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THE RETURN OF SPANISH RULE TO THE
ST. MARYS AND THE ST. JOHNS,
1813-1821

by D. C. CORBITT

If the United States Supreme Court had wanted a precedent for deciding the insular cases it might have found one in Spain's treatment of the St. Marys-St. Johns district in 1813. When brought face to face with the question of applying the Spanish Constitution of 1812 to that area, Governor Sebastian Kindelan of East Florida, like the United States Supreme Court a century later, decided that the Constitution did not follow the flag. Higher authorities supported the governor in his decision, which, as will be shown below, was a result of the "Republic of Florida" episode of 1812-1813.

Suspecting a design on the part of Great Britain to seize Florida, President Madison moved to forestall the Britons and obtain Florida, or rather the Floridas, for the United States. General George Matthews and Colonel John McKee were appointed to sound out the Spanish officials in Florida on the question of a cession. The commissioners were instructed to establish a provisional government if they were successful. If a permanent cession was not obtainable, they were empowered to accept a provisional one on the condition of a return of the provinces to Spain at some time in the future. But if no cession were obtainable, and there "should be room to entertain any suspicion that a design existed on the part of any other power to occupy Florida," they could use the forces of the United

Of especial value in this glimpse of the transition period in the region are the names of the signers of the petition (more than 200) who, presumably, were residents of the district at that time (1820) - *Ed.*

States to take possession. The governor of St. Augustine declined to surrender the province to the commissioners on any terms. In the meantime the maneuvers of the commissioners became known along the border. Early in 1812 the restless inhabitants of both banks of the St. Marys organized the "Republic of Florida" with General John H. McIntosh as executive. Believing that President Madison intended for them to seize East Florida, the commissioners joined forces with the "patriots" to accomplish that end. Early in March 1812 an American squadron, with troops and "patriots" on board, appeared before Fernandina and summoned the commandant, Captain Jose Lopez, to surrender. With only a handful of troops at his disposal, Lopez had no option but to comply or make a useless resistance. He surrendered on March 17, 1812. The whole St. Marys-St. Johns area was soon occupied by the "allies" and St. Augustine subjected to a kind of siege, which lasted until May 1813.

President Madison saw fit to disavow the acts of his commissioners and ordered the United States forces withdrawn. According to an agreement between General Thomas Pinckney, the commander of the American troops, and Governor Sebastian Kindelan, Fernandina was taken over on May 6, 1813, by Captain Francisco Rivera, a subaltern, and forty men from the third battalion of the Regiment of Cuba. Salutes boomed from a small Spanish battery, and from an American and an English vessel in the harbor. Kindelan reported that there were also loud and sincere *vivas* for the return of Spanish rule.¹

Immediately after the occupation of Fernandina, Kindelan published a proclamation (May 7, 1813)

1. Kindelan to Apodaca, June 13, 1813, Archivo Nacional de Cuba (hereinafter cited as A.N.C.), Floridas, legajo 13, no. 9.

calling on the inhabitants of the town and surrounding district to take an oath to support the Constitution of 1812. The following day was appointed for the ceremony. For lack of a church or other public building, it took place around a pavilion erected for the dignataries. Again cannon boomed and *vivas* roared, and “dances and all kinds of rejoicing, which demonstrated the general happiness of everybody,” followed the oath-taking ceremony.²

In his proclamation Kindelan promised the inhabitants of Amelia Island and the surrounding country the blessings of that “Holy Charter” the Constitution of 1812. However, when he came to apply the Constitution, he decided that only the essential parts should be extended to the district until the higher authorities could be consulted. He explained his decision as follows:

By superior order=On account of the lack of an exact census of the population of the District of Fernandina, and because of other reasons and circumstances that are important at this time, this Government is obliged, for the present, not to proceed with the establishment of the constitutional Municipality without the previous and indispensable agreement of the Superior Authorities at Havana, which is the only means found in the present case to avoid the disagreeable errors that would result from exceeding its powers; but, on the other hand, because of the necessity for having a person appointed with sufficient authority to hear in first instance the civil and criminal cases that occur; and in order to combine good

2. *Ibid.* The proclamation is also found in A.N.C., Floridas, lagajo 13, no. 9. Antonio Jose Alvarez and Jose Maria Hernandez of St. Augustine, who had been sent to Fernandina to act as witnesses, certified all documents connected with the ceremonies.

administration with the desires manifested by the inhabitants, Mr. Philip Yonge, a vassal of Spain and a settled resident of this Town, has been appointed *Captain de Partido* provisionally, pending the decision of the Superior Authority.³

When Kindelan reported the case to the captain general⁴ on June 13, 1813, he was more explicit about his motives. He said:

I did not establish the municipality that, it [Fernandina and its districts] merits because of its Population and local circumstances: for, although they [the inhabitants] pleaded article 12 of the Royal decree of May 23, 1812, I postponed acquiescing because I understand that the Spirit of that article is directed toward Towns of colored people, that may exist in our Colonial provinces, and whose inhabitants, although they do not enjoy the rights of Citizens, are born in our dominions, speak the same language, and have our uses, customs, and Religion, which circumstances do not concur in those persons that live in Fernandina, its District, and along the St. Johns River; for in all that great area there are scarcely twenty-five Spaniards, of whom only two are in the Town of Fernandina, while two are settled in the Rural part of Amelia Island ; the rest are considered as transients, such as sailors, who have left their ships, or some soldier or released prisoner.⁵

3. Translated from the instructions to Yonge, dated Fernandina, May 20, 1813. A.N.C., Floridas, legajo 13, no. 9.

4. Juan Ruiz de Apodaca, captain general *jefe superior politico* of Cuba and the Floridas.

5. Kindelan to Apodaca, June 13, 1813. A.N.C., Floridas, legajo 13, no. 9. A report to the St. Augustine city council on August 23, 1813 mentioned 200 pesos annually in *propios* from Fernandina, which could only be considered as a deposit until a municipality was organized there. Evidently official St. Augustine thought such a move was not far distant. A.N.C., Floridas, legajo 13, no. 12.

Article 310 of the Constitution provided for municipal government in towns that, together with their districts, had one thousand or more inhabitants, and in other towns where it was "convenient." The first two articles of the decree of May 12, 1812 elaborated on the constitutional provisions. According to the above quoted extract from Kindelan's report, the St. Johns-St. Marys residents claimed the right to have a municipality under article 12 of this decree, but this must have been a mistake since only articles 1 and 2 are pertinent to the case. It is possible that the mistake was due to the copyist's misunderstanding 1 and 2 to refer to 12. It is also possible that *doce* (twelve) was misunderstood for *dos* (two) when the two pertinent articles were mentioned. Spanish Americans pronounce the two words so much alike that even natives sometimes mistake one for the other. Whatever the reason for the mistake, we will dismiss article 12 and translate 1 and 2.

I. Any town that does not have Municipal government, and whose population does not reach one thousand souls, and which, because of the special conditions of its agriculture, industry, or population, may be thought to merit a municipality, will inform the *Diputacion* of the province, on the bases of whose report the Government will provide that which is convenient.

II. Towns that do not fulfill these conditions will remain annexed to the Municipalities to which they have been attached heretofore, as long as the improvement of their political conditions does not require a change: . . .⁶

6. Alcubilla, Marcelo Martinez, *Diccionario de la administracion espanola* (8 vols., Madrid, 1886), I, 688. The *diputacion* was a legislative and advisory body made up of one deputy from each district of a province. The Floridas sent one man each to the *diputacion* in Havana.

There is little doubt but that under a strict interpretation of the Constitution and the decree of March 23, 1812, Fernandina and its district should have had municipal government. The distance from St. Augustine was great, and it differed from the capital in industry and commerce, to say nothing of population. Kindelan appears to have believed that the district had the necessary number of inhabitants to meet the constitutional requirements, though the available documents do not show that the inhabitants themselves made this claim in 1813. However, the petition quoted at the end of this paper shows that during the second constitutional period they claimed that the district had more than the one thousand inhabitants specified in the Constitution.⁸

But in spite of population and circumstances (or perhaps we should say because of them), Kindelan did not organize the desired municipality. This displeased the inhabitants of the district, no doubt, but it is difficult to censure the governor for delaying to organize a municipal government that would necessarily have been composed almost wholly of men who had just been engaged in rebellion, and who would have been elected by others of the same stripe. One can almost see the tears between the following lines that he wrote to explain his decision :

If I have erred, Heaven well knows that it is against my Will: I am nothing but a soldier, who by bad luck find myself abandoned in a country that is exhausted of all resources; without a public notary [*escribano*], without an authorized legal adviser, and even without a Lawyer or any other Person whatever on whose decision or opinion I might depend,

8. See the appendix at the end of this article.

for believe me Your Excellency, he that knows most among these people is, perhaps, my equal in ignorance ; and, therefore, in good faith I confess, that in these matters that are not of my profession, I work by pure instinct, as a result of which I have the affliction and Bitterness of an honest man, of a man that desires to do his duty, when he sees himself forced to take measures and issue Orders about which he is doubtful.⁹

The system that Kindelan worked out "by pure instinct" was not new. It was rather an adaptation of the plan of local government that had been developed in Cuba where Kindelan had served, and it had already been used to a limited extent in East Florida. The captains general of Cuba early adopted the plan of appointing men called *capitanes de partido* to represent them in small towns and rural districts. At first the men chosen were persons whose interests identified them with the districts over which they were to exercise jurisdiction. By 1813, however, the system in Cuba had degenerated to such an extent that many (perhaps a majority) of the *capitanes* were fortune seekers from Spain. For a man of moderate ambition a captainship offered considerable opportunities, since the holder of the office was a combination of police chief and justice of the peace.¹⁰ It is not surprising, therefore, that placemen began to seek the jobs.

9. Kindelan to Apodaca, June 13, 1813, A.N.C., Floridas, legajo 13, no. 9.

10. A.N.C., Miscelanea, 12,662, p. 389. Pezuela Jacobo de la, *Necesidades de Cuba* (Madrid 1865), pp. 71-72. Pezuela, *Historia de la Isla de Cuba* (Madrid, 1868-1878), III, 47. Zamora, Jose Maria, *Biblioteca de legislacion ultramarina* (Madrid, 1844-1849), IV, 15-16. Concha, Jose Gutierrez de la, *Memorias sobre el estado politico, y administracion de la Isla de Cuba* (Madrid, 1853), p. 50.

In applying the system to the St. Marys-St. Johns district, Kindelan reverted to the earlier practice. The men appointed were certainly identified with their districts, and, if the Constitution was not to be applied, it is difficult to imagine any plan possible within the Spanish administration that would have been better suited to the needs of the district. Since this plan was the real constitution under which a large part of the population of East Florida lived for the remaining years of Spanish rule, it merits studying in as much detail as the available information permits.

The area under discussion was divided by Kindelan into three *partidos*, or districts. That of Fernandina included Amelia, Tiger, and Talbot islands, both banks of the Nassau river, and the right bank of the St. Marys. The other two districts, called Upper St. Johns and Lower St. Johns, were carved out of the territory lying along "both banks of the St. Johns, San Pablo Inlet, and St. George Island."¹¹ The boundaries of the two districts are described in the following article from the instructions to the captains of Upper and Lower St. Johns:

Article 13 - For the convenience of the inhabitants, it has been thought best to divide the ancient District of St. Johns into two, with the names Upper St. Johns and Lower St. Johns, and therefore, it is declared that to the first pertains the territory between Hollingsworth's House and that of Buena-vista, both included, with the plantations on the opposite Bank from that of Creighton to that of Fleming, and the rest that lie on that line; and to the second from the plantation of Sanchez to that of Maxey, both included, with those on the

11. Kindelan to Apodaca, June 13, 1813, and the instructions to the *capitanes*, A.N.C., Floridas, legajo 13 no. 9.

opposite Bank from Morrison to Fitzpatrick, and San Pablo Inlet and the Island of Fort George: and consequently Don Francisco Fatio [elsewhere spelled Facio] will be *Capitan de Partido* of Upper St. Johns, and Mr. Farquahar Bethune of Lower St. Johns, which captains are authorized to appoint for the opposite Banks of the River in their respective districts, with the consent of the Government, persons of their confidence, whom they consider capable of acting for them in fortuitous cases.

Kindelan explained to Apodaca that Fatio and Bethune were the only persons along the St. Johns who had not taken part in the recent rebellion. Fatio, he said, was the son of a Swiss, who had settled in East Florida during the English occupation and had remained there after the province was returned to Spain. Bethune was a Scot born in West Florida, but who had lived ten years in East Florida. Kindelan's first choice for captain of the district of Fernandina was Don Jose de la Maza Arredondo, but he refused to serve, explaining that he had just come to settle some accounts he had pending, after which he planned to return to his family in St. Augustine. Kindelan then appointed Philip Yonge, since neither of the four Spanish residents of Amelia Island were capable of holding the office. Pedro Ponze, of Fernandina, was a baker without the necessary qualifications. Domingo Fernandez and Antonio Suarez, who lived in the rural part of the island, and who had been masters of the "king's canoes," were married to American women whose relatives had taken part in the rebellion. Besides, Fernandez had recently been tried and convicted for homicide and fined three hundred pesos. What was wrong with the fourth Spaniard Kindelan omitted to say. Yonge was known to the governor only by reputation, but

he, had rendered important services to the Plaza of St. Augustine in its hour of need by sending food. Of him Kindelan said:

He is a Person of good judgment, and, to my way of thinking, firmly attached to the Holy Cause that we defend, born in the Province under the English domination, Speaks both languages, son of a Scot, and deserves the confidence of the Inhabitants, who are composed almost entirely of Englishmen, Scots, and Irishmen . . .¹²

The new captains were provided with elaborate instructions for the conduct of their offices. Fatio and Bethune were given joint instructions. Yonge's position at Fernandina was thought to call for a separate set of instructions. However, since there are few differences in the two documents outside of the paragraphs delineating the boundaries of the districts, a summary of both may be given.

The captains were to be (1) conciliators, (2) judges, and (3) police officers. As conciliators they were to strive to reconcile parties that had fallen into disputes. Such persons were to go before their respective captains, who, with two "good men" (one appointed by each party to the dispute), must give the "providence of conciliation" decided upon within eight days. If the disputants agreed to the decision, it was to be recorded in the captain's "book of conciliation" and signed by all parties concerned. If no agreement could be reached, this fact was to be recorded in the book and signed by the same persons. In cases involving debtors, or other urgent cases, the respective captains were to give the orders necessary to prevent injuries, after which they were to proceed with the conciliation.

12. Kindelan to Apodaca June 13, 1813; the instructions to the captains; and the letter of refusal from Arredondo, all of which are found in A.N.C., Floridas, legajo 13, no. 9.

The captains could also hear and decide civil cases that did not involve more than one hundred pesos, and criminal cases that merited only light punishments. In deciding such cases, both civil and criminal, they were to be assisted by two men as in the cases of conciliation. Verbal judgments were to be given, but brief records of all cases were to be kept. When important crimes were committed, the captains were to make arrests, conduct investigations, and report to the governor.¹³ All reports and official documents must be in Spanish.

In addition to police duties already mentioned, the captains were to look after sanitation, to allow no person to settle in their districts without informing the government, and to prepare censuses when necessary. They could call on the military commandant at Fernandina for soldiers to guard prisoners, or to otherwise enforce respect for justice. In such cases, however, the sergeant or corporal in command was the only person who could give orders to the soldiers. All residents of the respective districts could be required to help enforce justice.¹⁴

To complete the description of the system set up along the St. Marys and the St. Johns, it is necessary to mention another officer besides the commandant and the captains. Due to its proximity to the United States and the ease with which goods could be smuggled through it to a neutral port, Fernandina had become a port of considerable importance during the American embargo and the ensuing war with England. It was necessary, there-

13. This was a temporary provision until the "lawyer judge" provided for in the Constitution could be appointed. It proved to be permanent, for, although the East Floridians petitioned for the judge, the constitutional period closed without one. A.N.C., Gobierno Superior Civil, legajo 861, no. 29, 161. pp. 151-152.

14. The instructions are in A.N.C., Floridas, legajo 13, no. 9.

fore, to have somebody to handle the revenues of the port. Kindelan appointed one Tadeo Arribas as *administrador interino de hacienda nacional*.¹⁵ This appointment, as well as those of the captains, provoked an argument in St. Augustine that reverberated in Havana.

According to the Spanish idea of a municipality, not only was the town itself included, but all of the surrounding country that was not annexed to some other municipality. This old principle was restated in a decree of March 23, 1813 which was made to carry out the provisions of the Constitution of 1812 concerning municipal government. Accordingly, Geronimo Alvarez, the mayor [*alcalde*] of St. Augustine, claimed jurisdiction over the whole of East Florida, since St. Augustine was the only municipality in the whole territory. Alvarez appointed Arribas as his own *comisario* to collect revenues at Fernandina, and protested to the captain general *gefè politico* at Havana about the appointment by Kindelan. At the same time he protested about the governor's appointment of "three Foreigners, married to foreign women, and two of them protestants, as *Jueces Pedaneos*"¹⁶ on the St. Johns and Nassau Rivers and in the Town of Fernandina," all without the "intervention of the municipality." The other members of the city government, however, opposed Alvarez and sent a contrary report to the authorities in Havana. The *diputacion provincial*, which advised the captain general on matters concerning municipalities, decided that St. Augustine did not extend to Fernandina.¹⁷

15. A.N.C., Floridas, legajo 13, no. 9. See also note 5.

16. *Juez pedaneo* was another title applied to a *capitan de partido*. It referred to the officer in his judicial capacity while *capitan* was indicative of his police power. The titles, however, were used interchangeably in Florida and Cuba.

17. A.N.C., Gobierno Superior Civil, legajo 861, no. 29, 160, p. 89; no. 29, 162, pp. 45-47, 26; and Floridas, legajo 19, no. 25.

The above mentioned decision was really in support of Kindelan's whole policy with respect to the St. Marys-St. Johns territory. It seems, however, that Kindelan's decision to abstain from applying the Constitution of 1812 to the area in question was never submitted to the *diputacion*. At least, there is no reference to such action in the minutes of that body.¹⁸ There is, however, a note on the margin of Kindelan's report of June 13, 1813 to the effect that it was "Passed for consultation to the honorary *oidor* [judge] don Jose Franco."¹⁹ Franco's opinion is not available, but, at least, the system of government set up by the governor was not interfered with. The Constitution was abrogated on May 4, 1814 by Ferdinand VII, and, since the Kindelan system was in harmony with the local government that was then restored in other Spanish colonies, there was no necessity for changing it. It was, therefore, allowed to continue as long as Spanish rule lasted in the district under discussion.

The Kindelan system was first destroyed in the district of Fernandina. On June 29, 1817 Sir Gregor McGregor and a group of adventurers took over Amelia Island in the name of the Republics of Mexico, Buenos Aires, New Granada, etc. The pirate Aury appeared in the name of Mexico and forced McGregor to limit his allegiance to that nation alone. Forces of the United States soon settled (or perhaps unsettled) the matter by taking the town of Fernandina from these undesirable neighbors. The American forces continued to occupy Amelia Island until the whole of Florida was handed over in 1821. Meanwhile, Spanish rule

18. The minutes are in A.N.C., Gobierno Superior Civil, legajo 861, nos. 29, 160; 29, 161 and 29, 162.

19. A.N.C., Floridas, legajo 13, no. 9.

continued along the St. Johns, and nominally over the St. Marys district.

In 1820 a revolt in Spain brought the Constitution of 1812 back into force. As soon as the news could reach St. Augustine the municipal government was reorganized. Again the *alcalde* of that city tried to assert jurisdiction over the St. Marys-St. Johns territory, much to the disgust of the inhabitants, who decided that it was time to demand their constitutional rights. On October 10, 1820 more than two hundred persons signed a petition to Colonel Jose Coppinger, the governor of East Florida, asking that a municipality be organized for them.²⁰ This time they claimed that their district should have its own municipal government, not only because of the special conditions therein, but also because it contained more than the one thousand inhabitants specified by the constitution. Coppinger, however, had no authority to grant the petition and was glad enough to pass it along to the captain general in Havana. He informed the petitioners of his action, reminding them at the same time that it was their duty "as subjects of the Spanish nation," to "remain tranquil and obey the laws, without giving any cause for being corrected because of excesses." This reply he communicated to them "through the respective *capitanes de partido*."²¹

When the petition reached Havana it was too late for the municipality to be organized in time for the December elections,²² and before elections were, due again, the Floridas had passed from Spanish control. We can, therefore, only specu-

20. See the translation of the petition at the end of this article.

21. Coppinger to Cagigal, December 2, 1820, A.N.C., Floridas, legajo 13, no. 6

22. The report did not leave St. Augustine until December 2, 1820. Elections were to take place on the first Sunday of the same month.

late as to whether Spain would have eventually allowed the Constitution to follow the flag into the St. Marys-St. Johns district, and about how the restless inhabitants of that district would have administered a Spanish municipality if they had been permitted to try. In any case it would have been a most interesting experiment.

**A PETITION FROM THE INHABITANTS OF THE ST. MARYS-
ST. JOHNS DISTRICT FOR THE ORGANIZATION
OF A MUNICIPALITY ²³**

Mr. Governor

We the Inhabitants that dwell on the St. Johns and St. Marys Rivers, and on the Mainland and Islands adjacent to this Province, with the greatest respect for Your Excellency, congratulate ourselves on the favorable change of government that has been brought about by the adoption of the constitution of 1812, as appears to be true from what we have seen in Royal Decrees ordering that it be published in all the Spanish dominions, and that the proper oaths to observe the Constitution be taken by the Vassals, a requisite that, to our great surprise, has not been carried out in these Districts, whose inhabitants being desirous of enjoying, sustaining, and protecting the benefits conferred by it, Solicit Your Excellency to be so Kind as to establish it in the proper manner throughout the whole Province, conceding to us the privileges that are granted by it to interior Towns according to articles 309 and 310-since the number of inhabitants here is greater than one thousand souls, ²⁴

23. Translated from the original in A.N.C., Floridas, legajo 13, no. 6. In copying the signatures their relative positions have been maintained.

24. This claim seems to have been well-founded. The census of 1814 gives the following figures : St. Johns River, 117; Fernandina, 518 ; Amelia Island, 209 ; Nassau, 118 ; St. Marys, 135; Tiger Island, 10 ; Talbot Island, 32 (compiled by Mrs. Katherine S. Lawson from photostats in the Webb Memorial Library, St. Augustine).

whose names we can obtain if they are required. For all of which we hope and trust that Your Excellency will be pleased to take our rights under due consideration, and order that elections be held on the first Sunday in next December for the formation of the new government, according to the provisions of chapter 3, article 37 of the Constitution, without it being necessary for us to have recourse to the Superior Authorities, for this is a right that has been granted to us by the voice of the Nation, whose rights and privileges we are unanimously, and loyally disposed to Sustain and protect in all their parts. This establishment, Mr. Governor, will prevent the Anarchy that we have experienced up to now, along with many inconveniences, such as having the *Alcalde* of the Capital order an inhabitant to go there to answer charges, an act that we consider as void for two reasons: first, because the *Alcalde* is not eligible to be such According to article 129 of the constitution, and, second, because his jurisdiction does not extend beyond his own District; and not only for this reason, but for others that present themselves every day, such as ordering an inhabitant to appear in the Capital to give testimony, which individual must expose his person to the fatigues of a journey of one hundred miles on which his life is in danger, and on which he has expenses which perhaps he cannot sustain without great injury to Himself. All these considerations cause us to trouble Your Excellency, from whom we expect the grace that with justice we the undersigned request for ourselves and for many others who are absent at their work. *Tierra firme* in the district of Fernandina, October 10, 1820

James Dell
Jno. T. Lowe
James Armstrong

James L. McTier
William Braddock
Chrisr. C Minchin

John D. Braddock	Isaac Wingate
(1) John Pearce ²⁵	E. Waterman
(1) James Pearce	(2) Solomon May
Samuell Russell	(2) James G. Smith
Cnor. [Senior]	(2) Samuell Russell Junr
John B. Christopher	(2) James Burnett
Francis Turan	Isaac Tucker
B M. Lowe	Robert Rollings
(2) James Sloan	(3) Edward Turner
(2) Isaac Holbert	(3) Jesa Turner
(2) Abram Smith	John Flenin
(2) Saml. Burnett	Carlos Seton
Hezekiah Tucker	Thomas Backhouse
John Edwards Snor	(5) Joseph J Lou [i]
[Senior]	(5) Seymour Pickitt
Cyrus Briggs	Henry Groves
Lewis Christopher	Carlos Sibbald
William Starrat	Elisha Redmon
Chas. Broward	Jesa Waller
David Turner	Peter Duran
John Uptigrove	James Bishshup
(4) Gedion Elventon	(8) Jesa Samfoa [rdl
(4) John Wilkerson	John Bassent
(4) Jacob Elventon	Nath. Wilds
Stephen Eubank	John Lozier
T. Reynolds	Z. Kingsley
H. Lowe	John Johnson
Wesley Lowe	Wm. Hobkirk
Saml. Ledworth	Wm Adam
Jeremiah Wingate	Robert Miller
John Wingate	(7) John Higinbothum
N. Barker	(6) Lewis Bachlott
Willm Walker	(6) Alexander Bachlott
John Carr	Drewry Peal

25. The numbers to the left of the names were placed there by the present writer. Names with the same number appear to have been written by the same hand.

Joseph Bachlott	Wm Nelson
John Ja Ward ²⁶	Jesa Youngblood
John Dewit	(8) John Silcock Jr
W K Rain	(8) John Silcock
(8) Wm McCulla	Saml. Worthington
(9) Thomas Higinbothom	(8) Isaac Green
James Chrozier	(8) John Purvis
(9) Isah. Hart	(8) Joseph Saals
(9) Joseph Higinbothum	Jonathan Thigpen
(9) Eliga Higmbothum	Wade Silcock
(9) David Higinbothum	John Bachlott Jun
Theodore Dodge	Ambrose Hull
Farqr. Bethune	Levin Gunby
Josi F. Ga[ult] ²⁷	John Crighton
Pedro Pons	Simion Dell
Domingo Acosta	Archalus Linsey
Antonio Diaz	(11) Charles Love
Jose Alvares	(11) Shack Standly
Spicer Christopher	(11) Wm Donnel
Wm. Fitzpatreck	(11) John G Barrow
Joseph Rain	(11) Thomas Barrow
Samuel Kingsly	(12) Hinch Holomon
Cs. Hovey	(12) Harmon H Holloman
(7) George Higinbothum	(12) Eanoch Daliel
Jno. Richard) Willoam Ellin
John Rouse	(12) Levi Cole [Coler?]
Jas- Long	(12) Briton Nite
Jesse Long	(8) David Silcock
William Crozier	(8) Saml. Salls
(8) Wm. Hogan	Blake Wells Jor
Conls Rain	Wm Drummond
John Jenings	William Sillcock
Joseph Haddock	Chas. Deshon

26. This name is very poorly written. *John Jas Ware* (or *Wares*) is another possibility.

27. The signature seems to be Gault. Gaunt was probably the name. In the photostats of the Fernandina census of 1814 in the library of the St. Augustine Historical Society appear the names Jose Gaunt, John Gaunt, and John Gault.

Mamke Deezer	Miguel Mabrity
(10) J. G. Rushing	Ynocencio Condin
(10) John Jucy	Miguel V [im] a
John Bassent Junr	Juan Reyes
Lewis Levy	Antonio Martinez
(12) Levi Johns	(13) Franco Triay
(12) Js. Tison	(13) Juan Triay
(12) Levi Sparkemon	Willm. Jno. Mills
(12) Willoom Frink	Peter Suarez
(12) James Jream	Tomas Suarez
(12) John Huse	John Warren
(12) James Walker	(14) John Daniel Vaughan
(12) Stephen Vinsant	(14) Daniel Vaughan
(12) James Stephenson	(15) William H. G.
(12) William Drummon	Saunders
(12) Stephen Woods	(12) Lewis Baley
(12) Wm. Dun	(12) Robert Hudson
(12) James T Pervate	(12) John Stafford
(12) Allagoo Sugs	(12) Lewis Baley ²⁸
(12) Horis Tifney	(12) Ellis Stafford
(12) Smith Canon	(12) Samul Stafford
(12) Jorge Nite	(12) Thomas Stafford
(12) Edward Dixson	(12) Abriham Colson
(12) John Dixson	(12) Aan Colson
(12) Henry Swiney	(12) Mical Johnson
(12) William Hall	(12) Den Setrunk
(12) James Sharber	(15) Robt. Harrison
(12) Henry Homes	(15) Samuel Harrison
(12) William Sparkemon	Junr.
(12) Burbon Lowden	(15) Epm. Harrison
(12) James Sparkemon	John Houston
(12) Thomas Pervate	James Turner
(12) Joseph Pervate	Wm. Fitzpatrick
Andres Lopez	Junr.
Juan Cereopoly	

28. Whether there were two Lewis Baleys, or whether the Person that signed all the names marked (12) made a mistake and repeated a name, can only be guessed.

It is possible that some of the signers of the petition were fly-by-nights whose names were used to swell the list, but it is possible from other sources to show that a large part of these men had recognized standing in the district and that some were old settlers. The Spanish authorities made a census of East Florida in connection with the organization of the province under the Constitution of 1812. From the data then collected the following names can be verified: ²⁹

Census of Nassau River, 1813

Diego Smith (evidently James G. Smith of the petition), John Edwards (aged 58) and Guillermo Sterrate (William Sterrat). William Fitzpatrick (aged 50) appears as the father of several sons, though none appear as "Junr." as in the petition.

Census of Talbot Island, 1814

John Houston *el padre*, and John Houston *el hijo*. Also Lewis Christopher.

Census of the St. Marys River, 1814

William Braddock, John Braddock, Nathaniel Wilds and Spicer Christopher.

Census of Tiger Island

Wm. Hall and E. Waterman.

Census of Amelia Island (outside Fernandina), 1814

Robert Harrison, Samuel Harrison (aged 65, with a son of 25 whose name was not mentioned), William Saunders, and John Vaughan (aged 45 years).

Census of St. Johns River, 1814

Z. Kingsley.

29. The writer is indebted to Mrs. Katherine S. Lawson, Secretary of the St. Augustine Historical Society and Institute of Science for information from the photostats of the Spanish census lists in the library of the Society.

Census of Fernandina, 1814

Andreas Lopez, Pedro Pons, Franco Triay, Jose Alvarez, Miguel Mabrity, Farqr Bethune, Domingo Acosta, Carlos Seton, Henry Groves (aged 40), Antonio Diaz, and Carlos Sibbald. Jose Gaunt appears in one list. He is probably the Josi F. Gault of the petition. There is a John Gaunt in one list which appears as John Gault in another, which estazlished the confusion at the time about the spelling of the name.

From the list of land grants and transfers for Fernandina the following are gathered:³⁰ Pedro Suarez, Antonio Martinez, Wm. Hobkirk (also John), John Lowe, James L. McTier, Louis M. McTier and Thomas Suarez. All the grants or transfers were between 1810 and 1814 except that to Louis M. McTier, which is dated 1821.

A more fruitful source is the report of the United States Land Commissioners, who passed on all claims to land after the acquisition of Florida. The following persons whose names are attached to the petition presented land claims :³¹ John Lowe (January, 1812), Christopher Minchen (November, 1817), John Uptegrove (1803), Stephen Eubanks (1817), John Wingate (1790), John Christopher (1809), Charles Broward (1817), David Turner, William Walker (1816), John Carr, Eleaser Waterman, Charles Seton (1816), Seymour Pickett (1803), Charles F. Sibbald, Farquarhar Bethune (1817), Joseph Gaunt (1816), Pedro Pons (1817), Domingo Acosta (1817), Antonio Diaz (1811), Jose Alvares (1816), Nathaniel Wilds (1815), Zephaniah Kingsley (1815), Thomas Higginbottom, Spicer Christopher, William Fitzpatrick (1795), Joseph Rain,

30. Furnished by Mrs. Katherine S. Lawson.

31. The dates after the names are taken from the petitions to the Commissioners or from evidence submitted with them, and in most cases indicate residence at that time.

Samuel Worthington, Joseph Saul, Samuel Sauls, John Bachelot (1816), Cornelius Rain (1768), Joseph Haddock, Wm Nelson, Jose Youngblood, John Silcock (1792), William Drummond, Charles Deshon, John G. Rushing (1815), Levin Gunby, Charles Love, Shadrich Stanley, William Donnell, John Barrow, William Ellis, John Dixon, Edward Dixon, Henry Sweeny, William T. Hall, William Sparkman, Levi Sparkman, William Frink, William Drummond, James Sparkman, Jose Reyes, Antonio Martinez, Francis Triay, William Mills, Pedro Suarez, Thomas Suarez, John D. Vaughn, Robert Harrison, Samuel Harrison, John Houston.