Fort Mose : the free African community and militia of Spanish St. Augustine
by Shane Alan Runyon

A thesis submitted in partial fulfillment Of the requirements for the degree of Master of Arts in History
Montana State University

Abstract:
As early as 1687, the Spanish government in St. Augustine, Florida provided an asylum for African slaves who successfully escaped British plantations in South Carolina. The Florida government offered these slaves freedom not as a humanitarian gesture, but with the hope that this policy could both protect their own colony and unsettle the British government of the Carolinas. By 1740, the former British slaves moved into a military fortification called Fort Mose and became soldiers in the Spanish army. This fort thus became the first free black community in what is now the United States. However, while home to a free black militia, St. Augustine was also home to many slaves.

Although some historians have recently examined Florida's free African community, it remains in partial obscurity. When the history of the black community is told, however, the seemingly obvious contradictions are often ignored and the focus is centered on the free militia only. This thesis examines the creation of Mose and St. Augustine's inherent paradox in hosting both a slave and free African community. This study covers the history of slaves and free Africans in St. Augustine between the late sixteenth and early nineteenth centuries. Much of the study centers on the early slave population in St. Augustine, the nature of their bondage, and how the city created an environment that allowed a free African population to exist. The principle focus of the study is race relations in the nation's oldest community, how white residents, free Africans, and enslaved Africans interacted, and how the Spanish government used a policy of racial antagonism in an attempt to unsettle British colonies in the Southeast.

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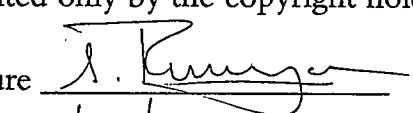
Signature 

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GLOSSARY

Asiento—An agreement or contract.

Mestizo—A person of Spanish and Indian heritage.

Moreno—A dark skinned individual. The term generally denotes a person of intermediate African ancestry.

Mulatto—A person of mixed blood, usually of Caucasian and African descent.

Pardo—A term used usually to describe a mulatto or anyone with some African ancestry. It often carries the same meaning as mulatto.

THESIS ABSTRACT

As early as 1687, the Spanish government in St. Augustine, Florida provided an asylum for African slaves who successfully escaped British plantations in South Carolina. The Florida government offered these slaves freedom not as a humanitarian gesture, but with the hope that this policy could both protect their own colony and unsettle the British government of the Carolinas. By 1740, the former British slaves moved into a military fortification called Fort Mose and became soldiers in the Spanish army. This fort thus became the first free black community in what is now the United States. However, while home to a free black militia, St. Augustine was also home to many slaves.

Although some historians have recently examined Florida's free African community, it remains in partial obscurity. When the history of the black community is told, however, the seemingly obvious contradictions are often ignored and the focus is centered on the free militia only. This thesis examines the creation of Mose and St. Augustine's inherent paradox in hosting both a slave and free African community. This study covers the history of slaves and free Africans in St. Augustine between the late sixteenth and early nineteenth centuries. Much of the study centers on the early slave population in St. Augustine, the nature of their bondage, and how the city created an environment that allowed a free African population to exist. The principle focus of the study is race relations in the nation's oldest community, how white residents, free Africans, and enslaved Africans interacted, and how the Spanish government used a policy of racial antagonism in an attempt to unsettle British colonies in the Southeast.

CHAPTER 1

INTRODUCTION

More than 80 years before the Declaration of Independence was signed, some African slaves found liberty and the freedom of religious participation in North America. Their freedom was not guaranteed by a benevolent governor or slave owner within the British colonies, but came from the Spanish in St. Augustine, Florida. Before the terms liberty, virtue, and independence entered the American vernacular, former slaves sought and found asylum in Florida by way of a southern underground railroad. Once officially freed, the refugees were armed and allowed to join a militia. Southerners from the British colonies constantly feared rebellion and retribution from those they held in bondage. A fort built specifically for a military unit of former slaves guaranteed to instill fear in the minds of Carolinian slave owners. Such a tale of armed ex-slaves in colonial North America is a remarkable story; however, because this happened on Spanish soil, most historians have ignored this episode of free Africans in colonial Florida.

When the history of the United States is told, Spanish contributions are often ignored. Frequently, an authoritative historical survey of United States will neglect to mention that St. Augustine, Florida was the first permanent European settlement in what is now the United States. More often than not, the British settlement at Jamestown is credited for being the nation's point of origin for European settlement. Spanish contributions to the history of North America, both positive and negative, are often disregarded for differences of culture, language, and religion. Because English colonies grew exponentially in the eighteenth century while the Spanish borderland populations remained static, historians are quick to dismiss the influence of these non-English communities. Although Spanish Americans were fewer in number, they occupied the land before the British settlements and thus played an important role in the founding of North America.

Approximately seventy miles South of the present-day Georgia and Florida border lies St. Augustine. Founded in 1565, the town is more than just the home of the first continuously occupied European settlement; St. Augustine was also home to the first settlement of free and enslaved Africans. More than fifty years before the founding of Jamestown, St. Augustine's founder arrived with human chattel and a contract that allowed for the importation of even more African slaves.

While many Spaniards probably sighted Florida between the late fifteenth and early sixteenth centuries, Juan Ponce de Leon is usually credited with the European "discovery" of the peninsula in 1513. Throughout the years, Spain made numerous attempts to settle the land, but prior to 1565 all endeavors failed. Hostile Natives, shipwrecks, and weather played roles in the ruin of these plans. Interest in establishing a Florida colony waned as further exploration proved there was little in the way of precious minerals or other available wealth. In 1562, under the leadership of Jean Ribault, a group of French Huguenots built a colony near present day Jacksonville.[1] The Spanish viewed the French settlement in Florida as an illegal incursion onto lands claimed by Spain. The Spaniards countered the French by settling St. Augustine and, in the fall of 1565, killed Ribault and his settlers.

Spaniards believed a Florida settlement would mark land claimed in eastern North America and provide protection for the vulnerable Spanish Main. The prodigious quantities of gold extracted from the Spanish New World prompted the English and French to begin a prolonged campaign of terror on the high seas in the form of piracy. Before the establishment of successful British and French colonies, an envious Europe did everything possible to stake a claim

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[1] Eugene Lyon, *The Enterprise of Florida: Pedro Menendez de Aviles and the Spanish Conquest of 1565-1568* (Gainesville: The University Presses of Florida), 22.

to the New World's fortune. From the sixteenth to the late eighteenth century, they accomplished this through privateering. Treasure laden ships leaving Spanish colonies normally traveled through the Florida Straits to catch the Gulf Stream which propelled these ships home to the crown's coffers in Spain. The Spaniards' route was predictable and thus pirates, acting as agents for their respective governments, could easily find the Spanish fleet. Due to its coastal location and proximity to primary shipping routes, St. Augustine was of strategic importance. With a colony in Eastern Florida, ships threatened by marauding pirates could expect military reinforcements when necessary.

The first settlers to arrive in St. Augustine were not all white, Catholic, and Spanish. From the beginning, it was understood that slaves would be included in this colonial venture. In all, nearly one thousand soldiers, sailors, slaves, and settlers comprised the initial Florida settlement. Led by Don Pedro Menendez de Aviles, the first residents faced immeasurable dangers. Officially, Menendez's *asiento* declared the purpose of a Florida settlement to be the "conversion of Indians to the holy Faith; conquest, exploration, and population."[2] Baptized in battle, St. Augustine was clearly a land for conquest. Along with the typical elements necessary to settle a new land, Menendez came

[2] Lyon, *The Enterprise of Florida*, Appendix 2.

armed with a contract that allowed the importation of up to 500 slaves. This marks the first official allowance for the use of African slaves in North America.

A Dutch trader then, did not bring the first African slaves in America to Jamestown in 1619, as textbooks about America often report. Instead, this peculiar institution had its origins in sixteenth-century Florida. A fractured historical record makes it difficult to pinpoint who the first slave was and when he or she arrived, but Menendez's contract marks the official beginning of state-sanctioned African slavery in North America.[3]

Typically, the Spanish, like their British counterparts, were overtly concerned with matters of race. All too often, the color of one's skin determined their lot in life. A light-skinned male could increase his social standing, whereas an *indio*, *moreno*, *pardo*, *mulatto* or anyone else falling into the many categories of racial classification faced discrimination often sanctioned by the governing body. The Florida "exception" to this rule is by no means complete and total. Officials, officers, and other people of importance were typically members of the highest racial caste. However, as will be argued below, slaves, former slaves, and biracial individuals managed to avoid these laws and customs.

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[3] Hereafter North America is defined as all land that is today the United States and Canada.

Students of history are often told the story of Spanish conquest in terms of the "Black Legend." Here, Spaniards are portrayed as a depraved group of people. Their viciousness towards Indians and other "inferior races" is often greatly exaggerated. While *la leyenda negra* is not entirely incorrect in placing blame for past injustices, it is by no means an absolute. The Spanish philosophy regarding race is contradictory at best. Traders brought thousands of slaves to the numerous sugar islands in the Caribbean and as many Indians were kidnapped and forced to labor throughout the Western empire. Yet, Spain's history and religion provided a philosophical and legal basis for a more humane treatment of the unfree. While the Catholic Church and government owned slaves, laws and customs often provided African slaves more rights than given by the British.

Florida's lenient policies regarding slavery reflects a history fundamentally different from their British counterparts. In St. Augustine, these policies were often necessary for the survival of the community. Life in colonial St. Augustine was not pleasant. Like most early colonies in the Western Hemisphere, disease, starvation, and attacks from natives were common characteristics of their daily existence. The Spaniards understood that for a young colony, racial exclusion was often counterproductive, when survival was a more pressing issue. While similar circumstances sometimes created different results in the British colonies,

the military nature of St. Augustine and its lack of self-sufficiency through agriculture necessitated the striking differences regarding race relations.

The few slaves taken to St. Augustine came for a variety of reasons. Africans were brought to the colony as slaves to labor at military fortifications and serve as personal servants to a few of the wealthy citizenry. However, in accordance to Spanish law, these slaves could marry and join the Catholic Church. Furthermore, when the task at hand was completed, many slaves were allowed to raise and keep money obtained through outside labor. It was not uncommon for a slave to purchase his or her freedom with wages earned on the side. However, once free inside the presidio, there were few places to go. Although a freedman's movement was limited inside St. Augustine, the real possibility of freedom attracted many to this tiny outpost on the Spanish frontier.

As British encroachment on Spanish territory increased throughout the mid-seventeenth century, St. Augustine allowed for radical changes in its policies regarding slaves. As a response to British threats, officials decided that fugitive slaves fleeing British owners would be granted their freedom if the refugee swore an oath of allegiance to Spain and converted to Catholicism. The first documented fugitive slave came to Florida in 1687 in search of baptism in the "true faith." Six years later, King Charles II issued Spain's first official position on runaway slaves entering Florida. Charles ordered all runaway slaves from

British colonies freed in hopes that it would hasten massive slave insurrections in British Carolina. From this point on, Florida officially encouraged British owned slaves to leave their masters in exchange for freedom on the Spanish frontier. Spain understood that Carolinian planters lived in fear of a violent uprising by their slaves and hoped the promise of freedom would foment rebellion and insurrection throughout the British controlled south.

Following the first proclamations that freed runaway slaves, St. Augustine allowed for the construction of a military fort to be occupied and controlled by former British slaves. This fort, located two miles north of the city gates, called *Gracia Real de Santa Teresa de Mose*, was constructed in 1738, at the order of Florida Governor Manuel de Montiano.[4] Allowing fugitive slaves to become soldiers in a militia not only created more tension between the Spanish and British governments, but also brought extra defensive protection for the people living inside the presidio. Mose's role as a defensive outpost, however, was short lived. Destroyed during a British attack in 1740, Mose's residents were relocated inside the city. The fort was eventually rebuilt and the original occupants returned, yet its significance greatly diminished following the initial destruction.

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[4] Jane Landers. "The Historical Development of Gracia Real de Santa Teresa se Mose,"(Unpublished report, 3) St. Augustine Historical Society Research Library.

When control of Florida was handed to the British in 1763, the story of Mose had nearly disappeared from the city's collective consciousness. Throughout the years, historians and cartographers made mention of a "Negro Fort." Mention of Mose, however, was made in terms of military significance and not of the fort's radical social aspects. The social side to Mose and its occupants was, for the most part, ignored until just recently.

Within the last ten years, historians and archaeologists have rediscovered the unusual story of slaves and freedmen in St. Augustine. It is true that Mose was an anomaly, but it marks an important historical footnote. The trials, tribulations, successes, and failures of Mose paint a picture rarely seen on the pages of previous Florida histories. Recent historical examinations have focused on the role Africans played in the military outpost and have shed much light upon a subject that has been neglected for too long. By examining the official correspondence between the Florida government and the Council of the Indies, historians have been able to show that the residents of Mose were independent, brave, and noble soldiers. For obvious reasons, these findings have brought much excitement. From state legislators delivering speeches at the site of the fort in observance of Black History Month, to museum exhibits celebrating its residents, Mose has become a popular historical attraction throughout the state.

Unfortunately, the stories that are told often ignore the reasons behind the creation of the fort. Exhibits, articles and speeches proudly display evidence for a free black settlement, but neglect those that were held in bondage two miles to the South in the parent town of St. Augustine. By allowing Mose to remain the historical centerpiece concerning colonial St. Augustine's system of slavery, the entire story of race relations on the Florida frontier cannot be understood.[5]

The excitement regarding Mose often ignores that, inside the presidio, there were slaves. Those not associated with the free community were treated much differently than one might expect. A more benign form of slavery existed inside the city and the nature of this slave system is frequently left out of writings dealing with Mose. That Mose was built to serve as an early warning system for the town suggests that blacks may have been chosen to live there because of their expendability. Were the British to attack by land, then the residents of Mose may have served the function of cannon fodder. Furthermore, Mose was created to agitate the British, whom the Spanish saw as illegal trespassers on claimed land. This fact alone diminishes the more humane system of African slavery found on the Spanish frontier. The Spanish offered asylum only when its result promised to benefit the government's desire for weakened British settlements.

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[5] An exception to this is Jane Landers's article "Gracia Real de Santa Teresa de Mose: A Free Black Town in Spanish Colonial Florida." The article, which appeared in Vol. 95 No.1, of the *American*

Examining St. Augustine's slave and free populations as a whole provides a better, more complete picture of race relations in this frontier outpost. Slavery in the Spanish colonies was comparably different from the form of bondage found in British territories. Herein lies one of many explanations for the uniqueness of Florida. Although Mose, the military outpost lasted for only a few decades, the ideas and politics that created the fort have an equally rich and compelling history. Border politics on North America's southern frontier are yet another element that played a significant role in formulating the radical and relaxed attitudes on slavery.

Eventually, as the economy of the colony improved, plantation-based agriculture and its use of slave labor emerged. While an agricultural economy centered on slave labor signaled the beginning of the end for a more benign form of slavery, much of Florida managed to escape the vicious nature of slavery as found in the Carolinas and Georgia. For the citizens of Mose, plantation agriculture was not a concern. The free blacks of St. Augustine were evacuated to Cuba when Spain relinquished control of Florida to the British in 1763. Once in Cuba, the former members of St. Augustine's black militia continued to persevere as poor, but free farmers and laborers.

Historical Review 9-24, offers much background information regarding the nature of slavery in St. Augustine before the construction of Mose.

To understand fully why St. Augustine allowed escaped slaves to become soldiers requires a consideration of the religion and culture of those who determined certain slaves should be made free. The politics of the town, the region, and the world must be taken into account in order to understand why a small colony would risk so much in breaking from the established norm of African slavery. It is also necessary to examine the dichotomy and contradictions found within the town of St. Augustine as displayed by the citizenry and the government. Why, for instance, were there free blacks with weapons in a separate but free community while at the same time slaves were also imported from around the world? What were the differences between the free and the enslaved? To answer these and other questions, and to obtain a more complete and thorough picture of the town's racial diversity, it is helpful to reexamine the nature of slavery in Spanish culture and how the slave fared in Spain's laws and religion as compared to the British model of slavery.

CHAPTER 2

SLAVE LAW AND THE LIVES OF SLAVES

The contrasting histories of the British and Spanish empires assured, from the beginning of North American colonization, that the issue of slavery would be decided by each on much different terms. From the outset, there was little question that slave labor would be used throughout Florida, but the form this slavery took was the question to be answered. Initially, the British experimented with the idea of Indian enslavement and the indenture of white laborers, only later did the use of African slaves become the standard form of labor for plantation-based economies in their colonies. The Spanish also took African slaves as a source of labor, but in Florida they were not the dominant component of the overall work force. In time, these differences became so distinct that the two empires resorted to armed conflict over the differing opinions. For many Carolinians, the dependence on slave labor, and the system in which it existed, allowed for the survival of the colony and the individual planter.

Numerous factors contributed to tensions between the British and Spanish governments and the differences in philosophy regarding the use of an enslaved labor force. The Spanish brought with them to the New World first hand knowledge of the nature of slavery. The British, on the other hand, devised a slave system based on trial and error from within the New World. These differences stood in stark contrast as British efforts at Empire stretched to territory claimed by Spain. By the eighteenth century, Spain lacked the necessary power to remove the British from their territory in North America. The perceived threat to Florida was a frequent cause for intermittent skirmishes throughout the Southeast borderlands. While the Spanish lacked military force, they managed to maintain a North American sphere of influence through engaging the British with warfare waged in threats and fear. Understanding the dependence on slave labor in the Carolinas, the Spanish offered refuge to runaway British slaves in Florida. The ultimate goal of this unusual offer was widespread slave rebellion throughout the North American Southeast.

Spanish and British Slave Law

Spanish legal precedent regarding slavery was varied and sometimes contradictory, but served as a basis for Spanish actions in the New World. Centuries before the conquest of the New World, however, the Spanish adopted

numerous laws concerning the rights of the individual slave. Some of the first laws to deal with slaves appear in the *siete partidas* (Seven Divisions of Law), a body of laws created in the thirteenth century by the Castilian monarch, Alfonso the Wise. Adopted as the fundamental legal precedent for the formulation of laws pertaining to African slaves in the New World, the *siete partidas* guaranteed numerous legal rights and privileges of the enslaved.[1] For example, a slave who wed a free individual legally gained his or her freedom through the union of marriage.[2] From the *siete partidas*, came other laws that gave the enslaved an element of legal enfranchisement. As early as the 1520s, the Church guaranteed African slaves the right to marry. In 1526, Emperor Carlos V signed the "*Real Provision para que se casen los negros*" (Royal provision to have blacks marry). The King signed this edict, created specifically for New World colonies, in hopes that "the love they would have for their women and children ... would be the cause of greater tranquillity among them."[3] This may be the first specific edict created to appease African slaves in an attempt to avoid rebellion. In 1544 and 1648 Spain issued decrees that prohibited masters from working slaves on Sundays and holidays.[4] A vague general edict in 1545 ordered slave owners to treat their property well. Just before the

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[1] Rolando Mellafe, *Negro Slavery in Latin America* (Berkeley, University of California Press, 1975), 10.

[2] Leslie Rout, *The African Experience in Spanish Florida, 1502 to the Present Day* (London: Oxford University Press, 1976), 80.

[3] Luis N. Rivera, *A Violent Evangelism: The Political and Religious Conquest of the Americas* (Louisville: Westminster/John Knox Press, 1992), 16-17.

establishment of Fort Mose, King Charles II issued an edict in 1683 requiring all slave owners to provide religious instruction for their slaves. Charles also ordered that any owner found repeatedly mistreating a slave could be forced to sell the abused.

A quick review of the history of Spain offers insight as to why the Spanish appear more liberal in legal terms with the administration of African slaves. The Spanish were themselves slaves for hundreds of years under the occupations of Carthage (500 BCE) and Rome (205 BCE). Spaniards had no doubt about the talents and skills of Africans, due to a 780 year occupation by the Moors. Their history in dealing with Africans no doubt helped in the formulation of many of these laws. If Spaniards were once the slaves of Africans, then it is understandable why they would be more compassionate toward their slaves than were other European colonial powers. Laws that prohibited Moors and Levantine slaves from entering the colonies suggest Spaniards still feared their former adversaries.[5] This does not suggest, however, that the Spaniards were universally friendly to their African slaves, yet a legal precedent allowing for certain rights is important.

Spanish laws regarding the administration of slaves continually changed to suit the needs of whites from area to area. While blacks served in the military of

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[4] *Ibid.*, 81. It should be noted that there was no penalty assigned for masters who ignored this law.

[5] Bennie Wilton Howe, "The Fugitive Slave Problem in South Carolina and Florida 1670-1763: A Contrast in Attitudes," M.A. Thesis, Ohio State University, 1961, 15.

many Spanish colonies, in Cartagena, Colombia, anyone of African descent was barred from bearing arms.[6] It was also common for custom and not law to dictate the management of slaves. Custom allowed slaves to purchase their freedom, testify in court, and join in legally recognized marriages.[7] For slaves, membership in the Catholic Church was not only supported, but often required. Often, legal precedent came from religious leaders who argued for certain rights for slaves. St. Augustine, Bishop of Hippo, said slavery came from sin, and as a result, forced servitude acted as a punishment for sin, but if used properly, could be a remedy for one's transgression. For St. Augustine, as long as a moral evil existed there would be slavery.[8]

When the British initially used African slaves in the New World, many of their positions on a slave's legal rights were based upon experimentation as the oppressor and not the oppressed. While many scholars have argued that British slave law in North America paralleled the Roman slave code, this does not

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[6] *Ibid.*

[7] The allowance of slave marriages may have its roots in pre-Reconquista Spain, but in the New World, the *Real Provisión para que se casem los negros* (Royal Provision to have blacks Marry) was drafted by emperor Carlos V to avoid black rebellion in the New World. It was believed that if slaves were allowed to marry, a preoccupation with love, affection, and familial responsibility would create an amount of gratification among the slave population. The legal basis for self-purchase was also created in the New World as an attempt to avoid rebellion. In a letter to the governor of Cuba dated November 9, 1526 the emperor wrote "I have been informed that to ensure that blacks going to those islands settle down and do not rebel or flee and be inspired to work and serve their masters more willingly, *besides having them marry it would be a good idea that after serving for a certain period and paying their masters at least 20 golden marcs, they be set free.*" (Italics added). For more information see Luis N. Rivera's *A Violent Evangelism: The Political and Religious Conquest of the Americas.*

[8] Rivera, 92.

necessarily mean an *influence*, but simply a resemblance between the two.[9] Unlike their Spanish counterparts, the English formed their slave codes in the colonies. The laws of North America began shortly after John Rolfe noted in 1619 that "About the last of August came in a Dutch man of warre that soild us 20 Negars."[10] Gradually, slaveholders developed and revised a slave code based on personal experience. It is likely that before the importation of the first twenty slaves to Virginia, there was no "previous conception of slavery as a legal status."[11]

Because the British colonies made laws as circumstances demanded, slave legislation varied from colony to colony and from generation to generation. These legal mandates changed according to custom, the result of an occasional rebellion, or other events in which the slaveholder felt his or her power threatened. The constantly changing laws crafted by the British did not become a coherent body of legislative demands until the seventeenth century. While the Spanish government also changed its slave codes frequently, the changes were never as drastic as those made by the English. South Carolina, for example, wrote its first code in 1690, overhauled it six years later, wrote a more comprehensive piece of legislation in 1712, and *drastically* revised the slave code following the 1740 Stono Rebellion.[12]

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[9] Thomas D. Morris, *Southern Slavery and the Law, 1619-1860* (Chapel Hill: The University of North Carolina Press, 1996), 37.

[10] Quoted in Lyon Gardiner Tyler, ed. *Narratives of Early Virginia, 1606-1625* (New York: Barnes and Noble, 1907), 337.

[11] Morris, 39.

[12] Peter Kolchin, *American Slavery 1619-1877* (New York: Hill and Wang, 1993), 17.

Along with these laws came a state ordained racism that permeated all of British North America.

As the plantation economy and number of slaves increased, the planting class often found it necessary to delete such rights from the colony's legal code. Originally, the British slave codes provided the slave or servant with some basic rights. A Virginia decree in 1662 stated "all children borne in this country shalbe held bond or free only according to the condition of the mother."[13] Here, legal privilege came at birth, but was guaranteed for those born to a free mother. In the early eighteenth century, some slaves could testify in court, but only against another black or Indian. The first slaves to enter South Carolina in the late seventeenth century were allowed to practice religion with the understanding that conversion to Christianity did not change the slave's status.[14] Also in the infancy of South Carolina, African slaves contributed to a military force used to defend the colony against the Yamasee Indians.[15] Following the Yamasee War of 1715, the South Carolina assembly removed the slaves' privilege to bear arms. In South Carolina, slaves had limited freedom as deemed necessary by the shrinking white majority. There may have been a perceived threat of slave insurrection in the past, but with a black majority in the colony the threat became a tangible reality. By

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[13] Morris, 43.

[14] Peter Wood, *Black Majority* (New York: W. W. Norton & Company, 1974), 18-19. This document also stated that "Every Freeman of Carolina, shall have absolute power and authority over Negro Slaves, of what opinion or Religion soever."

removing these rights, the white minority could control the black majority more effectively.

The essence of the increased control over slaves in South Carolina was a codified system of laws that all but eliminated liberties in the private and public spheres. By the time whites became a minority in South Carolina, slaves lost the right to join a church, attain literacy, and own or sell property. Following the Yamasee War in 1715, slaves participated in the colonial militias as drummers and military messengers only.[16] With these restrictions, owners attempted to create dependence. By denying slaves the right to sell liquor, livestock, and other goods, slaveholders tried to shatter the economic viability of the entire black community, slave and free. On the other hand, legal hindrances only led to slave domination of a black market. These restrictions, constantly revised, were the most visible manifestations of white paranoia regarding slave insurrection.

When compared to British slave codes, Spanish laws that favored the slave are surprising. While Spanish policy also changed to fit the needs of the Empire's different colonies, its legal basis from previous experience allowed for a more stable legal system for the slave and slaveholder. Restrictions on religion, for instance, are likely to be found in various parts of the Spanish Empire, but because the standard legal code allowed the practice of religion by slaves, restrictions were rare. In

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[15] *Ibid.*, 127-130.

Florida, for example, a relaxed legal system provided slaves with the opportunity to purchase their freedom, work as skilled laborers, and participate in military activities. Laws allowing the movement of slaves changed throughout the history of the colony, but the basic tenants of Spain's legal and religious code remained in tact.

The First Slaves

St. Augustine, not Jamestown, was the home to the first African slaves in what became the United States. While many historians mute the contributions of the Spanish, their role in the North American slave trade is almost universally absent from scholarly works by American historians. It is ironic that the "black legend" of histories past has been replaced with outright historical neglect. Slaves sailed on the exploratory voyages of Hernando De Soto in 1539 and were part of the doomed Narvaez expedition in 1528. They also came as part of the first settlement expeditions of Menendez. These first slaves were the personal property of many explorers, laborers, sailors, and would-be colonists. Early on, the Spanish understood the risk and perpetual problems in maintaining an enslaved population

[16] *Ibid.*, 125.

of Native Americans, and instead sought the more "controllable" African slave to fill the colony's labor needs.

In St. Augustine, not all of the first slaves came as the property of the founder, Menendez. Juan Cevadilla, an official of the crown, listed in 1591 his ownership of five slaves, including Luis, a male, three females (no names offered), one of which was pregnant, and another boy.[17] The first women of the colony were also slave owners. Dona Mayor de Arango, wife of Pedro Menendez II, listed "a small negro without a right hand and a negro woman aged 19 years" in her personal property.[18] While these examples show the ownership of slaves in the early years, their numbers were small and the use of slave labor was relatively rare in the beginning of St. Augustine.

Prior to Spanish settlement, local native tribes occupied northeast coastal Florida. While Indians were often a logical choice for slave labor in many Spanish colonies, the crown prohibited the use of Indians as slaves from the beginning of Florida's establishment. As early as 1600, the governor received regular orders from royal overseers not to make slaves out of the Indian captives.[19] This position contradicts earlier plans not carried out, but discussed at the official level. A letter

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[17] Eugene Lyon, *Richer Than We Thought: The Material Culture of Sixteenth-Century St. Augustine* (St. Augustine: St. Augustine Historical Society, 1992), 97.

[18] *Ibid.*, 75-76.

[19] *Archivo General de Indias,* 86-5-19/2528 (Royal Cedula to Governor Gonzalo Mendez de Canzo, November 14, 1600). Hereafter all documents taken from this collection will be abbreviated as AGI and followed with the document's number.

dated from Havana in July 1578 by Juan Baptista Roman, Rubric to the King, suggests laws against Indian slavery were to be ignored when not economically viable. In his letter, Baptista argues that because Cuba's Indians had died, the "rebellious and troublesome Indians of Florida" could be moved to Cuba in order to work the mines and in the "galleys of the guard of Tierra Firme."[20] Beyond the economic advantage of using Florida Indians in Cuba, Baptista suggested their removal would improve Florida spiritually since the "idolatry" of the Indians would be removed. The Church, if asked, would likely differ on Baptista's supposition.

Fray Juan Gomes, in a letter to Father Francisco Martines of Havana, complained of the Spaniards' cruelty against the Indians. Gomes wrote, "They said they were not slaves, that they had become Christians to obey the Holy Gospel and the Catholic Church and that they had been conquered only by the Word of God and the things the fathers had taught them."[21] Protection from the church came only when the Indians followed the demands of the missionaries. Following the Apalachee Rebellion in the late seventeenth-century, Indians who did not defend Spaniards from fellow rebellious Indians were castigated by the governor. According to Governor Rebolledo, only "godless" Indians were capable of refusing to defend their Spanish patrons. "They took advantage of the occasion and

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[20] Connor, *Colonial Records*, Vol. 2, 339.

departed from the Catholic religion and from the King. They rebelled, killing the soldiers who were in that province and intending to do the same with the religious if they had not reached safety," wrote the governor.[22]

The Labor of the Slaves

While no official census of slaves in the colony's early years exist, the contributions of the first North American slaves taken from Africa are amply documented.[23] St. Augustine founder, Pedro Menendez de Avilles, came to the colony with slaves and a legal allowance to import up to 500 more for purposes of colonization. The nature of the colony, however, prevented many potential slaveholders from making large purchases of human property. As a colony primarily used for military defense, slaves were necessary in building the requisite defenses. As early as 1582, treasury officials inside the presidio asked for funding to maintain 30 slaves for the construction of military defenses.[24] The official correspondence recommended using them to make bricks for the new

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[21] AGI 5-5-10/74 (Fray Juan Gomes to Father Francisco Martines [Havana], April 4, 1667)

[22] AGI 54-5-10/70 (Letter from Governor, May 25, 1658).

[23] Royal officials claimed there were 100 slaves in St. Augustine in 1606. Of these 100 there were 40 slaves owned by the crown living and working within the city limits. The accuracy of this census, however, is debatable. For more information, see Bushnell, 22.

[24] Bushnell, 82.

fortifications.[25] Although the slaves were brought specifically for the construction of military fortifications, the treasurer was accused of using the slaves for his personal use. Whether or not the accusations were true, the slaves performed numerous tasks, such as logging, blacksmithing (used for the formation of nails and hardware), lime creation, and quarried coquina, a stone-like material composed of crushed shell and sand. When not performing defense related duties, the slaves were hired out and their earnings were used to pay for their daily upkeep.[26]

The slaves from Cuba came to St. Augustine to perform acts of menial and skilled labor. That they quarried coquina and were sawyers suggests that many of the first slaves in the colony were skilled laborers. The use of skilled slaves in a colony's early years is also evident in the formulation of South Carolina's plantation economy.[27] Not only were skilled slaves less expensive than skilled free whites, but they were also more readily available. Although African slaves were more obtainable than willing white settlers, the government demanded that the slaves be treated well. This admonition came out of concern for needless costs should the slaves be worked to death or hobbled by a cruel master, and not out of concern for their wellbeing. These skilled slaves were also attractive to the local citizenry.

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[25] AGI 54-4-16/28 (Cazaro Saenz de Mercado to the Crown, July 17, 1582).

[26] Bushnell, 82.

[27] See Peter Wood's *Black Majority*. Wood argues that the first slaves in South Carolina were skilled laborers. Without the use of skilled slaves, it is likely that the lucrative rice trade would not have been possible in South Carolina.

When there were not enough "state slaves" to complete a project, the government rented privately owned slaves. Although four *reales* a day was the standard fee, it is not clear whether the slave was allowed to retain any of this money for his or her services. In October 1574, Diego de Soto received 48 *reales* for the rental of one of his slaves for 12 days of labor.[28] An anonymous owner received 32 *reales* after four of his slaves took two days to stow shipping cargo in 1586. At the same time, and possibly by the same slaves, 36 *reales* were paid for "negroes working to warehouse and return to the ship tackle salvaged from the earlier."[29] They, like others, performed many of the same duties as whites. When white settlers were not available to perform the necessary tasks for survival of the community, the city sought the use of slave labor. In St. Augustine, it was more common for slaves to fill labor shortages than to perform tasks "unfit" for white laborers. It is also possible that, like the first twenty slaves in Virginia, the legal status of some Africans was not clearly defined.

While whites considered most blacks in the colony to be slaves simply because of their race, some masters believed black laborers may be freed following the completion of a work assignment. Francisco Carreño questioned the legal status of workers in a letter in 1578, asking what to do with a group of slaves

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[28] AGI CD 944 (Tabteo de Pedro Menendez de Aviles. October 24, 1574).

[29] AGI: CD 942-86-79 (September 15, 1586). For monetary conversions, one *ducado* equaled 11 *reales* whereas 34 *maravedis* made a *real*.

working on the wooden fort. He apparently thought the workers might be given their freedom following the completion of their task.[30] It is possible that Carreño saw these workers as part of the *encomienda,* the infamous labor system for natives and other subaltern groups in the New World. Regardless, the laborers probably remained slaves.

Slaves also served as soldiers. As a defensive outpost, the bulk of St. Augustine's male population played some role in the military. The settlement's military personnel also occasionally included slaves. In June 1580 Gutierre de Miranda led 44 soldiers to Florida. Included on the official payroll was a slave of Miranda named Sebastian de Miranda. Whether the slave came as an official servant of his master is not clear, but this slave was paid 15 *reales* in advance for his services.[31] The use of the slave soldier was rare but not unheard of in other European colonies. A Spanish account of an attack by French forces at San Mateo in 1580 notes the French had two black males with them, "one of whom fought very well."[32] Although designated as a military outpost, St. Augustine rarely provided sufficient defenses.

St. Augustine came close to an abrupt end in the spring of 1586 when English privateer, Francis Drake, paid the city a visit. Concerned that the infamous

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[30] Connor, *Colonial Records Vol.2*, 67.

[31] AGI: CD 323/3-11 (Payroll list of 44 soldiers , June 21, 1580).

[32] Jeannette Thurder Connor, ed. & trans., *Colonial Records of Spanish Florida Volume II, 1577-1580* (Deland: Florida State Historical Society, 1941), 323.

pirate would find his way along the Florida coast, the city constructed a watchtower on nearby Anastasia Island, which, most believed, would serve as an early warning system for the town's defense. Ironically, the watchtower signaled the presence of the town to the invader. On May 27, 1586, while sailing to England's new colony on Roanoke Island, Drake spotted the watchtower, realized he had come to the Spanish town and proceeded to sack and burn Florida's principle outpost.[33] At the time of the raid, St. Augustine's principle defensive fortification was a wooden fort. While Drake and his crew prepared an attack, the Spaniards fled, allowing the British privateer to burn and loot the city. Drake was lucky. Governor Pedro Menendez Marques fled in such a rush, he left behind a strong box that contained up to £ 2,000 of money, sent by a neighboring community for safe keeping in the fort.[34] On July 4, 1586, royal officials in St. Augustine reported to the crown that Drake took with him all slaves and ships belonging to the colony.[35]

This attack was not the first, nor would it be the last from outside forces. Drake's raid, however, was the first significant assault by the British. Already nervous that other European nations might challenge Spain's authority in North America, the destruction by Drake precipitated a defensive overhaul of the

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[33] At the time of Drake's raid, St. Augustine's principle defensive fortification was a wooden fort.
[34] John Sugden, *Sir Francis Drake* (New York: Henry Holt and Company, 1990) 198.
[35] AGI 54-1-34/15 (July 4, 1586).

presidio. The local government purchased slaves to perform many of the duties necessary for the construction of an improved stone fort.

The Private Lives of Slaves

By the end of the seventeenth-century, Spaniards took notice of the differences between themselves and the British in regards to slave laws and customs. Whether owned by the crown or by a private citizen, the slaves of St. Augustine enjoyed rights most slaves in British North America were denied. Spanish leniency towards the slaves was both a defensive measure and a weapon against the British. Where their military failed to secure or maintain lands claimed by the Spanish crown, an ideological warfare centered on the issue of slavery proved successful.

Slaves in Florida enjoyed access to religious participation usually denied in British slaveholding colonies. In Florida, the Catholic Church supervised the spiritual lives of slaves from birth to death. At birth they received a Catholic baptism, had their relationships solidified through a Catholic wedding, and their souls preserved at Catholic funerals. St. Augustine's Cathedral Parish records reveal much about race relations in North America's first European settlement.

Famous for meticulous record keeping, the Catholic Church made ample notations on each marriage, baptism, and interment for the settlement. The Parish

records are also useful in understanding who owned slaves, what type of work slaves and free blacks did, and what positions these men and women held in the town's society.

Existing marriage records from the St. Augustine Cathedral Parish begin in 1594, and it is here that the first mention of a marriage between two Africans appears.[36] Maria and Simon, listed simply as "negro," were married on October 8, 1594. Although neither are mentioned as slaves, this first recorded marriage apparently occurred between slaves. In 1604, Pedro, a slave of the hospital, and Maria, a slave owned by Ana Mayor, married. Serving as sponsors to the marriage were Augustin and Francisca, a married couple who were also slaves. Out of the four marriages listed in 1605, two involved the union of slaves. Not infrequently, the sponsors of these marriages were the owners of the bride or groom. Records also indicate that different families owned those married. That slaves with different owners could marry offers many possibilities. First, this is indicative of the small numbers of slaves held throughout St. Augustine. These "split marriages" also suggest that slaves of Florida were allowed freedoms of movement and fraternization not usually seen in British North America. Marriages of slaves from different owners were not limited to private citizens since many ceremonies included Royal slaves married to slaves owned by private citizens. Marriage

records offer a plethora of information regarding the social status of Florida's first Africans.

By allowing slaves to choose a spouse and marry without fear of the union being broken through a sale, Spanish slaveholders preempted a major flash-point of white/slave relations as seen later in South Carolina. Marriages in St. Augustine also encompassed the free and the enslaved. The first recorded marriage between a slave and freed person occurred in April, 1644. Juan de Pres, a mulatto slave of the governor married Geronima de Mendiola a free mulatto female. The living arrangements and the future of Juan's freedom are not known. Possibly, Juan remained a slave until he was able to purchase his freedom and his wife, Geronima, would not have lost her freedom because of a marriage to a slave.

Other unions of interest include marriages that involved slaves owned by the Catholic Church. In January 1654, Antonio de Fuentes, a slave of the local Convent of San Francisco, was married to Maria, a slave of Madelena de Urisa. This marriage, like others, raises many questions. First, what was the nature of these marriages? If the union was between slaves with different owners, would physical contact be possible? Because the couple was the legal property of others, was cohabitation out of the question, or were periodic visits possible? The small size of the colony suggests frequent contact was a distinct possibility. Answers to

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[36] The following information regarding slave baptisms, marriages, and funerals was taken from the

these and other questions concerning slave relationships are, however, often difficult or impossible to find. Obviously physical contact between couples was not prevented. Following these marriages, many couples had children baptized through the church.

Baptismal records, while not as complete as the marriage records, also offer a wealth of information on the social aspects of slave life in Spanish Florida. Like marriage records, baptisms noted the recipient's race, legal status (free or slave), parents, and sponsors of the event. For baptisms, the sponsor or sponsors served the role of godparent to the child. From these records a frequent rate of illegitimacy surfaces. When the child baptized was illegitimate, the priest never made moralizing statements in the official record and there appears to have been no social stigma placed on the child or unwed mother.

Again, while baptismal records offer a glimpse into slave relations, many questions are left unanswered. Records for the baptism performed on January 11, 1609, for example, shows Antonio, son of Pedro, slave of the king and mother Lucia, a slave of Francisca de Vargas. That both parents were slaves suggests Antonio would also be a slave but where Antonio would live is not clear. Tradition called for Antonio to live with his mother, but the children may have gone to the owner of the father. If the mother was free, then the child was free,

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St. Augustine Cathedral Parish Records, 1594-1720- SAHS.

but if the father was free and the mother a slave, it is possible that the child would be born a slave. Although the Parish records offer an abundance of information, in the case of baptismal records, it is often impossible to ascertain what the fate of these children were. One baptism in August 1635 suggests the father was free and the mother a slave but there is no mention of the child's legal status. At death, the Church took responsibility for the slave's soul at a funeral, but the owner was expected to pay the funeral expenses.

Although not universal, many owners were compelled, either through the church or custom, to pay for a proper burial. Juan Cevadilla, a one-time treasurer of the colony was billed, and presumably paid, six pesos for the burial and mass of his "Negro" sometime before August 1591.[37] If an owner showed concern over his slave's soul, it is possible that the slave was treated well while alive. Not all slaves felt this way. In 1603, seven African slaves fled the presidio to a nearby Indian settlement. Five of the seven were recaptured and returned, while the other two remained and married Indian women.[38] In general, though, the system of slavery in Florida stood in stark contrast to the institutions found in the British colonies. While religion mandated these slaves be allowed certain rights, the

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[37] Lyon. *Richer Than we Thought*, 97.

[38] Verne E. Chatelain, *The Defenses of Spanish Florida, 1565 to 1763*, (Washington D. C.: Carnegie Institution of Washington, 1941), 128. Runaway slaves were not the only group to marry Indians. Parish records suggest many Spanish soldiers took Indians as brides beginning in the late sixteenth century.

economy of the Florida outpost did even more to ensure the form of slavery would be much different and more humane than that found to the north.

Florida's Economy and the Unlikely Freedom of British Slaves

St. Augustine was a military town. Florida was devoid of minerals and the soil in the immediate area was unproductive, thus most support came in the form of a royal subsidy of money and supplies. African slaves were therefore not necessary to work and maintain large plantations. There were, however, certain agricultural enterprises in and around the immediate area of St. Augustine that used slaves but never to the extent seen in South Carolina. Furthermore, because the economy centered on periodic infusions of cash and supplies from the Royal coffers in Havana, few could afford the luxury of an African slave.

This poverty in land and cash is evident through a listing of Governor Benito Ruiz Salazar's property at the time of his death.

> There was a farm and cultivation of wheat and maize that was near the town...it has brought many days in crying out in order to see if there is whomsoever to buy it...this being very poor land and all the Spaniards that inhabit it are soldiers and they have no wealth nor personal means to buying it and to be able afterwards to sustain it and benefit from it.[39]

[39] AGI 54-5-18 (September 5, 1651).

In addition, slaves Francisco Galindo and a 30-year-old male from an English colony named Ambrosio were sold. Galindo sold for 600 pesos and Ambrosio went for 500.[40] For the most part, slaves came to Florida at the request of the governor to help with public construction projects and not to serve as personal servants for the citizenry.

As Carolina grew, however, slaves owned by British citizens, became useful servants to the people of St. Augustine in a very different way. At the beginning of the eighteenth-century, the Spanish manipulated Carolina's slave population in such a way that all Africans residing near the Spanish border became an asset to the people of St. Augustine. In a series of laws, edicts, and proclamations, the government of Florida turned these slaves into an efficient weapon that was used against their formidable enemy to the north.

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[40] *Ibid.* To compare prices, all horses and mares belonging to the Salazar estate were sold for 100 pesos each, hogs went for four pesos, and an "oxen of labor" sold for 40 pesos.

CHAPTER 3

FLORIDA'S FUGITIVE SLAVE POLICY AND FORT MOSE

By the middle of the seventeenth century, British slaves learned of the various liberties extended to slaves in Spanish Florida. Through a network of communications, they learned of the allowances for religion, legal protection for families, and other rights only dreamed of in British colonies. The government of St. Augustine also recognized the appeal to British slaves, and by the 1680s, openly called for the illicit immigration of slaves from Carolina to Florida. Since the establishment of the colony at Jamestown, the Spanish government felt threatened by British encroachment on land claimed by Spain. On the other hand, the British viewed Florida as a grave Catholic threat to their attempts at Empire in North America. Spain understood the fears of British slaveholding planters in South Carolina and played on their concern of black rebellion.

Partly in response to the Spanish threat, the British founded Georgia as a buffer zone between Florida and South Carolina. Likewise, St. Augustine created

an all black militia and built a separate fort to house the former slaves. In both instances, the government used an "undesirable" element of society to create a buffer zone between the two empires. How the St. Augustine government created a sense of fear amongst planters in South Carolina played a significant role in the development of the American Southeast.

The decision to offer asylum to fugitive slaves was not a humanitarian gesture. As British slaves found freedom in Florida, slaves already living in the *presidio* did not have access to the same legal privilege. The decision to free British slaves was political in its entirety. The issue of territorial boundaries came to a head by the beginning of the eighteenth century.

In light of eighteenth century attitudes regarding race and slavery, this decision to allow fugitive slaves freedom was a radical break from the status quo. The very idea of British slaves fleeing to Catholic Florida sent immediate shockwaves throughout the British South. Although the first fugitives were few in number, and the numbers running to Florida remained small, the threat of an available sanctuary for runaway slaves caused drastic changes in the slave policies of South Carolina. These changes reflected a general paranoia concerning the threat of a massive slave rebellion throughout Carolina. Since 1708, the British colony

was home to a black majority.[1] Carolinian planters were well aware of this, and created numerous barriers to segregate the minority owners from the black majority.

After the first group of slaves that sought asylum in 1688, there were several more instances of British slaves entering Florida in search of freedom. As British slaves entered St. Augustine, however, most South Carolinians did not find the city to be a military threat. A speaker to the South Carolina Assembly in 1719 described St. Augustine's military as "a Garrison containing 300 sorry Soldiers being mostly Banditti and undisciplined [men]."[2] Regardless of Florida's unimpressive military presence, their diplomatic decisions fueled British fears. By using slaves in Carolina as a weapon against their owners, even a weak outpost on the frontier stood as a significant threat to British expansion.

The First Fugitives

One of the first groups of British slaves that sought asylum in Florida entered the territory in 1687. Eight men, two women and a three year-old child entered

[1] This majority was slim in 1708, as there were 4,100 blacks and 4,080 whites. These numbers, however, marked a significant change since in 1703 there were 4,220 whites and 3,250 blacks. South Carolina's black majority became significant by 1715 when the populations were 10,500 and 6,250, respectively.

the presidio in search of freedom. Officially, the first group of fugitives came in search of "the true faith." Not sure what to do, the governor put six of the men to work building the Castillo, the other males were sent to work with the blacksmith, and the women became domestic servants in the governor's house.[3] Records suggest all ten received pay for their labor. Governor Diego de Quiroga's decision to allow a religious conversion and offer legal protection for these slaves promised to send shock waves through the slave holding south. Immediately, the British government protested the Spanish decision to allow the escapees asylum.

The decision to maintain the ten runaways was made by both the local and royal branches of government. A royal *cedula* ordered the governor to deliver "sixteen hundred dollars to the English governor at Charleston" as payment for the missing property. The *cedula* wrote in part:

> The Royal officers of the City have given me an account in different letters of their having arrived at the Garrison ten...negroes...from St. George (Charleston). That they asked for the waters of baptism, it was given them, after which a sergeant-Major from St. George came to claim them. Not appearing to be the proper thing to return them after becoming Christians, it was agreed upon with the Sergeant-Major to buy them with the money from the Royal exchequer for the sum of sixteen hundred dollars, granting a writing for that purpose, to pay said sum at a stated time specified. To satisfy this I sent to the city of Vera Cruz for this sum of money, which was brought and deposited in my Royal coffers of that city, advising the Governor of St. Augustine and notifying the Governor of St. George to send for it.[4]

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[2] Wood, 113.
[3] AGI-54-5-12 (February 24, 1688).
[4] Chatelain, 161.

For the British, this amounted to treason. And, as some British officials would complain, the Spanish decision to offer money in exchange for the individual slaves was no different than theft. Monetary restitution simply did not help cultivate cash crops in South Carolina. The Spanish saw this as an excellent opportunity to challenge British rule. If enough British slaves could be coaxed to leave the colony, as many Spaniards hoped, then it was possible to overthrow upstart colonies in the north. The Spanish correctly identified slavery as having the potential for the ultimate defeat of the British colonies.

Two years before the group of ten entered St. Augustine, Spanish scouts raided the plantation of Landgrove Morton, a British planter. They took with them thirteen slaves. The theft of slaves clearly hurt the planter economically and brought economic gain to the scouts. These thirteen slaves were not freed, and this shows the Spanish were not out to set all British slaves free. When convenient for the Spaniards, the fugitives were offered asylum, yet when *captured*, slaves were considered booty.

The ten fugitives in St. Augustine were not freed immediately. The Spanish paid the British planter for his losses but kept these men and women as paid "quasi-free" servants. Nevertheless, the arrival of these ten individuals precipitated a flurry

of correspondence between St. Augustine and the Council of the Indies. In November 1693 official word came in the form of a royal *cedula.* Issued by Charles II, this was the first official position on runaway slaves in Florida. The document gave "liberty to all...the men as the women...so that by their example and by my liberality others will do the same."[5] In this document, the Spanish openly and directly challenged the way of life and economic basis of the British South. Announced just three years after the passage of South Carolina's first slave code, the Spanish offered a significant challenge to British settlement.[6] Whereas the Spanish previously were considered as nothing more than decrepit, spiritually backward occupants of a shrinking frontier, they became significant players in the politics of race for all of North America.

Britain Attacks

In 1702, the British attacked St. Augustine and nearly wiped the Spanish off the North American map. The attack, led by South Carolina governor James Moore, was based in part on border disputes that began in the middle of the seventeenth century. Although the Spanish protested French, Dutch, and English

[5] AGI 58-1-2/74 (Royal edict of 1693).
[6] Wood, 279.

outposts in North America, settlement was rarely challenged. Spain simply lacked the military might or desire to fend off other European upstarts. The original boundary of the South Carolina land grant began at the Southern border of Virginia and extended southward to the thirty-first parallel, which was directly north of St. Augustine. Two years later in 1665, the boundary line for the new Carolina colony was moved further southward to the twenty-ninth parallel, near present-day Cape Canaveral. The Spanish saw this action as an egregious violation of their sovereignty.[7]

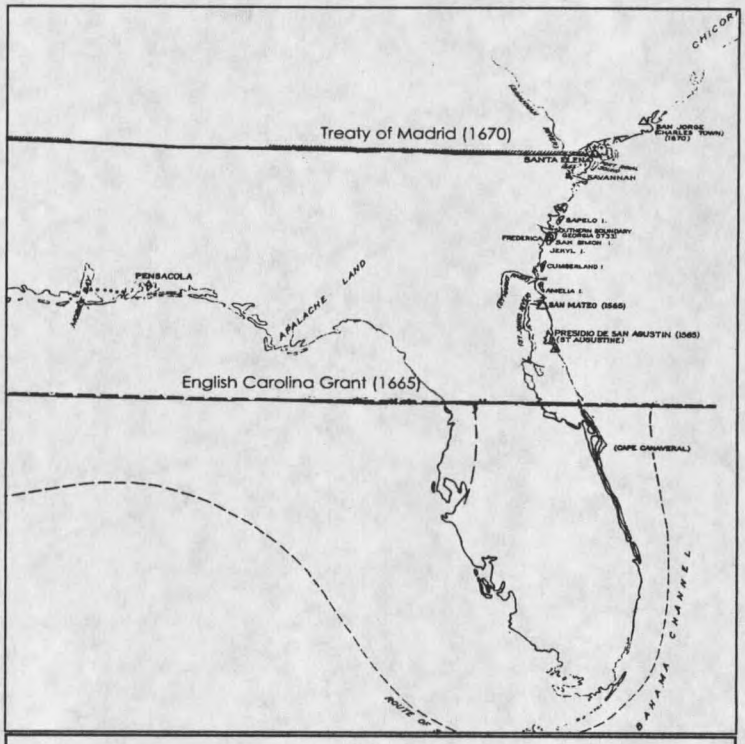

Figure 1: The changing borders of South Carolina in the seventeenth-century.

Spanish protests led to the 1670 Treaty of Madrid, which set the boundary between Florida and Carolina at 32° 30", roughly ten miles north of the Savannah River (close to present-day Hilton Head near the

Georgia/South Carolina state line).[8] Although the treaty was signed, both parties generally ignored it and claimed sovereignty beyond the boundaries. The advantage, regardless of official bickering, belonged to the English. The Spanish were concentrated in St. Augustine and few in number. As a result of their size, Spain simply did not have the ability to hold onto their lands in what is now Georgia. On the other hand, Britain sought expansion into these "debatable lands," and had the numbers to accomplish this goal.

As British settlements in South Carolina grew, international events placed Florida in great jeopardy. The War of Spanish Succession came to North America as Queen Anne's War. By 1700 Florida became a principle target for British aggression. With advance information that Britain would wage war against Spain, Governor Moore attacked the city with approximately 1,200 troops.[9] In September 1702, Moore occupied the city and its residents fled to the newly constructed stone fort, the Castillo de San Marcos. Approximately 1,800 men, women, and children, slave and free, huddled inside the fort for nearly two months, as British forces burned and looted the city. By Christmas, Spanish reinforcements from Cuba arrived and chased away a demoralized British army. In

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[7] Charles W. Arnade, "Raids, Sieges, and International Wars," in *The New History of Florida*, ed. Michael Gannon (Gainesville: University Press of Florida1996), 101.

[8] *Ibid.*

[9] *Ibid.*; 107.

the end, Governor Joseph de Zuniga y Zerda claimed victory for a battle the Spanish lost.[10]

The result of the 1702 Siege was the utter destruction of St. Augustine. Quite literally, the only building left intact was the fort that housed the entire population for two months. But the Spanish were determined to stay in Florida and not give in to English threats. While any policy or edict regarding runaway slaves did not precipitate the Siege of 1702, the result of British aggression was a heightened determination to beat them at their own game. The attack brought St. Augustine's weaknesses to the open and from that point on, the government considered other strategies such as offering asylum to runaway slaves as a means of protection.

The Spanish had little hope in overthrowing the British military by force, so they tried wrecking havoc from within by targeting British slaves. In 1724, seven slaves arrived from South Carolina. Once again, the Spanish government entered negotiations with the British for the freedom of the runaways.[11] Freedom for this set of fugitives, however, was not guaranteed. With slight attention paid to the precedent set in 1693, Florida officials decided to sell the fugitives in Florida and turn over the proceeds of the sale to the English in Carolina. However, this sale

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[10] *Ibid.*, 106-108.
[11] AGI 58-1-29/84 & 58-1-31/3.

could occur only with direct permission from the Spanish crown.[12] The proposed sale took place, and the governor offered the British 200 pesos for each slave. The British in turn refused to accept a price they found insufficient and threatened military force if the slaves were not returned.[13] Although the British rejected this bid, the price was similar to what St. Augustine slave owners had appraised the worth of their human property. In 1743, for example, an inventory and appraisal of the property of royal accountant Don Francisco Menendez, listed a 25 year-old negro male valued at 250 pesos, and a Mandingo slave aged 50 years worth approximately one hundred pesos.[14]

With this rejection, the governor turned to the Council of the Indies for official advice. Responding in April, 1731, the Council devised a scheme to deal with future runaways from English territories. Spain would accept fugitive slaves into the colony and the British owners would be compensated for their loss. Compensation for runaway slaves would depend on the individual slave. When offering a price for "stolen property," Spanish officials would take age, health, sex, and ability into consideration before making an offer. The monetary offer for the

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[12] AGI 58-1-31/18 (Governor Benavides to the crown).

[13] AGI 58-1-29/84.

[14] "Inventory and Appraisal," *El Escribano* 5 (April, 1968) 13. Also appearing in the inventory was a female slave, over 40 years old with a three-month old girl valued at 210 pesos.

purchase of the runaway could not exceed 200 pesos.[15] Later, Florida sought to recover this money by reenslaving the fugitives for a set period of time. Previously, the owners of runaway slaves that fled to Florida were paid 200 pesos for each male slave.[16] This policy, that took the individual slave into consideration on a case by case basis, was based upon two previous incidents of fugitive slaves who sought freedom in Spanish territory.

The two precedents included the ten slaves who arrived in St. Augustine in 1687, and a group of slaves that fled French owners to Spanish dominion beyond Haiti in 1722. The slaves supposedly sought asylum so that they could receive a Catholic baptism. Spanish officials found against the runaways and returned them to their French owners with the condition that the slaves would not be punished for running away. Their freedom was denied, because the Spanish did not believe their desire to become Catholic was sincere.[17] More likely, Spain did not wish to strain relations with a predominately Catholic nation. Had this group of runaways fled a British island, then in all likelihood their "desire" to become Catholic would have been accepted as sincere. There were many French Protestants, but hardly any British Catholics.

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[15] AGI 86-5-21.

[16] The group of ten slaves freed in 1693 consisted of eight men and two women. The owner of the slaves was compensated 1600 pesos. This amounts to the standard 200 pesos for the men, but apparently omits payment for the female fugitives.

Official bickering remained a constant between the two governments. Britain accused the Spanish in Florida of employing escaped slaves to destroy property and livestock along the frontier, and the Spanish feared a British conspiracy to employ friendly Indians to attack and confiscate Spanish property.

Tempers flared when the South Carolina Assembly sent troops to raid the Spanish frontier in 1728. Led by Colonel John Palmer of South Carolina, the border skirmish prompted Governor Benavides to free the slaves in question, as they fought against their former captors. The Spanish governor suggested that the released slaves be sent north to participate in retaliatory raids along the frontier lands. Although this proposal was rejected, the thought of using slaves to foment rebellion in South Carolina remained, and the slaves were eventually sent to attack the South Carolinian frontier regardless of the government's decision.[18] Shortly after the British assault, the seven freed slaves returned to their former territory and destroyed a small military fortification "33 leagues to the north of Florida."[19]

The "Palmer raids" of 1728 began the most active period of fighting between the two nations over territorial disputes and the fate of runaway slaves. By

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[17] AGI 86-5-21.

[18] John J. TePaske, "The Fugitive Slave: Intercolonial Rivalry and Spanish Slave Policy, 1687-1764," in Samuel Proctor ed., *Eighteenth Century Florida and Its Borderlands* (Gainesville: University Presses of Florida, 1975), 7. See also Jane Landers, "Spanish Sanctuary: Fugitives in Florida, 1687-1790," *Florida Historical Quarterly* 62 (January, 1984), 296-313.

[19] AGI 86-5-21.

1733, British subjects had settled Georgia, an area that the Spanish had claimed since the seventeenth-century. Also during the 1730s, the Spanish navy began a program of boarding and searching all British vessels sailing near any Spanish possession. It was not uncommon for Spanish seamen to commit acts of physical violence against British sailors.[20] Strained relations between the two empires grew with increasing acts of belligerence from each side.

The Rise of Racial Instability

By the beginning of the 1730s, increasing racial instability created a sense of fear and dread in the residents of South Carolina. *The South Carolina Gazette*, Charleston's newspaper, reported that on October 28, 1732 a gathering of over 200 slaves resulted with a drunken slave killing another, more "valuable" slave with his knife.[21] While the news report lamented the loss of a costly slave, it is clear that an underlying fear of slave violence was growing in Charleston. This increasing threat was believed to be a direct result of a sharp growth of the slave population, continued importation of new Africans, and lax enforcement of existing slave codes.

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[20] Larry E. Ivers, "The Battle of Fort Mosa," *The Georgia Historical Quarterly* 51 (June, 1967) 135.
[21] *The South Carolina Gazette*, October 28, 1732-November 4, 1732.

For the fearful slaveowner, there was expanding evidence that white rule was threatened beyond Charleston. In November 1732, the newspaper reported a British captain named Peters captured "a large Negro Town" in Jamaica. In the same issue, the *Gazette* related that Captain Howell from Antigua encountered twenty Spanish Men of War sailing together.[22] These two notices illustrate the fears of white Carolinian planters. In the first instance, there was a large town of free Africans, presumably living an autonomous lifestyle. Although the British captain took control of this town, that there *was* a free African town suggests a possible rift in the slaveholding communities of the Caribbean. In the case of the Spanish Men of War, the scene off the coast of Antigua was a disturbing scene for many in South Carolina. Spanish military preparations, coupled with increasingly larger settlements of free Africans promised trouble along the Florida border.

The following year, the news from Charleston painted an equally bleak picture for British planters. In the spring of 1733, while attempting to leave Georgia for St. Augustine, British agents captured two Spanish spies. An article in the *South Carolina Gazette* claimed the "spies" were captured trying to escape in stolen canoes.[23] While news of Spanish spies in British territory was disconcerting, an article that appeared on March 2 of the following year would have been

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[22] *Ibid.*, November 4, 1732-November 11, 1732.
[23] *South Carolina Gazette,* April 7-17, 1732.

terrifying to the Carolinian slaveowner. The paper reported the findings of John Davis on December 19, 1733. Captain of the sloop *Albany*, Davis brought news that "the negroes on the Island St. Johns near St. Thomas, had entirely massacred all the white people on that island, consisting of about 200 families, and were very inhuman in the Execution of their Murders." British forces were sent to the island to subdue the rebellion, but were defeated by the slaves who had fortified themselves.[24] The newspaper also reported instances of other slave unrest. These offenses ranged from runaways, petty theft, and in one case a slave was found wandering the streets of Charleston with a musket in his hands. Continually, the government called for slave owners to maintain control over their human chattel.[25] For the Spanish, events of this nature bolstered hopes that a massive slave insurrection in Carolina and Georgia was possible.

While events abroad offered an element of hope that racial strife could change the balance of power in North America in favor of the Spanish, they also had a discomforting effect on the Spanish. The immediate goal for the Spanish was the removal of the British colonists from land long claimed by Spain. If a massive slave revolution could topple South Carolina, it could do the same to the Spanish

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[24] *South Carolina Gazette,* February 23-March 2, 1734.

[25] In an article that appeared in the March 30, 1734 issue of the *South Carolina Gazette,* the South Carolina government chastised owners for hiring out their slaves for weekend work. This practice, the article warned was not only illegal, but it also contributed to "idleness, drunkenness, and other enormities."

government. While slave ownership was not a basis of St. Augustine's labor system, it was not an uncommon aspect within the presidio. If Spaniards were to gain territory through a slave revolution, many would risk losing their own slaves. Self-preservation for some of Florida's elite could become problematic. Nevertheless, the use of runaway slaves was an effective means of instilling fear into the enemy, and thus continuing their campaign of agitation.

While 1732 brought numerous fears to the surface within South Carolinian society, the following year brought the two governments one step closer to all out war. On October 4 and 29, 1733, King Phillip V signed royal edicts issued by the Council of the Indies that granted freedom to all runaway slaves who accepted the Catholic faith and served a four-year term as public or state servants in St. Augustine. Also in these proclamations, the King ordered the governor of Florida to no longer compensate the British owners.[26] It appears that when St. Augustine received these edicts (perhaps as late as 1738), the order to free the runaways was executed by Governor Manuel de Montiano.[27] The edicts of 1733, while a radical departure from the typical policies of an eighteenth-century slave owning society, still maintained the entrapments of holding human chattel.

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[26] AGI 58-1-31.

[27] The policy to free runaway slaves went beyond the contested lands in North America. In 1750, King Ferdinand VI ordered this policy to be adopted by all the provinces of Spain. See TePaske, 6.

Slaves in search of freedom in Florida faced a minimum four years bondage. Essentially, freedom in Florida had to be earned by the individual slave. Still, their four-year tenure was considerably less than what they had left behind in British controlled areas. By 1740, Phillip V lifted the four-year labor requirement and ordered all runaways who accepted Roman Catholicism freed. These edicts were not blanket emancipations, however, for there were still numerous slaves throughout St. Augustine. It is important to understand, once again, that slaves in St. Augustine fared enormously better than their counterparts in South Carolina, but were slaves nonetheless. That few records indicate that Spanish slaves fled Florida suggests that the enforcement of slave codes was sparse and that St. Augustine's urban environment allowed for more mobility and contentment to the extent that a slave could be satisfied.

The decision to free runaway slaves was not embraced by all. When officials from Spain visited Carolina to compensate slaveowners for the runaways of 1730, they acknowledged that the slave issue was a spark with the potential to start a fire. A member of the convoy wrote to remind the Florida government that, at the time, there was a cease-fire between Carolina and Florida. The fate of the runaway slaves, they argued, could threaten the precarious peace.[28] While Florida hoped to

[28] AGI 58-1-29 (Governor to the king).

exploit South Carolina's black majority and offer the slaves an opportunity to overthrow the white power structure, South Carolina could rely on a powerful colonial force for military assistance. On the other hand, if the Spanish were attacked, the best they could hope for was military assistance from Cuba, and by the time that arrived, the colony could be lost.

The timing of the 1733 edicts is indicative of the new threat from Georgia. In 1730, the newly formed group of Georgia Trustees received a royal charter to establish a new colony southwest of the Carolinas. Created specifically for the unemployed and other "undesirables," Georgia's location was both in violation of Spanish treaties and an insult to the Spanish people.[29] Carolinians found the new residents of Georgia to be less than desirable, yet the colony provided a buffer zone between them and Spanish and French territories. Officially, the colony's charter prohibited ownership of African slaves. This, however, was ineffective and rarely enforced as shortly after the establishment of the colony, its citizens began accusing Spaniards of stealing their slaves. St. Augustine also attracted a handful of deserted soldiers, which clearly angered the British government. The creation of Georgia antagonized the Spanish and fueled their desire to create unrest throughout the North American deep South.

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[29] Trevor Richard Reese, *Colonial Georgia: A Study in British Imperial Policy in the Eighteenth Century* (Athens: University of Georgia Press, 1963), 10.

Numerous communiqués from the 1730s illustrate Spain's fear that the British were settling too close to land claimed by Spaniards. By the early part of the decade, British settlers arrived on St. Simons Island. Part of the Georgia Sea Islands, St. Simons was dangerously close to Spanish territory. Once St. Simons was established, founder James Oglethorpe also built outposts on Jekyll and Cumberland Islands. The barrier islands created an intricate network of channels that protected the waterways from the open sea. For slaves, these waterways provided the most effective way to escape into Florida. British occupation of these islands promised increased security from runaway slaves as well as any Spanish military threat. For hopeful planters, the island's location held the possibility of cultivating sugar and long staple cotton (a type more valuable than the standard short staple variety). St. Simons was thus an excellent place for the expansion of Georgia and the establishment of a slave-based plantation economy. For suspicious Spanish bureaucrats however, St. Simons was an excellent location to launch an attack against St. Augustine.

The Slaves of St. Augustine

While providing for the freedom of British runaway slaves was an admirable gesture, slaves remained a component of St. Augustine's population. Around the time of the arrival of the first British runaways seeking asylum, a dozen slaves were being carried to St. Augustine. Requested by Captain Juan de Ayala de Escobar, these slaves were to help cultivate the land. En route to the presidio, three of the slaves drowned at sea. In correspondence to the governor, Ayala lamented the deaths of the slaves. According to Ayala, the loss of the slaves marked an inconvenience for the colony.[30] The slaves that promised added "convenience" for the colony would likely be baptized Catholic. Unlike their counterparts in South Carolina, however, Spain offered these slaves no asylum for religious or political reasons. As St. Augustine opened its gates to fugitive slaves, it simultaneously remained a slave holding society.

While officials paid considerable attention to the legal status of slaves who fled Carolina and Georgia, there was no change in the status of the numerous slaves inside St. Augustine. Although information on the nature of the slave population in the 1730s is almost impossible to obtain, various official documents offer some

[30] AGI 58-1-27/A-20 BND 3975 & 58-1-27/A-33-36 BND 3987.

insight. Key indicators of slaves' social lives are found within the Cathedral parish records. In 1736, records list eighty-six baptisms at the St. Augustine parish. Of those eighty-six baptized, sixty-four were white and the remaining twenty-two were black or mulatto. Of these twenty-two nonwhite baptisms, at least seventeen were slaves and three were free. Of those freed, two came from Carolina. These numbers alone suggest a population that varied regarding the white and black communities. Although one quarter of those baptized were black, it does necessarily indicate that twenty-five percent of the population was of African descent. Furthermore, that two thirds of the freed Africans came from Carolina suggests that the manumission of local slaves was not common.

The church also recorded twenty marriages in 1736. Of those twenty, two were unions between people of color. According to the Parish records, one of these marriages was between Thomas Martinez, a white male from Madrid, and Thomasa de Urisa, a free African from the Congo nation.[31] If accurate, this marks one of the first recognized interracial marriages in Florida. Also in 1736, fifty-six people died. Of those buried, between twelve and twenty-one percent of the year's interments were of nonwhites (See Table 1 for a selection of the 1736

[31] St. Augustine Parish Records. Book of Moreno, Pardo, and Indio Marriages, SAHS. This specific marriage, while apparently evidence of a strictly biracial marriage, could be misleading. It is possible that Thomas Martinez was a mulatto from Madrid and not a white Spaniard.

interments). The year after Governor Manuel Montiano declared all runaway British slaves free, the number of nonwhite Baptisms dramatically increased.

One year after the creation of an African militia, the ratio of free Africans to the enslaved is close to the 1736 figures. One half of all Catholic baptisms in 1739 were of nonwhite residents. Out of the forty-six nonwhite baptisms, thirty-six involved Spanish slaves, and ten were of free black citizens. Six of the nonwhite baptisms included individuals from Carolina. However, only two of these six were noted as free. This however, does not necessarily mean that the other four Carolinians were slaves. It is possible that the priest recording the information simply noted that the individual was most recently a slave from Carolina. Nevertheless, the high ratio of slave baptisms to those of freed people of color, shows that the slaves comprised the majority of the nonwhite population. Fighting for the rights of a minority within a minority offered the possibility of numerous problems in the future. What to do with the freed slaves from Carolina quickly became a significant problem.

Table 1–Nonwhite Deaths, 1736
March 3–Juan de Urisa (mulatto slave)
March 31–Francisco (black slave)
April 17–Maria (slave, wife of Joachin, slave)
June 4–Lazaro (free mulatto)
August 13–Very small child, legitimate son of Juan de Molina and Manuela (free mulattoes)
September 15–small boy (slave of Dona Manuela)
September 20–small child, legitimate daughter of Francisco and Manuela Escovedo, residents of this Presidio
October 4–small child, legitimate daughter-Nicolas de Alcantara and Geronima Morales (mulatto residents)
October 14–Maria (adult slave)
December 20–small boy, legitimate son of Francisco, Indian Native and soldier of Cavalry Company
December 27–Joseph (adult slave)
December 29–Alfonso Bravo (Interpreter and Native of Havana)

The Creation of Fort Mose

The free African community of St. Augustine became an issue at a local level as tensions rose. The population of free blacks grew as a result of more successful runaways and the removal of the four-year labor requirement. With this growth, the city debated the role these free Africans would assume. Shortly after freeing all British runaways in 1738, Governor Montiano moved the fugitives to a town two miles north of St. Augustine. The "town" was actually a bulwark called *Gracia Real de Santa Teresa de Mose.* All men moved to the area were made members of the royal militia and armed to protect Florida from British invasion. Fort Mose, as it was commonly known, became the first state-sanctioned free black settlement in North America. While labeled by recent historians as a "fortress of freedom," Mose actually served as the first line of defense for St. Augustine.

Although a military outpost, the location, population, and nature of Mose's placement suggests it was something more. With the exception of a white religious figure and a few indigenous peoples, the occupants of Mose were mostly of African descent. Mose was officially a free but racially segregated community. Former Carolinian slaves lived in Mose, while whites and Spanish owned slaves lived within the city walls of St. Augustine. It is difficult to gauge the feelings of the

new residents of Mose, since there were no substantial documents to come directly from the black citizens. However, its location and segregated population suggests Mose became a "buffer zone" between the white community of St. Augustine and the useful, but "undesirable" fugitives from Carolina. Perhaps the Spanish followed the lead of the British in their formation of Georgia. There, the colony housed prisoners and the poor and provided South Carolina with a useful buffer zone that protected the growing colony from hostile Spaniards. However, regardless of Florida's intentions, Mose was a powerful symbol for British slaves as it represented freedom.

Mose had a significant history even before the slaves moved to the area in the late 1730s. Since 1700, the area was known as Mose. In 1728, the government used the area for the construction of an Indian mission for the care of natives displaced by the Yamassee War in South Carolina. Mose did not take the shape of a military fortification until just before the 1740 War of Jenkins' Ear when earthen fortifications were constructed.[32] For the new residents, life at the fort entailed much in the way of hard labor and physical challenge. However, as free residents of Mose, this life was not that of a slave.

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[32]. Untitled Document by K. H. Beason. Manuscript Collection 52, Box 2 F-12, SAHSL.

Life as a soldier for the Spanish Empire offered an immeasurable amount of freedom when compared to life on a South Carolina plantation. In 1738, the residents of Mose sent a notice to the governor proclaiming their allegiance to the crown.

> We promise that every time the opportunity arises we shall be the most cruel enemies of the English and that we will risk our lives in servitude of the [King] until we've spilled out last drop of blood in defending the crown of Spain and of our faith.[33]

The government welcomed these words. Rhetoric of this nature was enough to convince the authorities in St. Augustine that their investment in the slaves' freedom was likely to bring a return.

Archaeological evidence offers the best insight into the daily lives of Mose's residents. Based on recent excavations, educated guesses may be made on the diet, general health, and living conditions of the residents of Mose. An earthwork wall surmounted by a wooden palisade surrounded Mose. The far side of the fort faced the westernmost curve of a small tidal creek.[34] In front of the earthen walls was a three-foot deep dry moat that was filled with Spanish bayonet cactus, also known as Spanish Yucca. To the east of the fort was a creek, a salt marsh was at its north, and to the west and south were cultivated fields. For the residents, the immediate

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[33] AGI 58-1-31/62 (Fugitives to Spanish authorities).

[34] Today this area is the west shore of the south branch of Robinson Creek.

area of Mose was not an earthly paradise. The high temperatures and humidity would be comparable to those found in South Carolina. The fort's coastal location, however, provided a constant sea breeze that helped alleviate climatic discomfort.

For the residents of Mose, the diet was of a subsistence nature. While St. Augustine relied on the annual *situado* and any amount of illegal trade with Carolina for foodstuffs, the people grew, hunted, or gathered most of their food in the immediate area. Historical records suggest eating in Florida was a matter of feast or famine. A letter by the governor in 1712, for example, claimed that a lack of food resulted in the residents dining on dogs, cats, and horses.[35] Local crops available to the people of Mose included beans, squash, and corn. Near the presidio some owned cattle, but most sources of meat came directly from the land. The proximity to the ocean made seafood a dietary staple; fish, shellfish, and turtles were frequent ingredients on the Floridian's menu. Oysters in particular served as an important source of food and their shells could be used as a building material called tabby. Game hunted in the area included rabbit, deer, raccoon, bear, alligator, and turkey. Although hunger was a common complaint by most residents of the presidio, food was available.

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[35] Kathleen Deagan, *Spanish St. Augustine: The Archaeology of a Colonial Creole Community* (New York: Academic Press, 1983), 152.

Archaeological evidence also offers clues concerning the general health of the people in St. Augustine. While there are no known burial grounds exclusive to the black community, studies made of cemeteries within the city walls show that the age of death, was relatively high. Considering St. Augustine's economic state, it is surprising that most died as adults. Still, a lack of food, a harsh climate, and external threats made life difficult for many. Nevertheless, of burials examined recently, 92.6% were adults, 3.7% were children, and only 3.7% died in infancy.[36] There is little evidence that the statistics for the residents of Mose would be much different.

The location of the Mose, while strategically convenient for the residents of St. Augustine, was somewhat unfortunate for those who lived there. For the garrison inside St. Augustine, Mose represented an early warning system. In all likelihood, a British invasion would come from the north, and the soldiers at Mose would be able to warn the bulk of St. Augustine's population. For the residents of Mose, a British attack would mean utter ruin. Any substantial British force arriving by land or sea promised to turn the people of Mose into cannon fodder. Although there is no substantial evidence that suggests the freed slaves were moved to Mose to serve as a sacrificial warning in the event of invasion, this was likely a principle

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[36] Deagan, 210-213.

reason for its construction. Mose was strategically placed, a fort along the northern perimeter of the town served a useful purpose and the newly freed fugitives helped fill a chronic need for soldiers. That Mose was two miles outside of town also raises the possibility that the fugitives were placed there as a way to remove an element of society not welcomed by many. The residents of Mose provided a valuable military service to the city at little expense. Regardless of the designs of the white community, the residents of Mose quickly found an opportunity to prove their worth on the battlefield when the city was attacked in 1740.

Jenkins' Ear

The catalyst for the attack on St. Augustine lends itself to one of the more bizarre stories in the game of border warfare between the Spanish and British crowns. Although the fighting started in September 1740, the event that caused the attack occurred nearly ten years earlier. On April 9, 1731, off the coast of Havana, Captain Juan de Leon Fandino of the Spanish Coast Guard boarded the British vessel *Rebecca*. Fandino suspected Captain Robert Jenkins of smuggling, and when he discovered the hull of the *Rebecca* loaded with gold and fresh provisions, an argument ensued. The exact content of the argument is not known, but the

outcome is documented. In the heat of the altercation, Fandino sliced off Jenkins' ear and handed it to him. Fandino told Jenkins "Take this to your king and tell him if he were here I would do the same to him."[37] Fandino then removed the gold and much of the provisions off the *Rebecca* and released Jenkins.

Jenkins arrived in London on June 11, 1731 and immediately reported these events to the king.[38] For the immediate future, that was the end of the Jenkins incident. Fandino continued being a successful privateer and naval officer, and Jenkins likely returned to sea. However, tensions between English and Spanish sailors continued along the North American coast and the Caribbean. At the time, Robert Walpole was Prime Minister of Britain and opposed to military action against Spain regardless of crimes on the high seas. British sailors and members of Parliament, however, did not agree with the Prime Minster's passive stance and demanded military action. Bolstering the position of the hawkish citizenry and Parliament were numerous petitions from abroad describing Spanish acts of treachery. Many who were affected by these acts of violence were called to testify in front of Parliament. One of those called to offer their testimonial was Jenkins. Parliamentary records account Jenkins' remarks.

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[37] John Tate Lanning, *The Diplomatic History of Georgia: A Study of the Epoch of Jenkins' Ear* (Chapel Hill: The University of North Carolina Press, 1936), 176.

[38] Edward W. Lawson, "What Became of the man who Cut off Jenkins' Ear?," *Florida Historical Quarterly*, 37 (July, 1958), 34.

> The Spanish captain is reported...to have hanged Jenkins three times, one with a cabin boy at his feet, and then to have cut off one of his ears...After relating the transaction, with many additional circumstances of insult and barbarity, he displayed his ear, which he had preserved, as some assert, in a box, and others in a bottle.[39]

When asked what he expected to happen after Fandino sliced off his ear, Jenkins responded: "Gentlemen, after mangling me in this manner, they threatened to put me to death. I expected it, and recommended my soul to God, but the revenge of my cause to my country."[40] An emotional Parliamentarian, outraged at Spain's belligerency, exclaimed "Our countrymen in chains and slaves to the Spaniards! Is not this enough, Sir, to rouse all the vengeance of a national resentment?" The House voted to address the king on the matter. And thus began Britain's official condemnation of Spain; a condemnation that led to a general declaration of war in 1739. For Florida, war with Britain began the following year. When war came, however, the British fought for continued domination of trade in the Atlantic and not for the loss of a countryman's ear. Nevertheless, the conflict became known as the War of Jenkins' Ear in honor of the man who brought attention to Spain's "atrocities" on the high seas.

Officially, the declaration of war was in part a result of Spanish piracy and the fear it instilled in British merchants and sailors. However its roots in North

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[39] *Ibid.*, 35-36.

America extended to the first British settlements to threaten Spanish sovereignty in North America. The primary reaction to British encroachment onto Spanish lands was the fugitive slave policy. The founding of Savannah in 1733 prompted many Spanish authorities to continue the policy of asylum for runaways. With the establishment of Fort Mose, not only did St. Augustine gain an early warning system for the residents of the presidio, but they gained an added fear factor by housing a militia composed of former British slaves.

Since the attack in 1702, Florida officials knew they had no chance in reclaiming land once deemed part of the Spanish Empire. After losing most of North America to the British, many Spaniards were determined to maintain control of Florida. This of course, demanded much cunning, and required an offense without a significant military force. By allowing fugitive slaves their freedom, Florida openly ran the risk of attack. However, they also found the slave population to be an effective weapon against their enemy to the North. As a military town with no material wealth, allowing a handful of slaves their freedom became a large investment in the future of a Spanish Florida. The Spaniards realized the Achilles Heel of South Carolina to be the black majority. This fear of the British, that their own former slaves could become their armed enemy,

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[40] Lanning, 176.

prompted military action by the end of 1739. When the decision was made to invade Florida, no declaration of war was necessary from the British monarch. Border disputes reached the boiling point; international incidents that favored a war between England and Spain were merely a convenience.

CHAPTER 4

THE STONO REBELLION AND THE WAR OF JENKINS' EAR

The people and governments of Georgia and South Carolina did not need an official declaration or story about a man who lost an ear to a Spanish pirate to seek war with Florida. Since the creation of South Carolina, disputes between Spain and England were constant events on North America's shrinking frontier. Although the British declaration of war in 1739 provided legitimacy for an attack, events preceding the declaration assured a massive armed conflagration in Florida. Although there were numerous reasons for Carolina's desire to fight the Spanish, St. Augustine's policy for runaway slaves and the Stono Rebellion were paramount to these desires. Offering freedom to runaway slaves was the antithesis of South Carolina's legal and economic basis. These former slaves were allowed agency beyond their race and for the white planter this was unacceptable. For many their worst fears came true when slaves rebelled in South Carolina's Stono region and had plans to seek asylum in Florida.

With a few strokes of the pen, Spanish officials allowed for the destabilization of racial barriers. Although the residents of Mose carried racial labels, their meanings were fundamentally different from what they had meant in South Carolina. The number of residents at Mose remained a small portion of the overall population, yet they posed a threat to British rule in their Southern colonies. The Spanish hoped that the offer of asylum to escaped slaves would create racial instability throughout the South, although the chances of this happening were remote.

In all likelihood, many whites in St. Augustine did not approve of this official attempt to instigate a racial rebellion. St. Augustine, like most of European controlled North America, was a slave owning society. While the slaves of St. Augustine lived and worked in an urban environment, a desire to expand into a plantation-based economy grew in the early part of the eighteenth century. In order for the colony to change economic models, an enslaved labor force was necessary. The thought of prompting revolution in the enemy's colony was an interesting idea for strengthening Spain's position in North America. It had little chance of being realized, however, because Florida was too weak to sustain and support a slave revolution in South Carolina. Nevertheless, British officials accused the Spanish of instigating the nearly disastrous slave insurrection in 1739.

Immediately following the rebellion's suppression, determined to remove Spain from the Atlantic seaboard, South Carolina punished St. Augustine for its disrespect of British law. Most British believed that war was the only way to eliminate the Spanish threat.

South Carolina Prepares for War

Throughout the 1730s, British planters in South Carolina watched as their colony's black majority increased at a rapid rate. As this population grew, so did the planter's profits. Also during the 1730s, South Carolinians helplessly watched as their slaves continued successfully to run away from their plantations and find asylum in Florida. From the planter's perspective, this was akin to treason. The Catholic landlords of Florida threatened to stunt the growth of South Carolina's economic juggernaut.

By the beginning of 1739, many in Charleston called for war against Florida. On January 17, 1739, William Bull, President and Commander-in-Chief of South Carolina addressed the South Carolina Commons House of Assembly about the threat posed by runaway slaves.

> The desertion of our Slaves, is a Mater of such Importance to this Province, that I doubt not but you will readily concur in Opinion with me, that the most effectual Means ought to be used to discourage and prevent it for the future, and to render as secure as possible so valuable a part of the Estates and Property of his Majesty's faithful Subjects.[1]

Bull aimed his words at the Spanish who welcomed the runaways and to the British owners whose lack of control contributed to their increasing numbers. Bull made these comments following the flight of over sixty slaves in November of the previous year.

The Journals of the South Carolina Commons House of Assembly contain, at the beginning of 1739, explosions of anger and frustration over Spain's policy. Reports made to the Commons House claimed that nineteen slaves belonging to Captain Caleb Davis and fifty others owned by various residents of Port Royal fled the colony in November 1738. According to Captain Davis, the slaves successfully fled to Florida. Once he had determined the location of the runaways, Davis petitioned Florida's governor for their return. The Speaker of the South Carolina legislature reported to the members of the assembly:

> The said Governour refused to deliver the...Slaves giving him, the said Davis, for Answer that it was the express Command of his Catholic Majesty to him to declare all Slaves to be free that should desert thither from this Province, and instead of giving up any deserting Slaves, the said Governour said he had before that Time by Order of his Catholic

[1] *South Carolina Gazette*, January 25, 1739.

> Majesty published a Proclamation declaring all Slaves to be free...and had accordingly employed the said Slaves upon Pay in the Service of his Catholic Majesty, so that the said Davis was obliged to come away without any Satisfaction or Hopes of having his said Slaves delivered to him.[2]

It is not difficult to imagine the Carolinian's shock and anger upon hearing that Spain not only harbored these fugitives, but also placed them on the state payroll as employees. After informing the legislators of recent events on the frontier, the Speaker suggested the colony send a delegation to Florida to claim the slaves, not on behalf of the individual owners, but on behalf of the British monarch. It was agreed, and a group from the South Carolina government was chosen to travel to Florida on a mission of diplomacy.

While the government discussed possible reactions to these events, others in South Carolina reported runaway slaves. On May 18 the Rev. Lewis Jones, a missionary to St. Helena's Parish in Beaufort, wrote to the secretary of the Society for the Propagation of the Gospel that twenty-three slaves fled the area. These slaves, Rev. Jones claimed, left for St. Augustine after the publication of a proclamation that promised freedom to all runaway slaves. In his letter, Jones feared that the flight would "Considerable Encrease the Prejudice of planters agst

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[2] J. H. Easterby, ed., *The Colonial Records of South Carolina: The Journal of the Commons House of Assembly. November 10, 1736-June 7, 1739* (Columbia: The Historical Commission of South Carolina, 1951), 595-596. Hereafter cited as SCJC.

the Negroes, And Occasion a Strict hand, to be kept over them by their Several Owners, those that Deserted having been much Indulg'd."[3] As more of these incidents occurred, the level of fear increased in the House.

Charles Pickeny, the Speaker of the House, urged the Assembly to enact strong legislation that might stem the number of slaves leaving for Florida. Immediately following the massive desertions of 1738, the Assembly hired sixteen men to patrol the waterways for runaway slaves. In addition to increased patrols, South Carolina offered large bounties for anyone who captured a runaway slave. If returned from beyond the Savannah River, a bounty hunter earned £40 for the capture of a male, £25 for a female, and £10 for a child. Anyone turning in an adult scalp with both ears intact received £20.[4]

Before shots were fired, many diplomatic channels were explored. The delegation of lawmakers left for Florida at the end of January 1739. By March, Governor Montiano wrote to the South Carolina government explaining that all fugitive slaves who arrived in Florida would be welcomed and protected. According to one South Carolina legislator, this policy promised "fatal Consequences to the Safety and Welfare of this Province."[5]

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[3] Wilbur H. Siebert, "Slavery and White Servitude in East Florida, 1726-1776," *Florida Historical Quarterly* 10 (July, 1931), 4.

[4] Wood, 310.

[5] SCJC, March 16, 1739.

These fears led to the adoption of more rigid slave codes. An example of the new laws was an act entitled "Bill for the better Security of the Inhabitants of this Province against the Insurrections and other Wicked Attempts of Negroes and other Slaves." The colorfully titled law held curious requirements, including that slaveowners must carry pistols with them to church.[6] There was confusion, however, as to who should attend church armed. Some lawmakers suggested all owners of more than ten slaves carry firearms, but it was decided that this was not necessary. Although there appears to have been no definitive answer as to who would carry weapons on Sunday morning, it was agreed that "the Person obliged to go armed to Church shall carry a Pair of Pistols with them."[7] This bill, seemingly ludicrous, reflected the fears of slave resistance, and was in part a prophecy of things to come.

By the end of 1738, the leaders of South Carolina's largest planned slave rebellion outlined their strategy while allegedly attending church. As the slave population increased throughout the eighteenth century, the number of slaves allowed to attend church also grew. South Carolina in the 1730s stood at the cusp of a national religious revival that for the first time openly welcomed the

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[6] The text of the actual bill does not appear in the House Journals. However, after noting the bill's passage, the journal records a humors dialogue between members concerning the stipulation that slaveowners attend church armed. There appears to have been confusion within the legislature whether this was a requirement at all. SCJC, March 16, 1739.

participation of slaves. The Church and religious teachings would become the basis for many slave rebellions, including the Denmark Vessey Uprising and the Nat Turner and Stono Rebellions. Often, the church offered the only opportunity for slaves from numerous plantations to congregate. As a group, they planned acts of armed rebellion and strategies for nonviolent resistance.

For the people of Charleston, the news of recalcitrant slaves only got worse. The July 28, 1739 issue of *The South Carolina Gazette* reported that the English governor of Jamaica had completed negotiations with an armed and independent group of runaway slaves. Planters imagined the possibility of similar events occurring in South Carolina, inspired by the Florida law. Also in July, a Spanish military officer sailed into Charleston allegedly to deliver a letter to General Oglethorpe. Oglethorpe was not in Charleston at the time and the Spaniard, accompanied by twenty or thirty men, increased suspicion. Adding to the frustrations of all South Carolinians were "heavy taxes," the reappearance of yellow fever in Charleston for the first time in nearly eight years, and an outbreak of smallpox in 1738.[8]

The ultimate blow to South Carolina's white population came at the end of the year, with the Stono Rebellion. On September 9, 1739, approximately twenty

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[7] *Ibid.*

[8] Wood, 312-313 and SCJC, July 1, 1741, 85.

slaves gathered near the western branch of the Stono River. Led by a slave named Jemmy, the mostly Angolan group broke into a store that sold small arms and gunpowder. Armed, they headed south along the main road to Georgia, intending to march to their freedom in St. Augustine. Along the way, the group burned and plundered houses and killed nearly every white they encountered. Throughout the day, the original group of twenty increased in size. The following day, white colonists fought back, killing at least fourteen of the renegade slaves. The remaining rebels were eventually captured, questioned, and executed. In the end, nearly sixty people (over half white) died in the incident.[9] In a report made two years after the rebellion, the South Carolina House placed exclusive blame on St. Augustine's fugitive slave policy. "That the Negroes would not have made this Insurrection had they not depended on St. Augustine for a Place of Reception afterwards was very certain; and that the Spaniards had a Hand in prompting them to this particular Action there was but little Room to doubt."[10] The Stono incident assured battle with the Spaniards.

Holding the promise of freedom for slaves, Florida became a cancer for British planters in the Southeast. For South Carolina to thrive as a plantation-based economy, the Georgia buffer zone was not enough. Spain simply had to be

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[9] *Ibid.*, 315-319.
[10] SCJC, July 1, 1741.

removed from the land. The December 29, 1739 issue of *The South Carolina Gazette* reported that General Oglethorpe and 170 soldiers began marching towards St. Augustine. By March, an official declaration of war, exclusive of the war already declared by the British crown, was issued by South Carolina against Florida.[11] According to the declaration, war was necessary "on account of the unjust seizures and depredations committed by the Spaniards in America."[12]

The 170 soldiers reportedly preparing to attack grew to at least several thousand troops and six vessels of war by May 1740. To prepare for the Florida attack, considerable manual labor was necessary to fortify British positions when they arrived at the presidio. To fill this need, British officers brought with them at least eight hundred African slaves. Interestingly, the Carolinian government reported that "all Negroes employed or carried from the Province of Carolina during the Time of the Expedition, and until the Return of the Troops, shall have Liberty to pass, and re-pass without Interruption; or being subject to Forfeiture."[13] That slaves were allowed freedom of movement during the military operation suggests that either the Carolina leadership was not afraid of slave desertion or they

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[11] This declaration of war was issued after the House sent to the crown a petition explaining their fears. In part, the petition reported that "The great Industry and Art have been used by the Spanish Government to make the said Edict known throughout the Province, in Consequence of which Encouragement several Negro Slaves, the Properties of your Majesty's Subjects, have committed Murders and have made their Escape from hence." SCJC, May 31, 1739.

[12] *The South Carolina Gazette*, March 1-8, 1740.

[13] SCJC February, 1744, 199-200.

assumed victory was assured and runaway slaves would not be a problem. Listings of estimated expenses for the operation included provisions for the African "pioneers," and nearly 2,000 Indians from the Cherokee and Creek tribes.[14] British intelligence estimated the entire Spanish force consisted of 1,324 soldiers. Of these, the British guessed there were two hundred armed Africans, approximately one sixth of the entire Spanish force. As the British prepared to march against the Spanish, hopes of success were high.

Superiority in size and strength assured the concerned citizens, that when the battle was complete, Spain would be removed from the Southeast and would cease being the "Receptacle of Debtors, Servants, and Slaves." By February, the British troops, led by Oglethorpe, left for St. Augustine. The fighting began on the morning of May 12 when Oglethorpe and his men captured Fort Diego, a small outpost twenty-five miles north of St. Augustine in an area known as the Diego Plains. According to the General, there were close to fifty soldiers at the outpost, several of whom were black. Oglethorpe and his men used Fort Diego as their primary staging ground for the larger attack that occurred several weeks later.

On June 2, British scouts stumbled upon Fort Mose. Reconnaissance troops described the African settlement as "four Square with a Flanker at each Corner,

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[14] SCJC, February 4, 1740.

banked round with Earth, having a Ditch without on all Side lined round with prickly Palmeto Royal and had a Well and House within, and a Look Out."[15] A violent rainstorm postponed plans for an attack that afternoon. By nightfall, one British soldier reportedly defected to the black soldiers at Mose. At first light on May 3, the walls of Mose were breached in two places and a British officer burned the blockhouse. A lack of provisions, however, forced the British troops to return to their stronghold at Fort Diego, and thus the majority of Mose's residents were spared. It is likely that after the British pullback, the residents of Mose fled the fort and found refuge inside the Castillo. The British military captured Fort Mose one week later.

Intermittent fighting continued for several days before the British dug in on Anastasia Island. Located several hundred yards to the south of the city, Oglethorpe's camp on Anastasia Island gave the British a clear tactical advantage. Oglethorpe, however, misjudged the people of St. Augustine. Since its beginnings, the city had been attacked and pillaged time and time again. From Drake's Raid in 1586, additional pirate attacks in the late seventeenth century, and to the utter destruction of the city by Governor Moore in 1702, St. Augustine had weathered

[15] SCJC, December 1, 1741.

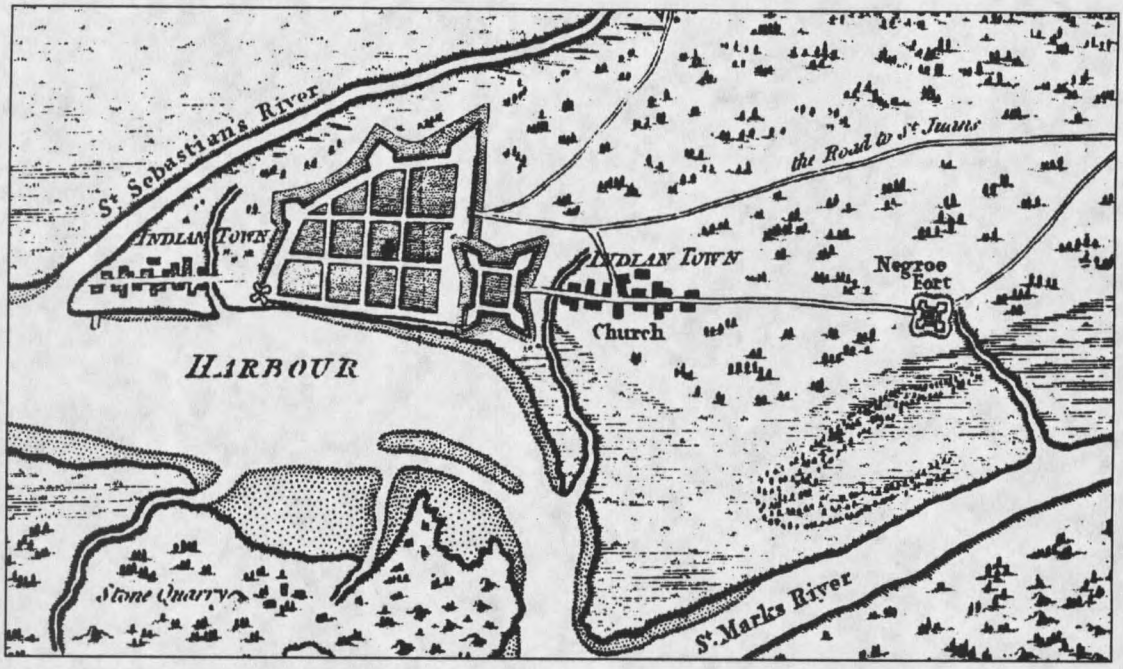

Figure 2: St. Augustine and Fort Mose as drawn by a British cartographer in 1762. The area labeled "Stone Quarry" is Anastasia Island. *(P.K. Younge Library of Florida History)*

all previous storms. The stubborn citizenry of St. Augustine, helped by dissention amongst the British officers, allowed the Spanish outpost to remain autonomous.

By June, General Oglethorpe began daily bombardments of the Castillo from their headquarters on Anastasia Island. Walls surrounded the town, protecting the people of St. Augustine from most of the fighting. Still, there was considerable danger that the residents would run out of provisions. The military strategy of the Spaniards followed the plans used during the 1702 siege; the military's best hope for victory was to outlast their opponents. In 1702, the Spaniards emerged victorious

from a British siege, because they simply let the aggressor tire. Once again, in 1740, the idea that they could win through perseverance and patience emerged as the primary plan.

As the British bombed the stone fort, concerns over the welfare of the town's residents and the morale of the soldiers prompted a counterattack. On June 14, three hundred Spanish soldiers left the Castillo to reclaim Fort Mose. The group fought through the day and into the night, defeating the British forces in the early morning hours of June 15. The victory at Mose was important for the Spanish. Although the force they defeated was not large, it provided a much-needed boost in morale and pushed British forces further from the city. Only two days before the recapture of Mose, Governor Montiano was ready to quit. Four days after the victory, however, Montiano refused Oglethorpe's call to surrender.[16]

The British remained in St. Augustine, bombarding the Castillo for another month before leaving Florida, shocked at their failure. On July 4 Oglethorpe ordered the withdrawal of all troops in Florida. This order to retreat came directly from the South Carolina House when it was determined that there was no "appearance of success in reducing the Fortress of St. Augustine."[17] British forces fled the area, sick with dysentery and depressed with their failure.

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[16] Ivers, 149.
[17] SCJC, July 18, 1740.

Following his defeat at St. Augustine, Oglethorpe went from being a fearless leader to being an embarrassment. The South Carolina House drafted numerous reports that attempted to explain how their forces lost a seemingly guaranteed victory. Most reports on the incident complained of gross negligence by the British officers. Spanish Florida remained an autonomous outpost and a thorn in the side of British slave owners.

Because Mose was destroyed during the initial attack and subsequent counterattack, the former slaves moved into the city while Spanish bureaucrats decided what to do with the former black town. Although the fort fell to British forces, many of the African soldiers fought bravely throughout the siege. One of the former slaves who fought against the British was Captain Francisco Menendez Marques. Named captain by his peers, the case of Menendez offers insight into the overall treatment of the African fugitives. Conventional wisdom suggests the residents of Mose were seen as pawns in a diplomatic game of tit-for-tat along the frontier. As St. Augustine constantly faced economic collapse, the addition of numerous fugitive slaves further strained the town's sparse resources. In all likelihood, the average resident of St. Augustine found the invitation sent to Carolinian slaves as an unnecessary imposition to the white community. The case

of Menendez, however, suggests the government of St. Augustine not only supported runaway slaves, but fought for their rights as Spanish citizens.

CHAPTER 5

THE CASE OF FRANCISCO MENENDEZ MARQUES

There is little doubt that Florida's refusal to end its policy of asylum for runaway slaves prompted war with Britain in 1740. Florida justifiably believed such a policy could cause the utter ruin of Carolina. The Spanish understood the inherent danger Carolina faced by allowing a small minority rule an enslaved majority. There are, nevertheless, numerous reasons to suspect the motives of the Spanish. Offering a runaway slave freedom, access to religion and family, and membership into a militia did not necessarily mean humanitarian concern for those of African origin. This supposition, however, is occasionally challenged within the historical record. As illustrated below, certain individuals, based on their achievements and apparent "value" to the colony, were sometimes important enough to merit the attention and action of the government. In the case of Francisco Menendez Marques, the actions of Florida's government show how

Spanish perspectives on race differed greatly from their British counterparts. For the Spanish, one's race did not always determine one's position in society.

In 1741, off the coast of Florida, British privateers captured a Spanish ship, which had on board a person of African descent. Because the person detained was black, it was assumed he was the property of someone, and thus, the privateers prepared to sell him as a slave. Francisco Menendez Marques, however, was not a slave. Menendez informed his captors that he was captain of the Fort Mose militia. The British sailors refused to believe his story. It was unfathomable for them to believe claims that a man of African descent could be a soldier for a European Empire. Menendez was taken to the British port of Nassau where a court agreed to hear his plea. The privateers maintained that the man could not be a soldier because he was black and, as property on a captured ship, Menendez was therefore theirs to sell. Eventually, the British court of the Vice-Admiralty freed Menendez.

Menendez was a former slave, captain of a militia, and an active member of the Catholic Church. His case illustrates one individual's effort to assert his identity and offers proof that the government of St. Augustine accepted him as a resident and an officer. The English, however, nearly always saw a black man as nothing more than a slave. In the end, the outcome of the Menendez incident was one in

which the parameters of race were distorted beyond their standard definitions, and the Spaniards' attitudes toward the residents of Mose come to the surface.

On another level, the Menendez case illustrates how one individual exercised power beyond normal bounds. Anyone who successfully displayed "racial fluidity" or who had the ability to cross racial barriers in a slaveholding society might claim power beyond that definition for slaves.[1] This case also implies that there may have been other similar incidents that suggest the existence of an entirely different structure of race and labor in early America.

Francisco Menendez arrived in Florida as a fugitive sometime in the mid-1720s. Travelling in the company of English speaking Indians, Menendez entered Florida with an uncertain future. The actual identity of Francisco Menendez Marques cannot be known, for his Spanish "owner" gave this name to him. Once in Florida, Menendez was sold into slavery by a minor *cacique* of the Yamassee tribe known to the Spanish as Mad Dog. Shortly after the initial sale, the new arrival was sold to St. Augustine royal accountant Don Francisco Menendez Marques. Although details are not clear, this slave took the new owner's name and was apparently allowed to join the militia, but he remained a slave. Shortly after

[1] While "race" may be an anachronistic term for the eighteenth century, how the British treated the Menendez case in court shows without a doubt that race was an issue and the idea of race was not as fluid as some scholars suggest it might have been in the eighteenth century.

joining the militia, Menendez was named a captain.[2] Ironically, although a military officer, he was still considered a slave. Determined to find legal autonomy, he fought for recognition of his freedom.[3]

Menendez petitioned the government for his independence on the basis that he came to Florida in search of baptism "in the true faith." Legal precedent was strengthened when Jorge, another *cacique* of the Yamassee, became his principle defender. As a leader of the Yamasee, Jorge was instrumental in the 1715 uprising against the English in Carolina and thus a great asset to the fledgling Spanish colony.[4] The Indian chief related that Menendez originally escaped as a British slave and joined their tribe. According to Yamasee tradition, Jorge argued, Menendez should be a free man since he fought for the tribe as a Christian soldier. However, while with the tribe, Menendez and three others were captured by Mad Dog and sold to Spaniards as slaves. Jorge held that although Mad Dog sold Menendez, he could not be blamed since he was an infidel. The blame, Jorge suggested, belonged to the Spanish, for they should have known better than to purchase any soldier that lived amongst the Yamassee.[5] Governor Montiano

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[2] In other instances of black officers for Spanish military units, the African officers were appointed or elected from within their individual, segregated units.

[3] Jane Landers, "Historical Report on Gracia Real de Santa Teresa de Mose," (Unpublished manuscript prepared for Historical Archaeological excavation), Appendix.

[4] For more information on the Yamassee War see Wood, *Black Majority*.

[5] AGI-SD 844, reel 15, PKY (AGI at Santo Domingo as found at the University of Florida's P.K. Younge Library).

reviewed previous edicts and proclamations pertaining to runaways, and found in favor of Menendez sometime before 1738.

Two years after his emancipation, Menendez again faced an uncertain fate during the British siege of 1740. Shortly after the battle, Menendez joined the *Black Sloop,* a privateering ship based in Havana. Captained by Don Pedro de Estrada, the *Black Sloop* was considered highly successful in capturing English cargo ships.[6] But in August, 1741 the British privateer vessel, *The Revenge,* captured *Black Sloop.* According to the ship's log, sailors found the ship "loaded with Pork Beans, Tarr, Live Hoggs, etc. and a horse and had on Board 2 Englishmen, The Mas'r who is a frenchman born but turned Spaniard, 3 Spaniard Slaves and one Negro."[7] Normally, a sailor captured by a privateer expected to be ransomed by his captors. For Menendez, however, because he was of African ancestry, those prospects were doubtful.

Tradition allowed for the privateering captain to sell all goods found on a captured ship. Sailors were typically ransomed to their native land. Slaves on a captured ship, regardless of their duties, were considered personal property of the ship and were thus auctioned to the highest bidder at the next port or taken as personal servants of the captain. Four days after the capture of *Black Sloop,* the

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[6] John Franklin Jameson, ed., *Privateering and Piracy in the Colonial Period: Illustrative Documents* (New York: The Macmillan Co, 1923 rpt., 1970) 399-400.

officers of *The Revenge* discovered an anomaly amongst the three "Spaniard Slaves." The British master noted that a "Negro prisoner" claimed he was captain of a "Comp'y of Indians, Mollattos and Negroes that was att the Retaking of the Fort att St. Augus'ne...the Negro went Under the name of Signior Capitano Francisco."[8]

Menendez informed his captors that his plans were to accompany *Black Sloop* to Havana as an active privateer. Following a stop in Cuba, Menendez planned to sail to Spain in search of a reward for his actions. It is possible that Menendez planned to seek a reward for his conduct as either a privateer or as a soldier during the War of Jenkins' Ear. Not believing his story, the British sailors searched for a more realistic confession. To encourage a confession, Menendez was strapped to a ship's gun and threatened with castration if he refused to comply with the sailors' demands. Menendez did not offer any further information or military intelligence he may have been privy to regarding the 1740 siege. For his silence, he received 200 lashes and was "pickled" by his captors.

For several days, *The Revenge* sailed alongside the Spanish prize. Several times, *The Revenge* was challenged by other Spanish privateers, and in one case a Spanish man of war. Regardless of these challenges, *Black Sloop*, escorted by *The*

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[7] *Ibid.*
[8] Jameson, 402.

Revenge, arrived in the British port of Nassau in the Bahamas. No mention is made in the ship's log regarding Menendez following his beating, yet he apparently convinced his abductors that he was of some importance, for Menendez and the rest of the crew were imprisoned upon their arrival in the Bahamas. Instead of immediately selling the non-white passengers, the British privateers had to appear in court to negate the claims made by Menendez.

In addressing their case, the British legal counsel for the captain of *The Revenge* noted that the cargo of the Spanish sloop contained "Three Mollattos and one Negro, all Slaves belonging to some of the Vessells or Subjects of the King of Spain, [which] ought to be Condemned for the benefit and Use of the Captures as aforesd."[9] The prosecutor informed the court that he could prove they were slaves and therefore the legal property of the captain of *The Revenge.* Thus began a seemingly insignificant court case that offers profound insight into the nature of eighteenth-century racism.

The British counsel built his case around Menendez's skin color. Menendez, he argued, could not possibly be a free man, let alone a captain of a military unit, because he was black. "Does not their Complextion and features tell all the world that they are of the blood of Negroes and have suckt Slavery and

[9] Jameson, 408.

Cruelty from their Infancy?" the prosecutor asked. He accused Menendez of being the "Cursed Seed of Cain, Crust from the foundation of the world, who has the Impudence to Come into Court and plead that he is free."

Later, though the prosecutor contradicted himself, he argued on one hand that Menendez must be a slave because of his skin color. On the other hand, he accused Menendez of treachery against the British during the War of Jenkins' Ear. Thus, it appears that the court was willing to give the accused agency for acts of treachery against the British, but refused to acknowledge a possibility that he could have been something more than a slave. The prosecuting counsel denied the history of the events in 1740. All accounts of the English Siege in 1740 acknowledge the participation of a company of African soldiers. It is possible that the court refused to concede that the black soldiers who fought against them were capable of being led by other black soldiers, and therefore, they could deny Menendez's claims. Not surprisingly, the arguments were successful. The judge ordered the cargo of the ship sold, all white crew members jailed until ransomed, and Menendez and the other blacks on the ship to be slaves of the British captain "according to the Laws of the plantations."[10]

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[10] Jameson, 411.

Following his sentence, Francisco Menendez Marques' fate becomes murky in the historical record. Menendez was eventually brought back to St. Augustine, though the circumstances under which he returned are not clear. In 1764, Menendez was evacuated with all Spanish subjects when ownership of Florida was transferred to British control. He was probably released from slavery shortly after his day in court, for by 1764 he was married and was the father of four grown children.[11] When Britain gained ownership of Florida, the Menendez family was relocated outside of Havana. Presently, there are no concrete facts regarding the release of Menendez from his court-ordered bondage. However, to fill this silence in his history, a similar case that involved the enslavement of another Spanish officer of African descent can be used to offer a possible explanation of his fate following the judgement in Nassau.

After the destruction of Fort Mose in 1740, the Spanish staged intermittent retaliatory attacks against the British in Georgia and South Carolina. Sometime around 1752, British forces captured a group of Spanish privateers. On the unnamed ship were several black soldiers, including a Captain named Fernando Laguna. In this case the initial facts of the incident are not known. What can be gathered from available documents is that the group was captured and, it is assumed

[11] Landers, "Historical Report on Gracia Real de Santa Teresa de Mose," Appendix.

the black sailors were enslaved in a manner similar to the Menendez case. Official correspondence shows the black soldiers were forced into slavery specifically because they were black.[12] These soldiers were saved from the ravages of slavery when the governor of Florida acted on their behalf.

Once again, a Spanish military officer who happened to be black was forced into slavery *because* of his skin color. Although whites accompanying the men were released, the Spanish government fought for the freedom of the black subjects who were also captured. Letters sent to New York in 1753, indicate "official frustration" with the decision to hold Spanish black and mulatto residents as slaves. The governor of Florida argued that the Spanish slaves were actually free soldiers and sailors. These men were taken, he argued, "without just motive...when they were free."[13] Because they were free to begin with, the state argued they should be set free or ransomed like the white sailors since they were essentially captured without just cause.[14] The governor went so far as to threaten the New York governor that he would not stop harassing the British until the slaves were returned to the nearest Spanish port. In this case, harassment would entail Spanish military

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[12] AGI 86-7-21 and AGI 86-5-21.

[13] *Ibid.*

[14] Although the government argued they were captured "without just cause" it is highly unlikely that this was the case. Those captured were participants on a privateering ship and not on a mission of goodwill. However, had the British looked beyond the color of the passengers, the black and mulatto sailors would have been ransomed as their white countrymen were.

attacks on unsuspecting outposts across the ever-expanding British Empire. Failure to return the slaves, the governor warned, would constitute a violation of his sovereignty and thus possibly create an international incident.

Governor Fulgencio Garcia de Solis openly took issue with the British construction of race and its inherent social constraints. It was not fair, for instance, that the British suspected these men of being slaves simply because they were black and working on a boat. Garcia agreed that there was a "privilege of being white," but he urged the New York governor to look beyond the privilege of whiteness and accept the possibility that blacks could be soldiers, officers, and citizens and not just slaves[15]. Those enslaved by the British were "made slaves by accident because they were of color."[16]

At times, the correspondence of Governor Garcia is laced with latent threats of military force. Garcia warned that numerous militias were being formed throughout Florida and in these military units there would be more all-black units called to serve. These threats can be interpreted in several ways. First and most obvious is an actual threat of military action if the slaves were not freed. Also, a threat of more black militias could be a warning that the Spanish would once again try to encourage widespread slave rebellion along the southern perimeter. These

[15] The word citizen is used here to denote one who is entitled to the legal protections and privileges as defined by the state and does not suggest legal or social equality.

words became a serious threat to British stability. Between 1739-1741 countless slave rebellions and plans of revolution were uncovered by British authorities. While no rebellion had thus been successful it took only one in an area like South Carolina to fundamentally threaten British rule. The governor's threats, however, held little weight beyond psychological torment. Spanish outposts across Florida as well as in the principle city of St. Augustine were fledgling and had no means of creating additional military forces. Nevertheless, these threats were made on behalf of a handful of captive black residents.

In the end, the British acquiesced and released the Spanish soldiers. The ultimate fate of these soldiers is not known. However, the similarities of this incident in New York to the Menendez case allow connections to be made. If the governor of Florida vehemently protested the British decision to enslave free black soldiers in New York, then it is likely the same courtesy would be extended to free black soldiers enslaved in Nassau.

The case of Francisco Menendez Marques is unusual, for Menendez had some leverage regardless of his race. The Spanish valued Menendez because of his skill, loyalty to the colony, and what he offered as a subject of the Spanish Empire.

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[16] AGI 86-7-21.

True, Menendez had to fight for his freedom, but once he succeeded, there is little evidence to suggest the Spaniards treated him as a second-class citizen.

Existing documents do not tell the reader what the average member of the colony felt in regards to neighboring a militia of former African slaves. St. Augustine did not offer asylum to runaway British slaves, for humanitarian reasons or as a result of an overbearing sense of guilt. Instead, the presidio offered asylum in hopes of overturning British rule in Georgia and the Carolinas as well as an early warning system for the colony's protection. However, the leaders of St. Augustine accepted the new arrivals as citizens. It would be foolish to suggest the new arrivals were seen as equal to whites, as overt racism was likely evident. Governor Diego's recognition that privilege came with one's whiteness, is example enough. However, if the Spanish saw the former British slaves as nothing more than cannon fodder there would not have been efforts made to relocate the soldiers after their fort was destroyed in the 1740 Siege. It is true that the free black population of St. Augustine was used to the advantage of the white population, but they were also accepted into the community at least in diplomatic terms.

For the British who captured and later re-enslaved Menendez, he could be nothing more than a slave. From the sailors who could not believe his claim that he was an officer in the Spanish Army to the prosecutor who placed the color of

his skin on trial, no one was willing to look beyond his race. If one was dark skinned and from Africa then, to the presiding judge and British society, the person must be a slave or worker without legal privilege. There were two worlds to the British colonial structure, one black and one white. Each formed a distinct sector of society, one of privilege, legal rights, and a shared sense of history and power, while the other was enslaved and denied access to legal protection, family, and religion. The black or enslaved nation existed within the white community. Where the black society held a majority of the population, as in South Carolina, they were still forced to acquiesce to the desires of the white culture. Access to military might, substantially superior channels of communication, and the support of numerous colonies assured the planters that while rebellion of the black nation would be problematic, it could not be permanent.

The Spanish commitment to the black militia members is amply illustrated in the Menendez case. If there were two cultures based on race within Florida, then their distinctions were considerably less pronounced than those in the British colonies. Had the Spanish viewed the soldiers of Ft. Mose as nothing more than cannon fodder, it is unlikely that they would have fought for the release of Menendez and others enslaved in New York. By condemning the actions of the British, the Spanish showed that they viewed Menendez and other black soldiers as

residents of the community, and therefore able to receive legal assistance by the colony. Furthermore, the Spanish also recognized that the enslaved and the free could be members of the same race. The Spanish fought for the release of Menendez because he was a soldier. Had a British privateer stolen a Spanish slave, then it is likely that only a charge of theft would be made.

There can be no denying that what the Spanish did, fell in line with their policy of antagonizing the British. It is possible that the fights for Menendez and the group in New York were nothing more than Spanish politics. However, the insight this case sheds onto the nature of race between the two cultures suggests the Spanish motives were sincere. Nevertheless, following the War of Jenkins' Ear, Florida was forced to reconsider its policy regarding runaway slaves. As more battles were fought and more soldiers killed, many in Florida sought a warming of relations between the two empires. For this to occur, offering asylum to British slaves had to be squashed, or at the very least, made a lesser priority.

CHAPTER 6

THE END OF MOSE, THE END OF SPANISH FLORIDA

With the destruction of the fort in 1740, the residents of Mose lost their homes and suddenly faced a new type of uncertainty. For the white community, the destruction of Mose represented the removal of a racial barrier. After the battle, the families of Mose moved into temporary accommodations inside St. Augustine. Almost immediately, residents and government officials began calling for the reconstruction of the fort. A substantial increase of the city's free black population created fear in many of the white residents. Numerous citizens in St. Augustine owned slaves and the placement of former slaves offered the possibility of trouble. It is likely that many felt the plan to subvert South Carolina through bending racial parameters had backfired. Regardless, St. Augustine continued to instigate the British along the borderlands, while trying to determine the fate of Mose's former residents.

Although Spanish Florida survived the 1740 siege, the battle illustrated a fundamental weakness of the St. Augustine garrison. For the second time in less than forty years, Florida survived almost certain defeat because the Castillo provided an impassable obstacle for the British forces. Nevertheless, the Spanish military continued to stage raids along the British border. British subjects reported slaves, cattle, and other items of material wealth stolen.[1] For years following the War of Jenkins' Ear, it was not uncommon for British and Spanish citizens to complain of property destroyed or stolen at the hands of the opposing Empire. However, British possessions along the Spanish border grew at an exponential rate while Florida's population remained stagnant.

As the British population increased, the Florida threat became more insignificant. The Spanish could lure all the slaves they wanted, but the strategy for instigating serious insurrection became an impossible goal as Florida's military shrank and British slave codes strengthened. With a stronger enforcement of slave codes, the once threatening policy became an obscure annoyance only to the southernmost planters. As a result of Florida's continued weakness, British subjects sought access to Florida land.[2] The coastal peninsula held the potential for the

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[1] TePaske, "The Fugitive Slave," 8. See also SCJC, 1740-41.

[2] By 1744, the South Carolina government began urging planters to increase cotton production. The South Carolina government set bounties on various commodities and these financial incentives also included Georgia plantations. Florida's proximity facilitated these desires at agricultural expansion. For

establishment of a plantation-based economy. Prior to 1740, there were numerous Spanish plantations, but most found only marginal success. Potential British planters had enough capital to turn many of these faltering enterprises on the frontier into successful operations. To build a working plantation required not only access to land but also capital and slaves. These elements were not available to most Spaniards in Florida. For the British, Florida held the possibility of great agricultural wealth and became an area immensely desired for the expansion of cash crop production.

Spanish Recovery

Immediately following the British retreat, Spanish soldiers began a series of retaliatory attacks. Encouraged by the "victory" in 1740, the Spanish believed they could easily capture Georgia.

The residents of Mose were central to any plans of military action aimed at the British. The British, on the other hand, wrongly believed that the free African militia were not supportive of the Spanish, and were therefore no longer a threat to their interests in the region. In 1741, Kenneth Bailey, a British official, reported to

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more information see Chaplin, Joyce E., "Creating a Cotton South in Georgia and South Carolina, 1760-1815," *Journal of Southern History* 57 (May, 1991), 171-200.

London that Montiano had not granted freedom to the fugitive slaves and instead forced them into hard labor. Baily assured London that, because Montiano broke his promise, the former British slaves would actually fight the Spanish in the event of another British attack.[3] This assumption, however, was egregiously incorrect as the Mose militia stood ready to fight their former masters.

In the summer of 1742, Spanish forces landed on St. Simons Island with plans to take the colonial capital at Frederica. Among those marching against Georgia was a group of at least 500 black soldiers brought mainly from Cuba.[4] The Spanish were confident that they had the soldiers and the will necessary to take land once claimed as part of Florida. Montiano believed he had the means to defeat an unsuspecting British government. Instead, a prepared British force caught the soldiers trekking through the marshy surroundings and quickly put an end to these thoughts of conquest. At the Battle of the Bloody Marsh, the British decimated the Spanish and forced the soldiers to flee the area as a broken and humiliated army. The defeat in Georgia guaranteed the survival of the British colony as an area independent of Spanish rule. However, following the attack, Florida launched a series of retaliatory measures across the Georgia countryside.

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[3] TePaske, 9.
[4] *Ibid.*

The purpose of these actions was the recruitment of slaves, Indians, and any other group that could be useful in undermining British authority. The Spanish forces included several black soldiers and various groups of Indian scouts. Following previous strategies, if found on the frontier, the slave recruits would be used against their former owners. Slaves recruited by the Spanish, the government hoped, would help other slaves in British territory rebel against their owners. Initially, the wandering soldiers met some success in destroying the private property of British citizens and stealing numerous slaves. However, the overwhelming defeat at Bloody Marsh took its toll on their morale, and the push for a slave rebellion never occurred.[5] After the defeat, relations between the empires remained static.

The following year, the stalemate between Spain and Britain developed into a de facto cease-fire. By 1743, neither colony was able or willing to fight the other. Following the War of Jenkins' Ear, Georgia came of age. No longer did the colony expect or require constant support from South Carolina. St. Augustine, on the other hand, faced the constant concern of simply surviving on the Spanish frontier. While peace was convenient for both sides, the Spanish depended on the cease-fire for its survival. To continue, the presidio required an army of assistance.

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[5] TePaske, 140-153 and Arnade, "Raids, Sieges, and International Wars," 114.

If failures at military campaigns bothered Florida residents, the fate of Mose's population promised to be equally troublesome. By moving the free black population into the city, St. Augustine's white community opened itself to the potential for their own slave rebellion. These fears came to the surface with an immediate call for the reconstruction of the African town. The town's economy stood in tatters following the siege. By the end of 1741, official documents contain contracts for the purchase of slaves to be used inside Florida.[6] Though some slaves were imported for use inside the city as domestic servants, anyone hoping for economic success required the use of slaves on the frontier. Judging from official reports, however, St. Augustine and its people needed more than slaves to jumpstart the economy.

The Griñán Report

Perhaps the most comprehensive description of the town and its people before the British takeover came from Don Pedro Sánchez Griñán, a minor royal official. Giñán's 1756 report was conducted at the request of Don Julián de Arriaga y Rivera, the new secretary of State for the Navy and the Indies. Arriaga wanted to familiarize himself with Florida before taking the position and asked Griñán to

[6] AGI 55-6-35 SD 500.

make a general survey of Florida. The result of this assignment is arguably the most comprehensive and objective study of St. Augustine before its demise as a Spanish territory. Griñán came to Florida with an experienced eye. Having lived in St. Augustine from 1731 to 1742, he left the area immediately following the War of Jenkins' Ear, partly due to poor economic conditions, and he understood the inhabitants.[7]

His report provides an accurate view of the town in the middle of the eighteenth century. At the time of the survey, St. Augustine had approximately five hundred houses. The citizenry included mestizos, free blacks, artillerymen of the garrison, merchants, officers, and soldiers. According to Griñán, St. Augustine's native born Spanish population was "brave, very upright in their behavior, ingenious, and inclined to war."[8] This inclination to war undoubtedly led to many of the problems recorded by Griñán. Regardless of wounds opened by the constant fighting, St. Augustine was poor partly because of its dependence on the Spanish crown.

The vast majority of St. Augustine's commerce came in semiannual subsidy shipments from Havana. These shipments often arrived late, which forced most soldiers to purchase goods from merchants on credit. As a result, most soldiers

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[7] Michael C. Scardaville and Jesus Maria Belmonte, "Florida in the Late First Spanish Period: The 1756 Griñán Report," *El Escribano* 16 (1979), 1-2.

never received cash payments for their services and hard currency became a rarity for many residents of St. Augustine. In 1756, the St. Augustine garrison had 350 paid positions, a force significantly smaller than the one in 1740. Additional military support came from citizens inside the city; approximately 120 men comprised this civilian unit. Griñán found eighty men who belonged to the black militia previously quartered at Mose. The black and mulatto soldiers, however, were appointed to service only when needed. Between fifty and sixty Christian Indians, loyal to the Spanish crown, also served on the frequent military expeditions. The military Griñán described, though considerably smaller, was still large enough to cause problems for the British. On the other hand, since his departure from the colony, Griñán found the frontier in tatters.

Frequent Indian raids resulted in the destruction of many plantations. In turn, Florida faced a near constant lack of food. Although Griñán blamed the loss of cattle on Indian raids, it is possible that some of these raids came with an invisible British hand. As Florida encouraged South Carolinian slaves to runaway, many Spaniards feared British retaliation in the form of Indian attacks. Regardless of the responsible party, the destruction of plantations provided yet another source to Spanish misery.

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[8] *Ibid.*, 5.

While the report suggests a faltering town, there is also evidence that some felt it possible for Florida to grow. Griñán noted that former governor Manuel Montiano drafted a plan for the establishment of villages between St. Augustine and the St. Johns River. Montiano apparently convinced the king that these villages could be created at little cost to the crown and promised an increased presence along the frontier. Unfortunately, this plan was agreed to immediately before the hostilities of 1740. Before the fighting began, the king promised Montiano that 500 families from Havana would be moved to Florida for the creation of ten new towns. Following the war, Florida was too dangerous and weak to expand and the idea apparently died.[9] With or without the war, any plans for the expansion of Florida were almost guaranteed to fail. After nearly two hundred years of continuous occupation, St. Augustine remained a fledgling outpost on the Spanish frontier. Nevertheless, others still called for Florida's expansion.

Griñán reported on another project for the creation of new settlements. An unnamed citizen sent a report to the crown suggesting the establishment of several towns in the area proposed by Montiano. However, the citizen's plan did not seek government funding for the project. Instead, wealthy residents of New Spain would build and fund the new settlements in exchange for royal titles. Griñán

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[9] *Ibid.*, 14.

noted this plan had the support of many, but he did not know the fate of the proposal. Clearly the residents of St. Augustine understood their grasp on Florida was weak and promised to deteriorate if nothing was done. Not only would new settlements provide a larger population base for the territory, but the residents of these villages would be able to keep Indian and British attackers at a distance from the city. However, the idea of a colony successfully colonizing another area was hollow.

By the end of the report, Griñán described a town still trying to establish itself. Constant war and state sanctioned destitution through trade restrictions forced St. Augustine to remain in a constant state of poverty and fear. As long as renegade Indian tribes posed significant challenges to Florida's expansion, St. Augustine could never become a true threat to the British. While many British planters feared the Florida policy on runaway slaves, the threat was not substantial. Thus, if the Spanish danger to British planters was only partially real, the British threat to Spanish control of Florida was very tangible.

The Former Residents of Mose

In 1749 Georgia legalized slavery, and thus eliminated the slave-free buffer zone between Florida and South Carolina. Georgia subsequently accepted large shipments of enslaved Africans from South Carolina. Some Spaniards may have seen this as an opportunity to continue the strategy of offering runaway slaves asylum. However, most likely found the Georgia decision to be a potential threat to the colony's autonomy and unless prepared for battle, nothing should be done to provoke the growing power. By allowing the ownership of slaves, Georgia promised to become a larger threat. As a slave society, Georgia guaranteed an expansion of its population and economic worth. With this, the potential for conflict increased. The tenuous peace seemed to near a breaking point.

The government of St. Augustine recognized its own military weaknesses and concentrated on removing the former slaves from their own population. Governor Montiano's successor, Melchor de Navarrete, called for the reestablishment of the black settlement. Moving the former slaves out of the city would not only calm nervous whites, but might also alleviate some of the economic strife. This plan, however, failed. While the former slaves lived in the city, they found employment as laborers and domestic servants. According to

Griñán's report, some of the free Africans worked seasonally at capturing wild horses and wandering cattle.[10] Thus, a portion of the free African population provided desperately needed food for the residents of the city. However, most of the former slaves served as domestic servants while living inside the presidio. Based on employment possibilities for blacks, slave and free, the displaced residents could have also served as cooks, body servants, washerwomen, participants in the Indian trade, coopers, sawyers, and butchers.[11] In essence, the employment opportunities changed little since the early seventeenth century. Partly due to the city's size, anyone with a needed skill, white or black, was useful for their labor.

There is no evidence to suggest that, prior to the 1740 siege, restrictions were placed on Mose residents. Therefore, it is likely that those employed following the destruction of the fort held similar jobs before the fighting. Only soldiers who lost their post at Mose would have sought employment after the battle. Nonetheless, the government wanted a separate area for these former slaves rebuilt as soon as possible. Still, not until 1752, twelve years after its construction, was Mose reconstructed.

For twelve years, the freedmen of St. Augustine fought for the right to remain inside the city walls. For a former resident of Mose, a return meant

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[10] *Ibid.*, 10.

isolation, fear of attack, and a lower standard of living. For most of the former residents, the "Fortress of Freedom" was better than slavery, but not necessarily a desirable home. When Florida Governor Fulgencio Garcia de Solis first attempted to move the freedmen back to Mose, he encountered fierce resistance from the African community. Garcia complained that the freedmen did not want to return to Mose, not because they feared Indian attacks, but because they wanted to "live in complete liberty."[12] Garcia bitterly protested about the freedom of the free African residents. Speaking when there was a delicate peace between Britain and Spain, the governor did not want to provoke the British, as had previous governors. To do this, Garcia wanted to isolate the former residents of Mose from "any dealings or communications with...the town within the walls."[13] In essence, Garcia willingly allowed the freedmen to stay in Florida, but they had to remain invisible from the white community. By this time, Florida was not willing to sacrifice its sovereignty for a handful of runaway slaves.

Regardless of their protests, the freedmen were returned to a reconstructed Fort Mose. Legally, the governor was required to offer asylum to any runaway British slave who sought a baptism in the "true faith." Governor Garcia, however,

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[11] Wright, J. Leitch Jr, "Blacks in St. Augustine, 1763-1845," unpublished manuscript, SAHS, Manuscript Collection-52 Box 1 F-2.

[12] Jane Landers, "Black Society in Spanish St. Augustine, 1784-1821," Doctoral Diss. University of Florida 1988, 26.

ignored the needs of the new arrivals. Following the reconstruction of the fort, any slave that entered Florida would be sheltered by Spanish law, but not assisted by the governor. The excitement once exhibited by former governor Montiano had disappeared under Garcia's watch. His decision to refuse a warm welcome for future arrivals reflected Florida's growing weaknesses. Militarily, St. Augustine could not afford to provoke Britain's growing territory in North America. Socially, Garcia represented many of the white residents' fear of the free black community.

According to the only known census of Mose, sixty-seven individuals lived in the town in 1759.[14] In all, the residents lived in twenty-two different houses. The occupants of these houses ranged from entire families with children to groups of single male soldiers.[15] The residents varied in age from year old children to two at seventy-eight years. The disparity in ages shows that while Mose was built as a military town, its chief function was to be a black town, created specifically as a buffer zone between the white population.

Following the tenure of Governor Garcia, Alonso Fenrnández de Heredia took control of Florida and desired a liberalization of the Mose policy. Initially,

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[13] *Ibid.*, 27.

[14] *Ibid.*, 29.

[15] Listed in one of these houses were Captain Francisco Menendez and wife Ana Maria. Menendez is reported to be 55 years old at the time of the census and no children are listed as belonging to the couple.

Fernández sided with the residents of Mose, and petitioned the crown for monetary assistance in light of the area's abject poverty.[16] Whether the crown delivered any assistance on behalf of the governor's request is not known. Spanish policies and attitudes regarding Mose and its people nearly disappear from the historical record between 1759 and 1763. Based on events prior to this gap in the historical record, it is likely that the people of Mose continued as a small military garrison while nonmilitary civilians continued a life of subsistence. By 1763, however, the former slaves of South Carolina faced yet another crisis.

The End of Spanish Rule in Florida

Due to British success in the Seven Years' War, Florida was transferred to Britain's control as part of the Paris Treaty of 1763. The global land swap included territories governed by three separate Empires spanning the continent. In the end, Louis XV of France turned all holdings east of the Mississippi River, with the notable exception of New Orleans, to British control, and Spain swapped Florida in order to reclaim a conquered Cuba. For the British, this completed their control of eastern North America. Florida was divided into two regions; West Florida

[16] Landers, "Black Society in Spanish St. Augustine," 22.

stood south of the St. Mary's River and included land east of the Mississippi River and west of the Apilachicola River, and East Florida assumed the area that is mostly present-day Florida save the panhandle. After nearly two hundred years of Spanish settlement, Florida went to the British crown, not through a local battle, but as a diplomatic casualty of a world war.

For the British, Florida was an excellent addition to their colonial Empire. Anxious planters and traders welcomed the prospects of settling on a vast fertile plain. Spain, on the other hand, chose to retain the more profitable and populated Cuba. For the Spanish subjects in Florida, the Peace of Paris required their removal from the land. In the following months the government moved nearly every Spanish subject to Cuba. The residents of Mose accompanied those forced to move. That the Spanish took the former British slaves with them to Cuba illustrates that, once accepted as a citizen of Spain, even former slaves received most benefits of Spanish citizenship. In all, 3,103 Spanish subjects were evacuated from the territory.

With the capital necessary for the creation of a plantation-based economy, British subjects made themselves readily available to repopulate the area. Following the transfer, aristocrats grew hungry for Florida real estate. One of the first hopefuls was John Perceval, the second Earl of Egmont. After acquiring 65,500

acres in East Florida, the Earl found investors to purchase 640-acre lots.[17] This land was cultivated for a profit with the use of slave labor. Unlike the Spanish, the biggest fear of the British was that not enough whites could survive the climate in order to have at least one white Protestant for every hundred acres within ten years. Reports about the land's potential stressed that, due to the harsh climate, the use of white indentured servants was impractical. In order for Florida to "advance," widespread use of African slaves was deemed necessary.

Following the transfer of Florida, the residents of Mose moved to Matanzas, Cuba. Although the area consisted of poor land, the freedmen were offered yet another chance at independence in a new land. However, the black citizens no longer posed a threat to English slaveowners. That their inherent "value" to the Spanish dissipated with the 1763 peace, but were still given land and a chance at economic autonomy is perhaps contradictory. On the other hand, those who were slaves in St. Augustine, remained slaves following the migration to Cuba. In the end, the experiment to test British control over their slaves met with partial success. However, the final objective, the utter ruin of Carolina through the creation of a slave revolution, never came close.

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[17] Daniel L. Schafer, "Freedom was as Close as the River: The Blacks of Northeast Florida and the Civil War," *Florida Historical Quarterly* (1986), 172-173.

Recent research on the Floridanos of Cuba offers a wealth of information about the people of Mose. Upon their arrival in Cuba, some residents of Mose were sent to Regla, a northeast suburb of Havana. Thirteen families, including Captain Menendez, settled this area. At the end of 1764, a wealthy landowner gave 108 *caballerias* of land to be divided amongst the Mose residents and other Florida families. Eventually, eighty-four families moved to the land grant and named the area *San Augustin de la Nueva Florida.* Each family received a parcel of uncultivated land and one slave.[18] While there are numerous incidents of former British slaves becoming slave owners themselves, that former residents of Mose accepted slaves is surprising. Historically, slaveowners who were once slaves generally earned their freedom through self-purchase or manumission.[19] The Africans allotted slaves in Cuba were themselves slaves who fled their bondage in South Carolina and fought for their freedom in Florida. The nature of the relationship between the former slaves and their own human property is not known. For many of the migrants, accepting slaves apparently contradicted their own actions.

As in Florida, the new arrivals found survival in Cuba to be a challenge. When the people received their slave and parcel of land they assumed a debt for its

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[18] Jane Landers, "An Eighteenth-Century Community in Exile: The Floridanos in Cuba," paper presented at the Confrence on Latin American History (Washington D. C., December, 1992), 8.

value. Each household received a stipend of food, tools, and other items necessary in settling the new land. This initial support was valued at sixty pesos and the slave was priced at 150 pesos, bringing each family's debt to 210 pesos that was to be paid back within nine years.[20] Beyond monetary concerns, the actual land provided a formidable hardship for the new arrivals. Within the first year, disease claimed the lives of four slaves and eight free persons.

Economic conditions, and possibly racist attitudes, proved too much for many African families. At least seventeen former residents of Mose left the rural frontier in search for work in the capital Matanzas.[21] Others sold their plots of land to people from the Canary Islands.

Twenty-one years after the British took control of Florida, Spain regained ownership of the land. For the former Florida residents in Cuba, this reversal of ownership promised many another forced migration. Royal orders posted in 1789, five years after Florida returned to the Spanish Empire, called for Cuban officials to "take all measures to see that the families of Florida return to their country."[22] Many returned, but found that the British had planted deep roots into their former land. Property once owned in Florida was nearly impossible to reclaim. In just

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[19] Kolchin, 77-82.
[20] Landers, "An Eighteenth-Century Community in Exile," 17.
[21] *Ibid.*, 10.
[22] *Ibid.*, 12.

over twenty years, the British left an indelible mark on the Florida landscape culturally, socially, and in terms of economic desire.

CHAPTER 7

THE SECOND SPANISH PERIOD

In 1784, by supporting the American revolutionaries, Spain regained control of Florida. The Spanish move to reclaim their North American land began with successful military actions in West Florida in 1779. Diplomacy and not military action allowed the Spanish back into their former territory. The 1783 Treaty of Paris reestablished Spanish control over Florida. Following the American War for Independence, the British lost all land they received, save Gibraltar, from victories in the Seven Years' War. While the loss of territory gained only twenty years prior to the American Revolution was a humiliating defeat for the British Empire, the loss of Florida did not represent a serious consequence to their base of power.

During their twenty-year tenure in Florida, British planters attempted to create a plantation-based economy. While many of these attempts brought planters a great deal of money, Florida's countryside remained relatively untouched until after the American War for Independence. When Spain returned to the peninsula, the government had to accept the British who remained in the territory. While

the victory of the American colonists provided for Spain's recovery of Florida, relations between the new nation and the old realm remained tense. Florida now became a possible threat to the United States. On the other hand, during Spain's brief absence, British and American planters changed Florida's landscape and the perceived threat became instead a piece of real estate greatly desired by many American speculators.

Although the numbers of foreign planters that moved to Florida were marginal, they left an indelible mark on the territory. The physical layout of St. Augustine changed little in the twenty-one-year absence, but the people and the culture of the area changed substantially. In 1783, a year prior to Spain's return, Florida published its first newspaper. While the *East Florida Gazette* lasted only one year, it is significant in that Florida's first venture into the realm of print came just twenty-years into Britain's rule. In contrast, Spain could not claim any similar feat of modernism in almost two hundred years of occupation. Modern communication, however, was not the only area in which British subjects surpassed the former residents in terms of current technologies.

When Spain returned to Florida, the use of the territory had expanded to include numerous agricultural operations beyond the city walls. These agricultural operations forced the widespread use of African slavery into the territory. Where

slaves remained in an urban environment, their treatment resembled the typical North American slave-owning colony. Urban slaves had access to more movement and typically held positions as skilled laborers, but were restricted nonetheless. Slave codes required every African to be indoors by ten o'clock at night, and seriously controlled any form of slave trading or market enterprise.[1] When the Spanish returned, however, the maintenance of these laws was uncertain.

Yet another element that remained after the British left were various bands of criminals and fugitives. In a letter addressed to Governor Zéspedes, Patrick Tonyn warned the Spanish that a "number of disbanded Men from the British and the American Armies, together with some Vagrants" had committed various crimes across Florida and were hiding in its protective swamps.[2] The new governor also established a set of rules and regulations that limited the movement of Florida residents and visitors. The purpose of these restrictions, Zéspedes claimed, was to maintain order across the province and to assure undesirables would be kept away from the presidio.[3] Later, these regulations seemed to contradict Florida's varied policies regarding runaway slaves.

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[1] *East Florida Gazette*, March 1, 1783.

[2] Lockey, Joseph Byrne, ed. *East Florida, 1783-1785: A File of Documents Assembled and Many of Them Translated* (Berkeley: University of California Press), 214-216.

[3] *Ibid.*, 241.

Officially, as a Spanish colony, Florida accepted runaway slaves and offered religious asylum to successful ones. When Spain returned to Florida, so did the runaway slave. Whether a slave overheard his or her owner speaking of the potential problem, or a wandering pair of eyes read a newspaper article mentioning the reestablishment of a Spanish government in Florida, the slave community in neighboring states took notice of Florida's return as a Spanish territory. At the same time, when British planters evacuated the territory for friendly land, their slaves often fled to Spanish authorities in search of freedom. For Spanish officials, this posed a two-pronged problem: Florida desperately needed skilled laborers and runaway slaves offered to fill this need, yet Florida was too weak to afford military confrontation with the United States.

To fill the labor pool requirements, Spanish bureaucrats sought help from a variety of sources. First, the local African population that either ran away from their owners or were left behind provided the most immediate help for the shortage. Although not as available, locals from indigenous tribes were also sought for the help in reconstructing the city. Wherever able laborers were found, there was difficulty in obtaining their labor. Accepting Africans or Native Americans as citizens ensured friction within the white society. The nature of the North

American Southeast had changed too much in the twenty-year absence to allow for many positions of status for nonwhite laborers.

In terms of Diplomacy, Florida stood stronger than before. Although animosity between Spain and Britain remained, the American Revolution eliminated much of the hatred between the two empires. During the Revolution, Britain used St. Augustine as a makeshift refuge for loyalists and used the fort as a prison for high-ranking American patriots. Following Britain's shocking defeat, many subjects remained in Florida, believing that the new republic would quickly fall under its own rhetorical weight. In essence, an unofficial alliance was formed with the British that sought the dismemberment of the United States. This change in attitude, however, also reflected the number of British citizens who moved to Florida under British control and did not want to leave. An example of Britain's transformation of Florida can be found in the church. When Spain returned the oldest Catholic territory in southeast North America had been transformed into a Protestant land.

Economically, the Spanish found Florida in worse condition than when they left. As a military town, St. Augustine depended upon the crown for nearly all supplies necessary to sustain the population. Florida remained a military province, but the size of the military shrank drastically. Between 1790 and 1800, East Florida

lost nearly thirty percent of its entire military force.[4] Clearly, this loss of a military presence had a detrimental effect on the colony. A sagging economy forced many Spanish to engage in a profitable, yet illegal, international trade. This trade became possible with the decrease in the size of the military and the increase in the population of the Southern United States. While the city received less government monetary support, they enjoyed less direct government intervention. As a result, trade in contraband became a less risky enterprise.

Throughout the interior of the territory, Spanish and British planters began cultivating cotton and rice. Readily exportable, these crops required extensive labor. Thus, an influx in the number of slaves occurred. Also, the decision to plant rice and cotton meant the cultivation of corn decreased and resulted in a sharp decline of domestically produced foodstuffs. This turn to cash crop production created alarm within the Spanish government. By 1800, Governor Enrique White banned cotton planting and ordered farmers to return to corn.[5] Adherence to this order was likely minimal as the immigration of British and American settlers increased during this period.

Florida stood determined to make the colony profitable based on an agrarian economy. For this to succeed, the Spanish required settlers along the Spanish

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[4]William S. Coker & Susan R. Parker, "The Second Spanish Period in the Two Floridas," in *The New History of Florida* (Gainesville: University Press of Florida, 1996), 150.

frontier. In order to repopulate the area, they offered prospective residents generous incentives to make the move into the relatively untouched frontier. For families moving to Florida, each head of a household received 100 acres of land and an additional fifty acres for each family member or slave. If the family maintained livestock, constructed certain buildings, and farmed the land, in ten years, they received its title of ownership.[6] As witnessed in the offer of land for each slave, the utilization of unfree labor became necessary. Yet Spain, by royal decree, had to offer runaway slaves asylum. By trying to build a slave-based plantation system of agriculture, Florida entered yet another state of uncertainty.

Because of its policy on slaves, St. Augustine in its second period of Spanish occupation, was a multicultural town. Not only did the British population grow during this period, but numerous African and mulatto Spaniards returned to Florida as well. Most of those who returned filled the ranks of skilled laborers. As such, some people of color had access to social mobility and wealth. It was not uncommon for Spaniards of African descent to become slaveowners. An example of these slaveowners was Juan Bautista Collins, a free mulatto from Louisiana. Collins lived in St. Augustine with his mother Juliana and daughter, Maria Rosa Collins whose mother was a slave. This suggests that Collins either purchased his

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[5] *Ibid.*, 160.
[6] *Ibid.*, 161.

daughter's freedom or she was given to him at birth, since Collins did not free the mother.[7] That Collins bought and sold slaves and enjoyed a relatively high standing in the community speaks much about race relations during Florida's Second Spanish Period.

People of African descent buying and selling slaves, a government that offered refuge to runaway slaves, and a growing Protestant slave owning community provided a wealth of problems and confusion during these years. As a result, erratic policies regarding African slaves struck fear and confusion into many outside observers. By 1793, residents of Georgia attempted to take Florida by force and complete United States control over the eastern seaboard.

Spain's policy on runaway slaves was central to this fear. Following their return to Florida, Spanish officials once again offered refuge to runaway British slaves. This caused great alarm among planters in the United States. Prompted by complaints from Georgia, the federal government took action against the Spanish policy. After voicing the grievances of the Georgia slaveowners, the federal government vaguely threatened the use of force against the Spanish. In Georgia there were no vague threats as calls for the elimination of a Spanish state constantly appear in the legislative record. The state legislature passed a declaration that called

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[7] Landers, "Black Society in St. Augustine," 73.

for the occupation of Florida as essential to the safety and welfare of the people.[8] As a result of these actions, Spain agreed to stop offering freedom to runaway slaves. Thomas Jefferson, then Secretary of State, relayed the Spanish decision to the Georgia government. In a letter posted on October 28, 1790 Jefferson wrote:

> The Governor of Florida [wrote] 'Having received the king's order to permit, on no account, that the slaves from the U.S. introduce themselves into this province (Florida) as free-persons, I avail myself of the first occasion which presents itself to me to forward you notice of it. It seems to me useful, as well to preserve in part the interests of both parties, as that may be a means of preventing wars, and finally shews that they are eradicating every where the remains of those laws which subsist to our shame.'[9]

Following Spain's promise to return all runaways, disputes continued and accusations remained regarding Florida's agitation along the border. The United States demanded that all slaves be returned to their rightful owners. Florida, however, declared that they would only return slaves who arrived in the territory *after* the 1790 agreement. This decision caused diplomatic problems between Spain and the United States. Furthermore, Florida's resolve to protect those who arrived prior to 1790 served as a cry to arms against the Spanish. For many in Georgia, this resolution was enough to fight the Spanish.

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[8] Eugene Portlette Southall, "Negroes in Florida Prior to the Civil War," *Journal of Negro History*, (1934), 81. Southall also suggests that the Georgia assembly decided to join the union as a result of the Florida policy. Georgia planters would only be safe, he argues, with protection of a strong federal government.

Intermittent raids across the border had a psychological effect on the Florida government, but never came close to forcing a Spanish retreat. When war broke out between the United States and the British in 1812, however, Georgia residents and the American government saw an opportunity to remove the Spanish. Because Spain allied itself with the British during the war, the people and land of Florida became targets. Known as the Patriots War, American involvement in Florida was a direct result of expansionist desires and alleged violations in the runaway slave agreement. Officially, President James Madison ordered military action against Florida to expand the jurisdiction of the United States Non-Importation Act.[10] On March 10, 1812 a group of Georgians attacked Florida.

Lacking official orders, the group of citizen-soldiers moved throughout the Florida territory, burning and looting the land. By Mid-April, Georgians arrived at a reconstructed Fort Mose. Although Mose had ceased being a military outpost, the presence of an invading army within two miles of the city caused great concern for the people of St. Augustine. But, President Madison, acting on public disapproval for the action, withdrew support for the invasion just as the troops came near the city walls. Nevertheless, many of the troops refused to leave and

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[9] Julian P. Boyd ed., *The Papers of Thomas Jefferson* (Princeton: Princeton University Press, 1955), vol. XVII (6 July to 3 November, 1790), 645.

instead wandered the countryside destroying anything in their path.[11] These renegade mercenaries remained in Spanish territory until May 1814. Although the Patriots War did not remove the Spanish from Florida, it undermined an already weak nation.

On February 22, 1819 delegates from the United States and Spain signed the Adams-Onís treaty. What was supposed to transfer ownership of Florida to the United States, nearly collapsed, when the Spanish crown decided to renege on their agreement. Outraged at this decision and confidant that they could take Florida by force, the United States threatened war against Spain the following year. Backing down in the face of this threat, the Spanish crown ratified the treaty on February 23, 1821. The United States took control of Florida in exchange for assuming a five million-dollar Spanish debt to American citizens and surrendering claims to Texas. On July 10, 1821 Spain raised its flag for the last time in St. Augustine, marking the end of nearly two and a half centuries of rule.[12]

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[10] This was in reaction to activities on Amelia Island. The northernmost coastal island in Florida served as an excellent harbor for American traders who wished to bypass their government's trade embargo against Spain.

[11] Coker & Parker, 162.

Florida as a Territory of the United States

When Spain agreed to evacuate Florida, Governor José María Coppinger urged residents to move to Texas, Cuba, or Mexico. While few Spanish citizens remained in the area, the culture and many legal traditions remained intact. As a territory of the United States, Florida institutionalized slavery. However, many of the freed former slaves, mulattos, and other people of color remained in Florida with their businesses, land, and families. This population provided numerous difficulties for the new government.

The *East Florida Herald* reported one such ordinance that pertained to the free black community on July 21, 1824. The new law required every free "colored" male over the age of 18 years and under 50 years that lived inside St. Augustine or any black who visited the city for a period longer than two weeks to pay a $3 annual tax. Women and those not falling in the specified age bracket paid $1.50 a year.[13] Four years later, a law stipulated that no "free negro or mulatto" could carry firearms without obtaining a license from a justice of the peace from the individual's county. This law, however, did not apply to the free African and

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[12] *Ibid.*

[13] *East Florida Herald*, October 30, 1824.

mulatto populations in Pensacola and St. Augustine.[14] Advertisements for runaway slaves suggest that much of St. Augustine's slave population maintained the mobility of urban slaves. Often, owners of the runaways claimed their property was headed to Cuba or a neighboring Indian nation. That an owner believed his or her slave capable of fleeing to Cuba or a local tribe suggests many of these runaways were multilingual, had access to money, knowledge of the surrounding area and enough cunning and intelligence to find passage to a foreign nation.

Slave mobility and access to money could not, however, stop the influx of the slave trade into Florida. The 1830 census lists 18,385 whites, 15,501 slaves, and only 844 freed persons. Ten years later, 27,943 whites, 25, 717 slaves, and only 817 freed persons were counted. By 1850, the census recorded 47, 203 whites, 39,310 slaves, and only 932 freed people of color.[15] Only thirty years after the transfer of ownership, white and slave populations grew exponentially while the numbers of freed nonwhites remained stagnant. St. Augustine went from housing a noble experiment in antagonizing the white minority with the possibility of slave unrest to joining the racial status quo of the American Southeast.

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[14] Ruth B. Barr & Modeste Hargis, "The Voluntary Exile of Free Negroes of Pensacola," *Florida Historical Quarterly* (1938), 4.

[15] Florida Territorial censuses. See also Corbett, Theodore, G. "Population Structure in Hispanic St. Augustine, 1629-1763," *Florida Historical Quarterly* 54 (January, 1976), 263-284.

In the winter of 1827 St. Augustine received an important visitor. Ralph Waldo Emerson came to St. Augustine in hopes of recovering from a case of tuberculosis. While recovering from his illness, the young philosopher kept a journal in which he recorded his impressions of the city. Among his reflections was St. Augustine's growing slave trade and the frequent surreal images it created.

> A fortnight since I attended a meeting of the Bible Society. The treasurer of this institution is Marshall of the district and by a somewhat unfortunate arrangement had appointed a special meeting of the Society and a slave auction at the same time and place, one being in Government house and the other in the adjoining yard. One ear therefore heard the glad tidings of great joy whilst the other was regaled with 'going gentlemen, going!' And almost without changing our position we might aid in sending the scriptures to Africa or bid for 'four children without the mother' who had been kidnapped therefrom.[16]

How Emerson captured the drastic dichotomy of the slave trade in a "Christian land" amply illustrates the amazing changes United States control brought to Florida society.

When Spain evacuated Florida, elements of a free African society remained in memory and occasional laws, but the significance of Florida's past became buried in the history of the United States. Up to the Civil War, occasional references of free Africans and mulattos appeared in newspapers,

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[16] Patricia C. Griffin, "Ralph Waldo Emerson in St. Augustine," *El Escribano* (1995), 124.

pamphlets, travel diaries, and other records.[17] However, the culture of Florida became one in which race determined one's fate. This culture forced the people and ideas of Mose into a dark corner of Florida's history. The new Americans simply did not want to think of this chapter in Florida's past.

[17] One of the more interesting accounts of Florida's slave and free populations came from prominent slave owner Zephaniah Kingsley. Kingsley was a planter along the northeast coast, and although married to a slave, he illegally imported human property. Based on his experiences as a slave owner and seller, Kingsley wrote numerous pieces regarding the topic. In a treatise on this topic, Kingsley argues slavery, in a benign form, had its advantages. He credits many Africans for being intelligent, diligent, and useful workers. At points Kingsley suggests that Africans must be trained properly for the Florida climate was more suitable for Africans and, thus, whites must be able to trust the slave to cultivate their land.

CHAPTER 8

CONCLUSION

When the Spanish left Florida, a history nearly disappeared. It is often said that the United States is a forward-looking society and, as a society that looks to the future, the past becomes irrelevant. In the case of Fort Mose and the slaves of St. Augustine, this statement appears true. Although the city remained small throughout the 240 years of Spanish control, St. Augustine was and is of great historical importance. It was a city of firsts.

As the present-day chamber of commerce boasts, St. Augustine is the oldest permanently settled European town in what is now the United States. It was also the home to the first African slaves and the first free black community. During the American Revolution, the Castillo de San Marcos became a prison for several signers of the Declaration of Independence. Later, the same fort served as a prison for Geronimo and his band of combatants from Arizona. This group of Apache warriors still holds the dubious distinction of being the longest held prisoners of war in the United States. During America's Gilded Age, Henry Flagler, co-

founder of Standard Oil, built the magnificent Ponce de Leon Hotel and turned St. Augustine into a winter playground for the nation's wealthy. In 1964 Martin Luther King, Jr. came to St. Augustine on the eve of its four hundredth anniversary. Aware that the media was preparing to celebrate that historic anniversary, King advocated his dream for civil rights. Before King left, President Lyndon Johnson signed into law the Civil Rights Act. St. Augustine thus is home to a rich history that follows, challenges, and consumes the story of the United States.

Why then, are these stories frequently ignored? One answer is because many incidents in St. Augustine are footnotes to larger historical events and also because the United States rarely claims a Spanish heritage. When Florida became a territory of the United States, its Spanish past promised tourists a plethora of historical tales. Visitors delighted in stories of Spanish cruelty, piracy, and Indian attacks. Powder rooms inside the stone fort became dungeons for the traveler's delight, and a pavilion along the city plaza became the site of St. Augustine's slave market. Wintering residents from New York sought historical entertainment and rarely concerned themselves with sterile facts. Some places, like fort Mose, were nearly forgotten.

A lack of physical remains forced Mose's story into the background. Late nineteenth and early twentieth century tourists to Florida wanted to *see* their history. Although scattered reports mention pieces of Mose's blockhouse were still visible during the Civil War, they disappeared in time for the growing tourist trade. The first modern investigation of Mose came through a collection of untranslated documents pertaining to the free African population. The edited collection appeared in the April, 1924 edition of the *Journal of Negro History*. For those who could read Spanish, this was a remarkable find.

Three years later in the October 1927 issue of the *Journal of Negro History*, a young and then unknown Zora Neale Hurston wrote a letter expanding on these documents.[1] Writing as an investigator of the Association for the Study of Negro Life and History, the Journal's parent association, Hurston added much to this early historical examination. Included in her findings were records pertaining to the British Siege of 1740 and possibly the first historical acknowledgement of Florida's tactical advantage in using former slaves against their owners. That Hurston is one of the first people to publish a historical inquiry on Mose is significant. In the first lines of her autobiography, *Dust Tracks on a Road*, she proudly mentions her place of birth in Eatonville, Florida. According to Hurston, "It was not the first Negro

[1] Zora Neale Hurston, "Communications," *Journal of Negro History*, (1927), 664-667.

community in America, but it was the first to be incorporated, the first attempt at organized self-government on the part of Negroes in America."[2] Evidence of an earlier community where the African population stood armed and ready to fight their former owners must have left a deep impression on the budding author.

After the *Journal of Negro History* published Hurston's article and bundle of documents, Mose returned to its relative obscurity. Historians who noticed the African fort, interpreted the area for its military significance during the War of Jenkins' Ear; none made much of the town's cultural significance or polarity in terms of the free and enslaved populations. Few cared what a band of free former slaves meant to the maintenance of Florida. This historical neglect remained until the early 1970s.

The first official archaeological excavations to search for Mose began in 1971. Not until 1985 was significant funding obtained for extensive historical and archaeological research. With this, a team from the University of Florida, led by Kathleen Deagan, began the first modern investigation into St. Augustine's free African population. In 1987, archeologists confirmed the location of the former town. Based on exhaustive historical research by Jane Landers, the first concise history of Mose came to life.

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[2] Hurston, *Dust Tracks on a Road: An Autobiography*, ed. Robert Hemenway (Chicago: University of Illinois Press, 1984), 3.

Fort Mose was and continues to be an attractive topic. Beginning with the first digs, tales of a militia composed of former slaves situated in Florida was of great interest to people. Among those interested in the subject was the St. Augustine Chamber of Commerce. The actual location of the Mose site sits along a tidal marsh and includes three small islands. While this remains a sensitive area environmentally, local officials have called for a reconstruction of the historic site.[3]

In 1989, after the location was confirmed, the state of Florida purchased the land and placed it under control of the Florida Park Service. Six years later, the federal government designated Fort Mose a National Historic Landmark.[4] With the press this garnered, a city dependent on tourist dollars continued its calls for reconstruction of the site. Initial proposals for the area included the creation of a museum and watchtower on land adjacent to the actual site.[5] These plans and findings did not go unnoticed. The University of Florida's Florida Museum of Natural History built a museum exhibit entitled "Fort Mose: Colonial America's Black Fortress of Freedom." This travelling exhibit became the museum's most popular piece and caused headlines in every city in which it was displayed. From the mid-80s on, the site of Mose has become a favorite point for state legislators to make comments during Black History Month. However, the nature of these

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[3] Margo Pope, "New Life for Historic Fort Mose," *St. Augustine Record*, 23 June, 1996, 1A.
[4] Karen, Harvey, "Fort Mose: It's Official," *St. Augustine Record*, 4 February, 1995, 1A.

comments, and how Mose is used in the state's history is often told in an irresponsible manner.

Landers and Deagan provided the historical and physical evidence of Fort Mose and its people. Press coverage of the site also frequently makes some of the facts clear. In 1987, the *New York Times* covered the site and the occupants and acknowledged the politics that created Mose came as a "move more cynical than moral."[6] Most, however, paid no attention to the complete record of events. Typically, the story of Florida's free African community is concentrated on Mose only. Today, students are taught that St. Augustine held the first free African community in what is now the United States. Absent from these lessons is *why* it hosted the runway slaves or how slavery coexisted with freed Africans.

Fort Mose is an interesting and important story that deserves recognition. However, it is necessary for the *complete* story of Mose be told. Fort Mose is only a small portion of Florida's long history of slavery, freedom, and race relations. It was constructed for the runway slaves, but it was also established to keep the freed Africans *separate* from the rest of the Florida community. While there are no records of outward violence committed against the population of former slaves, this is not enough to suggest that they were accepted as complete citizens. Where

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[5] Pope, "New Life for historic Fort Mose," 1A, 10A

there is enough evidence to indicate that the government viewed the former slaves as free subjects of the Spanish Empire, the details suggest this occurred under unusual circumstances.

Although the Florida government petitioned for the freedom of Francisco Menendez Marques, it was gained under special circumstances. On the other hand, when Spain refused to return runway slaves requested by the United States government, there appears to be general concern for their well being. Although the Spanish made a legal argument, they put themselves at risk by refusing to grant the request by a more powerful and potentially dangerous neighbor. A similar pattern can be discovered regarding the events that led to the Siege of 1740. Once again, when faced with the possibility of military attack, a weak and isolated St. Augustine refused to acquiesce to the desires of the British slaveowners. Although many Spaniards felt their policy could cause the ruin of South Carolina's white minority, this decision of stubbornness is important and goes beyond the story of Mose.

As early as 1660 Spain allowed the formation of African military units in the area that is now Argentina. By 1801, ten percent of the 1,600-person militia of Buenos Aires was African. Some of Argentina's African troops were former slaves

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[6] Jon Nordheimer, "Traces of Free Blacks Found in a Colonial Fort in Florida," *New York Times*, 26 February 1987, 1.

and yet another, likely larger group of African soldiers, were slaves purchased by the state to be soldiers or were donated by their owners.[7] Spain did not have a problem in using slaves for combat and often used the slave or free African-soldier as a psychological weapon against another European enemy. For the people of St. Augustine, the use of the African as a weapon of fear helped and hurt the people of the presidio.

The decision to offer asylum to British slaves did not come from an enlightened government concerned for the welfare of African Americans. While St. Augustine offered freedom to successful runaways, many residents purchased and held their own African slaves. St. Augustine, while home to the first free African community in North America was also a community that allowed the ownership of slaves. Because these slaves lived primarily in an urban setting, their lifestyles differed greatly from those escaping Carolina plantations, but they were slaves nonetheless. Somewhere between archaeological digs, serious historical investigation, plans by a local chamber of commerce, and speeches by state legislators, these stark contradictions in Spain's values are lost.

In order for the complete history of Fort Mose to be told, the various conflicting messages must be examined. The Spanish motivations to offer runaway

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[7] G. Reid Andrews, *The Afro-Argentines of Buenos Aires, 1800-1900* (Madison: The University of Wisconsin Press, 1980), 113-27.

slaves asylum demand a more complete story. The multiple factors and outside influences that allowed for the Spanish to make the radical move beginning in the late seventeenth century presents a complex historical problem. On one level, there is a slave community with access to the church, family, money, and a certain amount of legal recourse. Later, by royal decree, St. Augustine opened its gates to fugitive slaves. This decision forced a rethinking on issues of race and international diplomacy. Alarmed at the growing strength and size of the British territory on land originally claimed by Spain, the Spanish sought any opportunity to reverse the fortunes of the British. Once this occurred, a different problem surfaced.

When Florida made former slaves citizens and soldiers, the presidio unwittingly distorted the notion of race as defined by British colonists in the eighteenth century. When a British prosecutor argued Francisco Menendez must be a slave because he was black, the Spanish won a victory. The British system of slavery was balanced on an understanding of two worlds, one black and enslaved and the other white and empowered. When Florida chose to distort the separate communities of race, the Spanish openly threatened British sovereignty in Carolina and later Georgia. St. Augustine still held slaves, but liberal slave codes and access to mobility and self-purchase helped promise most Florida slave owners that their property would remain. For the British planter, however, Florida became a

realistic threat. Although their military was weak, a handful of royal edicts made the Spaniards more dangerous than ever imagined. With the establishment of an African militia and free African community, St. Augustine created multiple definitions of race and expanded its power structure. In the eighteenth century Southeast, African empowerment was a dangerous weapon as it contradicted a defined and entrenched racial hierarchy. In constructing a town specifically for the former slaves, yet another layer is added to St. Augustine's racial enigma.

Today, Fort Mose stands as a powerful symbol of Florida's early racial tolerance, a historical first for Africans in North America. When the fort was initially constructed it stood as a symbol for many different things. To the slave, Mose represented freedom, for the British slave owner Mose stood for trouble and imminent conflict with the Spanish, and for St. Augustine's white community, Mose was an early warning system for the defense of the presidio. It is not known how St. Augustine's slave population felt about the construction of a town for runaway slaves. Two miles from the city gates stood sanctuary for slaves with British owners. Had a slave from St. Augustine ran to the fort, he or she likely would have been returned to their owner. Although some slaves from St. Augustine married fugitives from Carolina, their freedom was not guaranteed by

royal decree. When the fort was destroyed in battle, another story was added to the area's history.

Following the War of Jenkins' Ear, the governor and other white citizens demanded the reconstruction of the African fort. After all, the small town provided the first defense against the British when they attacked in 1740. Although the British quickly defeated the forces at Mose, it calmed the community in knowing that a fort existed to warn them in the event of an attack. Perhaps more important, however, Mose was a segregated town that kept the free African population from making too much contact with the slaves in the city. This was not a pleasant place to live. While obviously more desirable than a South Carolina plantation, the African town was isolated and primitive in comparison to the relative comfort of St. Augustine. When pushed to reconstruct the fort, the former residents protested. The area now dubbed "Fortress of Freedom" was not a popular locale for the people who once lived there.

When Spain finally lost control of Florida in 1821, the grand experiment in slavery and freedom came to an abrupt halt. Although liberal policies regarding slaves and runaways deteriorated throughout the Second Spanish Period, the Florida threat remained active until the end of the eighteenth century.

Fort Mose and the African militia may be a footnote in the greater history of the United States, but it is important because it illustrates the fundamental contradictions and irony in the study of race relations in North America. For many, it is difficult to believe that a small Spanish outpost was capable to inciting war and creating massive hysteria in a powerful British colony. Once neglected, this story is finally being told. Unfortunately, the history of racial antagonism along the British/Spanish frontier is centered on Fort Mose. While Mose and its population are important in this chronology, it is by no means the centerpiece of St. Augustine's history of race relations under Spanish control. The history began when, in 1594, a slave couple married at the St. Augustine parish. This first recorded marriage between St. Augustine slaves is likely one of the first legal unions in North America. This marriage also marks the beginning of a different type of slavery. This difference, the allowance of an official marriage conducted by the church, planted the seed of future rebellion, discontent, and a policy that nearly destroyed a British colony.

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