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“THE CASE AND PETITION OF HIS
MAJESTY’S LOYAL SUBJECTS, LATE OF
WEST FLORIDA”

*Introduction and Edited by J. BARTON STARR **

WHEN the American Revolution broke out, West Florida did not join the rebels but remained loyal to Great Britain. While the records are meager and scattered for the period after the Revolution when Florida was retroceded to Spain, the evidence suggests that at least a majority, perhaps as many as two-thirds of the loyalists, remained in West Florida. But what of the other thirty to fifty per cent?

In his speech to Parliament on December 5, 1782, George III announced that he had ordered an inquiry into the situation of the American loyalists, “and I trust that you will agree with me, that a due and generous attention ought to be shewn [*sic*] towards those, who have relinquished their properties or professions from motives of loyalty to me, or attachment to the mother country.”¹ Parliament consequently created the Commission for Enquiring into the Losses, Services, and Claims of the American Loyalists, which heard the claims of the loyalists and recommended to Parliament what compensation the mother country should grant.

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1. Thomas C. Hansard, *The Parliamentary History of England, from the Earliest Period to the Year 1803*, 36 vols. (London, 1806-1820), XXIII, 208. The history of the Loyalists' Claims Commission is treated by a member of the commission in John Eardley-Wilmot, *Historical View of the Commission for Enquiring into the Losses, Services, and Claims of the American Loyalists* . . . (London, 1815). The notes of another commissioner, Daniel Parker Coke, are in Hugh Edward Egerton, ed., *The Royal Commission on the Losses and Services of American Loyalists, 1783 to 1785* (Oxford, 1915). Modern accounts of the commission are Wallace Brown, *The King's Friends: The Composition and Motives of the American Loyalists Claimants* (Providence, 1965); Wallace Brown, *The Good Americans: The Loyalists in the American Revolution* (New York, 1969); Eugene R. Fingerhut, “Uses and Abuses of American Loyalists' Claims,” *William and Mary Quarterly*, 3rd Ser., XXV (1968), 245-58.

When the commission presented its first report in 1784, it contained a section stating areas into which the inquiry would not extend. The first paragraph indicated that the commission would not accept claims for "Losses sustained in East and West Florida, or elsewhere, out of the limits of the United States. We have considered the inquiry necessarily confined to these limits; as we do not conceive Parliament to have had in its contemplation any other description of sufferers than such as have sustained losses in the revolted provinces, in consequence of their adherence to the British government."²

A law, however, soon passed in Parliament-probably at the urging of loyalists from East and West Florida-providing for an investigation into claims in these colonies. While it is not clear why Parliament extended the scope of the investigation, there is no question that the loyalists from West Florida who were in England solicited compensation. Thirty-eight ex-West Floridians petitioned Lord North, asserting that they were "equally entitled to a compensation for their losses, as their other fellow sufferers on the same continent."³ The loyalists again in 1787 attempted to obtain compensation for their losses to Spanish arms. In that year they printed a sixteen-page pamphlet entitled *The Case and Petition of His Majesty's Loyal Subjects, Late of West Florida*, but their efforts were to no avail.⁴

Before Parliament established the commission, the British granted temporary subsistence allowances to loyalists who had

2. Eardley-Wilmot, *Historical View*, 113.

3. Memorial to Lord North from "the Proprietors of Land, Planters, Merchants, and other Inhabitants late of West Florida," n.d., Public Record Office, Colonial Office (hereinafter cited as C.O.) 5/596. While there is no date given for this petition, from London, Archibald Dalzel wrote his brother on March 6, 1783, that "the Settlers of W. Florida are under a like predicament with the Loyalists. They have lost their lands & property & spilt their blood in repelling the attacks of the Enemy." Dalzel went on to inform his brother that "we" (the West Floridians in London) had presented a petition to the King seeking relief. Former Governor George Johnstone presented the petition and Dalzel assumed that it would be laid before Parliament when it began investigating loyalist claims. He concluded pessimistically, "My hopes of redress are not very sanguine; however I think we should have been culpable silently to have put up with our loss." While there is no conclusive evidence, this letter is probably concerning the petition mentioned above. Archibald Dalzel to his brother, March 6, 1783, Edinburgh University Library, DK. 7.52/103. This letter was brought to the attention of the editor by Professor Robin Fabel of Auburn University.

4. *The Case and Petition of His Majesty's Loyal Subjects, Late of West Florida* (n.p., 1787).

fled behind British lines or to England. The records reveal that only three people from West Florida received these allowances at a total cost to England of about £90 per year.⁵ But these allowances were temporary only until the end of the war when Parliament could then appoint a committee to make a more in-depth investigation.

When the Commission for Enquiring into the Losses, Services, and Claims of the American Loyalists first met, West Florida was excluded from the investigation. Within a year and a half, however, the commission began considering claims from that province for losses caused by Americans. In West Florida this meant compensation for losses occasioned by James Willing's raid in 1778. Many West Floridians had already petitioned the commission before this change in policy became public, and the decision on their claims simply read, "Does not come within the scope of this inquiry," or "not admitted."⁶ There were at least ten West Florida loyalists who suffered losses because of Willing's action, but they failed to make the distinction between losses to Spain and losses because of the American raid, and consequently the commission disallowed their claims. Only two of these loyalists repeteritioned the commission and tried to make the necessary distinction. The commission still refused to allow their claims. The commission's decision on the claim of John Allen Martin in February 1784 is perhaps the best summation of their view: "The loss of all his employments and property were occasioned by the invasion of a foreign enemy and unless we could extend the bounty which it is our province to distribute to sufferers of the war all over the globe, we cannot extend it to this gentleman. He did his duty to this country with great zeal and honor to himself but he fought against Spaniards and it is his misfortune that his losses cannot immediately be attributed to the civil commotions in American tho' ultimately

5. Lists of people on temporary allowance are in British Headquarters' Papers, reel 19; *ibid.*, 7258, reel 21; *ibid.*, 8252-8253, reel 23; *ibid.*, 10330, reel 28; Earl of Shelburne Papers, William L. Clements Library; Public Record Office, Audit Office (hereinafter cited as A. O.) 12/104; American Loyalists' Transcripts, New York Public Library, II, 336. The three people who received the grants were Rebecca Dutton (£50), John Allen Martin (£20), and Sarah Amos (£21.5).

6. Claim of Edmund Rush Wegg, March 8, 1783, A.O. 12/99; claim of Richard Seamark, April 7, 1783, *ibid.*

they may be derived from that source."⁷

It is easy to understand the position of the commissioners in this matter. If they had granted compensation to West Floridians for their losses to Spain, England would at once have been saddled with debts arising from claims around the world because of the global conflicts in which she became involved. As the decision on one West Florida claim stated, the petitioner had as little right "to expect an allowance from this board as if they had been made at Gibraltar."⁸ At the same time, many West Florida loyalists suffered almost total destruction of their personal fortune, and the failure of England to grant some kind of relief through direct compensation or an annual pension seems callous. The commission did approve small annual pensions to eight West Floridians for property lost to the Americans during Willing's raid. The pensions amount to a total of £410 per year. The West Florida loyalists would continue to seek compensation or United States confirmation of their British land grants in West Florida for over thirty years, and while some of the loyalists and their heirs who remained on their lands on the Mississippi were able to obtain confirmation of their grants, by and large the efforts of the West Florida loyalists were in vain.⁹

There is no direct indication of where *The Case and Petition* was published, but considering the contents and internal evidence, apparently it was printed in London (or at least in England). Once again there is no way of knowing which of the West Florida refugees in England were involved in the publication of the pamphlet. Copies of this document are in the William L. Clements Library, Ann Arbor, Michigan, and at the Library of Congress. The edited document below is printed with the per-

7. Claim of John Allen Martin, February 16, 1784, A.O. 12/100.

8. Claim of Anthony Hutchins, July 12, 1784, *ibid.*

9. Registers of the Land Office East of Pearl River, 1804-1805, Library of Congress, West Florida Papers, reel 5 (microfilm located at Robert M. Strozier Library, Florida State University); *American State Papers*, Public Lands, XXVIII-XXXI; Robert Stewart Castlereagh to the British American Commissioners, July 28, 1814, Henry Goulburn Papers, William L. Clements Library, Ann Arbor, Michigan. See also the five enclosures in Castlereagh's letter cited above. A brief discussion of some of the later efforts of the loyalists to keep their lands in West Florida is in R. S. Cotterill, "The National Land System in the South, 1803-1812," *Mississippi Valley Historical Review*, XVI (1930), 495-99.

mission of the William L. Clements Library. The original spelling and punctuation have been retained.

“To those who have been deprived of their fortunes, on account of their loyalty and patriotism, no task can be more disagreeable than that of applying to their country for redress; which can only be attained by an increase of its burdens: and though in such cases a confidence in public justice may lay a sufficient foundation for urging their claim; yet it can never remove the painful feeling arising from the necessity of soliciting an aid, which must add to the distresses of a nation, in the defence of whose interests they have sacrificed their own.

“The late inhabitants of West Florida have been strongly impressed by these sentiments, and though they have never lost sight of their right to indemnification, they have studiously avoided every measure which might carry the appearance of precipitation, or tend to accumulate the distresses of their country, in the moment of her misfortune.

“With pleasure they beheld the case of their fellow loyalists become an object of consideration; and though they have not as yet participated in the same national relief with those in East Florida, yet they cannot help indulging the hope, that their situation will not escape the equal eye of justice, but that they also will obtain that compensation to which they are intitled, from a legislature and a country, as distinguished for their impartiality, as for their other virtues.

“Entertaining those expectations, at a period when the nation is rising to its former opulence and splendor, they wish to state their case, and submit their claim to Parliament and the public at large; equally anxious that it may appear to their fellow subjects founded on the principles of justice, as they are to obtain the compensation they solicit.

“They accordingly presented a petition to the Honourable the House of Commons, which is recorded on their minutes in the following words:

Veneris 16^o Die Martii, 1787.

“A petition of the planters, merchants, public officers, and

other late proprietors of the province of West Florida, being offered to be presented to the House;

“Mr. *Chancellor of the Exchequer* (by his Majesty’s command) acquainted the House, that his Majesty, having been informed of the contents of the said petition, recommends it to the consideration of the House.

”Then the said petition was brought up, and read; setting forth, that, in consequence of his Majesty’s proclamation of 1763, the petitioners emigrated to the province of West Florida, and, after incurring every danger, difficulty, and expence incident to first settlers, cultivated plantations, and formed commercial arrangements, which, in a few years, arrived at a degree of prosperity beyond their expectations, and such as had never been experienced, in so short a period, by any American colony; and that, at the commencement of the late unfortunate American war, the petitioners were solicited by Congress to join in their confederacy, and declare the province of West Florida an independent state;¹⁰ but this solicitation was treated with contempt, and the province steadily persevered in loyalty to his Majesty, and attachment to the mother country; and that, in consequence of this refusal, the Congress fitted out a squadron, under the command of Commodore Hopkins, for the purpose of attacking Pensacola, but, despairing of success from the information he received of the loyalty and unanimity of the province, he altered his destination, and took and plundered the island of New Providence; and that a detachment of the rebel army,¹¹ by the river Ohio, made a descent on West Florida, and plundered and burnt several plantations, and seized ships and other valuable property on the river Mississippi, but were

10. In late 1774 or early 1775 Attorney General Edmund Rush Wegg received a letter from the First Continental Congress which urged West Florida to join the other colonies in an “adequate opposition” against England. Worthington C. Ford, et al., eds., *Journals of the Continental Congress, 1774-1789*, 34 vols. (Washington, 1904-1937), I, 101-03. Henry Middleton to the Inhabitants of West Florida, October 22, 1774, C.O. 5/595. Wegg turned the letter over to Governor Peter Chester who refused to show it to the inhabitants as “I had great reasons to apprehend from the spirit and temper of many of the inhabitants, that the calling a House of Assembly could neither promote His Majesty’s service nor be productive of any advantage to the colony.” Peter Chester to Lord George Germain, November 24, 1778, C.O. 5/595.

11. Under the leadership of Captain James Willing, a former inhabitant of West Florida and brother of Thomas Willing of Pennsylvania.

soon after attacked and driven into the dominions of Spain by the loyal inhabitants, who kept possession of the western parts of the province till they were relieved by a detachment of his Majesty's troops; and that the inhabitants of Pensacola raised a considerable sum of money, by voluntary subscriptions, for erecting redoubts, and formed themselves into volunteer companies for their defence, and the inhabitants of Mobile made a sudden expedition to sea, attacked and defeated some rebel privateers, recovered a valuable property, and restored it to the owners, without any expence; and that many loyal inhabitants joined and did duty with his Majesty's troops, while others formed themselves into provincial corps, and were employed upon the most dangerous services, till the reduction of the province; and that, in order to make a diversion when Pensacola was attacked, the inhabitants of the district of Natchez laid siege to Fort Panmure, and obliged the Spanish garrison to surrender as prisoners of war; and that some of the petitioners, refugees from the States, who, in obedience to his Majesty's proclamation, took protection in West Florida, and contributed to its defence,¹² now find themselves excluded from that temporary support and compensation for losses which was granted to many of their fellow-sufferers who retired to Great Britain; and enjoyed comfortable pensions in peace and security during the whole of the war; and that some of the petitioners had their plantations plundered and burnt by the rebels when they invaded the province in the year 1778; others had their properties laid waste, and large stocks of cattle destroyed by the rebel Indians and Spaniards, during the operations of the war; and some of the petitioners had their houses burnt by order of the officers commanding in forts, to prevent their being used by the enemy as covers for erecting batteries; and others had their property taken in the forts, and condemned by the Spaniards, for having contributed to the public defence; and some of the petitioners lost valuable tracts of land, acquired by purchase, mandamus, and other titles, upon which they had laid out considerable sums of money in expences necessary towards the forming of plantations; and that three fourths of West Florida has been ceded to

12. For a full discussion of the war in West Florida, see J. Barton Starr, *Tories, Dons, and Rebels: The American Revolution in British West Florida, 1775-1783* (Gainesville, 1976).

the States of America, and no stipulation made in favour of the property of its loyal inhabitants; and the remainder of the province has been ceded to Spain, but under stipulations, which have proved totally ineffectual; and that the Spaniards considered the time allowed by the treaty for the disposal of property as a period of prescription, at the expiration of which the inhabitants must either remain subjects of Spain, or suffer their properties to become forfeited and extinct. The petitioners are therefore returned to Great Britain, the Spaniards and Americans are in possession of their property, and not a single plantation has been sold in the province; and that commissioners have been appointed to enquire into the losses sustained by the proprietors of East Florida, whose possessions were ceded as a price of peace to the kingdom of Spain, and the property of the petitioners was also ceded to Spain and America, to purchase peace and security for the empire at large; whereby many are reduced from affluent to indigent circumstances, and some are in want of immediate support; and that the petitioners conceive, there is not the smallest difference between their case and that of the inhabitants of East Florida, which should induce the House to compensate the losses of the one, and refuse compensation to the other. Both provinces have been ceded to the enemy, to procure peace for the rest of the empire; both remained equally attached to the British government during the war; it was indeed the fate of the petitioners to experience greater calamities, on account of their attachment to the mother country, and also to make greater exertions for their own defence, and to be exposed to more hardships and dangers in the common cause, than their neighbouring province; but these circumstances, which they conceive to form a plea for greater favour, never can be the reason that they are treated less favourably; yet the petitioners are at a loss to assign any other cause for the distinction made on this occasion between East and West Florida; and therefore praying, that the House will take their situation into consideration, and grant them such relief as to the House shall seem meet.

Ordered,

“That the said petition do lie upon the table.

“From the favourable manner in which this petition was introduced into the House of Commons, the late inhabitants of West Florida, felt every sentiment of loyalty to his Majesty, and

affection for their mother country, which had actuated them in their most enthusiastic days of loyalty and patriotism.

"But scarce had these sentiments time to operate, when they understood that some of his Majesty's ministers might make objections to their petition, not only in its clauses, but also to its prayer.

"How the clauses of a petition which contains only the most incontrovertible facts, can be combated, is not easy for them to conceive; but that the prayer thereof, when regularly brought before parliament, should be rejected, they cannot bring themselves to believe.

"This report, however, has given the greatest uneasiness to his Majesty's loyal subjects from West Florida, to find that a negative may yet be given to their application; a negative which, with much more propriety, might have been given some years ago; which, by putting an end to their hopes, would in some measure have prevented those additional calamities, under which they have struggled for several years past. If their loyalty and fidelity intitled them to no relief or compensation, they certainly merited a candid and peremptory refusal: as they then would have applied themselves to other pursuits, and not have been condemned to penury and want, as they advanced in years, under a constant succession of hopes and fears, after having ruined themselves in the service of their King and country.

"This report has laid them under the necessity of publishing and distributing a state of their case to the members of parliament, and the nation at large; that the conduct of the inhabitants of West Florida may stand upon record, and that the rewards or punishments they receive may be a guide in future to other colonies, how they may conduct themselves, so as to avoid their own ruin, and the ruin of their posterity.

"Though it is not easy for them to conceive what arguments may be used against the equitable prayer of their petition, or for making them the only exception from the compensations which have been granted to other sufferers; yet it becomes highly necessary for them on this occasion to compare the conduct and situation of the late inhabitants of West Florida with the conduct and present situation of the inhabitants of the other conquered territories, and also with the loyalists of the thirteen states.

“And first, with respect to East Florida: It was advanced in the last session of parliament, that West Florida could not be comprehended in the same bill, as West Florida was a conquered province;¹³ but that East Florida had remained in his Majesty’s peace, and been ceded to Spain. - There is no distinction of this kind to be found in the treaty of peace. By the 5th article of the treaty with Spain, Sept. 3, 1783, - ‘His Britannic Majesty likewise cedes and guarantees, in full right to his Catholic Majesty, East Florida, as also West Florida.’ - And it is evident that the ministers of the belligerent powers considered the sovereignty of West Florida as vested in the crown of Great-Britain, at the time the peace was in agitation; for in the treaty with America, the thirteen states were bounded by the 31st degree of North lat[itude] by this means one hundred miles in breadth, and upwards of four hundred miles in length of West Florida, were ceded to the united states, by whom it was no more conquered than East Florida was conquered by Spain; so that the distinction between conquered and ceded, admitting it to be just, would by no means apply to three-fourths of West Florida*.¹⁴

“But if the distinction made on this occasion between conquered and ceded be examined, it will be found to be a distinction where there is no kind of difference.

“If a robber presents a pistol, and pulls out a gentleman’s gold watch, and orders the gentleman to give up his purse with his own hand, where is the distinction between the property thus taken and given?

“The Spaniards, by force of arms, wrested West Florida from Great-Britain; and, with arms still in their hands, demanded East Florida: where then lies the distinction between conquered and ceded?

13. After the battles in Baton Rouge, Mobile, and Pensacola, Major General John Campbell surrendered the entire province of West Florida to General Bernardo de Gálvez on May 10, 1781.

14. The asterisk denoted the following footnote in the original: “By Governor Johnstone’s commission, and that of every succeeding Governor, the province of West Florida was bounded by a line drawn due East from the mouth of the river Yassou to the river Apalachicola. The mouth of the Yassou, by the most accurate observations, lies in latitude 32 and 30 min. North, which make 90 geographical miles, or 103 English miles in breadth, extending the whole length of the province, which is upwards of 400 miles, and comprehending more than three fourths of the richest and most fertile part of West Florida—was ceded to the united states of America without any stipulation, not even a recommendation to Congress.”

"Great-Britain was as involuntary an agent, in giving up East Florida, as in suffering West Florida to be conquered. If indeed the Ministers who concluded the peace, gave up East Florida without any necessity for so doing, the case might be different; but as this will scarcely be admitted, where then lies the difference as to conquered and ceded between East and West Florida?

"As to East Florida having remained in his Majesty's peace, and being ceded to Spain-it may be asked, Are the inhabitants of West Florida to be condemned for not remaining in his Majesty's peace, when they took up arms and drove the rebel invaders into the dominions of Spain?

"Is it to be imputed to them as a crime, the many exertions they made in conjunction with his Majesty's troops, for the defence of the province? And is West Florida to be excluded from compensation, because the inhabitants of the district of Natchez laid siege to Fort Panmure, and obliged the Spanish garrison to surrender as prisoners of war?

"Those are violations of the peace which ought to give the inhabitants of West Florida a much stronger claim upon the humanity and justice of this country, than if, like their more fortunate fellow-sufferers of East Florida, they had possessed the negative virtue of being quietly transferred from the peace of his Britannic Majesty, to the peace of his Majesty of Spain.

"If there is any favourable distinction between East and West Florida, it is evidently on the side of the West Floridans; the many exertions made by them against the rebels, the many exertions made by them against the Spaniards, both with and without the assistance of his Majesty's troops, most undoubtedly give the West Floridans a claim upon the humanity and generosity of this country, which the inhabitants of East Florida had not an opportunity of acquiring, as they were not attacked by the Spaniards, nor did they set a foot in their province till long after the peace was concluded. Besides, the inhabitants of East Florida remained in possession of their property during the whole of the Spanish war, and had eighteen months, in peace and security, to dispose of their moveable property after the peace. Many loyal inhabitants of West Florida had their moveable property intirely destroyed by the operations of the war; and at the conclusion of the peace, the province was divided in such a manner, that no man in the interior parts of the province,

without a quadrant in his hand, could tell to what dominion his property fell. But whatever way an observation of the sun might determine the question, yet it was equally unfavourable to the loyal inhabitant. If he was on the side of the united states, the treaty of peace had not even reserved him a right to dispose of his property; and if on the side of Spain, there was no stipulation as to his religious and civil rights; and when property was offered for sale, the Spaniard had the following answer ready upon every occasion: "We are not such fools as to purchase your property, we know your attachment to your King and country, and utter aversion to our laws, religion, and government, when the period allowed by the treaty for disposing of your property is expired, you will then return to Great-Britain, and we shall have your houses and plantations for nothing."-- This has literally come to pass, the loyal inhabitants are returned to Great-Britain, the Spaniards and Americans are in possession of their property, and not a single plantation has been sold in the province.

"The islands of Grenada, the Grenadines, St. Vincent's, Dominica, St. Christopher's, Nevis, and Monserat, were conquered by the enemy, in like manner as the province of West Florida.

"These islands never were solicited, nor never had it in their power to rebel, nor did they make any great exertions in the common cause, nor in their own defence. Yet the proprietors of these islands had their properties compleatly restored by the peace, and the proprietors of West Florida have not received compensation of any kind. If it could be supposed that the proprietors of the latter have no just claim on Great Britain, it would then immediately follow, That the owners of West Florida, Grenada, and the other conquered islands, ought to be considered as the proprietors of goods shipt in one common bottom, where it had been necessary to throw over-board a part, for the preservation of the whole, and the general loss ought to be proportionably borne by the owners of the property at large. Among individuals, this would undoubtedly be the case-but considered in a national point of view, as those islands were restored to Great Britain, in the general arrangement of the peace, at the expence of the proprietors of the Floridas, they ought to be compensated by the nation at large. And as relief has already been

voted for one of the provinces, it would be partial and cruel, in the highest degree, to withhold it from the other.

"The property of his Majesty's loyal subjects from the thirteen states, was as certainly conquered, in the strictest sense of the word, by the arms of France and America, as West Florida was by the arms of France and Spain. Yet commissioners have justly been appointed to enquire into their losses and services; and shall the conquest of West Florida preclude its loyal inhabitants from compensation, who were equally zealous and active in support of the British government, as the loyalists were within any of the thirteen states?

"It has been given as an argument against the inhabitants of West Florida, that if they are admitted to compensation, the proprietors of Tobago will also put in a claim. To this it may be answered, that Tobago is ceded to a nation which encourages cultivation and commerce, and the most liberal articles were inserted in the treaty, as to their religious and civil rights. Besides, the proprietors of Tobago can at any time dispose of their property within fifteen or twenty per cent. of its value, under a British government. Could the inhabitants of West Florida have disposed of their property, for even one half of its value, they would not have applied to Great Britain in her present situation, for any compensation whatsoever.

"Had the province of West Florida complied with the solicitations of Congress, and declared itself an independent state, the inviolable loyalty to his Majesty and attachment to the mother country, of its inhabitants, who are soliciting for relief, would not now have operated against them, but they would long ago been admitted to temporary support, and compensation for losses, with other American loyalists.

"But had West Florida declared itself independent, the consequence to Great Britain would have been, that the force employed for three different campaigns against that province, and particularly the formidable armament of fifteen Spanish and French ships of the line, several frigates and armed vessels, together with ten thousand Spanish and French land forces, which were so long employed in reducing Pensacola, would have been directed against some other part of the British dominions; and at the conclusion of the peace it might have been necessary to leave some more valuable or more favoured colony in the hands

of the enemy*.¹⁵

"If it is once established as a precedent, that those who made little or no defence, are to have their property restored intire; that those who were not attacked are to have commissioners appointed to compensate their losses; and those who made every effort in their power, from the first invasion by the rebels in 1778, till the final conquest of West Florida in 1781, are to be told, You are a conquered people, and not intitled to any compensation from us; then will there be an end of every sentiment of loyalty and attachment to the mother country, and a total extinction of every tye, both moral and political, which can connect this empire with its component parts: The colonists will in future present their capitulations at the approach of an enemy, as every unsuccessful attempt to resist, would not only ruin themselves, but beggar their posterity; and the most supine inactivity will give as effectual a claim for compensation, or restitution of property, as the greatest exertions, and the most meritorious services.

"It is however to be hoped, that the British legislature will not suffer such an instance of partiality and injustice, to be recorded on the annals of the nation; but that commissioners will be appointed, to enquire into the losses sustained, and services performed by his Majesty's most faithful and ever loyal subjects, late of West Florida."

15. The asterisk denoted the following footnote in the original: "There were eleven Spanish and four French ships of the line, and seven thousand Spanish and three thousand French land forces employed against Pensacola; and the Spanish troops had been two campaigns occupied in reducing the out-posts, before the attack of Pensacola, which concluded the third campaign, and the reduction of the province. The garrison of Pensacola, exclusive of loyal inhabitants, did not amount to a thousand men."

The authors of the *Case and Petition* magnified the estimate of enemy troop strength, apparently to bolster their argument. General Gálvez had a total of approximately 7,686 men under his command (including 725 French regulars, and 1,504 seamen). To oppose this force, the British garrison consisted of 906 men (including 282 British regulars, 310 Waldeckers, 273 Pennsylvania and Maryland Loyalists, and forty-one West Florida Royal Foresters). The British garrison also had the support of 400 to 500 Indians, at least fifty Negroes, 100 civilian inhabitants, and 279 seamen. With these additional forces, the total force defending Pensacola was between 1,735 and 1,835 men. Starr, *Tories, Dons, and Rebels*, 190, 192, 206.