

1959

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Recommended Citation

Murdoch, Richard K. (1959) "The Return of Runaway Slaves 1790-1794," *Florida Historical Quarterly*. Vol. 38 : No. 2 , Article 3.

Available at: <https://stars.library.ucf.edu/fhq/vol38/iss2/3>

THE RETURN OF RUNAWAY SLAVES 1790-1794

by RICHARD K. MURDOCH

AMONG THE DUTIES ASSUMED by the federal government after the ratification of the constitution was the general supervision over relations with the Indians living both within and without what were generally claimed to be the national boundaries. This assumption of authority was resented by many of the frontier residents long accustomed to dealing directly with the Indians. They were convinced, rightfully or wrongfully, that all savages were to be mistrusted, that the so-called Indian lands were open to seizure and settlement by the first to arrive on the scene, and that there was nothing illegal or immoral in acquiring the Indians' private property, presumably recently stolen from the legitimate owners. Although this attitude, a product of bitter experience, was not conducive to peace and stability along the frontier, it nevertheless governed the relations between the two races for a long period of time. Of particular annoyance to the settlers and to the large plantation owners was the ease with which valuable Negro slaves from Georgia and South Carolina escaping from their masters managed to disappear across the Oconee River into the Indian country and then often reappear in either St. Augustine or Pensacola where the Spanish authorities as like as not treated them as freed Negroes. Even if they were not allowed to roam freely, they were merely put to work on the most available public works project at no expense to the Spanish government. It was not the treatment accorded the runaways that irked the Americans so much as it was the fact that the Spanish officials blandly refused to discuss the question of rounding them up and sending them back to the United States where they rightfully belonged. No manner of argument seemed to carry any weight with the officials in either East or West Florida.

Ever since 1784 appeals for the return of runaway slaves transmitted to the Spanish governor in St. Augustine through the local Georgia law enforcement officers had resulted in the repeated assertion that since the former English governors of colonial Georgia had not seen fit to cooperate with the authorities in East Florida prior to 1763 in the exchange of stolen property and return of runaway slaves, the Spanish, now returned to the

province, were bound by long standing orders from Madrid not to cooperate in any way with the Americans.¹ This uncooperative attitude was maintained in spite of frequent protests from Georgia that it was no longer a colony under the jurisdiction of the English monarch and that any royal orders, or lack of them, regulating Spanish-English relations dating from the period prior to the war for independence had no bearing on Spanish-United States relations. This stand was only one manifestation of Spain's unwillingness to discuss the problems outstanding with the United States lest the mere agreement on her part to open discussions might be construed as a sign of willingness to compromise on such vital issues as the navigation of the Mississippi River, control over the southeastern Indian tribes, and the establishment of a permanent southern boundary line.

It was not until 1790 that appeals to the Spanish court finally brought about a change in this adamant stand against cooperation with the United States in trying to solve some of the frontier problems. Events taking place on the continent of Europe, especially the early revolutionary changes within the French nation, and the warlike attitude of England in the long quarrel over the northern Pacific coast, may have convinced the Spanish government of the wisdom of settling some of the problems with her new North American neighbor. On May 17 a royal order was issued annulling all outstanding regulations forbidding the return of stolen property and runaway slaves and establishing that as soon as a copy of the new order reached St. Augustine, the governor of East Florida was to commence apprehending and locking up all Negroes escaping in the future from the United States. He was ordered to return them to that country, however, only after those claiming ownership had established the validity of their claims and had paid all the costs of capture and maintenance of the slaves.²

1. A clear statement of the Spanish view was contained in a letter from the governor of East Florida to Governor Houstoun of Georgia in which the former stated: "One of the provisions of the old rule is that no fugitive Negro from Georgia be returned, as the London court refused to reciprocate." Vicente Manuel de Zespedes to John Houstoun, St. Augustine, November 28, 1784, East Florida Papers: box 108 D9. Subsequent reference to this source will be abbreviated as EFP and then the box number.
2. Juan Nepomuceno de Quesada to Leonard Marbury, St. Augustine, August 3, 1790, EFP: box 108 D9.

Copies of this order were sent to the two Spanish diplomatic agents in Philadelphia for presentation both to the new Secretary of State and to Congress and also to all Spanish consuls and commercial agents in the coastal cities of the United States in order that announcements of the change in Spanish policy could be inserted in as many newspapers as possible.³ Among the very first in the United States to get the news of the order was Leonard Marbury,⁴ the acting Spanish consul in Savannah, who received a copy from East Florida together with the request that the information contained in the document be transmitted to the governor as well as to all the newspapers in the state.⁵ Marbury forwarded the copy to Augusta as requested together with the letter from the Governor of East Florida as it seemed to him that the latter's explanation of the full meaning of the terms of the order might be of assistance to the Georgia officials. His letter reached Augusta some time in late December for on the second of the next month the governor wrote a hasty note to the Secretary of State to forward the copy of the order and to enquire what he should do if anything to help implement the new Spanish policy. This dispatch from Georgia was in the hands of the Secretary of State on the fourth of March.⁶

The copies of the order sent from Madrid to Philadelphia by way of Havana did not reach the hands of the federal government until late in the year, some months after the order had been promulgated in St. Augustine and had become known across the

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3. Jose de Jaudenes and Jose Ignacio de Viar to Edmund Randolph, New York, July 26, 1794. Telamon Cuyler Collection, University of Georgia Library, Athens, Georgia.
 4. Leonard Marbury was a successful Savannah merchant who was employed at various times as acting consular agent by both the English and Spanish governments.
 5. Quesada to Marbury, St. Augustine, August 23, 1790, and Marbury to Quesada, St. Marys River, September 15, 1790, both in EFP: box 108 D9. There really was little need for Marbury to have the letter and order printed in the local newspapers as the news was already well known, probably having been brought from East Florida by one of the many travellers who crossed the St. Marys River almost daily. Apparently the local magistrates in the town of St. Marys were well aware of the change in Spanish policy within a day or two of the promulgation of the order.
 6. Thomas Jefferson to Governor of Georgia [Edward Telfair], Philadelphia, March 26, 1791, *The Writings of Thomas Jefferson* (Federal Edition), VI, 226-227.

river in Georgia.⁷ At that very time the new Secretary of State was preparing a final set of instructions setting forth the duties of the commissioner about to be appointed to serve the Creek Nation as stipulated in the Treaty of New York concluded earlier in the year with a large number of the Creek chieftains. This agreement had been negotiated partly to ease a situation considered critical by the officials in Georgia and it represented an example of the announced policy of the federal government to draw up treaties with various Indian tribes on a basis of trust and friendship similar to treaties signed with foreign powers. Like many of these federal Indian treaties the Treaty of New York contained clauses guaranteeing the reciprocal exchange of prisoners and stolen property, the last considered to include Negro slaves as well as livestock and household goods. In addition to property taken as prizes of war these treaties often provided for the return of runaway slaves although specific mention of this class of property was usually restricted to treaties with the tribes in the southeast and in the lower Mississippi River valley. These Indians, especially those belonging to the Creek Nation, had for many years followed a sedentary agricultural economy which featured among other things the slave-holding system. When the aforementioned treaty was finally agreed to in 1790, Article III specified the return of stolen property and runaway slaves.⁸

Thus when Jefferson and his assistants were preparing the instructions to be sent to James Seagrove of St. Marys, Georgia,⁹ the newly appointed commissioner to the Creek Nation, the

7. The royal order of May 17, 1790, was officially promulgated in East Florida on September 2. The Secretary of State's letter of March 10, 1791, to the governor of that province (document 3) gives no indication as to when the news first reached Philadelphia but Jefferson's letter to Georgia of March 26, mentions that the news was in his hands by the 4th of that month.

8. The Treaty of New York is printed in full in *American State Papers, Indian Affairs* (Washington: Gales and Seaton, 1832), I, 81-82.

9. James Seagrove of New York and Philadelphia, merchant, financier, politician and land speculator, settled in Savannah in 1786 and soon became deeply interested in the development of a deep water port at St. Marys in Camden County, Georgia. Although the present paper does not include the reasons for the selection of Seagrove as commissioner, it might be pointed out that later events were to prove that this appointment was an unwise one. Sufficient to say that at the time of his selection, his candidacy had strong support from several influential members of Congress and from such prominent persons close to the president as Robert Morris and General Samuel Blachley Webb, onetime aide to Washington.

change in attitude of the Spanish government toward the perplexing problem of the return of runaway slaves was already known and had to be taken into consideration as it was obviously of great importance to many of the frontier slave owners. There was considerable doubt in Jefferson's mind as to whether the terms of the new royal order were retroactive and thus could be applied to the runaway slaves already in hiding in East Florida. He expressed this doubt in his letter to the governor of Georgia implying that same additional discussion with the Spanish officials would be necessary. Among other things, Jefferson wrote :

How far he [Governor Quesada] may think himself authorized to give up those who have taken refuge there heretofore is another question. I observe that the orders he announces to have received say nothing of the past. It is probable therefore that an application from us to give them retrospective effect, may require his asking new orders from his Court.¹⁰

Both the Secretary of State and the Secretary of War under whose joint authority fell the administration of Indian affairs realized that the government could not afford to employ and pay a staff of Indian agents and commissioners large enough to adequately cover the entire frontier area. Thus it was determined that the new commissioner to the Creek Nation would be entrusted with a multitude of minor duties over and above the mere enforcement of the terms of the new treaty and any others that might be agreed to in the future. He was authorized to call upon any federal troops in the vicinity to assist him in preventing encroachment across the Oconee River into the Indian lands. One of his additional duties was to observe carefully the activities of the numerous Spanish agents and traders among the Creeks, attempting, whenever possible, to counteract their efforts in undermining what the federal government thought were the truly friendly relations established by the Treaty of New York. What Jefferson and Henry Knox, the Secretary of War, apparently were not aware of when they drew up these instructions was the extent to which the major Creek tribes felt themselves pledged by treaty to adhere to the traditional Spanish cause. The so-called

10. Jefferson to Governor of Georgia, March 26, 1791, *The Writings of Thomas Jefferson* (Federal Edition), VI, 226.

Treaty of Pensacola of 1784 was considered by the officials in New Orleans, St. Augustine and Havana as the keystone of their relations with the Lower Creeks who had generally agreed to the terms of this document.¹¹ The ever-increasing host of agents maintained by Spain in the southeastern portion of the continent, an area claimed by that country and the United States, were supposedly responsible to the governors of East and West Florida, and of Louisiana. It is reasonable to assume that had Jefferson been fully aware of the number and influence of these agents in this disputed area he might well have reconsidered the appointment of but one American agent for the same area to act as a counterbalance to Spanish activities.

Seagrove received his instructions as commissioner to the Creeks while on a visit in Savannah and almost immediately returned to his new home in St. Marys which he designated in his first reports to the Secretary of War as his official base of operations. He reported that he was about to undertake a long expedition through the entire Creek country to visit various chieftains to ascertain the cause of the undercurrent of unrest that was troubling the Georgia frontier. His plans were completely altered, however, by the arrival of orders from the Secretary of State to undertake a hurried visit to East Florida to present the governor of that province, Juan Nepomuceno de Quesada,¹² with an official request for discussions on the problem of the return of runaway slaves hiding in Spanish territory. Although there is no direct evidence at hand that Seagrove had heard of the change in Spanish policy prior to the receipt of Jefferson's letter instructing him to leave for East Florida, since the information was common knowledge in Georgia he must have heard of it. Apparently Jefferson sent along a copy of the letter that he was about

11. The governor of Louisiana, Francisco Luis Hector, Baron de Carondelet gave orders to all Spanish agents that the agreement reached at Pensacola in 1784 be utilized as the basis for all future negotiations with the Creek Nation as it antedated any treaty agreements between those Indians and the United States and thus offered the Spanish an excellent arguing point. See the diplomatic correspondence of Carondelet with various high ranking officials in Madrid in Archivo Historico Nacional: Estado, *legajo* 3898, photostatic copies in the Library of Congress.
12. Juan Nepomuceno de Quesada assumed the duties of governor of East Florida in July, 1790, replacing Zespedes. He retained this post until February, 1796, when he was removed at his own request because of chronic ill health.

to send to the governor of Georgia thanking him for the information on the receipt of the new royal order. In this way Seagrove was informed of the need for thorough discussion of the terms of the order in order that there might be no disagreement as to the meaning of some of the passages. He made hasty preparations for his trip, leaving his personal affairs in the hands of his brother and his official duties as Indian agent to one of several assistants.

Under normal circumstances an official visit of this sort would have been entrusted to the commander of the federal troops garrisoning the tiny fort at St. Tammany, near the town of St. Marys. He would have been ordered to deliver the letters to the first trustworthy trader or traveller on the way to East Florida with instructions to take it directly to the commander of the Spanish post of San Vicente Ferrer on the St. Johns River.¹³ The appointment of a permanent Indian agent in St. Marys now made it possible for the federal government to make use of his services as an intermediary with the governor of East Florida. Thus James Seagrove, recently appointed to deal with the Creek Nation and to maintain general peace between them and the Georgians, was called upon to handle as his first major task a matter that had nothing to do with Indian affairs.

During the previous six years Seagrove had visited St. Augustine several times either as agent for the Georgia government or on his own business and he was thus well prepared for the task now imposed upon him by the Secretary of State. Upon receiving his orders from Philadelphia he wrote to the commander of the Spanish post on Amelia Island requesting a passport to permit his travel to St. Augustine and also asking that the governor be informed of his impending visit. As he was well known to the Spanish, he was informed in short order that the necessary documents would be ready for him upon his arrival at the Amelia Island post. He set out the next day, August 1, crossing the river in his own sailing vessel, and after picking up his passport, made his way overland to the East Florida capital which he reached late on the afternoon of the same day. He delivered Jefferson's

13. San Vicente Ferrer, a small wooden stockaded post on the St. Johns River, a few miles from its mouth, was built to protect the river crossing from Amelia Island and the plantations south of the St. Marys River.

letter appointing him federal commissioner to negotiate with the governor to Captain Carlos Howard,¹⁴ the governor's private secretary, for translation into Spanish before presenting it officially.

During the long audience on the following day he and the governor discussed the problem of runaway slaves at great length, finally agreeing that Seagrove retire to his lodgings in town to prepare a tentative list of proposals that might be utilized as the basis for later discussions. The governor needed this delay to enable him to call a meeting of his council to request their advice on what concessions he was in a position to offer Seagrove. Late in the evening of the same day the American commissioner sent a dispatch to Howard for translation and presentation to the governor for his scrutiny. Four days later, at the next audience, the governor expressed his objection to several of Seagrove's new proposals and then he ordered his remarks to be put down in written form. He told Seagrove that he was sending a dispatch to Jefferson by way of the two Spanish agents in Philadelphia to acknowledge the secretary's letter of March 10 and to review in general terms all that he had said and written to the American commissioner.

The governor's devious tactics and his obvious efforts to delay the negotiations apparently piqued Seagrove and he requested permission to retire to his quarters to consider the alterations that the governor had just proposed. After a three day delay of his own, he composed a third letter which he presented to Howard on August 9 in which he agreed with the governor's proposed amendments to his original propositions. After this letter had been translated and presented to the governor, the two men discussed the altered proposals and tentatively agreed to a set of terms based on Seagrove's latest suggestions. He was compelled to accept the governor's stand that the new propositions should not in any way apply to runaways who had reached East Florida between May 17, 1790, the date of the original order, and September 2, the date of its official promulgation in St. Augustine. Being a cautious man trained to obey instructions to the letter, the governor explained that he could not extend the time covered by the agreement backward as this would be assuming authority not granted

14. Carlos Howard, the private secretary for both Zespedes and Quesada, was a member of the Third Battalion of Cuba and rose rapidly from captain to colonel during the administration of Quesada.

him in the official instructions accompanying the aforementioned royal order. Seagrove was also forced to agree to obtain the services of an English speaking Spanish subject living in or near St. Augustine to act as agent for those Americans claiming to be the owners of the apprehended Negroes. This demand had been made orally during the previous meeting on the 6th so that when Seagrove appeared three days later he was able to report that he had obtained the services of George Fleming,¹⁵ a most respected businessman and planter, one of the few former English subjects who had elected to remain in the province after the retrocession to Spain. The governor offered no objection to the choice of agent and agreed to cooperate with him in every way within his power.

Although the completed agreement fell far short of Seagrove's expectations he consented to the sending of copies to higher authority for comment and anticipated ratification. After taking his farewell of the governor he returned to his rooms to prepare a full report of all that had transpired during the previous ten days together with copies of all the letters that had passed between himself and the governor. He anticipated sending this packet of letters to Philadelphia once he had returned to St. Marys, employing the military courier who made periodic trips to the north. There is no evidence presently available to indicate what reception this report received from the State and War Departments or whether it was ever presented to Congress for discussion. Governor Quesada prepared the same sort of dispatch to forward to his immediate superior, Luis de Las Casas,¹⁶ the governor-general of Cuba. Because of the complete absence of available shipping the governor's report did not leave for Havana until after September 1, nearly three weeks after Seagrove had left the province.

15. George Fleming had been a resident of East Florida during the period of English occupation and, when the retrocession took place in 1784, he chose to remain and become a Spanish citizen, partly because he was a Catholic and partly because of his extensive property holdings. He married a daughter of Francisco Felipe Fatio, the largest property owner along the St. Johns River, and he eventually was granted a commission as captain in the local militia. He supplied the military garrison with fresh beef raised on his extensive plantation to the north of St. Augustine.
16. Luis de Las Casas y Aragorri was a most capable governor-general of Cuba from 1790 to 1796 during which time he took an especial interest in the affairs of the two Floridas.

Shortly after the governor's letter reached Cuba, Las Casas called an emergency *junta de guerra* at which time the terms agreed to by Seagrove and Quesada were given tentative approval. The governor was ordered to begin the apprehension and return of runaway slaves and to continue this unless at some future time the court in Madrid should see fit to countermand these orders. In other words Las Casa's was assuming full responsibility for ordering his subordinate in East Florida to implement a change in practice without waiting to obtain royal permission. The governor-general sent a copy of all the dispatches to and from St. Augustine and of the findings of the *junta de guerra* under a covering letter dated November 29 to the Conde del Campo de Alange,¹⁷ the Minister of War. When this information reached Madrid in the summer of the next year, the whole matter was eventually turned over to the Conde de Aranda,¹⁸ then acting as the king's first minister, for his personal attention before presenting it officially to the king and the Consejo Real. There is no evidence in the documents themselves or in the covering letters as to whether royal approval was granted but subsequent events indicate clearly that it must have been for half-hearted efforts were made during the next eighteen months to apprehend and return runaway Negroes to their rightful American owners. In July, 1794, the two Spanish diplomatic agents in the United States, writing to the Secretary of State, referred to "the agreement" as having been observed "to the letter" by the governor of East Florida but not at all by James Seagrove in Georgia whom they appeared to regard as the individual responsible to enforce its terms for the United States.¹⁹

17. Manuel Maria Negrette y de la Torre, Conde del Campo de Alange, held the position of Secretary of State of the Universal Department of War for Spain and the Indies, or in other words, Minister of War, from 1790 to 1792. Under royal order of May 20, 1790, the governors of Louisiana and the two Floridas were ordered to correspond directly with this minister on all matters concerning the Indians and frontier problems with the United States. Las Casas to Conde de Floridablanca, Havana, April 21, 1792, Archivo General de Indias, Santo Domingo: Estado, *legajo* 9.

18. Pedro Pablo Abarca de Bolea, Conde de Aranda, was a most capable soldier and diplomat serving both Charles III and Charles IV in many positions including the important post of minister to France (1773-1787). He had an important part in the negotiations at the Treaty of Paris in 1783 and was later disgraced because he had been unable to obtain all the concessions demanded by Spain. For a short period in 1792 he was Secretary of State for Foreign Affairs, replaced late in the year by Manuel de Godoy.

19. Jaudenes and Viar to Randolph, New York, July 26, 1794, *op. cit.*

All pretense at cooperation was officially terminated by Spain during 1794 when the Georgia-Florida border was reportedly threatened by the activities of French agents said to be in the pay of Edmund Genet, the newly arrived minister of the French Republic. Frequent protests to the American government about what the Spanish seemed to consider to be unwillingness to resolve various frontier problems did not elicit a response satisfactory to Madrid. Finally the Spanish diplomatic agents in Philadelphia informed Edmund Randolph, the new Secretary of State, that they had been advised by the governor of East Florida of the receipt of recent orders from Havana not to honor further the 1791 agreement on the return of runaway slaves on the ground that the state authorities in Georgia steadfastly refused to comply with the terms of the document. This refusal of the Georgians, so the Spanish agents claimed, was in spite of the direct orders from the federal government to carry out the terms as laid down.²⁰ There seems little doubt that they were referring to the haphazard manner in which legal claims to runaways were being presented often with no more evidence than a statement of fact sworn to before a local magistrate. The Spanish authorities demanded documents such as bills of sale, deeds or mortgages, all of which often did not exist.

The subsequent efforts of Seagrove and other federal and state agents to renew negotiations on the problem of the return of runaway slaves hiding in East Florida do not form part of this story and will be told at another time. Suffice to say that the rupture in 1794 although discouraging to those who had worked so hard to bring about the 1791 agreement was not to become permanent.

The following selection of documents is drawn from photostatic copies now in the Library of Congress.²¹ The originals are on deposit in Madrid and were copied in 1929 with the kind permission of the government of Alphonso XIII. All are in the Spanish language although the letter from Thomas Jefferson and those of James Seagrove are translations made by Captain Carlos Howard to enable Governor Quesada to read them as his knowl-

20. *Ibid.*

21. The original documents are to be found in the Archivo Historico Nacional: Estado, *legajo* 3898. "Correspondence of the governors of Louisiana and the captain-generals of Cuba, 1785-1793."⁵

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edge of the English language was very limited. In translating these documents into English an effort has been made to render them as readable as possible and in several instances a few words have been added and several long sentences have been broken up.

DOCUMENT 1

No. 231

I am sending Your Excellency a copy of a letter from the Governor of Florida With four documents that inform authoritatively that a commissioner from the United States arrived at that plaza²² to confer on the restitution of slaves and [that include] the final conditions to which the Governor agreed; and having found them in order, I have given my approval until His Majesty may command otherwise. May God protect Your Excellency for many years. Havana, November 29, 1791. Most Excellent Sir. Luis de Las Casas to Conde del Campo de Alange.

DOCUMENT 2

The annexed No. 1 is a translated copy of a letter that the Secretary of state of the United [States] of America, Thomas Jefferson, sent me in consequence of the notification given to Congress of the Royal Order commanding to cease the freedom that formerly was granted to fugitive slaves from the aforementioned States, and following it, my reply.²³

Number 2 comprises the propositions made me by James Seagrove cited in No. 1 [and] declared to be authorized to confer with me and to agree on the measures that might appear to me most conducive henceforth to gather up, feed and return the American slaves that have taken refuge in this province.

Number 3 contains my answer to the aforementioned propositions. And number 4 sketches the final conditions that the referred to Don James proposed and to which I agreed . . . all this I lay before Your Excellency in compliance with my obligation either for your approval that I hope for, or [for] any other resolu-

22. St. Augustine.

23. The royal order referred to was the one of May 17, 1790 which was officially promulgated in East Florida on September 2, 1790.

tion that you may hold as convenient. May God protect Your Excellency for many years. St. Augustine, Florida. September 1, 1791. Most Excellent Sir. Juan Nepomuceno de Quesada. Most Excellent Sir. Don Luis de Las Casas.

DOCUMENT 3

Translation of a letter of the Secretary of State of the United [States] of America to the Governor of Florida. Philadelphia. March 10, 1791.²⁴

My dear Sir: We have received with great satisfaction the notification of the orders of His Catholic Majesty not to permit that persons held in slavery within the United States to introduce themselves as free persons in the province of Florida. The well known justice of His Majesty and of his government was for us a sure guarantee that such would be his wish. The assurances that Your Excellency have been pleased to give us of your friendly dispositions have not permitted us to doubt your execution faithfully of a regulation so essential to good interchange and neighborliness. As a consequence of the same principles of justice and friendship, we are confident that Your Excellency will permit and assist in the recovery of persons of the same description who before today have fled to the government of Your Excellency. The aforesaid James Seagrove is authorized to present himself to Your Excellency to consult on this point and to agree on those measures that may be to Your Excellency's approval for the return of such fugitives. I beg Your Excellency [to accept] this guarantee not to let pass any occasion to express our desire to reciprocate the indicated principles of justice and friendship with the vassals of His Catholic Majesty, and that it may please Your Excellency to accept the offer of the sentiments of respect and esteem with which I have the honor to be, my dear Sir, your most humble servant, Thomas Jefferson. To His Excellency Governor Quesada.

24. The original of this letter appears in Andrew A. Lipscomb, ed., *The Writings of Thomas Jefferson* (Washington; 1904), VIII, 138-139. The Spanish translation prepared by Captain Carlos Howard, the governor's secretary, contains a few minor alterations but these are unimportant in nature and do not change the meaning of Jefferson's original text.

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DOCUMENT 4

Answer

My dear Sir: In reply to the letter of Your Excellency of the 10th of last March authorizing James Seagrove to consult with me about the order of my Royal Master commanding the termination of the liberty of the Negro slaves from the United States that may seek refuge in this province and to agree on those measures that may contribute to the return of such fugitives, I have the honor to indicate to Your Excellency that I have signified in writing to the referred to James Seagrove as my opinion concerning the business, which opinion I now submit to the inspection of Your Excellency, it without doubt [agreeing] fundamentally with that which I proposed [to him]. I esteem myself fortunate with this opportunity to assure Your Excellency that it gives me pleasure on every occasion to uphold and increase the good interchange subsisting in actuality along these frontiers and which is founded on the principles of reciprocal justice. And it is with especial satisfaction to me that it offers me this same opportunity to express the high sentiments of respectful esteem that I hold for the public and private character of Your Excellency. May God protect you for many years. St. Augustine, Florida. August 6, 1791. Juan Nepomuceno de Quesada. Most Excellent Sir. Thomas Jefferson.

These are copies of the originals that remain in this Secretariat in my care. St. Augustine, Florida. September 1, 1791. Carlos Howard.

DOCUMENT 5

Translation of the representation to the Governor of Florida from James Seagrove, in virtue of the letter of the Secretary of State of the United [States] of America in which the latter was commissioned for the purpose.²⁵

The following I submit, with devoted respect, to Your Excellency, the Governor of Florida, that in order to prevent runaway slaves

25. The original of this letter appears in the *American State Papers, Foreign Affairs* (Washington: Gales and Seaton, 1832), I, 248, and it is of interest that the Spanish translation modifies some of the writer's rather brusque and often undiplomatic language. These alterations, however, do not make any significant changes in the original meaning.

from the United States finding shelter in Florida, His Excellency the governor will be pleased to send a proclamation, ordering the civil and military officials of that colony, but most especially those on the St. Marys River, to arrest all such runaway slaves conducting them without delay to the Spanish post on Amelia Island to be detained there until a citizen properly authorized on the part of the United States arrives at that place and then to deliver them up, at the same time receiving as payment an established consideration for maintaining them and for the costs of bringing them from the place at which they were seized. There ought to be agreement on the amount . . . that the commanding officer of Amelia Island send as quickly as he can information to the official commanding the American post across the St. Marys River whenever he holds runaway slaves from the United States in his power . . . that His excellency be pleased to send strict orders against any person sheltering or concealing such runaway Negroes, and that he oblige said subjects to take such runaways and convey them without delay to the most immediate Spanish post, and from there to the common spot for their reception on Amelia . . . that His Excellency be pleased to order that all runaway slaves belonging to the United States that have been in hiding in Florida ever since the date of the order of His Catholic Majesty on this topic, should be returned in conformity to the previously cited terms. The undersigned commissioner of the United States is ready to explain any points relative to the foregoing. I remain with all possible respect to His Excellency the obedient and very humble servant. James Seagrove . . . His Excellency Governor of East Florida. St. Augustine, Florida. August 2, 1791.

This is a copy of the original that remains in this Secretariat in my care. St. Augustine, Florida. September 1, 1791. Carlos Howard.

DOCUMENT 6

Copy of the reply that the Governor of Florida made to the propositions of James Seagrove authorized to treat on the matter of Negro slaves which seek refuge in this province from the United States.

Immediately after I received the Royal Order commanding me to terminate the liberty that was permitted to the aforesaid runaways, I published the necessary proclamation, sending in addition the necessary warnings to the St. Marys River. For the present I do not agree that such runaways should be conducted to Amelia Island. I consider that this plaza is the most secure and appropriate place. It remains to the choice of the commissioned officer whether such refugees should be put to work on the public works in which case their upkeep shall not be charged and also [it is up to him] to name an attorney here to pay for them and to arrange through his efforts for their subsistence and remission to the owners in the manner that he finds convenient.²⁶ But if the commissioned officer is disposed that the runaways should be guarded in jail without work, the owner should pay fully for the nourishment furnished and also should pay a regular fee to the troopers or sailors which will free the government [of so doing] if the interested party desires that they be guarded as far as the frontier. Each claimant should prove his ownership [making] a claim with certification by the Government of Georgia and by other documents that sufficiently attest [that they are] legitimately his property. An order was published imposing a penalty on any inhabitant who aids a runaway slave. I have not noticed in the province any slaves which [have] made their flight from the United States in the period between the date of the alluded to Royal Order and its publication in Florida, but in the case of there having been such runaways, it is the feeling of this government that they ought not be returned nor can [anything] be agreed to about them without an express order from the King. St. Augustine, Florida. August 6, 1791. Juan Nepomuceno de Quesada.

This is a copy of the original that remains in this Secretariat in my care. St. Augustine, Florida. September 1, 1791. Carlos Howard.

DOCUMENT 7

Translation of the definitive conditions from James Seagrove in reply to the answer of the governor to his first propositions.

26. The governor's reference to the "commissioned officer" is obviously to Seagrove. He is leaving the decision of whether the runaways are to be employed or held in jail up to the American.

The undersigned commissioner of the United States, is of the opinion that since the Government of East Florida does not want to be responsible for the runaway Negroes that henceforth may seek refuge in this province, it will be agreeable to the interests of the owners that such runaways, immediately that they are taken, be put in de jail to guard them until they are justly reclaimed. In order to bring this about with the least possible hardship to the government, the commissioner has made an agreement with George Fleming, citizen of this city, on the supplying of the usual quantity of provisions to such incarcerated fugitives.²⁷ Also he is to take notice of whatever assistance is sought from this government as to soldiers or sailors to guard such slaves to the frontier to deliver them up at the St. Marys River, and I recommend a regular fee to satisfy the person who delivers them. I have the honor to remain with all possible respect to Your Excellency your obedient and most humble servant. James Seagrove. St. Augustine, Florida. August 9, 1791. His Excellency the Governor. Juan Nepomuceno de Quesada.

This is a copy of the original that remains in this Secretariat in my care. St. Augustine, Florida. September 1, 1791. Carlos Howard.

Senor Villafane²⁸

Florida 1791

DOCUMENT 8

Conditions stipulated for the return of runaway slaves between James Seagrove, Commissioner of the United States, and our Governor of St. Augustine.

Dear Sir: I pass to the hand of Your Excellency the attached letter from the Governor General of Louisiana and the Floridas, and the documents which accompanied it, sent to that officer by the Governor of East Florida, Juan Nepomuceno de Quesada:

27. Seagrove's reference is to the normal daily ration that was supplied to all prisoners locked up in the jail. Frequently Fleming was called upon by the citizens of St. Augustine to supply ration to friends and relatives awaiting trial.
28. There is nothing in the available material to identify this individual or to account for his name being written on the outside of the packet of letters. The Vilefane family did contribute several members to the Spanish foreign service in the last half of the eighteenth century.

They treat of the conditions upon which the same Governor has agreed and consented with the Commisioner of the American United States, James Seagrove, for the delivery of the runaway slaves from the territories of the same states that seek refuge in ours in any part: to these the Captain General has given his interim approval while he sends de resolution for the agreement of His Majesty. [I pass this on] in order that Your Excellency be pleased to take action that he may think convenient according to custom. God protect Your Excellency many years. San Ildefonso. August 27, 1792. Conde del Campo de Alange to Conde de Aranda.