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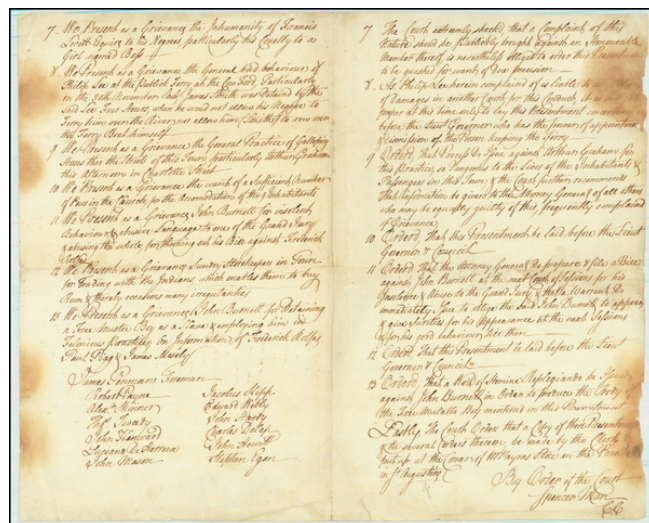
7407 La Jolla Boulevard
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(East Florida) [St. Augustine document relating to cruel treatment of enslaved and free persons of color, Native Americans, and other bad behavior by British planters and settlers in British colonial Florida] We present as a grievance the inhumanity of Francis Levett Esquire to his Negroes, particularly his cruelty to a girl named Bess

Stock#: 86622
Map Maker: Man
Date: 1770 circa
Place: [St. Augustine, Florida]
Color: Pen & Ink
Condition: VG
Size: 18 x 15 inches
Price: SOLD



Description:

A Window on Society in Colonial East Florida in the 1770s:

Cruelty to Enslaved and Free Persons of Color, Native Americans, and Galloping Horses

A fascinating and quite detailed manuscript court document executed in St. Augustine, East Florida, being a list of grievances, including accusations of cruelty towards enslaved people. The grievances were submitted by a group of prominent merchants and planters in St. Augustine. Though undated, and apparently a fragment of a larger document (the list of grievances are numbered 7-13), the document mentions several people who were present in Florida in the 1770s, including the Clerk of the Court of Pleas, Spencer Man. The list of problems herein relate mainly to the bad behavior of certain named white British residents of East Florida. Several of the points listed stem from the ill-treatment of enslaved people or free persons of color, as well as a negative side effect resulting from trading with local indigenous peoples. The Court's response to each grievance is recorded on the facing page by Spencer Man, an erstwhile merchant and business agent who served as Clerk of the Court of Pleas at St. Augustine in the 1770s.

The first complaint is lodged against Francis Levett, a planter who came to St. Augustine from Georgia, for his "inhumanity to his Negroes, particularly his cruelty to a girl named Bess." Next to be called out for



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general bad behavior is Philip Lee, especially for obstructing one James Smith from having his (Smith's) slave ferry him across a river. John Burnett is accused of detaining a "Free Mustee Boy as a Slave & employing him in Felonious practices." Another grievance concerns trade between St. Augustine shopkeepers and Native Americans, which resulted in supplies of rum being acquired by the latter and causing "many irregularities." One other grievance deserves mention, that against Arthur Graham for galloping his horse "this afternoon in Charlotte Street."

Context of the American Revolution.

The document is highly valuable for shedding light on social aspects of the slave-based plantation economy in East Florida at a time when St. Augustine was still a British outpost, just a few years after the 1763 British takeover of Florida from the Spanish. But it is also notable given the context the independence movement then brewing in the thirteen North American colonies. Though the colonies of East and West Florida were invited to send representatives to the Continental Congress, they decided not to do so, and remained loyal to Great Britain. The intriguing presence of Luciano de Herrera in St. Augustine in the present document, who was revealed as a spy who later fled to Havana, perhaps around 1779, helps date the document to the period before Herrera's escape.

There was always concern that the [American] rebels or their French and Spanish allies might strike at St. Augustine by sea. Early in 1779, Governor Tonym could count on only 250 men in three under-strength battalions of the 60th Regiment, an equal number of local militia, 100 armed Negroes, 200 Negroes working on strengthening the fortification, and a handful of Seminole Indians... Spain's foreign minister, despite his desire for vengeance on England, for the time being limited himself to receiving secret messages from his spies in East Florida and elsewhere... Tonym became aware of... the sub rosa activities of Herrera [one of the individuals mentioned in the present docunet]. Alerted to his dangerous position with the governor, Herrera and his family fled to Havana ... - Rabb, Spain, Britain and the American Revolution, 1763-1783, page 128.

In fact, St. Augustine was the object of failed attacks by American rebels in 1777, chief of which was the thwarted invasion by Colonel Samuel Elbert and his two battalions of Continental Army troops and Colonel John Baker's Georgia militia. The encounter is remembered for the massacre of a group of rebel prisoners at Thomas Creek at the hands of their British and Native American captors.

Rarity



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Any document from the British period of East Florida can be considered rare. The present original court document dating from 1770s British East Florida, with amazing historical content relating to legal matters concerning the treatment of an enslaved woman by a white man, among other topics detailed above, is a rare survival indeed. The Court of Common Pleas of the British province of East Florida existed from 1763 to 1783. Legal historians have surmised that the court records have been lost or destroyed. This is largely based on the poor conditions in Florida at the time, given the nature of the sparse settlement. Individual manuscript court documents are known to exist in private and institutional collections. One such document, dated 25 June 1776, concerning the recovery of a debt in St. Augustine, is held in the Gilder Lehrman Collection.

Names mentioned on the document:

Francis Levett, a rice planter who came to St. Augustine from Georgia. Herein accused of cruelty to his slaves, especially to a girl named Bess.

Luciano De Herrera, a St. Augustine native who remained during British rule and later fled to Havana after being discovered as a spy for the Spaniards; he returned to St. Augustine in the summer of 1784, rewarded for his loyalty to Spain with several official posts, including overseer of public works and intermediary for the Spanish governor with the Seminole and Creek Indians (see Rabb).

Philip Lee

Arthur Graham, complaint against, for galloping his horse on Charlotte Street in St. Augustine

John Burnett

Frederick Rolfes

Paul Pigg

James Penman, one of St. Augustine's principal merchants

A complete transcription of the text here follows, with court responses in brackets:

7 - We present as a grievance the inhumanity of Francis Levett Esquire to his Negroes, particularly



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[7 - The Court extremely shock'd, that a complaint of this nature should be publickly brought against an Honourable Member thereof, is nevertheless obliged to order this Presentment to be quashed for want of due precision.]

8 - We Present as a grievance the general bad behaviour of Philip Lee at the Publick Ferry, at the Cow Ford, particularly on the 30th November last, James Smith was detained by the said Lee four hours, when he would not allow his Negroe to ferry him over the river, nor allow him (Smith) to row over the ferry boat himself.

[8 - As Philip Lee herein complained of is liable to an Action of Damages in another Court, for this conduct, it is thought proper at this time only to layh this Presentment concerning it, before the Liuet. Governor who has the power of appointment & dismissal of the person keeping the ferry]

9 - We present as a grievance the General Practice of galloping horses thro the streets of this town, particularly Arthur Graham this afternoon in Charlotte Street

[9 - Orderd, that process do issue against Arthur Graham for this Practice, so dangerous to the lives of the inhabitants & passengers in this town, & the Court further recommends that information be given to the Attorney General of all others who may be equally guilty of this, frequently complained of Grievance.

10 - We present as a grievance the want of a sufficient number of pews in the church, for the accomodation of the Inhabitants

[10 - Orderd, that this Presentment be laid before the Lieut. Governor & Council]

11 - We Present as a grievance John Burnett for insolent behaviour, & abusive language to one of the Grand Jury & abusing the whole, for throwing out his Bill against Frederick Rolfes

[11 - Orderd that the Attorney General do prepare & file a Bill against John Burnett at the next Court of Sessions for his Insolence & Abuse to the Grand Jury, & that a warrant do immediately Issue to oblige the said John Burnett to appear & give sureties for his appearance at the next Sessions & for his good behaviour till then]

12 - We present as a grievance sundry storekeepers in town for trading with the Indians, which enables them to buy rum & thereby occasions many irregularities.

[12 - Orderd, that this Presentment be laid before the Lieut. Governor & Council]



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*13 - We present as a grievance John Burnett for detaining a Free Mustee Boy as a Slave & employing him in Felonious practices; on information of Frederick Rolfes, Paul Pigg & James Mosely
[13 - Orderd, that a Writ of Homine Replegiando be Issued against John Burnett in order to produce the Body of the Free Mulatto Boy mentioned in this Presentment]*

James Penman, Foreman

Robert Payne

Alexr. Skinner

Thos. Tweedy

John Kenward

Luciano De Herrera

John Mason

Jacobus Kipp

Edward Webly

John Hardy

Charles Delap

John Hewitt

Stephen Egan

[Lastly, the Court orders that a Copy of these Presentments & the several orders thereon, be made by the Clerk & put up at the corner of Mr. Paynes store on the Parade in St. Augustine.

By Order of the Court

Spencer Man

C.C.]

Detailed Condition:

Folded bifolium sheet of laid paper, with [2] pages of manuscript text (on facing inner pages). Several brownish stains at edges, affecting about a dozen words (which remain legible). Withal condition is very good.