international law as he wrote, “surely when the Treaty mentions criminal Prosecutions, it must mean crimes that are *malum in se*, crimes that are universally understood by the Law of Nations to be bad... otherwise it might be in the power of the Spanish Government, to make the smallest omission criminal, and consequently a sufficient cause to justify the detention of any British Subject in the Province.”<sup>32</sup>

Chief Justice Hume’s opinion of Governor Zespedes’ proclamation and the Spanish courts now in place in St. Augustine held many concerns. But as a magistrate himself, Hume was completely astounded at a legal system “altogether unknown in the British Constitution” that would allow “that the presiding judge, being made a party, by receiving a part of what is condemned.” This added to British suspicions of Fatio’s disingenuousness in his rulings. Since

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<sup>31</sup> “Patrick Tonyn to Lord Sydney, St. Augustine, December 6, 1784,” PRO CO 5/561, pp. 47-48.

<sup>32</sup> “Patrick Tonyn to Lord Sydney, St. Augustine, December 6, 1784,” PRO CO 5/561, p. 49

the majority of these cases involved slave ownership, theoretically Fatio became wealthier with every decision.<sup>33</sup> In a letter to Lord Sydney, Tonyn referred to Zespedes' administration as an "inquisitorial office...established, to compel the British to unfold and disclose their titles, to the bulk of their fortunes...Negroes emancipated by the engagements held out them...were aimed at, to be made slaves to the King of Spain."<sup>34</sup> Governor Zespedes refused to admit that his proclamation was issued in error of the law or that it might be unfavorably interpreted, unless maliciously so:

The Spanish Government did not wish to meddle with Blacks who had owners or Masters nor with those who had a right to freedom; but it did does and will look out for those who not being free nor having a right to freedom nor belong to any acknowledged owners or Master are in every sense of the word vagrants, and a pest to the publick Tranquility—a vagabond, and particularly a Black one is and ought to be considered in every Nation, and by every Law not only a Malum prohibitum, but likewise a Malum in Se.<sup>35</sup>

By declaring vagrancy, and conspiring to aid anyone to commit vagrancy, to be the crime in question, Zespedes believed that "by their not presenting themselves it is plainly seen they wished to continue in that bad way of Life which ought to be prevented, being not only pernicious but also Malum in se."<sup>36</sup> The response astounded British authorities and petitions flew across the Atlantic to Parliament. That vagrancy could be determined a precursor to a more vicious crime, such as murder, and therefore punishable in an equal manner was mind-numbing. Historian Jane Landers located 251 declarations of free status by blacks in her research, but freely admits that there is no evidence to support how many of East Florida's blacks were capable of providing the proper documentation, nor how many were actually re-enslaved by the

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<sup>33</sup> "Patrick Tonyn to Lord Sydney, St. Augustine, December 6, 1784," PRO CO 5/561, p. 51.

<sup>34</sup> "Patrick Tonyn to Lord Sydney, St. Augustine, December 6, 1784," PRO CO 5/561, p. 26.

<sup>35</sup> "Remarks on James Hume's Opinion, St. Augustine, August 2, 1784," enclosure number 2 in "Patrick Tonyn to Lord Sydney, St. Augustine, December 6, 1784," PRO CO 5/561, p. 80.

<sup>36</sup> "Remarks on James Hume's Opinion, St. Augustine, August 2, 1784," enclosure number 2 in "Patrick Tonyn to Lord Sydney, St. Augustine, December 6, 1784," PRO CO 5/561, p. 84.

Spanish. But Landers' study shows that the 251 declarations came from throughout the East Florida countryside as well as from St. Augustine, indicating that word of the proclamation spread adequately to the colony's black community.<sup>37</sup> One thing germane to this study we can learn from these declarations is that the individuals "presented [themselves]" to the proper authorities, signifying an autonomous action in doing so.<sup>38</sup>

After just two weeks of Spanish rule in East Florida, only one thing could be certain: the evacuation of the British inhabitants and their slaves had very little chance of going smoothly. In a rare instance of losing his composure with a superior, Governor Tonym writes Lord Sydney that British subjects faced "perpetual Imprisonment in a foreign Country, without the chance of retrieving their affairs by future exertions."<sup>39</sup> For many blacks, there would be no evacuation at all, but they did not necessarily deem that lack of opportunity a bad thing at the time.

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<sup>37</sup> Landers, "Spanish Sanctuary," 305

<sup>38</sup> In this article Landers offers a detailed breakdown of the demographics of the people who declared their right to freedom under the Spanish proclamation of July 26, 1784. Ibid, 305-307.

<sup>39</sup> "Patrick Tonym to Lord Sydney, St. Augustine, December 6, 1784," PRO CO, 5/561, pp. 25-39.

## CHAPTER 8 EVACUATION

New York City was captured by General Sir William Howe on September 15, 1776, and remained under British control throughout the war. On November 25, 1783, the city saw the last of approximately 30,000 Loyalists sail away while a swarm of angry American patriots hooted their retreat. The St. Augustine garrison was ordered to Nova Scotia to assist in their resettlement. To the well placed Loyalist nobles of the Hudson Valley, this was a sensible redistribution of troops. Conversely, to the people of East Florida it held all the appeal of a death sentence. New York had proportionately fewer evacuees than St. Augustine and was not heaving from severe overpopulation. It may be argued that New York remained loyal during the war only as long as there was a British army present to insure its politics. St. Augustine, on the other hand, remained loyal out of desire and dedication; the town never sustained so much as a rebellious demonstration—setting aside Governor Tonyn’s disposition on the antics of William Drayton and Dr. Turnbull. To East Floridians this was a monumentally important point that no one at Whitehall seemed interested in hearing. Their loyalty needed to be worth more than they were being credited.

Without a military defense, peripheral colonies faced untold dangers, as is expressed in Governor Tonyn’s response to Admiral Digby’s orders to evacuate the St. Augustine garrison ahead of the civilian population: “This measure has thrown the Province into the utmost consternation as the Inhabitants will be thereby exposed to be pillaged by rapacious, lawless and abandoned men...who are checked only by the awe of the Troops.”<sup>1</sup> Americans from Georgia and the Carolinas raided the outlying plantations and patrolled the coastal roads as highwaymen,

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<sup>1</sup> “Patrick Tonyn to Robert Digby, St. Augustine, September 10, 1783,” PRO CO, 5/560, pp. 697-700.

constantly harassing the inhabitants of East Florida.<sup>2</sup> Many of these marauders sought plunder in the form of captured British slaves, claiming they were stolen property from Savannah and Charleston.<sup>3</sup> Livestock, munitions, rum, and animal skins were the other valuable items for which East Floridians could lose their lives to gangs of banditti. As alluded to earlier, once the Spanish arrived in July 1784, Governor Tonyn accused Governor Zespedes of engaging many of these gang members as his henchmen, making their depredations more difficult to avert than ever before.<sup>4</sup> By 1785, piracy infected the waters near Matanzas Bay. James Moultrie was able to describe several instances, and name villains, in his correspondence with Governor Zespedes. Zespedes, who liked and respected Moultrie, informed the planter of intelligence reports that ships designed “for the purpose of making depredations on the coasts of this province” were outfitted in Charleston and the Bahamas.<sup>5</sup> Piracy and the wanton destruction of vessels were of particular concern due to the stealing of slaves from several coastal plantations and the overwhelming call for Minorcan fishermen to assist in feeding the swollen population of St. Augustine.

Governor Tonyn’s letter to Sir Guy Carleton on September 11, 1783, evidences a more imminent concern for the town’s safety, as he attempted to convince Whitehall that troops must remain in St. Augustine. September was the time of the annual Creek Nation Green Corn Feast, which, when concluded, would find the beleaguered provincial capital flooded with thousands of

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<sup>2</sup> “Memorial of Grey Elliott, St. Augustine, July 5, 1783,” PRO CO, 5/560, pp. 801-03.

<sup>3</sup> “Patrick Tonyn to Thomas Townshend, St. Augustine, May 15, 1783,” PRO CO, 5/560, pp. 583-616.

<sup>4</sup> The two most notorious gangs, the Banditti and the John Linder Gang, became so unabashed in their crimes that eventually Governor Zespedes took measures against them. “Patrick Tonyn to Lord Sydney, St. Augustine, December 6, 1784,” PRO CO, 5/561, pp. 25-41; see also “William Young to Patrick Tonyn, Young’s Post, August, 5, 1784,” PRO CO, 5/561, pp. 140-41.

<sup>5</sup> “Vicente Manuel de Zespedes to Esteban Miró, St. Augustine, January 26, 1785,” Library of Congress: East Florida Papers, File b114, J9.

celebratory Creek Indians.<sup>6</sup> Tonyn feared that the Creeks would assume the inhabitants to be Spaniards or Americans, both of whom they hated equally, upon seeing the city abandoned by the British army. Once American Indian traders spread word into Georgia and the Carolinas that there was no British military presence in St. Augustine, both Native Americans and “Virginians” would begin an onslaught of incursions into East Florida.<sup>7</sup>

It was no small irony that the most egregious threat to civilian safety was from the banditti, former protectors of the colony. They were no longer under military supervision, far from homes to which they could never return, and well aware of Admiral Digby’s edict. Again, in his letter to Sir Guy Carleton, Tonyn bemoaned “the licentious disbanded Soldiers who have discovered intentions of rapine and plunder are most of all to be dreaded.”<sup>8</sup> Many of these men were seasoned veterans of the back-country civil wars in the Carolinas and Georgia, completely void of unction in their commission of crimes against non-combatants. But up to this point they kept the criminal aspects of their activities outside of St. Augustine. Once the army was gone it was feared that there would be no protection against them.

Lastly, the British inhabitants feared the Spanish army. News of conquests in West Florida and the Bahamas spread quickly throughout the colony, and always seasoned with reminders of the mythical “Black Legend.” Many a West Floridian already experienced the dungeons of Havana during the war and wrote to families in East Florida of their dire conditions. With no friendly military force to counteract Spanish might, the throngs in St. Augustine were at the complete mercy of an incoming army. Governor Tonyn repeatedly wrote to Whitehall pleading for some form of alteration to the edict removing the British army. But as a further

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<sup>6</sup> “Patrick Tonyn to Sir Guy Carleton, St. Augustine, September 11, 1783,” PRO CO, 5/111, pp. 49-55.

<sup>7</sup> “Substance of Indian Talks Delivered to Patrick Tonyn, St. Augustine May 15, 1783,” PRO CO, 5/110, pp. 71-74.

<sup>8</sup> “Patrick Tonyn to Sir Guy Carleton, St. Augustine, September 11, 1783,” PRO CO, 5/111, pp. 49-56.

demonstration of the lack of urgency that the Lords of Whitehall felt for these peripheral subjects, East Florida was not only forced to relinquish its garrison but colony was denied a replacement company. London needed Troops in the West Indies to maintain order during these troubled times, and the killing fields of plantation sugar colonies replenished the coffers for wars of the past and wars yet to come. St. Augustine would have to wait. Fortunately, three companies of the British 37<sup>th</sup> Regiment of Foot disembarked in Matanzas Bay just one day after Admiral Digby sailed for Nova Scotia with the St. Augustine garrison.<sup>9</sup> Due to the irregularity of communications, civil authorities in St. Augustine were never informed of the 37<sup>th</sup>'s arrival until the day they anchored outside Matanzas Bay.

Fear has many faces, and uncertainty is one of its ugliest. Few elements on earth create more uncertainty than the contemplation of a crucial event which has no set date. Thus, in August 1783, the issues at hand in St. Augustine began to revolve around time. How long before the army leaves for Nova Scotia? When will the Spanish arrive? How long will the Creeks and Seminoles maintain a peaceful existence? How much longer will it be before evacuation ships sail into Matanzas Bay? For some of the residents of St. Augustine, these questions evidently became too much to bear as a plot to overthrow Governor Tonyn's regime in May 1784 was uncovered just prior to the arrival of the Spanish army. Refugee John Cruden of Charleston made all the necessary arrangements with unmentioned "connections and correspondents in the American States" to take by surprise "the fort, galleys, and troops of the King" with 2000 refugees and St. Augustinians. Their plan was to topple Tonyn's lame-duck command, prepare the defenses of the town against the incoming Spanish garrison, and hope to impress King George III with their loyalty so he might reconsider his position on ceding East Florida to

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<sup>9</sup> Mowat, *East Florida as a British Province*, 143.

Spain.<sup>10</sup> Governor Tonyn's method for foiling this plot could have succeeded only in an age where honor was so vital to men of distinction. After banditti attacked a British patrol, killing its captain, Tonyn assigned Cruden to lead the next patrol to search out these cutthroats. Though tempted to take advantage of the opportunity to "turn the tables" on the governor, Cruden—well known as an honorable man—carried out his assignment as he had promised. Cruden's reputation as a man wholly committed to the overthrow of the local authorities was permanently damaged and the rebellion ended before it began, even though no banditti were located by Cruden's patrol.<sup>11</sup> Had Governor Tonyn handled this situation another way the consequences could have been tragic. Preparations for the evacuation proceeded as planned.

The Treaty of Paris, 1783, allowed the inhabitants of St. Augustine eighteen months to evacuate the city once the Spanish officially assumed the governmental seat. But the nagging question to the British inhabitants was how long would it be before that process would begin? Both Britain and Spain perceived the deadline of eighteen months as a worst case scenario. Even though Governor Zespedes and his army did not arrive until June 26, 1784, Whitehall firmly believed that the evacuation would be concluded no later than September 19, 1784. Therefore, the British army departed on July 27, 1784, and this time with no replacements. Whitehall never imagined that there would be need of an extension—much less two extensions—in order to complete the evacuation. Two sets of circumstances dominoed into this calamity: the selling of personal possessions; and the sailing schedule—neither of which could be blamed on the refugees.

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<sup>10</sup> "Patrick Tonyn to Archibald McArthur, St. Augustine, May 21, 1784," PRO CO 5/561, pp. 288-89 (Lockey); see also Troxler, "Loyalist Refugees," 9.

<sup>11</sup> "Patrick Tonyn to Lord Sydney, St. Augustine, June 14, 1784," PRO CO 5/561, pp. 289-92 (Lockey).

One of the primary reasons that the treaty allowed the masses in St. Augustine eighteen months to evacuate the colony was for the settling of affairs: harvest crops, sell what possessions they could, and settle all debts prior to embarkation. Only the wealthiest planters had the resources to simply board a ship and sail away from East Florida without liquidating as many of their assets as possible, or leaving their affairs with an agent to do so for them.<sup>12</sup> A great majority of the inhabitants previously experienced just such an eviction from the Carolinas and Georgia and considered themselves fortunate that they were able to start life over so close to their former homes. Unlike the manner in which Madrid handled the Spanish evacuation of St. Augustine in 1763, the British crown had yet to offer financial compensation for personal losses in East Florida. Selling out lock, stock, and barrel was the only hope to begin new lives abroad. The Spanish, however, did not bring enough people, civilian or military, to make adequate purchases to mark a significant reduction in British possessions or debts. Only later did Tonyn realize that Zespedes imposed a policy on his garrison of boycotting many British goods, and what few purchases the Spanish made averaged only 25% of the item's worth.<sup>13</sup>

With no sufficient outlet for the sale of their commodities, British inhabitants selected the only available option—they took as much with them as possible and those that could, liquidated their possessions in other markets. Personal assets were but a small part of this cargo. When the British came to St. Augustine they utilized a tongue-and-groove construction process on most of their houses that did not require use of nails. Therefore, these abodes could be disassembled into huge stacks of building materials. As part of the agreement that they could ship anything they were unable to sell, a large number of dismantled homes were crowded onto the docks of the St.

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<sup>12</sup> Troxler, "Loyalist Refugees," 13-14.

<sup>13</sup> "Patrick Tonyn to Lord Sydney, St. Augustine, December 6, 1784," PRO CO, 5/561, pp. 31-32; see also "Patrick Tonyn to Lord Hawke, St. Augustine, November 30, 1784," PRO CO, 5/561, pp. 337-44.

Mary's River and loaded into the holds of British ships. This enormous increase in the estimated bulk and tonnage of cargo immediately created a shortage of available transports, slowing the evacuation process to a crawl. It also created a shortage in comfortable accommodations as people were then forced to live in tent communities on the banks of the river as they anticipated the loading of each ship. Had the ministers of Whitehall simply opened the treasury and made reparations for civilian losses the evacuation would have been completed as scheduled.<sup>14</sup>

Of course, loss of property meant much more than losing one's land, home, or personal possessions. With blacks outnumbering whites in East Florida three-to-two, the potential for financial ruin due to the loss of slave property was genuine and legally muddled. One of the clearest illustrations of the legal ambiguity concerning the East Florida slave population during the evacuation is identified by the potential judicial debacle created if British slave owners tried to evacuate directly to England with their slaves. The Somerset decision in 1772 created a degree of uncertainty among slave owners concerning the legal status of their foreign-born slaves once they arrived in England.<sup>15</sup> In order to insure the continued ownership of their property, many slave owners chose to relocate to the Jamaica, St. Lucia, or the Mosquito Coast of Central America.<sup>16</sup> The largest numbers of slaves evacuated from East Florida were taken to the Bahamas. Those who were experienced sailors, and free, returned to the sea. Some remained in East Florida under Spanish rule, while an undetermined number took control of their own destiny

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<sup>14</sup> Siebert, *Loyalists in East Florida*, Vol. I, 177; see also Tanner, *Zespedes in East Florida*, 62. To emphasize the strain that this situation put on the British evacuation effort from East Florida, 30,000 Loyalists were evacuated from New York City in eighty-one sailings from May 1782 to November 1783. Conversely, 10,000 Loyalists were ultimately evacuated from East Florida, over thirteen different dates from April 1784 to November 1785, in thirty-three sailings—an 8% increase in sailings necessary to transport the exorbitantly bulky cargo. Schama, *Rough Crossings*, 4; see also Troxler, "Loyalist Refugees," appendix I, 27.

<sup>15</sup> Schama, *Rough Crossings*, p. 427n. 16.

<sup>16</sup> Wright, "Blacks in British East Florida," 441.

and ran away just as their masters were busy boarding ships, many finding refuge with the Seminoles.<sup>17</sup>

As mentioned earlier, British Loyalists filed claims for loss of property, which included many slaves. Much is learned from these claims of the arbitrary system of values assigned to various people and their occupations, as there was no uniformity to the methodology of filing claims for compensation after the war. Field hands were generally valued at £10 annually, though some tried to ask anywhere from 20s (shillings) a month to £15 annually. General Robert Cunningham listed the value of his field hands at 2s a day. Carpenters were listed at 6-7s a day. “The value of slave labor seems to have risen considerably during the latter part of the war when refugee loyalists were coming rapidly and taking up lands for settlement.” One claimant listed four slaves at £25 each, another twenty-eight slaves at £35 each, and one male slave at £45, but provided no more details than that to account for how the differentiation in their sex, age, education, or the status of their health consequently affected their values. “One expects that [young] craftsmen will be listed at high figures” as carpenters, coopers, and sawyers might list from £70 to £100 each. “A ‘compleat servant’ is also rated at £70, and a house wench, who served both as cook and washerwoman, is valued at £60.” Another scale of human values that was found ran strictly according to the age of the individual slave: “for a ‘young fellow’ £56, for a man forty years old £50, for a woman of forty £40, for a boy often £30, and for an old woman £15.” As one can imagine, in such a world of imprecise bookkeeping the more obscure the claim and the higher the estimated value, the better the recompense.<sup>18</sup>

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<sup>17</sup> Wright, “Blacks in British East Florida,” 441.

<sup>18</sup> Siebert, “Slavery in East Florida,” 155-57.

Compensation claims became such a congruent issue among the Loyalist refugees in St. Augustine that printer John Wells published “The Case of the Inhabitants of East Florida” in 1784 in an effort to present their case en masse before King George III. Wells raised the question: “Can the Subject be divested of his property, under the British Constitution, by the King, or by the Legislature, or by any man or set of men without receiving a recompense or equivalent of it?” Pleading their case of absolute loyalty during the Revolution, the inhabitants of East Florida hoped to prove that refugees were entitled to protection of their real property, which included slaves, based on

the feudal relationship binding king, subject, and land: ‘Protection and allegiance are reciprocal duties...A fundamental principle in the Feudal Law was, that...the Lord should give full protection to the Vassal, in his territorial property; and the Vassal was to defend and support his lord, to the utmost of his power, against all enemies. All lands held by British Subjects, are derived, mediately or immediately, from the Crown; and the oath of allegiance...ran nearly in the same words as the Vassal’s oath of fealty. They are called our liege Lord and Sovereign.’<sup>19</sup>

Wells cited every known circumstance in British legal history that might benefit the property owners’ case. From citations of their feudal relationship to the king, which included “rights and privileges, acquired by being born within the King’s allegiance” which could not be surrendered by “distance of time or place,” to Clause 39 of the Magna Carta, to Coke’s language that “lands, tenements, goods and chattels shall not be seized into the King’s hand nor may any man be...dispossessed of his goods and chattels contrary to this great Charter.” Wells allowed that Parliament had the right by law to deprive individuals of their personal property for the “good of the entire British community. However, he then listed several examples of “deprivation and corresponding compensation” that occurred in the recent past. In short, “they declared that His Majesty gave up his province of East Florida for the good of the British nation; but since in

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<sup>19</sup> Wells, *The Case of the Inhabitants*, 5; see also Troxler, “Loyalist Refugees,” 4.

so doing he deprived individuals of property, the nation must pay for that property.”<sup>20</sup> These claims dragged on for years and were rarely, if ever, settled for the amounts specified.

The physical act of evacuating the colony went no smoother for the haggard Loyalists and their slaves than the compensation process. When Governor Zespedes arrived in East Florida he was forced to unload his fifteen ships at the harbor on the St. Marys River due to the shallow sand bar in St. Augustine. He wrote that he estimated it would take two months to complete the process, and that was with the assistance of five hundred Spanish soldiers.<sup>21</sup> For thousands of British civilians the process would take much longer, and for several reasons other than those previously mentioned. One being that many British merchants were reluctant to leave until money arrived from Havana to pay off Spanish debts. But there were other motives that were less vulgar. Rumors abounded throughout the evacuation period that Great Britain was on the verge of reclaiming East Florida. “The Cruden conspiracy and the rumors it nourished temporarily halted emigration in May and June 1784, almost as soon as it started.” Many Loyalists who were named in the confiscation and banishments acts delayed their evacuations, lingering at every opportunity in hopes of hearing of a change in their status.

Another reason for the slow evacuation was that slave owners were in constant search of runaway and stolen slaves. “Most charges of theft were directed against the Spanish. [Captain] Vasquez, commander of the Spanish brigantine [*San Matias*], was accused of selling slaves he had lured from the British transports.”<sup>22</sup> Apparently there was some evidence of justification of these charges as the *San Matias* was boarded several times by British officials with relatively

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<sup>20</sup> Ibid, 5; see also Ibid, 4.

<sup>21</sup> Tanner, *Zespedes in East Florida*, 33.

<sup>22</sup> Ibid, 24.

little indignation emitting from Governor Zespedes.<sup>23</sup> For the slaves, escape did not guarantee freedom. Unlike the era of Spanish sanctuary, now blacks were safe from Spanish re-enslavement only if they could prove that they were free—which, if that was indeed the case, they would not have needed to runaway.<sup>24</sup> Even legally freed blacks “had little personal safety during the evacuation procedure, [and] were in danger of being seized and held under false claims of ownership.”<sup>25</sup> Loyalists and their slaves were under constant duress while living in encampments at the St. Marys harbor awaiting evacuation, as banditti and other brigands raided the camps sporadically.<sup>26</sup>

Many Loyalists hoped to sell their slaves in the United States or the West Indies where they felt they could fetch a better price. But this was a very risky and speculative option. Between the banditti and unknown fluctuations in slave values in distant markets, slave owners could devastate their fortunes by making an incorrect choice. A few examples may be noted: “In December 1784 John Graham from Georgia sent more than 200 slaves to Beaufort, South Carolina, for sale because the price there was higher than in Jamaica.” Elias Ball, who was listed on the banishment lists in South Carolina, took advantage of the fact that his cousin was not. Ball sold 140 of his slaves to his cousin, who in turn sold them profitably in South Carolina. Judith Shivers, on the other hand, misjudged the market: “discouraged by the low prices in East Florida, [Shivers] took her slaves to Dominica but was forced to sell them for less than half their East Florida price.”<sup>27</sup>

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<sup>23</sup> Ibid, 62

<sup>24</sup> Troxler, “Loyalist Refugees,” 24.

<sup>25</sup> Tanner, *Zespedes in East Florida*, 49.

<sup>26</sup> Troxler, “Loyalist Refugees,” 24.

<sup>27</sup> Ibid, 15.

During the twenty-year British period, slave owners in East Florida proved themselves no more advanced or enlightened in their attitudes toward blacks—free or enslaved—than in the seventeenth century. It is clear that the evacuating Loyalists were angered, though not for humanitarian reasons, by Governor Zespedes' proclamation which unfairly categorized black people. It was the potential loss of property and unwitting complicity in criminal activities that irked the white population. As for the free blacks who faced possible re-enslavement, it was the subjugation of British citizens—an issue of nationalism more than the protection of former slaves—that drew the ire of Governor Tonyn and James Hume. While many blacks who stayed in East Florida after the British evacuation may have hoped for a return to the lenient Cedula of old, Governor Zespedes approached the second Spanish era in a manner that caused a great amount of trepidation.

The second major impact on what Governor Tonyn referred to as the “Long Evacuation,” involved the functionality of the relocation arrangements mentioned above. In short, it looked good on paper. The British crown allowed transportation to several destinations so the move had to be highly organized to make the best use of cargo space, tonnage, and sailing time. The winds dictated the itineraries of the vessels as much as the passengers' preferences. But simply loading the vessels was a monumental feat in itself. As Governor Zespedes experienced when his fleet arrived in East Florida, the shallow and dangerous inlet of Matanzas Bay would not allow the loading of the large evacuation ships. It became necessary, therefore, to transport all cargo by small boats some sixty-five miles up the Intercoastal waterway to the docks of the St. Marys River on the Georgia border. There was no simpler solution, given the enormous volume of personal effects being removed from the colony in such a relatively short amount of time. This forced these loyal British refugees of a long and bitter war to travel directly toward their

American antagonists in a most vulnerable condition, and with a very thin line of military protection. The need for some form of reprieve from London concerning the private possessions of the refugees became paramount.

The evacuation of St. Augustine inched along for the thousands of people who were unfortunate enough to find themselves stranded in East Florida in 1782. Of the eclectic ensemble that made up St. Augustine in the British post-war era, the prisoners of war were the first to leave in 1781. Another 5,000 Loyalists could not endure their options and filtered back into the United States, hoping not to be recognized as former Tories.<sup>28</sup> For many, capture resulted in imprisonment or worse.<sup>29</sup> Laws such as the Confiscation Act of 1782 banished certain Loyalists from the states of Georgia, North Carolina, and South Carolina on pain of death.<sup>30</sup> Of the British soldiers and militia who were re-deployed in 1783, approximately 1,500 soldiers ended up in Nova Scotia or the West Indies, while 3,500 former soldiers and civilians remained in East Florida and either accepted Spanish rule or became outlaws. Ultimately, under a great deal of duress, over 10,000 loyal British subjects, of all occupations and classes, eventually found their ways to distant shores.<sup>31</sup>

But that is not to suggest that their troubles ceased upon leaving St. Augustine. Governor Maxwell of the Bahamas turned away some of the East Florida refugees who evacuated to Providence Island; others he refused even the opportunity to re-provision their transports before

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<sup>28</sup> "Patrick Tonyn to Evan Nepean, London, May 2, 1786," PRO CO, 5/561, pp. 813-24. Evan Nepean was Tonyn's representative on the Board of the Treasury.

<sup>29</sup> "Josiah Smith's Diary, 1780-1781 (cont.)." *The South Carolina Historical Magazine*, Vol. 34, No. 4 (October 1934), 194-99.

<sup>30</sup> Robert S. Lambert, "The Confiscation of Loyalist Property in Georgia, 1782-1786" *The William and Mary Quarterly*, 3<sup>rd</sup> Ser., Vol. 20, No.1. (Jan., 1963), 82.

<sup>31</sup> Lockey, *East Florida*, 11; see also "Patrick Tonyn to Lord Hawke, St. Augustine, November 30, 1784," PRO CO, 5/561, pp. 337-44.

continuing to other colonies. Many East Floridians who were allowed to live in those islands were denied the opportunity to pursue their trades. Though Lt. Governor Powell of the Bahamas stepped in to assist those with needs, he requested that East Florida authorities send “backwards” refugees to Nova Scotia, stating that such “Arabs” would not fit into proper Bahamian society.<sup>32</sup> This was a cruel blow, as a large number of refugees determined that the Bahamas were the most likely destination for anyone hoping to acquire enough land in a warm climate to retain their planter-elite status.

Governor Tonyn was bitterly embroiled with Governor Zespedes on many levels during the evacuation, as Tonyn was never one to see himself in a lame-duck role regardless of the circumstances. As mentioned earlier, any British subject in arrears on an outstanding debt or convicted of a criminal offense would not be allowed to leave St. Augustine, but forced to face a Spanish tribunal. As a result, Governor Tonyn was relentlessly embattled in court decisions motivated by the personal vendettas of Frances Philip Fatio. These disagreements and heated debates escalated to the point that Governor Tonyn was eventually banished to his evacuation ship, the *Cyrus*, on July 19, 1785, and forced to perform all official British functions from his cabin. It was only possible for Governor Zespedes to get away with such actions because the British eclipsed their official extension to leave the colony by ten days at this point and the Spanish no longer needed to concern themselves with protocol.

On September 10, the *Cyrus* to the docks on the St. Mary’s River and waited until the last of the cargo could be loaded. During this time, Governor Zespedes’ annoyance for the haughty, out-going British governor moved him to declare that any “foreigners” lingering on the banks on

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<sup>32</sup> “Lt. Governor Powell to Patrick Tonyn, Nassau, June 9, 1785,” PRO CO, 5/561, pp. 721-25.

the St. Mary's River were there illegally and should be removed, by force if necessary.<sup>33</sup> Even when contrary winds blew the *Cyrus* back onto her own anchor, damaging the ship so badly that it was forced to sit for three months at the mouth of the St. Marys in need of repairs, Zespedes would not allow Tonym to vacate the ship. The British governor and his fellow passengers lingered in the wrecked man-of-war, during the height of hurricane season, until repairs were concluded on November 19, 1785. To the very end, on the last ship out, Loyalists experiences after the war were a combination of humiliation and degradation.

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<sup>33</sup> "Vicente Manuel de Zespedes to Patrick Tonym, St. Augustine, July 27, 1785," PRO CO, 5/561, pp .682-85.

## CHAPTER 9 CONCLUSION

In a letter to Lord Sydney, written from Portsmouth on January 11, 1786, Patrick Tonyn informed the Secretary of State that the evacuation of East Florida was finally complete.<sup>1</sup> On May 2, 1786, Lord Sydney compelled Tonyn to put in writing for Parliament the details of the “Long Evacuation.”<sup>2</sup> The last significant correspondence from the former governor, according to the Public Records Office, was dated July 3, 1786, when he harangued Lord Sydney for back-pay that Whitehall owed the East Florida officers of administration, James Hume, David Yeates, and Peter Edwards. These men were not paid for over twelve months—since June 24, 1785—though they performed an invaluable service to the crown during the entire evacuation calamity.<sup>3</sup>

During much of the ordeal there was an appalling lack of concern at Whitehall for the evacuees’ wellbeing. A classic example of this disregard centers on the well documented fact that from 1782-1785 shockingly few physicians came to St. Augustine during the southern migration of refugees from Charleston and Savannah to East Florida. Military surgeons accompanied the army but they were woefully far too few to handle what can only be imagined as cruelly overcrowded circumstances. When Savannah was evacuated in July 1782, almost the entire medical community stayed behind to tend to wounded soldiers and those sick from a small pox outbreak. The Spanish army brought one physician/surgeon and one pharmacist.<sup>4</sup> Yet with all of the packet ships carrying correspondence back and forth across the Atlantic during this period, Whitehall did not send one physician. East Florida. Civil leaders pleaded repeatedly that

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<sup>1</sup> “Patrick Tonyn to Lord Sydney, Portsmouth, January 11, 1786,” PRO CO, 5/561 (folder #4), pp. 801-04.

<sup>2</sup> “Patrick Tonyn to Lord Sydney, London, May 2, 1786,” PRO CO 5/561, pp. 849-52.

<sup>3</sup> “Patrick Tonyn to Lord Sydney, London, July 3, 1786,” PRO CO, 5/561, pp. 825-29.

<sup>4</sup> Lambert, “The Confiscation of Loyalist Property,” 90.

funds from the Board of Treasury be used for the needs of the people regarding such rudiments, and to supply a Light Horse militia to replace the army from October 31, 1783-November 19, 1785. Meanwhile, normal costs of medical supplies, clothing, and the essentials of life rose higher as the evacuation dragged on.

Conversely, Whitehall relocated troops and moved political mountains for the purpose of enhancing the evacuation of New York. The greatest insult to East Floridians was, of course, the removal of the garrison stationed at St. Augustine to do so—though not to provide military protection to those loyal British citizens escaping the attacks of incoming Patriots, but to provide assistance with their arrival in Nova Scotia; protecting them from no one but themselves.<sup>5</sup> To belabor the point of Whitehall’s lack of concern, on December 4, 1783, Lord North dictated a letter to the East Florida governor explaining that he was cleaning out the office of the “late Secretary of State,” and came across the copy of the definitive Treaty of Paris intended for Tonyn, signed the previous September. Without apologies, Lord North continued to explain the various details and nuances of the document.<sup>6</sup> Tonyn—who relentlessly argued for his colony’s rights to be respected equally with other members of the British Empire facing similar dilemmas at war’s end—had been waiting since April for these specifics in an effort to comfort and quiet his restless and frightened population. Leaders in East Florida could have salved some of the concerns and answered many questions raised in St. Augustine had Whitehall forwarded the results of the definitive treaty in a timely manner. Instead, as a result of Whitehall’s callousness, this information was not conveyed to Governor Tonyn until March 1784. To exacerbate the situation, Lord North further dictated in this same letter of December 4, 1783, that Sir Guy

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<sup>5</sup> “Patrick Tonyn to Evan Nepean, St. Augustine, October 1, 1783,” PRO CO, 5/560, pp. 717-19.

<sup>6</sup> Lord Germain was replaced by Lord Sydney as the American Secretary of State at war’s end. “Lord North to Patrick Tonyn, Whitehall, December 4, 1783,” PRO CO, 5/560, pp. 721-36.

Carleton “provided for the removal of the Troops [in East Florida], and I hope the Public Stores; But, if any, or either should still remain, you will cause them forthwith to be Transported to [the Bahamas].”<sup>7</sup> Whitehall’s negligence involving the state of affairs in St. Augustine shone brightly in its oversight to send Governor Tonyn a copy of the treaty post-haste. But to order the embattled colony to empty his public stores—provisions of food, munitions, and necessities needed to survive—fourteen months ahead of the last evacuation transport’s embarkation adds a charge of unfathomable incompetence.

It should not be said that there were no sympathetic voices in all of England concerning the appalling circumstances in East Florida. On July 24, 1783, due to pressure from the London press, members of the Prime Minister’s Cabinet held a special meeting for the purpose of discovering “some expedient for giving relief to the large number of loyalists then assembled at St. Augustine. The London papers reported that 5,000 of these people had transmitted a memorial of their distresses to the government; but that the mode of alleviation to be adopted had not yet been made known.” Despite their promptness and good intentions, “there is no evidence of action taken by Parliament for the financial relief of these Loyalists until 1786.”<sup>8</sup> The empire, once again redeemed at the expense of its citizens, could move forward from this ugly business.

Lost in all of this is the disposition of the black population in East Florida. Those who stayed in East Florida, with hopes of enjoying the Spanish sanctuary of old, encountered unfavorable legislation from Madrid. Governor Zespedes developed a distaste for these people and became concerned that it was simply only a matter of time before American planters began invading his borders to retrieve their property. Spain always enjoyed antagonizing its British

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<sup>7</sup> “Lord North to Patrick Tonyn, Whitehall, December 4, 1783,” PRO CO, 5/560, pp. 721-36.

<sup>8</sup> Siebert, *The Legacy of the American Revolution*, 45.

counterparts on the North American continent by offering sanctuary and refuge to runaway slaves, but the newly formed United States was an unfamiliar entity. The Americans lacked the decorum and traditions of civilized warfare to which Spain was accustomed with England and France. Officers on both sides of the war were appalled at the barbarity in the southern back country, as one American officer recounts a macabre system of savage one-up-man-ship where atrocities of every nature were inflicted on the civilian population. Many southern Americans harbored a mounting hatred for runaway slaves, accusing them of propagating British terror tactics in the back country.<sup>9</sup> “Moreover, the new government of the United States seemed determined to protect the property rights of its citizens,” meaning that the feared raids might eventually include federal assistance and American troops.

American planters were anxious to return their fortunes by re-installing the plantation system as quickly as possible and “were convinced that full economic recovery was inseparably linked to the restoration of slave labor.”<sup>10</sup> Not only had the Americans demonstrated an audacity in their sheer existence as a nation, but it became quite apparent that “[t]here was little chance of dislodging them and thus little to gain by antagonizing [them] 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.”<sup>11</sup> What began as a local proclamation by Governor Zespedes soon after the Spanish re-occupation of East Florida became a royal edict on May 17, 1790, as King Charles IV of Spain “bowed to pressure from the United States government and abandoned the century-old policy of sanctuary for fugitive slaves.”<sup>12</sup>

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<sup>9</sup> Frey, *Water from the Rock*, 133.

<sup>10</sup> *Ibid*, 211.

<sup>11</sup> Landers, “Spanish Sanctuary,” 312-13

<sup>12</sup> *Ibid*, 310-11.

Though slaves and free-blacks were often oppressed by their white counterparts, they were not without their resources for doing as much as they could with what opportunities they had. Slaves often capitalized on the disorder created by the chaos of the war, especially in the southern back country. Their response to the Philipsburg Proclamation was so massive that they confounded every preconceived response the British contemplated for the manipulation of the situation—but their response was not one of blind faith. Blacks learned to view any British offer of freedom with caution, especially after witnessing Cornwallis’ systematized use of terror throughout the South—“they were pragmatic in their quest for freedom.”<sup>13</sup> Many slaves went into Savannah and Charleston in an attempt to lose themselves in the larger populations during the confusion of the invasions. But not all slaves ran away, though not out of loyalty as their returning masters would boast. Neutrality served the slaves as a survival mechanism just as it did whites who attempted to remain uninvolved in the war.<sup>14</sup> Slaves who were familiar with the back country terrain were often armed and mounted by the British to hunt down and capture deserters.<sup>15</sup> These people found ways to live to see another day when their opportunities for freedom might be more easily attained. The confusion of the British evacuation brought many such opportunities, as we shall see.

Once the Spanish officially ended any hopes of slave sanctuary in East Florida, one can only imagine the solemn sense of abandonment experienced by those most affected. Charles, a former slave of William Drayton, signified in his declaration of free status to Governor Zespedes

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<sup>13</sup> Frey, *Water from the Rock*, 113-14, 117, 141.

<sup>14</sup> *Ibid*, 118.

<sup>15</sup> *Ibid*, 137-38.

that he was “brought to this country before the last war.”<sup>16</sup> Perhaps this statement was motivated by his desire to remind the new landlords in East Florida that he remembered the hope of slave sanctuary prior to British occupation. Unfortunately, we cannot know his meaning for sure. But it must have been devastating to realize that a once esteemed benefactor-nation, which seemingly valued the humanity of those who risked everything to reach sanctuary, would prove itself no different than other European nations.

Once again, the plight of most blacks on the North American continent was relegated to that of human chattel, but that does not mean that they did not have their victories. For one, American slaves continued to flee to the maroon camps and Seminole villages of Spanish East and West Florida, far outside the reach of the authorities in St. Augustine and Pensacola. Also, and more germane to this study, of the 12,000-13,000 black refugees who came to East Florida officially—a figure which does not include those who settled in maroon camps or with the Seminoles—only 3,589 left for the slave plantations of the Caribbean, and another 2,561 were taken back into the United States. Two hundred free-blacks filed for Spanish citizenship, one-hundred fifty-five left for Nova Scotia, and thirty-five departed for Deptford, England.<sup>17</sup> One then must ask: what happened to the other 6,500 free-blacks and slaves who are completely unaccounted for?<sup>18</sup> We may never know for sure, but such a massive influx of people as determined to gain their freedom and individual rights as these no doubt impacted the fabric of the American landscape for generations to come.

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<sup>16</sup> Landers, “Spanish Sanctuary,” 307.

<sup>17</sup> “Patrick Tonyn to Evan Nepean, London, May 2, 1786,” PRO CO 5/561, pp. 801-09.

<sup>18</sup> It must be noted that no free or enslaved blacks are listed by Governor Tonyn as captured or re-enslaved by the Spanish, as he most assuredly would have done, as the result of Governor Zespedes’ proclamation—an indication that the proclamation may have been a manipulative threat.

The American Revolution has always been a legend-filled chronicle of liberty, patriotism, thirteen united colonies, heroic Founding Fathers, victory against all odds, freedom from tyranny, “no taxation without representation,” and the dawn of a new nation. But that is the American perspective. When the conflict is considered from a Loyalist’ point of view—a one-hundred eighty degree shift in vantage points—the war becomes about loss of liberties, defeat, disunion, shattered loyalism, refugee status, uncertainty, financial devastation, and the end of life as they knew it. Citizens of the American colonies, many of whom were born in North America and whose heritage may have gone back several generations, were passionate in their “allegiance” to the nation’s war-time leadership, the “supremacy” of their elected congress, and the establishment of their “most solid foundation, our constitution, liberties and dependence.”<sup>19</sup> As discussed before, this is not a misprint, but rather the sentiments of thousands of Loyalist American-born citizens who were forced to abandon every hope and dream they possessed as their world came crashing down in the midst of revolution. The new American republic, built upon the principle of E Pluribus Unum, had no charity—or place—for those whose loyalty never faded from its point of origin.

Just as the southern campaigns of the American Revolution are grossly overlooked, the predicaments of Loyalists in East Florida are even more invisible. Open any textbook which discusses the American Revolution and East Florida is rarely found in the geography of the war, even though George Washington continuously ordered military incursions into the colony. Historically, even the British southern campaign of 1780 is viewed initially from north to south as Clinton and Cornwallis sailed *down* from New York, landing not at the southern tip of the colonies, but in Charleston. Why? Because General Augustine Prevost had already taken control

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<sup>19</sup> Wells, *The Case of the Inhabitants*, pp. 33-34.

the Atlantic corridor from St. Augustine to Charleston, allowing Cornwallis to begin his campaign at a point farther north. With the Atlantic corridor from St. Augustine to Savannah to Charleston in British control, and only inland Augusta as an American base, Cornwallis was able to turn his army's back to the south and focus on only one front—which was exactly what Washington feared in his letter to Congress on December 18, 1775.

As stated many times, East Florida was never successfully invaded, never lost real estate to American regular troops or militia, never lost the support of the Native American contingencies in the area, never suffered the indignity of rebellion within the colony, and never struggled from siege-like conditions as the result of invading armies. Though surrounded by American and French armies to the north, the Spanish army to the west, and the Spanish and French navies from the sea, firm civil and military leadership—and a solid economy—stabilized East Florida throughout the war. Only the Canadian colonies and East Florida remained bastions of British loyalty in North America at war's end. St. Augustine was not only a strategically important military base during the course of the American Revolution, but supported thousands of refugees from larger, wealthier colonies throughout the conflict and beyond.

Most history books note that Florida once again became part of the Spanish Empire in either 1783, at the conclusion of the American Revolution, or in 1784, when the Spanish actually arrived in St. Augustine. But little or no mention is found of November 19, 1785, when the last British refugee transport was finally able to set sail from East Florida. Oddly, many of the historians whose works were used to support various aspects of this study do not acknowledge the calamity of East Florida's evacuation. In one such classic example, Simon Schama writes, “the peremptory liquidation of British America generated rage and panic amongst the beleaguered loyalists holed up in Savannah, Charleston, and New York, islands of British

allegiance in a tidal surge of American patriotic euphoria and recrimination.”<sup>20</sup> Savannah, Charleston, and New York—but not St. Augustine.

The efforts of this small loyalist colony offer a fresh perspective on the American Revolution, redrawing the map as the southern-most periphery of British North America is moved into the central discussions of the struggle. The sacrificial loyalty displayed in East Florida repaints a two hundred and twenty-five year old portrait of American Loyalists and their spheres of influence: of steadfast Native American loyalty to Great Britain in its defeat, rather than the constant playing of European powers against one another, as is so often told; of Loyalist values and their commitment to what they believed to be right; and of the ambiguous status of blacks once again caught up in the global postures of Atlantic world slave politics. The poorly designed evacuation of St. Augustine reminds readers that British politicians did not deserve the loyalty shown them. Only historians who intend to lessen the military and political importance of East Florida adhere to the purported theories of St. Augustine’s insignificance as a colony, or refute its impact as a strategic military base. George Washington knew well the importance of East Florida.

Historians have an obligation to present what happened, not just what legend and myth purport to have taken took place. And though it is presumed to be an unwritten rule that there should be no love lost for British Loyalists of the American Revolution, the British colonial period is an integral part of the history of the city of St. Augustine, the state of Florida, and, therefore, the United States. It will be our loss if we allow it to remain a forgotten era, repeatedly relegated to an historical no-man’s land. It is important to bring the memory of what happened in East Florida to the forefront because it reminds Americans of what the war was truly about—

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<sup>20</sup> Schama, *Rough Crossings*, 132.

equality. American Patriots achieved a level of nationalism that cried out for recognition. They never would have settled for negotiated compromises which gained them their rights but kept them gripped within a colonial system of empire. In winning their independence, Americans broke the fetters of deference and expendability. They fought for their right to become equals. British colonists, regardless of the fervor of their convictions, would never amount to anything more than second class citizens in the larger scheme of British global politics. Even though they earned the right to stay on the American continent, the re-cession of East Florida to Spain and the calamity of the St. Augustine evacuation demonstrate that the rights of colonists were expendable to the superior designs of the empire.

The significance of these events is mysteriously lost on generations of historians. The historical omissions that have left the memory of East Florida and the evacuation of St. Augustine relatively unknown are inexplicable. The Revolutionary War involved not only the present state of Florida, but circumstances in St. Augustine, Savannah, Charleston, and the back countries of all three regions were heavily intertwined and congruous in the shaping of southern Revolutionary events. The plight of Loyalists and blacks in East Florida is no less a part of the American narrative than those of other southern colonies, especially considering how many of those Loyalists, free-blacks, and slaves from the traditional southern colonies found their way to East Florida. The time has come to restore their memory in American history.

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Roger C. Smith is a non-traditional student, having retired in 2000 from a twenty-three year career in business with The Walt Disney Company, Marriott International, and SYSCO Foods. Roger entered the University of Florida in January 2005 to complete his undergraduate studies, and received a bachelor's degree in history, graduating Magna Cum Laude. In August 2006, Roger entered the university's master's degree program in American history, and will begin his Ph.D. studies in August 2008. His dissertation project will be an exhaustive expansion of his master's thesis, with the hopes of reversing the marginalization of East Florida during the American Revolution.