

Loyalists in East Florida

1774 to 1785

THE MOST IMPORTANT DOCUMENTS PERTAINING THERETO

EDITED WITH AN ACCOMPANYING NARRATIVE

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VOLUME II

Records of Their Claims for Losses of
Property in the Province

DELAND

The Florida State Historical Society

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INTRODUCTION

THE COMPENSATION OF EAST FLORIDA CLAIMANTS

IN 1785, the year in which the last British transports sailed from St. Marys River with Governor Tonyn, other civil officers, and a few loyalists on their way to England, parliament passed an act (20 George III., c. 75) providing for the appointment of commissioners to inquire into the losses of all such persons who have suffered in their properties in consequence of the cession of East Florida to the King of Spain.

This act also provided that the governor, president of the council, commander-in-chief, and council of the Bahama Islands, or other British colonies in America, to which the Floridians had removed, might act in place of the commissioners on East Florida claims in London, but should report their findings to the latter for transmission to the lords of the treasury and the secretaries of state. Claims were not to be received in the Bahamas or other colonies after March 1, 1787, or in Great Britain after January 1 of the same year.

Colonel Nisbet Balfour and John Spranger, Esquire, were appointed commissioners on East Florida claims, and Mr. H. C. Litchfield was made secretary to the commission. They opened an office, known as the East Florida Claims Office, in the Southampton Buildings in Chancery Lane, where they received the memorials and schedules of losses of several hundred claimants, heard the testimony of these persons and their witnesses, kept a record of all documents and proceedings, and at frequent intervals rendered a full report to the treasury. In like manner the board of Bahama officers investigated nearly eighty claims of former inhabitants of the Florida peninsula out of the hundreds of people from that region who had taken refuge in the islands.

In 1787, a second act was passed (28 George III., c. 40) for the purpose of

giving relief to such persons as have suffered in their rights and properties during the late unhappy dissensions in America in consequence of their loyalty to the British government and for making compensation to such persons as have suffered in their properties in consequence of the cession of East Florida to Spain.

It was required by the second section of this act that the commissioners on East Florida claims report to the treasury before January 1, 1789, and by the third section authority was given to the lords of the treasury to provide for the payment of those claimants who were entitled to compensation.

During the period from January, 1787, to June, 1789, the commissioners prepared and transmitted to the treasury eight reports, which fully covered their work, giving the character of the claims, the number and amount of the losses, the values of the real and personal property lost, the actual amounts allowed, and in the final report a general summary of the board's findings. Altogether, the East Florida claims, including those reported from the Bahama Islands, a few from Dominica and Bermuda, several from Jamaica, and one from Monserat, numbered three hundred and seventy-two, the total amount claimed being £647,405 6s 9d, and that actually allowed £170,351 11s. Among the three hundred and seventy-two claims are thirty-three that were withdrawn or abandoned, a few that are duplicates and numbered differently in the final list, and a considerable number that received no award. Included also are sixteen claims from members of the English nobility, six of which were withdrawn. Very rarely does one find a claim marked "Not lodged in time" or "Not entitled to compensation."

Most of the records contained in this volume were transcribed from photostat copies of the pages in Volume LX of the "Loyalist Series" in the New York Public Library, entitled by the transcriber "American Loyalists—Transcript of the Manuscript Books and Papers of the Commission of Enquiry into the Losses and Services of the American Loyalists held under Acts of Parliament of 23, 25, 26, 28, and 29 of George III. preserved among the Audit Office Records in the Public Record Office of England 1783-1790. . . . Examinations in London. Memorials, Schedules of Losses and Evidences. East Florida Claimants." That volume, however, is itself a transcript (made in 1903) of Audit Office, Loyalist Series, volume III., which is lettered on the back "Memorial Book. 3. 1786." and is now to be found in the Public Record Office in London. I have supplemented these voluminous records, from which very little has been omitted editorially, by a much smaller and less detailed body of records transcribed

from the report of the governor, president of the council, commander-in-chief, and council of the Bahama Islands, based upon the examinations of East Florida claimants in those islands. The voluminous collection which precedes the latter, contains the records of examinations in London, England, of claimants from the same province, including their memorials, schedules of losses, and evidences. Both in the case of these examinations and those conducted in the Bahamas, the persons examined had been with but few exceptions loyal inhabitants of Georgia and South Carolina who, in the language of the acts mentioned above, had suffered in their properties in consequence of the cession of East Florida to the king of Spain.¹

CHARACTER OF THE RECORDS

In the records that follow will be found a wealth of items concerning grants and transfers of land, the arrival of settlers with larger or smaller gangs of slaves, the clearing of plantations and building of settlements, the cultivation of various crops such as Indian corn and provisions, sugar cane and rice, the setting out of groves of orange, lemon, shaddock, peach, pomegranate, and other fruit trees, and the widespread manufacture of indigo, resin, turpentine, tar, and pitch. In these pages one learns more or less about a number of prominent men in East Florida annals, including Governor James Grant, Lieutenant Governor John Moultrie, Governor Patrick Tonyn, Chief Justices James Moultrie and James Hume, John Nichol, and Peter Edwards, each of whom held several important offices, planters on a large scale like Denys Rolle, Dr. Andrew Turnbull, Richard Oswald, Jermyn Wright, and Captain Robert Bisset, and interesting refugees who sought shelter in East Florida, such as the Cunninghams and Grahams, Thomas Browne, and others who might be mentioned.

In the schedules of losses and the testimony given in support of memorials one may study prices and wages in the province during the revolutionary period under conditions fluctuating between wide extremes. With the arrival of the news of the cession of East Florida to Spain, the demand for what had been the most valuable forms of property, namely, houses,

¹ For a list of important property owners of East Florida during the Revolution together with their claims and awards, see Additional Notes, pp. 307-308.

lands, and slaves, practically disappeared, debtors defaulted, and roaming bands of robbers and horse thieves ignored rights of possession. Numerous evidences of these phenomena, as well as many references to various features of the Florida peninsula and localities and landmarks in and about St. Augustine are to be met with in these pages.

In presenting these documents in type form, care has been taken to reproduce the peculiarities of the manuscript as closely as possible, inclusive of erratic spelling, capitalization, and punctuation. The editorial "[sic]" has been employed frequently to show that the peculiarity is that of the manuscript. In a few obvious cases, evidently caused by the carelessness of the clerk who made the original draft, correction has been made silently. Such corrections do not, of course, change the diction of the original in any way, as they are confined to the insertion of, or change of, a letter or letters in a word. Omissions from the manuscript—captions and other material repeated almost word for word with each claim, and unnecessary detail (such as witnesses, etc.)—have been fully indicated. (In this connection, editorial insertions like "[. . . —34—concluding petition, signature, and witnesses.]" indicates that the petition occupies part of two pages.) In each case, however, the material has been reproduced in full the first time it has occurred. The pagination of the transcript has been indicated by the numbers within brackets.

WILBUR H. SIEBERT.

The Documents

PART I

THE EXAMINATIONS IN LONDON OF EAST FLORIDA CLAIMANTS

EXAMINATIONS IN LONDON, MEMORIALS,
SCHEDULES OF LOSSES, AND EVIDENCE
OF EAST FLORIDA CLAIMANTS

[1-4. Title and description supplied by transcriber and 2 blank pages.]

[5]

No 20.

To the commissioners appointed by Act of Parliament to enquire into the losses of all such persons who have suffered in their properties in consequence of the cession of the Province of East Florida to the King of Spain.

The memorial of William Cunningham¹
late of East Florida, but now of the Bahama Islands,

Sheweth, that your memorialist, at the evacuation of Charles Town, went to East Florida, and purchased a small improvement, on St John's river, on land claimed by Lady Egmont,² where your memorialist made some negroe houses, cleared and planted fifteen acres of land with corn, &c, which your memorialist lost with three negroes one mare ten head of hogs and a considerable quantity of red bay and cedar lumber, and syprus shingles which will appear more fully in a schedule annexed hereunto, in consequence [6] of the province of East Florida being ceded to the King of Spain.

Your memorialist therefore prays that his case may be taken under your consideration in order that under your report he may receive such aid or relief as his losses shall be found to deserve.

W^m Cunningham
No 4. Clerkenwell close.

¹ See Additional Notes, *post*, p. 314.

² Lady Egmont was the widow of John Perceval, the second earl of Egmont, who died in December, 1770. He had been a member of the Irish house of commons from 1731 to 1748, when he was made a peer of Ireland. In January, 1755, he took the oath as a member of the privy council. In May, 1762, he was created Baron Lovel and Holland of Enmore in the county of Somerset and took his seat in the house of lords. In September of the following year he was appointed first lord of the admiralty, a post he resigned in August, 1766, because he disapproved of Chatham's foreign policy. Bernard Romans says that shortly after he was appointed deputy surveyor for Georgia in 1766, "the late Lord Egmont introduced me into East Florida to survey and divide the estates he had there." The Egmont estates included lands on St. Johns River about seventy-five miles from St. Augustine and a large plantation on Amelia Island which was visited by William Bartram, the botanist, in the spring

Loyalists in East Florida

[7] Schedule of property lost by William Cunningham late of East Florida, in consequence of that province being ceded to the King of Spain.

A plantation of fifteen acres	£30	0s	0d
one negroe man named Davy	60	0	0
one ditto named Sam	60	0	0
one ditto girl named Sinty	40	0	0
one mare	20	0	0
ten head of hogs	5	0	0
Five hundred feet of red bay and cedar	14	11	8
fifteen thousand Syprus shingles	10	2	6
	<hr/>		
	£239	14s	2d

Witnesses.

General Cunningham }
Major Welsh } No 4 Clerkenwell close

[8 blank]

[9] The claim of Major William Cunningham heard the 7th October 1786.

Major WILLIAM CUNNINGHAM, claimant, sworn:

Says that he intends setting out for the Bahama Islands in the course of a week or a fortnight and that he has taken his passage for that purpose.—That he came into East Florida from Charles Town after its evacuation in 1782 and continued there until the 1st May 1785, when owing to his having been active in a dispute between the Spaniards and some of the inhabitants he was taken prisoner by the Spaniards and sent to Cuba.

That he had no lands belonging to him, but that he settled upon some lands of Lady Egmont's on the river St Johns about 40 miles from St Augustine by the permission of her agent Col: Agar.

That he had no house; and the only property that he lost, consisted of *one mare* which he bought of Michael Melton in Florida for £20 and which he allows was stolen [10] away from him in november 1784; *three negroes* two of whom Davy and Sam he purchased in Carolina and brought from thence—He bought Davy of Mr. Hodge who is since dead and Sam of Mr. Cargill and gave £60 sterling for each. They were common field negroes and each of them about 21 or

of 1773. See *Dict. of Nat. Biography*; *Hist. MSS. Comm.*, *Stofford-Sackville MSS.*, I. 114; P. Lee Phillips, *Bernard Romans*, Publications of Florida State Hist. Soc., no. 2, p. 29; Bartram, *Travels through N. and S. Carolina*, pp. 62, 63, 64, 70.

22 years of age, The third was a girl named Sinty about 11 years old whom he values at £35 sterling. To confirm that valuation he produced a bill of sale from Cuthbert Mobley dated november 15th 1783 of a negroe woman, who was about 50 years old, a boy who was about 12 or 13 and this girl for 60 guineas. He admits that he had undoubtedly frequent opportunities of removing these negroes from East Florida between February 1784 and may 1785 and that if he had come away in time he might have brought them away with him, but that he did leave them behind and his agent in Florida was never able to collect them; *ten head of hogs* which he bought in Florida of Jeremiah Burns for £10 sterling in 1784; [11] *15000 shingles* which were worth 13s 6d @ 1000; *500 feet of cedar and red bay* worth 7d @ square foot.

That they cut wood wherever they thought proper and that there was no restraint laid upon them. That cattle and lumber were not considered as removeable by virtue of the proclamation. That he had made no claim before the American commissioners not having arrived in England till the 7th of last may when it was too late.

General ROBERT CUNNINGHAM, Witness, sworn:

Says that he was settled upon St Mary's river about 50 miles distant from Major Cunningham and that he knows nothing of his losses but by report; that he had valued the property as stated in the memorial from the account given him by Major Cunningham and that he had set down the hogs at the moderate price of £5. by his consent.

NICHOLAS WELCH,^a witness, sworn:

Says that he settled in 1782 on St John's river about 25 or 30 miles from Major Cunningham [12] and left it in september 1784. That he had several times in 1782 and 1783 seen the three negroes described by Major Cunningham at a little town called St John's Bluff about 30 miles from Major Cunningham's plantation; That the men might be worth about £50 or £55 a piece and the girl about £25 or £30. That he cannot speak from his own knowledge to any property lost by Major Cunningham.

HENRY FERGUSSON, witness, sworn:

Says that he was settled about 5 miles distant from Major Cunningham; he knows he was settled upon a good piece of land on St John's river, but does not know what quantity of stock he had upon it—That he knew Davy who was a field negroe

^a See *post*, p. 272.

upwards of 40 years of age, that he was not worth less than £80 before the war and that he would have given that for him; That Sam was between 30 and 40 years old and worth £50; that he saw them in the latter end [13] of the year 1783. That he knows that Major Cunningham had a white mare which he supposes might be worth from £14 to £20 but that he heard she was stolen in the latter end of the year 1783 and believes Major Cunningham had not then quitted his plantation.

The Commissioners having suggested to Major Cunningham that none of his witnesses supported his case by substantiating any part of his loss and he having represented to them that he had other witnesses in the Bahama Islands who could speak pointedly to those facts, permission was given to him to supply that deficiency by having those witnesses examined before the Governor and council there and the examinations transmitted to the Commissioners in the manner prescribed by the act, and in the mean time his claim is to be kept open.

[14 blank]

[15]

No 22. . . .

The Memorial of Robert Cunningham*

late of the province of South Carolina, but now of the Bahama Islands

sheweth, That your memorialist at the evacuation of Charles Town went to East Florida and purchased a tract of land adjoining the township on St Mary's river containing fifty acres, that your memorialist built a good dwelling house on the said tract of land with other outhouses fenced the whole fifty acres with a good fence cleared and planted twelve acres with corn, potatoes, &c and was obliged to leave it in consequence of that province being ceded to the King of Spain when the crop[s] were almost ready to be gathered.

[16] Your memorialist therefore prays that his case may be taken under your consideration in order that under your report he may receive such aid or relief as his losses shall be found to deserve; and your memorialist in duty bound will ever pray—

R. Cunningham.
No 4 Clerkenwell close.

14th Sept 1786.

* See Additional Notes, *post*, p. 315.

[17] Schedule of property lost by Robert Cunningham late of South Carolina, but now of the Bahama Islands in consequence of East Florida being ceded to the King of Spain.

One tract of land containing fifty acres adjoining the township on St Mary's river in the province of East Florida with a good dwelling house and other out houses, the whole fifty acres under good fence, twelve acres cleared with a good crop of corn potatoes &c. almost ready to save

£150 0s 0d

Witness.

Major William Cunningham—No. 4 Clerke[n]well close.
Mr. John Morgridge—Chelsea water work bridge.

[18 blank]

[19] . . .

7th october 1786.

General ROBERT CUNNINGHAM, claimant, sworn:

Says that he is going to the Bahama Islands and has taken his passage. That he came to East Florida immediately after the evacuation of Charles Town in 1782, stayed about a month or 6 weeks in St. Augustine and went to settle about march on a plantation on St: Mary's river of fifty acres of woodland which he purchased of Joshua Nun for £10. It was situate about 100 miles from St: Augustine, adjoining a township laid out on St Mary's on one side, Capt: Lang's on the other. That he continued upon this plantation from the spring to the fall and on the 28th. october 1783 left Florida and sailed with the soldiers in the first fleet to Nova Scotia and New York. That he has no receipt for the £10 which he paid tho' he took one at the time. That there was no conveyance from Nun nor does he know whether he had any title. That on the plantation he [20] built a house of wood 24 feet by 20 covered with shingles a kitchen and some outhouses chiefly with his own three negroes, that he sometimes hired three or four more and sometimes only one to assist them. That considering the labor of his own negroes and what he paid the expence of building it must be £50. That he had no other property but the improvements of his land and it's produce. That he had cleared twelve acres of woodland and fenced it in by the labor of his own hands had planted it and left a good crop of provisions upon it, which he offered after he left it for £20 or 20 guineas. That the value of the labor of a good common field negroe was 2/- per day in time of peace. That his plantation was a very fertile spot and he would not have sold it when he was there for £500. That he made a claim before the American board but they would not hear it, & that

this tract of land was therein valued at £50 but that it was valued by persons who had never seen it.

[21] JOHN MORGRIDGE,^a witness, sworn:

Says that the first time he saw General Cunningham's plantation was in October 1783 when he was about to purchase the crop. That there were about 8 or 10 acres cleared the rest was woodland; that there was a fence round the cleared land which must have cost from £16 to £18. That he had conditionally offered General Cunningham a craft which he valued at 25 guineas for the crop but his employer not wanting it he did not purchase it. It was no bargain at that price but might be worth 20 guineas. That the house must have cost if hands had been hired to build it from £25 to £30. The expence of hiring slaves at that time was 2/ 6 day for common slaves and 7/ 6 day for carpenters. That he was no planter and knows but little of clearing land but supposes the expence might be about 20/ 6 acre—That General Cunningham's land was not appraised in East Florida but in this country and only from memory.

[22] Major WILLIAM CUNNINGHAM, Witness, sworn:

That he went to see General Cunningham's plantation in May 1783. That he don't know the size of the whole plantation, but that there were 10 or 12 acres cleared. That the house was a log house, the logs squared on each side; rather small but a tolerably good one for that country; it seemed more than one story high; it was floored and shingled. That it could not have been made for less than £20. That General Cunningham told him that the house was partly built before he bought the plantation, and said that he had bought Nun's goodwill of the land but that he did not consider it as a title. That Nun's title was worth nothing, that he came from Charlestown and settled there without any grant.

^a John Morgridge was a loyalist of Charleston, South Carolina, who was imprisoned for some months in the early part of the war. Refusing to abjure the king, he left the province and went sooner or later to England. Sabine says he was in London in 1779. He did not return to South Carolina until in 1781. On the evacuation of Charleston he went to St. Augustine in December, 1782. He dealt in lumber, did some carpenter work, and employed his sloop *Jenny* in trade. He finally withdrew from East Florida in 1785. His claim on account of loss of property by the cession of this province to Spain was only £70. His award was £46 13s. See Sabine, *Loyalists of the Am. Rev.*, II. 104; C. O. 5/562 (2d Report of Commissioners on East Florida Claims); *post*, pp. 35-37.

[23]

No 21. . . .

The Memorial of Nicholas Welsh^a

late of the province of East Florida, but now of the Bahama Islands.

Sheweth that your memorialist was formerly a residenter in North Carolina and at the evacuation of Savannah went to East Florida where your memorialist was granted a tract of land containing five hundred acres on St John's river by Patrick Tonyn esq'r Governor of said province where he settled and improved which will more fully appear by the schedule annexed hereunto which your memorialist lost in consequence of that province being ceded to the King of Spain with two horses two head of black cattle and plantation tools.

[24—concluding petition and signature.]

[25]

[Schedule]

Account of the real and personal property of Nicholas Welsh late of St: Johns town in the province of East Florida at the time the province was ceded to the King of Spain, vizt.

One tract of land containing 500 acres situate on St. John's river, which was granted to him by Patrick Tonyn esq'r Governor of the province

On the premises were,

15 acres of cleared and improved land under a good fence and there being a good crop of Indian corn growing and left ungathered is valued at 80/ 6 acre

£ 60 0s 0d

200 acres of good oak land @ 15/

150 0 0

285 acres of pine land with a framed wood house of 2 rooms and

500 a garret

40 0 0

one house and lot of ground in St John's town

30 0 0

real estate

£280 0s 0d

[26] Personal property not possible to be removed

2 horses left on the plantation

£18 0s 0d

2 black cattle do. . . . 37/4

3 14 8

sundry plantation tools and implements of hus-

bandry left on the premises worth above

20 0 0

41 14 8

total loss

£321 14s 8d

London June 1786.

^a See *post*, p. 272.

There being no purchasers

[27] . . .

12 & 13th Oct., 1786

Major NICHOLAS WELSH, claimant, sworn:

Says that he is going to the Bahamas with General Cunningham to settle there and does not mean to return to England. That he arrived in East Florida from Georgia in May 1782 and settled on a plantation on the river St John's about 9 or 12 miles distant from the mouth of it in November 1782 and that he continued in possession of it till the cession. He produced a warrant signed by Governor Tonyn dated 11th November 1782 and directed to Benjamin Lord esq'r acting surveyor general commanding him to survey and admeasure to the claimant 500 acres on St. John's river part of 1000 acres granted to Peter Paumier⁷ esq'r. It was likewise signed by Benjamin Lord on the 15th January 1783 and by him directed to John Baker deputy surveyor. He then produced a receipt from John Baker dated January 12th 1783 for £2 0s 6d for surveying the land but had no grant [28] made out as the news of the cession soon after arrived. That Peter Paumier not having complied with the terms of his grant, his tract was considered as vacant or King's land and granted out to the refugees and Governor Tonyn told the claimant that it was intended to break those large grants and that the 500 granted in his warrant were vacant land. That none of it was cleared when he went upon it and that he cleared 15 acres of it. That he began to plant some part of it in the beginning of April, that he planted as he cleared and in May 1783 the whole 15 acres were cleared and fenced, but the large timber upon it was only deadened and not cut down. That at first he hired 3 negroes at ½ p day p man of Samuel Gray and one white man as workman and overseer whom he found with victuals & cloathing but paid him no wages. That in April 1783 when he left the plantation to the care of the overseer and went to John's town the three negroes ran away and he hired two more who [29] were stragglers from the same person at the same price; that that was all the strength he had for clearing the lands. That there was no house built on the land in May 1783 but that he hired a man named Thomas Warsdell who built a house upon it in June 1783. This was after he (the Claimant) had heard of the cession. That the agreement between them was that Warsdell having received half of the first crop was to repay it in grain by giving him (the claimant) one half of the next crop which he raised and he was to have the use of the tools. That he might have had the whole benefit of the first crop if he had not sold it to Warsdell. That Warsdell after notice of the cession went and planted a crop in the land, meaning to stay there after the country was given up to the Spaniards, built a house there at his expence;

⁷ Peter Paumier's name first appears in the Council Minutes of East Florida, September 19, 1768, when a petition and an order from the king in council in his behalf were presented for a large grant of land. The governor signed the grant of 10,000 acres on January 12, 1769. See C. O. 5/570; see also Additional Notes, *post*, p. 321.

raised a good crop, the whole of which he kept together with all the claimants tools. That in April 1783 when he quitted the plantation he went to John's town where he purchased a *small lot of land* 100 feet by 70 of Thomas [30] Williamson⁸ for £25 which he cleared and built a small house upon and staid there till the beginning of September 1784. That he had no receipt nor conveyance nor was the sale registered. That he did not pay the whole money but owes £7.—of it now. That he claimed for building the house and clearing the lot £5. It joined the lots of Capt. John Hopkins,⁹ James White and Col. Chiney. That he had *two horses* one left to him by his nephew in May 1782 which he valued at £12 and left on the plantation; the other was left in his care by Dr Lowry in return for a boat which he lent to him valued at £30 which was lost in St. Mary's river. The horse was six years old and not worth above £6. *Two head of cattle* a cow and a young bull which he valued at £3 14s 8d. They both ran away from the plantation in the spring 1784. *Plantation tools* which he purchased from Mitchell and Johnston of St John's town and gave at least £16 for them. That Mr Warsdell kept them and he was not able to stay there to get satis- [31] faction for them. That there was an appraisement of his property which was made in this country given into the American Commissioners. The land with the improvements was appraised at 10/ p acre. £250 and was worth that to any person who could have lived upon it. That he had laid a memorial before the treasury for a compensation for military services but it was rejected and that he received £30 p ann. temporary support, 'till he received £300 compensation for his losses in Carolina.

The certificate of Mr David Yeats secretary of the warrant of survey dated 11th November 1782 from a minute of the council journals was produced; but there was no copy of the register of Thomas Williamson's tract nor any certificate respecting it.

ALEXANDER PATERSON, witness, sworn:

Says that he lived in St. Augustine about 40 miles from the claimants plantation; that he knew the land before the claimant went upon it, but never saw it in it's

⁸ See *post*, p. 267 and note.

⁹ This Captain John Hopkins, who owned a lot in St. Johns, East Florida, in 1783, seems not to have survived the evacuation of the province long, for the claim of "John Hopkins" for loss by the cession of East Florida to Spain was presented by the administrator of his estate, William Green. The claim was for £80, and the commissioners, who probably acted on it before January 1, 1787, allowed the full amount. Alexander Chesney mentions another Captain John Hopkins as marrying his eldest daughter in June, 1808, and as retiring from service in the navy on a good pension in the autumn of 1816. See E. A. Jones, *Journal of Alexander Chesney*, Ohio State University Bulletin, XXVI. No. 4, pp. ix, 39 n., 274, 51, 54.

[32] improved state, that he was not a good judge of land but valued the claimant's property from information and the opinion which he had of Mr. White.

STEPHEN WHITE, witness, sworn:

Says that in April 1783 he had a lot upon the Bluff opposite to the claimant's plantation, that he had known the land a long while, but dont know the number of acres this plantation consisted of nor whether it was the claimant's property. That he had heard the claimant say that he had cleared part of his land but never saw any part of it that was cleared. That he had valued it in London a few months ago at 10/ 3 acre from the account which the claimant gave of it, and that he would have given £250 for 500 acres in that situation. That he knew the claimant lived upon a lot of land in St. John's town and that he had a bit of a house and a yard fenced round with clap boards—Does not know of any other property which the claimant had in East Florida.

No. 1 . . .

[33] The Memorial of John Champneys¹⁰ late of Charlestown in the province of South Carolina in North America.

Sheweth that your memorialist at the evacuation of Charlestown in December 1782 went with his family to St Augustine, where for their accomodation and for carrying on the commission business he purchased a house and stores as will more particularly appear in the schedule annexed which premises remained unsold the last day allowed for the disposal of British property, there being no purchasers.

[. . . -34—concluding petition, signature, and witnesses.]

[Schedule]

[35] An account of a lot, house about 18 feet wide and 40 feet deep, a shed 14 by 12, a large kitchen and back stores capable

¹⁰ John Champneys was a public vendue-master at St. Augustine during a part of the time that the property of the British inhabitants was being offered at public sale before the evacuation of East Florida. Champneys had come from Charleston, South Carolina, in December, 1782, and in partnership with William Binney had bought a house and storerooms in St. Augustine with the purpose of going into the commission business. Our records do not show when he was appointed vendue-master, or auctioneer, by Governor Tonym. In March, 1784, Champneys returned to Charleston and remained there a year and a half before sailing for England. See *post*, pp. 13, 14, 28 and note.

of holding about 700 barrels of flour with a small garden and yard, on a lot containing 47 front and 98 in depth, situate in Charlotte street Hospital street and artillery lane the whole appraised by William Binnie, Benjamin Lord and William Watson at three hundred and fifty pounds

£350 os od

[36 blank]

[37] . . .

13th octr 1786

JOHN CHAMPNEYS, claimant, sworn:

Says that he came from Charlestown at the time of the evacuation in december 1782 to St Augustine and that he was obliged to purchase a house, there being none to let. That he and M: Binney accordingly bought a house of M: Penmans from his attorney Spencer Mann¹¹ and a lot for which they gave £400 and afterwards divided it each paying £200 for his share. That his (the claimant's) lot was about 47 feet in front and 100 feet deep and consisted of a stone house which was 20 feet in front by 40 a kitchen of stone a shed which would hold about 100 bags of flour a back store which would hold about 1000, a yard and a garden. That the house was but a shell when he purchased it, there were no partitions above stairs and that it cost him between £130 and £140 in repairs. He produced an appraisement under the seal of the province [38] dated the 17th of may 1783 made and sworn to by Benjamin Lord, William Binney and William Watson, in which they had valued this property at £350. That he left St. Augustine in march 1784 and went to Charlestown where he stayed till october 1785. That upon his quitting St Augustine he left a power of attorney to Mr Johnson to sell his property, and it appeared by two letters from Mr Johnson which he produced that it was put up at vendue on the 18th of july 1785 the last day for the sale of British property and called out to Francis Fatio¹² for 299 dollars but this was only a friendly sale and intended to secure the property to Mr. Champneys and tho' the title deeds were to be sent and a regular conveyance made to Mr: Fatio, he was to execute an instrument certifying that he had paid no

¹¹ Spencer Man was commissioned clerk of the courts of common pleas, general sessions of the peace, oyer and terminer, assize, and general gaol delivery on June 20, 1765, at St. Augustine by Governor James Grant. He was appointed public vendue-master on May 3, 1771, and a year later clerk of the crown until the royal pleasure should be known. On the twenty-second of the same month he was also named master in the court of chancery. See C. O. 5/570; C. O. 5/571.

¹² Francis Philip Fatio petitioned for a grant in February, 1775, and obtained a warrant of survey for five hundred acres. Late in the following month, Governor Tonym signed one grant of seven hundred and sixty-two acres for him and another of five hundred acres. Early in June of the same year, Mr. Fatio obtained the governor's signature to a grant of two hundred acres. See C. O. 5/571.

price whatever for the property That he accordingly sent the title deeds in september 1785; that he understood that Fatio was to sell for him if any opportunity offered, and if he sold, he (the claimant) should think him- [39] self authorized to call upon him for the money. That Fatio still remains at St Augustine, but whether he is a Spanish subject he don't know. That a great number of estates were sold in this manner, if they had not been so disposed of they would have been seized by the Spaniards. That he had made a considerable claim before the American board but that this property was not included. That it was not yet heard and that he had received at the rate of £80 p ann: temporary support since the 5th of January 1786. a certificate of M: D. Yeats of extracts from the records of the purchase of the whole lot for £400 of Mr. Penmans and of the division between the claimant and Mr. Binney [sic] according to the account in his evidence was produced

Mr WILLIAM WATSON, Witness, sworn:

Says that the appraisement produced by the claimant was made and subscribed by him on the day of its' date. That when he and the other appraisers valued this property [40] they estimated it from the purchase money and the expence of the buildings. That they measured the work by the squares and saw the account of the workman for the repairs which was agreeable to the common price of labor at that time.

SIMON TUFTS, witness, sworn:

Says that he knows Mr. Fatio very well, that he is a Swiss and that he left him in St. Augustine in June 1785; that he resided in Mr Champneys house after he quitted it and attempted to sell it for him but was not able—

HARRY MICHIE, witness, sworn:

Says that he was in St. Augustine when the claimant with Mr Binney made this purchase. They both told him that the whole cost £400, or 400 guineas and he understood that each paid half. That the claimant having the buildings to his share Mr. Binney had the most land. That the claimant had frequently told him he had [41] laid out 100 guineas in repairs and don't think he said more. That the house when he purchased it, was tolerably good on the outside and watertight, but that the flooring and roofing wanted repairs. That he knows Fatio by sight and by report and believes him to be a man of repute and fit to be trusted.

[42 blank]

[43]

No 3

The Memorial of Colonel Elias Ball¹⁸
late of the Province of South Carolina

Sheweth that your Memorialist for many years preceeding the late unhappy dissension in America was possessed of large Estates real and personal in the province of South Carolina and for his early and active Services in Support of the British Constitution was by Earl Cornwallis appointed Colonel of Militia and discharged his duty faithfully until the Evacuation of Charles Town by his Majesty's Forces in December One thousand seven hundred and eighty two

That your Memorialists Estates and [44] Effects in the aforesaid province to a large amount was Seized upon Confiscated and sold for use of the American States and your Memorialist banished for ever from returning thereto and in consequence thereof removed to East Florida then in Allegiance to the Crown of Great Britain— where he purchased a Tract of Land adjoining Saint Augustine and for which he paid the Sum of Five hundred pounds as Set forth in the Schedule hereunto annexed and also at a great expence cleared an uncultivated Tract of Land of upwards of One hundred and twenty Acres on the River Saint Johus [sic] in the aforesaid province and employed thereon One hundred Negroes for upwards of Eighteen Months which at a Moderate Valuation for their Labour and Maintenance at Sixpence per day each is One thousand three hundred and sixty eight pounds fifteen shillings added to the aforesaid Sum of Five hundred pounds as set forth in the Schedule hereunto annexed is One thousand eight hundred and Sixty [45] pounds fifteen shillings.

[Concluding petition, signature, and date.]

Schedule . . .

A tract of Land near the Town of St Augustine East Florida
containing Fifty seven Acres and half bounded on the East by

¹⁸ Colonel Elias Ball, Sr., had a plantation at Wambaw, South Carolina. Elias Ball, Jr., lived at Curmantee in the same state. The latter took the oath as a member of the general assembly of South Carolina, on September 6, 1776. Sabine says that both held commissions under the crown after the fall of Charleston and that the estates of both were confiscated. The elder Ball was at St. Augustine in the spring of 1783, where he gave considerable annoyance to Brigadier General Archibald McArthur. On May 19, 1783, McArthur wrote to Sir Guy Carleton: "Col. Ball has cried *peccavi* and receives his rations." Colonel Ball's claim for losses in East Florida was for £1,868 15s and his award was £500. See E. McCrady, *South Carolina in the Rev., 1775-1780*, p. 494; Force, *Am. Archives*, 5th ser., III. 2; Sabine, *Loyalists of the Am. Rev.*, 1864, II. 475; McCrady, *South Carolina in the Rev., 1780-1783*, p. 586; *Hist. MSS. Comm., Am. MSS. in R. Inst.*, IV. 14, 90, 168; E. A. Jones, *Journal of Alexander Chesney*, p. 118; also Volume I. of this work, p. 124; C. O. 5/562 (3d Report of Commissioners).

Tonyn Road on the West by Debrahms Road and on the South
by the Lands of Alexander Todd

Labour & Maintaining One hundred Negroes for Eighteen
Months at sixpence per Day each

£500 0s 0d

1368 15 0

£1868 15s 0d

[Witnesses.]

[48 blank]

[49] . . .

Oct: 14, 1786

Col ELIAS BALL, Claimant, sworn:

says that he went to East Florida in the beginning of Oct: 1782 after the Evacuation of Charles Town and quitted it on the 1st of June 1784 That a few Months after his Arrival he purchased a Tract of Land consisting of 57½ Acres for £500 Sterling from M: James Penman & deeds of Lease & Release purporting to have been signed by James Penman were produced. That the Sale was not registered the news of the Peace arriving soon after; That the Land was within the Garrison close to the Town & all cleared at the Time of the Purchase, upon it there was a dwelling House & some Negroe Houses. That he cultivated the Garden, and part of the Land for Indian Corn, but that he did not cultivate the Whole. That the Land was fit for raising Indigo but that he never should have raised any, as Provisions would have answered his purpose better; [50] that the price he gave was certainly high, but that he was obliged to purchase as they would not let their Houses or Land. That after his purchase & before the news of the preliminary Articles being signed arrived he had £700 offered him for it at 12 Months Credit by Col: Brown, but that after the News of the Cession arrived he offered it for Sale at a Considerable Loss but there were no purchasers. That he brought to the best of his Remembrance 175 Negroes from Carolina, took a dozen or fifteen of them to St Augustine and left the Rest upon some Lands on the West side about 25 or 30 Miles from the Mouth of St Johns River where he first landed. That these Lands had he believed formerly been granted to a M: Jones who was dead; his Eldest Son he understood was in Georgia, & one of his Younger Sons who was resident in St. Augustine gave him (the Claimant) leave to go on the Lands which were entirely uncultivated. That the General Custom of persons landing in that Manner & occupying uncultivated Land was [51] to pay the Proprietor ⅛th part of the Corn produced by way of Rent. That his Negroes were Chiefly employed in raising Provisions, that they likewise sawed some Lumber but did not earn so much as they Cost in the purchase of Corn for their Maintenance; That he cleared 120 Acres of this

Land & if he could have stayed there 2 or 3 Years the Labor of his Negroes would have paid him very well, but being there only One Year he reaped no Emolument from their Work. He had averaged the Value of their Labour & Maintenance at 6d ⅓ Day each; that his whole Object was to keep them alive till Affairs took a more favorable turn; That Above Thirty of them died in Florida in April 1784 & he sold 140 to his Cousin who was allowed to return back to Carolina. That he received a part of his Claim by way of Compensation for his Losses in Carolina from the American Commiss^{rs} and that he has had £50 ⅓ Ann: for temporary Allowance, but dont know Whether that will be continued; That he has no Military pension nor any other kind of Allowance from Government.

[52] JAMES PENMAN,¹⁴ Witness, sworn:

Says that in 1772 he purchased a quantity of Land & sev^l Houses under a decree of the Court of Chancery from the Assignees of James Henderson a Bankrupt & gave £1100 for the Whole. That he thinks the Land consisted of 90 Acres, there were about 50 or 60 Acres plantable Land; that he sold this tract for £500 Sterling to Col: Ball & the money was paid to his Attornies M: Edward Penman & M: Spencer Mann¹⁵ in St. Augustine Upon the deeds being produced to him he said the name James Penman which was signed to each was not his hand-writing; as far as he could judge of it, it appeared to him to be the hand writing of his Attorney M: Spencer Mann. That the price given was not high; from the Situation of the

¹⁴ James Penman's name first appears in the Minutes of the Council of East Florida, June 15, 1767, when he presented two petitions, together with orders from the king in council, in behalf of himself and Peter Taylor, Esq., each for a grant of ten thousand acres of land. See C. O. 5/570; see also Additional Notes, *post*, p. 319.

¹⁵ Spencer Man was one of the attorneys of James Penman, "one of the two eminent merchants" in St. Augustine. On October 4, 1775, Mr. Man wrote to Brigadier General James Grant at Boston: "with respect to settlement we are going back every day, and I believe our ruler [Governor Patrick Tonyn] has neither ability to point out or interest to procure any good for us; in a word if you do not stir a little for us, we shall be a nonentity very soon." Although Mr. Man thought Governor Tonyn incompetent, he was a loyal supporter of the military commander at St. Augustine. Late in May, 1778, he signed the returns of provisions in store as being "sufficient for victualling 1,500 men for some weeks." In the autumn of 1779, when Governor Tonyn professed to have no money for needed repairs on the fortifications, Mr. Man and Mr. Penman undertook to supply the funds to pay three hundred negroes who were employed on the works by Lieutenant Colonel Lewis V. Fuser, as also for other purposes. For the money advanced they agreed to accept bills drawn on General Sir Henry Clinton. Despite this display of public spirit, Governor Tonyn characterized Messrs. Penman and Man as two of "the principal leaders of a desperate faction" who had "endeavored by every infernal artifice to dash this province into the same rebellious state with the other colonies." Mr. Man estimated his losses at £5,222. His award was £2,207 6s. 9d. See P. Force, *Am. Archives*, 4th ser., IV, 335, 337; *Hist. MSS. Comm., Am. MSS. in R. Inst.*, I. 256, II. 127; C. O. 5/562 (5th Report of Commissioners on East Florida Claims); Additional Notes, *post*, p. 307.

Town of Augustine it must have extended that way and if he had stayed there he would not have taken double the Money for it.

[53] Maj: WILL^m CUNNINGHAM, Witness, sworn:

Says That the Claimant after the Evacuation of Charles Town settled on a Plantation of M: Jones's on St. Johns River one of whose Younger Sons lived at St: Augustine & pretended to Claim the Land. That the Claimant brought a large Stock of Slaves from Carolina but that he dont know the Number; That all except some House slaves were put upon this Plantation, that they Cleared a large tract above 100 Acres Raised one Crop of Corn, & Sawed some Plank but he dont know the quantity, that he has seen 3 or 4 pair of Sawyers upon it.

[54 blank]

[55]

No 4. . . .

The Memorial of Robert Robinson

a Master Butcher late of the Provinces of South Carolina and East Florida, now residing at N^o 17 Griffith's Buildings, Bermondsey

Sheweth that your Memorialist is a Native British man who went from Liverpool to South Carolina in 1773 and settled in Charleston as a Butcher untill the year 1778, that he was compelled to depart the said Town because he would not Swear allegiance to the Congress, And on the 23^d of May 1778 he received the annexed permission from Rawlings Lowndes¹⁶ the then Rebel Governor for him and Family to depart [56] in the Sloop Venture to St Augustine in East Florida where your Memorialist landed in July 1778—

That at Augustine your Memorialist followed his business as a Butcher from July 1778 untill April 1784 during which time he purchased a freehold Lot of Land with a house thereon and had a Stock of one hundred and fifty Bullocks, four horses and two Negroes, when he received the annex'd notice from Governor Tonym to prepare to quit the said province on the 17th of April 1784 at which time he went with his Family to Hallifax in Nova Scotia—

That the Lot and house at St Augustine belonging to your Memorialist, and quitted by him was Valued upon the Oaths of three principal Merchants there, at Three hundred Pounds Sterling of which proofs was [sic] then made before the

¹⁶ See Additional Notes, *post*, p. 319.

chief Justice of the Province and so certified by the Governors causing the provincial Seal to be affixed thereto in manner as is annexed, And he has lost considerably from the circumstance of being [57] obliged to Sell his Bullocks & Horses for whatsoever price he could obtain and the circumstance of his going from a warm climate to a very cold one made it that he was obliged to sell his Negro Wench at a great Loss, and that his Negroe Man (Jack) ran away from him on the day of his departure for Hallifax, from these circumstances and the Loss of £840 in Money and Effects at his being obliged to leave Charleston in manner aforesaid Your Memorialist is reduced to such necessity that he and his family has no means of subsisting [Concluding petition, signature, and date.]

[58 blank]

[59]

Schedule . . .

N^o 1. Loss of a Freehold Lot of Land with a house thereon situated in the Town of St Augustine appraised by Robert Payne Esq^r now of Enfield, John Wood and William Stator [*i.e.*, Slater]¹⁷ Merchants now residing in the Bahama Islands certified by the chief Justice James Hume¹⁸ and by Governor Tonyms¹⁹ causing the Seal of the province to be affix'd thereto Vide Voucher herewith

£300 0s 0d

N^o 2. Loss upon the Killing and Sale of 150 head of Cattle upon receiving few months notice (which notice is annexed) to prepare to quit the province, and that every person was necessit[ate]d to Kill their Cattle by which the memorialist lost at the least, [60] one third and is Valueing each at £5 ⁷/₈ head of said Bullocks, one third of which is

250 0 0

N^o 3. Loss upon 23 head of Bullocks killed by his Majesty's Regiment of Rangers under command of Coll^l Brown²⁰ at Fort Picolett of which I complained then to Governor Tonym, and Coll^l Brown paid me for five acknowledged by his men to be taken by them remains lost Eighteen at £10 ⁷/₈ head being only two thirds of the price if Killed for Sale

180 0 0

N^o 4. Loss upon 150 head of Bullocks removed from the pasturage near Fort Picolett to a more Wet pasturage to prevent the said Rangers from Killing any more of them by which Lost 18 head chiefly Cows with Calf at £6 ⁷/₈

108 0 0

N^o 5. Loss by 3 head of Bullocks run into the Woods a few days before his departure from St Augustine at £5 ⁷/₈

15 0 0

¹⁷ See *post*, p. 266 and note.

¹⁹ See Additional Notes, *post*, p. 310.

¹⁸ See *post*, p. 37, note.

²⁰ See Additional Notes, *post*, p. 323.

[61] N ^o 6. Loss by difference of Cost and Sale of 2 horses and a Mare at departing	20 16 0
N ^o 7. Loss of a horse run into the Woods at departure	8 0 0
N ^o 8. Loss upon Sale of a Negroe Wench from her aversion to go to Hallifax being a very cold Climate	9 2 9
N ^o 9. Loss of a Negroe man named Jack who run away at embarking for Hallifax from his dread of encountering so cold a climate. cost	35 0 0
	<hr/> £925 18s 9d

[Proof and vouchers for the foregoing losses.]

[62 blank]

[63] . . .

Oct: 20th, 1786

M^r: ROBERT ROBINSON, Claimant, Sworn:

Says, That in 1778 he came from Charles Town to St. Augustine in East Florida and continued there till April 1784 & followed the Occupation of a Butcher. That he purchased a House & Lot situated in George Street St Augustine from M^r: Arthur Gordon²¹ & gave 100 Guineas for the purchase. He produced a rec^d dated Sept: 29th 1778 from M^r: Arthur Gordon for the said Sum of 100 Guineas for a House & Lot in George Street, but no Conveyance or Title deeds, the reason he said was that M^r: Gordon died soon after the purchase & none were executed. He likewise produced an Appraisement under the Seal of the Province dated March 15th 1784 in which the House, Lot, Kitchen and Improvements were Valued upon Oath at £300 by Robert Payne, John Wood & W^m Slater says that the House was built at the time of the purchase, it was Stone and accounted [64] one of the best stone Walls in the Town but was very much out of repair It was a square House & had 6 rooms on each floor, but he cannot tell the size of it. That it had a flat roof upon it, which he repaired & made into a pitch Roof. That there was one room down which he built up & put a new Chamber over it. That the Gable End was likewise entirely down & he rebuilt it. That he put up a Chimney, two new Windows one of

²¹ Arthur Gordon, Esq., was appointed attorney general of East Florida by royal mandamus, dated May 4, 1771. On November 4, of the same year the oaths were administered to him at St. Augustine as the successor in office of James Box, Esq. (see *post*, p. 130, note 95). On October 3, 1774, Mr. Gordon was appointed advocate-general of the court of vice-admiralty. On July 18 of the next year, he presented a mandamus from the king naming him for membership in the council of the province, and after he had taken the oaths, Governor Tonnyn suspended him until the royal pleasure should be known for reasons which, the governor said, he would transmit to the ministry. Mr. Gordon's house stood at the corner of the parade in St. Augustine. See C. O. 5/571.

which cost £5. The other not quite half so much; a Back Door which cost upwards of one Guinea; A new Stable built of Wood & covered with Tiles, an Oven & a Slaughter House and sunk a Well.

That he fenced in the Lot with Post, Rails, and Clap boards. it might take 100 Posts with two or three Rails between the Posts & Clapboards nailed upright. That he bought the posts and rails. That the Repairs and buildings which were done soon after the purchase Might take up about a Month Exclusive of the fence. That the Work was Chiefly done by him & a Negroe of his own, but [65] that he sometimes hired a Negroe Carpenter that he thinks the common price for Negroe Carpenters was from 7s 6d to 9s ^{per} day but does not know whether he gave that, or how long he Employed him That the House & Lot were put up at Auction a few days before he left Augustine he believes at 30 Dollars & Nobody would buy it. That he left it in the Care of W^m Slater & left a power of Attorney with him to sell it. He produced a Letter from M^r: William Slater dated Sept: 14th 1784 which he received at Halifax by which it appeared that the House had been put up at Auction & that there was No one who would purchase it & that there were people in it who were to take care of it & pay a Small gratuity for it.

There was no record of the purchase of this House and Lot either by M^r: Gordon or the Claimant, but in the Account of Sales it appeared that they were exposed to Sale by William Slater the Vendue Master on 10th Feb: 1785 and purchased by James Smith Clk to W^m Slater who was Agent to the Claimant [66] for the Proprietor for the Sum of £36 16s 3d as appeared by a Certificate from M^r: David Yeats. Says that about the Year 1780 he bought in St Augustine at a Publick sale a Negroe Wench named Phillis & her Husband and gave £83 for both. That he afterwards sold the Man for £43 & that Phillis who Absconded before he left Augustine but afterwards delivered herself up to M^r: Slater was sold after his departure for £30 17s 3d that he therefore lost thereby £9 2s 9d by such sale That he left the Bill of Sale with M^r: Slater which was acknowledged by a rec^d of M^r: Slaters produced dated April 20th 1784, but did not state the price paid the Claimant. That about a Month before he left St Augustine he bought a Negroe fellow named Jack for £35 from Francis Pallisier to take with him to Halifax. That he ran away from the Ship While she was lying in the Harbour in St Marys River about 60 or 70 Miles from St Augustine & was never retaken £35

That he lost 50 Head of Cattle by Colonel Brown's Troops in the Course of the [67] Summer 1783. Twenty five they killed which were chiefly young Oxen & which he values at £10 ^{per} Head £250 Five died by being close herded together & twenty more by their removal to a Strange range in the fall of the Year 1783. That the last 25 were Chiefly Cows with Calf & that he values them at £6 ^{per} Head £150

That upon the Arrival of the News of the Cession in the Winter of the Y:

1783 the Market fell from 9d to 6d ^{per} lb & that he lost by the Sale of 150 Head of Cattle which he was obliged to feed & dispose of at that time, one third of their Value which as they were worth £5 ^{per} Head, amounts to £250

That he lost by the Sale of a White Horse for £3 5s which was worth £12 though he gave about £4 only for him having bought him of a person who was in want of money £8 15s 0d

By the Sale of a Grey Horse for £2 15s 0d which he bought for £5 6s under the like Circumstances but which was worth £9 £6 5s

By the Sale of a Bay Mare for £3 for [68] which he gave Goods to the Indians of the Value of about £4 but which was worth £8 £5

That he lost another in the Woods which was worth £8—He produced no Bills of Sale or receipts for any of these last Mentioned Articles—

Mr DAVID YEATS,²² Witness, Sworn:

Says that he knows the Claimant was a Proprietor of a House & Lot in George Street St Augustine, that he tiled the House but dont know what other Repairs he did to it. That the Claimant was a Butcher but not the most Capital one of the Trade in St Augustine. That previous to the Cession of East Florida Mr W^m Slater was appointed publick Vendue Master by the Governor to sell all the real Property in the Country, that he knows the Claimants House was sold but dont know whether it was an Absolute Sale or only a nominal one. That he knows nothing of the Claimants personal Property. That he knows that the receipt for 100 Guineas produced by the Claimant is Mr Arthur Gordons hand-writing.

[69] Mr ROBERT PAYNE,²³ Witness, sworn:

Says that the Name signed to the Appraisement is his hand writing; that they appraised the Property at £300 from what appeared to them to be the Value of it, if the Proprietor had been about to sell it at the time of the Appraisement. That he

²² David Yeats was appointed deputy clerk of the council of East Florida by Governor James Grant at the end of October, 1764, and continued to serve in that capacity until April 8, 1776, when he was made clerk of the council and secretary of the province by Governor Tonyn in the place of Dr. Andrew Turnbull. Meantime, Mr. Yeats was appointed register of grants, patents, and records on October 16, 1768; this appointment being confirmed by royal mandamus under date of March 23, 1769. At the end of April, 1771, he became clerk of the newly created court of vice-admiralty. A little more than a year later, that is, on May 22, 1772, he was named by Lieutenant Governor John Moultrie as examiner and register in the court of chancery. He seems to have served as secretary of East Florida until the final evacuation of the province. See C. O. 5/570; C. O. 5/571. Mr. Yeats was the husband of Governor Tonyn's niece. He put in a claim of £4,486 15s for compensation for his losses, of which he received £2,113 3s 6d. See Additional Notes, *post*, p. 308.

²³ Robert Payne was one of the men elected to the commons house of assembly in East Florida in March, 1781 (C. O. 5/572).

did not measure the Work being no Carpenter nor Mason, That he dont recollect that the Claimant produced any bills for the repairs at the time of the Appraisement, but that he knows that some repairs were done & thinks they were pointed out by the Claimant at the time of the Appraisement That they were not done in a Workmanlike Manner That the Claimant had taken off the flat roof & tiled it new that he knows the Lot was fenced in after the purchase by the Claimant. It was a common Clapboard fence & if every thing had been bought might have cost £20 That he knows likewise there were a Stable & some Outhouses built by the Claimant. That he thinks in 1778 The hire of a Negroe Carpenter might be about 2s ^{per} day, [70] that it afterwards rose to 6s ^{per} day & that a ship Carpenter might perhaps earn 9s. ^{per} day. That the Expence of the repairs all together could not have cost any thing like £200 they might, as he supposes, if every thing had been bought & the Work paid for have cost about £100, but that he Valued House & Lot from an Idea of the advanced price it would then have sold for:

Mr THOMAS COURTNEY,²⁴ Witness, Sworn:

Says that he knows that a Negroe Man ran away from the Claimant from on board the Ship lying at St Mary's in which he was a passenger with the Claimant to Nova Scotia & that he was not retaken while they stayed at St Marys.

Mr JOHN MOORE, Witness, sworn :

Says That he was he was [*sic*] born in East Florida & was a Butcher there along with his Brother. That he knows that about August 1782 The Claimant had about 120 head of Cattle at Piccoletta 21 Miles distant [71] from St Augustine. That they were not then upon the Claimants Land but there was his Mark & Brand upon them. That he knows that Col! Brown's Troops came in June 1782 & killed some of the Cattle in that Neighbourhood That in September 1782 he heard Mr Robinson & Mr Carey his Man who took care of his Cattle say that some of the Claimants Cattle had been killed & that they had found some of their Skins & Paunches close by the place, but did not hear them say how many but never himself saw any of Claimants Skins.

That he lived at Piccoletta in the Year 1782. That he knows nothing of any other Property which the Claimant had.

Mr JOHN MACKAY, Witness, sworn:

Says That he lived in East Florida as Servant to Mr Hume the last 6 Years before the Cession & that he arrived in England a fortnight after last Christmas. That he knew the Claimant four Years as one of the best Butchers in St Augustine. That in [72] the fall of the Year 1783 he bought of the Claimant, who was then

²⁴ See *post*, pp. 25-29.

about 6 Miles from St Augustine removing his Cattle from Piccoletta to some high Lands at Dago, two Cows & two Calves & gave him dry Cattle in Exchange for them. That he thinks there were upwards of 100 head of Cattle.

That the Claimant then said that Colonel Brown's Troops had been killing some of them but did not name any number. That he remembers the Claimant used to ride a very good White Horse for 2 Years, but does not know Whether it was his own or what it was worth. That he knows nothing of any other part of the Claimants Property.

[73] Supplement to M^r ROBERT ROBINSON's Claim's

M^r FRANCIS LEVETT,²⁶ Witness, Sworn:

Says that he knows the house which the Claimant occupied in St Augustine, but don't know of whom he purchased it nor whether it was ever the Property of M^r Arthur Gordon; that he has seen a Conveyance of it to one M^r John Funck; That he was Provost Marshal²⁶ in St Augustine in 1774 & 1775 & sold the s^d House & Lot in Execution in the latter End of 1774 or the beginning of 1775 to Robert Bonsell²⁷ for £40 or £50 The House was then out of repair. Says That the price of Provisions did not as he recollects fall upon the Arrival of the News of the Cession. That the Average price of Beef both before & after was 6d ³/₄ lb.

Read over to the Witness & approved & signed by him

F. L.

M^r ROBERT ROBINSON produced Conveyances from M^r Levett the Provost Marshal to Robert Bonsal & from Rob^t Bonsal to John [74] Funck but none from John Funk [*sic*] or any other person to Arthur Gordon.

M^r WILLIAM WATSON, Witness, Sworn:

Says That in the Year 1782 & to the time of y^e Cession the common Average price of Beef was 6d ³/₄ lb, but that it was some times sold at 9d ³/₄ lb That the price

²⁶ See Additional Notes, *post*, p. 328.

²⁶ On November 3, 1764, Governor Grant informed the council of East Florida that the king had appointed no provost marshal for the province and proposed that a sheriff be appointed. A commission was accordingly issued to Alexander Skinner to be sheriff. He also served as provost marshal and received fees in this capacity, and in addition was made clerk of the accounts. It was not until June 29, 1771, that the council received notice that parliament had provided a salary for the provost marshal of East Florida. The provincial council thereupon resolved that the sum of £20 heretofore paid to that officer out of the contingent fund for carrying writs of election, summoning all juries, and publishing proclamations be no longer continued to him; that sum having been granted on account of there being no salary to the office. See C. O. 5/570, 5/571.

²⁷ Robert Bonsal petitioned for a grant of land in February, 1775, and received a warrant of survey for one hundred and fifty acres (C. O. 5/571).

of Pork was 1s ³/₄ lb. That upon the Arrival of the News of the Cession Beef fell to 3d & 3¹/₂d ³/₄ lb & he never paid more than that for it & 6d ³/₄ lb for Pork 'till he quitted the Province in February 1784. That it was a common practise during the Course of the War for the Butchers to purchase their Cattle from the plunderers from Georgia & he thinks the Average price given might be about 20s ³/₄ Head. That the Average Weight was from 200^{lb} to 250^{lb}. That the Claim^t was Butcher of this description & not a Man of fair Character.

[Witness's confirmation and signature.]

[75]

No. 8. . . .

The Memorial of Thomas Courtney²⁸

Taylor, Late of the Province of East Florida. And now at N^o 13

Finch Lane Cornhill London—

Sheweth That your Memorialist previous to the Late war was residing in Boston New England, and there Eligibly Situated, and continued there during the Blockade. But on the evacuation of that place was forced to leave it with his Majesty's Troops.

²⁸ Thomas Courtney was a tailor in Boston, Massachusetts, and one of the ninety-seven "Gentlemen and Principal Inhabitants" of that city who signed the loyal address to Governor Gage on his departure for England, October 6, 1775. With nearly 2,000 other loyalists he accompanied Sir William Howe's army to Halifax, Nova Scotia, in March, 1776. He next went to Charleston, South Carolina, at the time of its surrender, remaining about two years and seven months, until the evacuation. Meantime, he was included among those named in the act of banishment of Massachusetts, passed in September, 1778. From Charleston he sailed to St. Augustine with a number of other exiles. There he bought a large lot with a frame house for £400 sterling. In May, 1784, after the cession of East Florida to Spain, he sold his property for £53 15s after spending about £25 in building a stable, shed, and poultry house. At the end of May he returned to Nova Scotia. Thomas Courtney's name appears as one of a committee of three who applied in December, 1782, at New York to Sir Guy Carleton for a recommendation for two representatives of the loyalists associated for the purpose of settling at Port Roseway [Shelburne], Nova Scotia, to enable them to call upon the governor of that province concerning the proposed settlement. Courtney's name is also signed to an address to Carleton, dated at New York, March 23, 1783. Sabine erroneously says that Thomas Courtney removed with Richard and James Courtney to Shelburne from New York at the peace; "Thomas with a family of four" and "four servants." According to his own testimony Thomas did not leave East Florida for Nova Scotia until May 30, 1784. He estimated his loss in East Florida at £415 9s and received an award of £371 5s. See J. H. Stark, *Loyalists of Massachusetts*, pp. 132, 134, 137; Carwen, *Journal and Letters*, pp. 432, 439, 444; *Hist. MSS. Comm., Am. MSS. in R. Inst.*, III. 266, 412; Sabine, *Loyalists of the Am. Rev.*, 1864, I. 338; C. O. 5/562 (3d Report of Commissioners on East Florida Claims).

That your Memorialist having no other resource but his Business for subsistence (his new England connexions being cut off by the war) went with his Majesty's Forces to Nova Scotia, from thence to New York, where he resided four Years, and from thence to Charlestown South Carolina, where he continued from its capture to its [76] Evacuation About two years Seven Months. And then went to St Augustine in East Florida, in Consequence of strong invitations from the East Florida Governor, in Advertisements then in Charlestown inviting all Loyalists to come and reside there as an Asylum. Which invitation Your Memorialist accepted. And there bought a House & Lot, previous to the Cession of the said Province to the crown of Spain. As will particularly appear in the Schedule annexed.

That your Memorialist in Consequence of his attachment to the Crown of Great Britain has been Considered as Obnoxious to the States of America, the place of his former residence, and on the Evacuation of East Florida was reduced to Embarrassing Circumstances having a large Family to remove to this Country.

[Concluding petition and signature.]

[77—Witnesses and date.]

[78 blank]

[79] Thomas Courtney's Account of Furniture and other Effects lost. And Account of Sales, on the Cession of the Province of East Florida to the King of Spain.

[Schedule]

Costs		Sales	
An Eight Day Clock	£12 12s 0d	An Eight Day Clock	£ 7 7s 0d
Double Chest of Drawers	9 10 0	Beaureau Desk	3 3 0
Beaureau Desk	7 17 6	Double Chest of Drawers	3 13 6
12 Mahogany Chairs @ 20s each	12 0 0	12 Mahogany Chairs @ 6s each	3 12 0
2 Large Looking Glasses gilt-frames	8 8 0	2 Large Looking Glasses Gt Frt	3 12 0
2 Mahogany Dining tables	5 5 0	2 Mahogany Dining tables	1 16 0
12 Pictures Gilt & Glass frames	4 16 0	12 Pictures Gilt & Glass frames	1 4 0
A Riding Horse	16 16 0	A Riding Horse	8 8 0
		Loss on the above	44 9 0
Sterling	£77 4s 6d		£77 4s 6d
Loss on the Above as \mathcal{L} Contra	£44 9s 0d		

The Above Articles were personal property & not Easily removed to a Distant Country so was glad to Dispose of them at the Above Loss. Your Memorialist therefore prays you will Condescend to take it Likewise into Consideration

Thomas Courtney

[80] Account of House & Lot

Cost		And Sale	
House & Lot Bought of		1784.	
Peter Edwards Esqr	£400 0s 0d	May	
out Houses & repairs	25 0 0	Sold House & Lot & repairs to John Cabado for	53 15 0
	£425 0s 0d	Loss on the above premises	371 5 0
			£425 0s 0d
Loss on the Above premises as \mathcal{L} Contra	371 5 0		
Loss on personal property as \mathcal{L} Schedule sub-joined	44 9 0		
total loss Sterling	415 14 0		

[81] . . .

October 21st 1786

M^r THOMAS COURTNEY, Claimant, sworn:

says That he came to St Augustine after the Evacuation of Charles Town and left it on 30th May 1784 when he went to Nova Scotia. That in January 1783 he purchased a House & Lot from M^r Peter Edwards for £400 Sterling; that he had a regular Conveyance from M^r Edwards but the purchase was not registered as he did not chuse to be at the Expence of it. That after having attempted to sell it by Auction & nobody would advance upon 40 Guineas for it, in May 1784 he sold it by private Sale to John Cabado a Spaniard for £53 15s. That he made a regular Conveyance of it to Cabado & gave him up all his papers & that it was an Absolute Sale. That the Lot of Ground contained near an Acre all fenced in & had a Wooden house upon it but no Outhouses at the time of the Purchase. That he built a Stable, Shed, & Poultry House. That he hired 2 White Carpenters to do the Work & he believes paid each of them 3s 6d \mathcal{L} day. That there were not very good Carpenters & thinks the Average price for them was a Dollar \mathcal{L} day. That in all he paid £25 [82] for these Improvements, but has no receipts to produce for any part

of the Work. He produced an Appraisement by Robert Payne, Josiah Peavett & John Denniston dated May 6th 1783 in which they had sworn they believed the House & lot to have been worth £400 at the time of the Purchase:—says that he likewise sustained losses by the Sale of his Furniture to the said John Cabado. That it had been purchased at different periods, some brought from New York and some from Charles Town but that he had no receipts nor had made any Entry in his Books respecting it That he had taken the Acc^t stated in the Schedule partly from M^r: Courtney's recollection. That he remembers he had two large Looking Glasses purchased at an Auction at Charles Town for which he thinks he gave £8 8s & that he sold them for £1 16s 0d.

A Dozen Pictures bought in Charles Town for 8s a peice [*sic*] Sold at 2s a peice Two Mahogany Tables bought in Charles Town for 5 G^s: sold for £1 16s 0d Twelve Mahogany Chairs bought in Charles Town for 20s ~~per~~ Chair Sold at 6s a piece A Horse which he bought of Capt Campbell w[h]en he first went to Florida for £16 he sold for £8 8s to the Cap^t of the Schooner That he did not pay the money to Cap^t Campbell [83] but allowed it in his Account. Admits that by Virtue of the Proclamation he might have conveyed away all those Articles except the Horse if he had thought them worth the removal.

M^r: PETER EDWARDS,²⁹ Witness, Sworn:

Says that he was resident in St Augustine in the Winter of the Year 1782 & remembers the Claimant coming there. That the Claimant purchased a House & Lot of him for £400 That he (the Witness) bought it in the Year 1780 of M^r: Mackinen for 200 Guineas or £215 (which was confirmed by M^r: Yeats's Extracts from the Records) but that he did not sell the whole of the Lot to the Claimant he reserved a part of it on which he built a House for him self. That the Lot was situated in George Street & contained in the Whole 130 Feet in front & about 100 Feet in depth. That what he sold consisted of about 90 Feet in front & the whole depth with the House upon it, but that there were no Outhouses. That when he purchased it the Lot was fenced in but the [84] House was out of repair & he laid out 200 G^s: in repairing it—That £400 was not a high price at the time of the Sale to the Claimant & thinks if he had kept it he might have sold it for £500

M^r: JOHN CHAMPNEYS,³⁰ Witness, sworn:

says That he was a Vendue Master in St Augustine & that he was Employed to

²⁹ Peter Edwards was one of the nineteen men elected members of the commons house of assembly in East Florida in March, 1781. When the house convened he was absent from the province, and did not attend until May 26. However, he declined to take his seat, having been appointed clerk of the house. See C. O. 5/572.

³⁰ John Champneys was a member of the committee of twenty-five loyalists, which was appointed

sell the Claimant's House & Lot after the news of the Cession. That nobody would bid for it but one of the Claimants friends who put it up at 40 Guineas.

M^r: HENRY EYRES, Witness, Sworn:

Says that he is Clerk to the Claimant and has lived with him in that Capacity 8 or 9 years. That he came with him to East Florida after the Evacuation of Charles Town. That he knows that the Claimant bought a House & Lot in St Augustine for £400 and built a Stable & small store House for Poultry, but no other Outhouses. That he brought a Clock & a quantity of Furniture [85] from Charles Town but he dont recollect the particulars. That he knows nothing of the purchase of the furniture or the price given for each but knows that the Claimant had a quantity of Furniture in St Augustine. That he knows that M^r: Cabado gave £53 15s for the House & Lot & saw the Money paid to the Claimant a few days before he left St Augustine. That he saw the Claimant deliver up the Papers to M^r: Cabado but did not see him Execute any Conveyance. The furniture was sold standing to M^r: Cabado but he dont know the price of each particular. That he knows the Clock was sold for £7 7s & the Pictures at 2s a peice & that the Money was paid in his presence, That he knows the Claimant sold a Horse for £8 8s 0d which was not half its Value & that he (the Witness) received the money for it.

He produced the Claimants Books & upon reference to Cap^t Campbell's Acc^t no Credit appeared to have been given for the Horse.

[86 blank]

[87] . . .

The Memorial of Henry Robertson

Humbly Sheweth. That your memorialist and his family resided several years in the province of East Florida, where he was possessed of considerable property, consisting of a lot of land and dwelling houses in the town of St. Augustine in the same province.

by their fellow-refugees in Charleston, South Carolina, to make representations to the commander-in-chief in their behalf in view of the proposed evacuation of the city by the British troops. The committee signed a warrant, dated August 13, 1782, authorizing Charles Ogilvie, Sr., and Lieutenant Colonel Gideon Dupont, Jr., to go to New York on this mission. If Charleston could not be retained the loyalists desired permission to "indemnify themselves from the sequestered estates within the British lines in South Carolina." Mr. Champneys' claim for loss in South Carolina was for £20,212 and his award was £5,204. His East Florida claim was £350 and his award £267 14s 6d. He is not mentioned by Sabine. See *Journal of Alexander Chesney*, pp. 116, 119; *Col. David Fanning's Narrative*, 1908, p. 37; C. O. 5/562 (3d Report of Commissioners for East Florida).

That your memorialist was obliged to leave his said property to the Spaniards, at the time the province was ceded to the King of Spain and is thereby become a considerable loser [*sic*].

[Concluding petition and signature.]

London 24th Aug^t 1786.

[88 blank]

[Schedule]

[89] The property of Henry Robertson late of the province of East Florida.

A lot of land situate on the east side of Charlotte street in the town of St. Augustine in the province aforesaid with two dwelling houses kitchen and other buildings thereon, part of which premises rent at

and the remaining part which he occupied may be worth

£182 ster.
50 do.

making together the yearly rent of

£232

[Witnesses.]

[90 blank]

[91]

No. 10. . . .

octr^r 26th, 1786.

M^r HENRY ROBERTSON, Claimant, sworn:

Says that he went from London to St Augustine in 1776 arrived there on the 23d of march 1776 and continued there, till the 1st of march 1785. That on the 14th day of april 1782 he purchased from Mrs Ann Weobley two stone houses and a small lot of land consisting of 67 feet in front and 57 in depth in Charlotte street for which he gave 131 guineas and that the purchase was registered (N. upon reference to M^r Yeats's extracts from the records no account appeared of this purchase having been registered) That in december 1784 he sold the whole of this property by the advice of Governor Tonyn by private sale to Don Manuel for 291½ dollars and gave him up all his title deeds and conveyances. That Don Manuel executed no instrument in return and that it was an absolute sale. He produced an appraisement dated the 23d of may 1783, and made by [92] Robert Mills George Grassell and John Pully upon oath valuing the said property at £600. That at the time of the purchase the largest of the houses which was not less than 36 feet long 16 feet long

[*i.e.*, wide] and 16 feet high was a ruin and that in august 1782 he was obliged to put [*sic*] it down and rebuilt it. That it cost him about 550 guineas. That John Tully was the stone builder and he thinks he paid him £7 ^{per} square; but has not the receipts to produce. That he kept no account of bringing the stones or lime, which was done entirely by negroes at a large expence, the stones being brought from above three miles distance and the lime from twenty miles distance, having no idea of it's ever becoming necessary by the cession of the province.

That the smaller house was not above 30 feet long, but of the same width and depth as the large one; that he repaired that by putting in new glass, laying shingles on the roof and a new floor in the back room That those repairs were done by Thomas [93] Anderson and cost £50. which he remembers from the circumstance of settling with M^r Anderson against whom he had an account of between £40 and £50 and to whom he thinks he paid seven pounds upon the balance. That, there being no outhouses at the time of the purchase, he built a fowl house, a hog house and a necessary of rough boards and roofed with the same.

That the lot of ground was fenced in when he purchased it, but the clapboards were mostly rotten and he was obliged to fence it anew in august 1782 with pine boards and cedar posts.

One side of the pine board fence was 27 feet, the other 67 feet long, and it was 8 feet high; he paid 16/ ^{per} 100 feet of pine boards. There were 12 or 14 cedar posts which cost seven shillings each Besides this there was the expence of nails and it was put up by a negroe who was at work upon it between 3 and 4 days and to whom he paid two dollars ^{per} day.

[Witness's confirmation and initials.]

[94]

October the 27th.

He produced receipts for repairs of the house amounting to £133 19s 1½d and a certificate from M^r David Yeats of his having delivered into the register's office in december 1784 an account of the sale of his house, to Don Manuel for 291½ dollars.

M^r JOHN MILLS,²¹ Witness, sworn:

Says that he knows the claimant was in possession of two houses in St Augustine in october 1782 when he arrived there. That the claimant had had a quantity of lumber from one of his relations Mr. Robert Mills but he does not know for what

²¹ John Mills was a justice of the peace at St. Augustine during the revolutionary period. His claim for lost property was only £70 and his award £11. See *Second Report*, Bureau of Archives, Ont., 1904, pt. I. p. 700; pt. II. pp. 717-718; C. O. 5/562 (2d Report of Commissioners).

purpose. That he has seen the receipts produced by the claimant and knows some of them to be the hand writing of the persons whose names are subscribed. That the appraisement produced was sworn to before him. [Witness's confirmation and initials.]

Mr: WILLIAM WATSON, Witness, sworn:

Says that he remembers the claimant [95] purchasing two houses in April 1782 at public sale of Mrs. Weobley, that he attended the sale and believes the claimant gave £130 for the purchase. That they were old houses and then in a bad state of repair, that the claimant repaired them, but he don't know whether he pulled any part of them down. That he can't tell what the expence of his repairs might be nor whether he put up a new fence, but that the fence was not in good repair when he bought it.

[Witness's confirmation and initials.]

Mr: ALEXANDER PATERSON, Witness, sworn:

Says that he rented the houses of Mrs. Weobley before the claimant purchased them. That he was at the sale and thinks the claimant gave about £120 or £130 for the purchase. That the houses were then out of repair. That he afterwards understood there were great alterations made by the claimant, and upon his return from his plantations where he went in may 1782 and continued about three months [96] recollects that part of the smallest house was pulled down and repaired, but does not know what was done in the inside nor did he observe any material alteration in the large house. That the lot when he rented it was fenced in by a low fence and that he saw no alteration in it upon his return. That he remembers the said lot and house to the time of the cession and did not observe any material alteration in the fence 'till it was sold to the Spaniards.

[Witness's confirmation and initials.]

FLEETWOOD ARMSTRONG, Witness, sworn:

Says that he bought the lot and houses for the claimant in 1782 for £130. That one of the houses was a kitchen but the claimant afterwards converted it into a dwelling house. That the largest house was but small, there were three small rooms upon the ground floor. The claimant pulled down the walls of the kitchen and built them up of stone and made it almost as large as the other house. [97] That he don't know what was the expence of that nor what repairs were done to the other house—That he was never in either of the houses after the purchase. That when it was bought there was a low clapboard fence to the lot and he don't know whether the claimant put up any new fence. That he knows nothing of the sale of this prop-

erty by the claimant or of it's being appraised:—neither had been done when he quitted St. Augustine.

[Witness's confirmation and initials.]

[98 blank]

[99]

No. 13 . . .

The Memorial of George Tallack
late of the Said Province of East Florida, Now of the City of
London; Ship carpenter.

Sheweth—That Your Memorialist, Resided for several years at St. Johns Bluff, where he by his Industry Acquired a Comfortable living which Maintained him and his family very Comfortably, Consisting of a Dwelling house and Kitchen with many other Improvements in the Market on the bay, of St. Johns Bluff, found to be every way convenient for Trade, Valued at fifty pounds Sterling, also a New frame of a house purchased at Twenty five pounds to be erected, where your Memorialist intended to [100] Settle for his life time, together with a Boat Valued to eight pounds, all which Amounting to Eighty three pounds Sterling, by the Appraise-ment of Two of his Neighbours, that well knew the said premises, And sworn to as well as Your Memorialist, before Justice W^m Hyde, by Nicholas Walsh in Clark-enwell Closs N^o 4. And John M. Donald at N^o 1 little Tuttle Street Westminster, as will more particularly Appear in the Schedule Annexed, That your Memorialist being long upon Sufferance, and like to come to the Greatest Distress for want of the Necessaries of life—he having spent, what little he could save of his small prop-erty Waiting Some Compensation from Government; Your Memorialist is now under the Necessity, to go some short space of time to earn some Bread; and leaves his Sister At N^o 7 Leicester Street Leicester Square, who will have directions, where to send for your Memorialist how soon Requested thereto by your Honours—

[Concluding petition, signature, date, and witnesses.]

[102 blank]

[103]

A Schedule . . .

A Dwelling house and Kitchen and other Improvements on a halfth Lot
of Land on the Bay in the Market place of St John's Sound Every Con-
venient for Trade

£50

Loyalists in East Florida

A New frame of a House two Storey high Almost ready to be Erected	20
which he purchased at a great Expence as Intended to settle for Life	8
the frame of a boat 22 feet long and other Materials belonging thereunto	£83

[Confirmation, signature, and date.]

[104 blank]

[105]

Oct: 27th 1786

M: GEORGE TALLACK, Claimant, Sworn:

Says That he went from Charles Town upon its last Evacuation to Tartola [sic] where he stayed some time, from thence to St. Augustine, & in the fall of the Year 1783 to St. Johns Bluff. That upon his Arrival in St. Augustine he knew that peace had been proclaimed but did not hear for certain that East Florida was to be given up. That at St. John's Bluff he went to live with M: McDonald & after he had been with him about 3 & 4 Months he began to build upon half a Lot of Land which he purchased from M: Austin who bought the whole Lot from M: Williamson; That he had no Conveyance of his purchase nor any papers respecting the same. That he bought the Materials for the building of different people & employed others in that work some of whom he paid by Wages & Others by finding them in provisions while he [106] worked himself at his trade of a Ship Carpenter. That the Expence of the Lot & building including the purchase money cost him £50 That he got a new frame of a House made by some Carpenters whom he paid in the same manner as the Builders, which he values at £20. That he likewise built the frame of a Boat which he Values at £8.

That none of his Property was Appraised in East Florida.

[Claimant's confirmation and initials.]

JOHN M: DONALD, Witness, sworn:

Says That he knows the Claimant built a House in St. Johns Bluff which he began about 2 Months after his Arrival. That it was a small Wooden House one Story high with two Rooms on the ground floor; That he dont know whether the Claimant bought the Lot but thinks the Value of that & The House upon it must have been £50 appraised it at that price since he came to England. That the Claimant had a parcel of Timber [107] for another frame of a House, all worked up but not put together which was worth between £20 & £25 but that he took some part of that Timber away with him.

The Documents

That the Claimant was likewise building a Boat in his Yard (but had not finished it,) which was worth £8.

Says That he first heard of the News of the province being given up in April 1783 but the Report was afterwards dropped.

[Witness's confirmation and mark.]

[108 blank]

[109]

No. 17. . . .

The Memorial of John Morgridge⁸²
late of Charles Town in the Province of S: Carolina in North
America at present residing in Chelsea.

Sheweth That your Memorialist after suffering many Months Imprisonment was on account of his Loyalty obliged for refusing to abjure his Majesty, to leave that Province in 1777 & returned thither in 1781 and at the Evacuation of Charles Town, 1782 went to St. Augustine, where he was possessed at the late Treaty of Peace of a Lot on which he had erected some Buildings.

. . . [109-110—Concluding petition and evidence.]

[110]

[111] . . .

October 31st 1786

M: JOHN MORGRIDGE, Claimant, Sworn:

Says That he arrived at St. Augustine in Dec: 1782, continued there till April 1784 when he went to St. Mary's, where he stayed till last Year That a few days after his arrival he had a Lot of Land granted to him by Gov: Tonym & produced a Certif: thereof from Gov: Tonym dated Sep: 6th 1786. That there was no grant made out because he intended to have run out a large tract upon St. Marys & to have gone through the officies [sic] with both together which would have been a great saving of time and Expence. That the Lot was 90 feet by 60 Situated upon the beach & parted from the street by William Weavers Lot.

That at the time it was granted it was vacant Land & entirely unfenced. That

⁸² See ante, p. 8, note.

he & one Negroe fenced it all round with a Clapboard fence 6 feet high, that [112] he began it in January & finished it in March 1783; That he purchased the Lumber of different people but has no receipts to produce. That he used 900 Clapboards which he purchased of Capt^r Rice & M^r Patrick Cunningham at Governor Grants Plantation for the purpose of this fence & gave 9s ⁷/₁₀ for them; 28 Posts some of which he cut himself, & others he bought at 1s a [sic] piece & 54 Nails which he purchased at 1s a piece. That he built out of the Waste Timber which he had in the Yard a small Wooden House 12 Feet by 16 & 7 feet high consisting of one Room with one Window and a Clapboard Roof. That the Expence of it as near as he could ascertain it, was £7 10s & that it was finished about the same time as the fence. That there were no other Buildings upon the Lot but a small Shed adjoining the House which did not cost above 20s. That he was constantly buying and selling Lumber & when he quitted St Augustine he left a quantity in the Yard to the Amount of £8. or £10. There were [113] 5 Dozen of oars worth 4s 6d ⁷/₁₀ oar; Seven or Eight Hundred feet of Ship planking worth 14s ⁷/₁₀ 100 feet and five or Six Hundred Clapboards worth 4s 6d ⁷/₁₀ 100. That upon his return from the Country in April 1783 where he had been about a fortnight in order to get a frame of an Hospital for the Navy he heard that the province was ceded to Spain; That he remembers when he was going into the Country seeing the Vessel in the Offing which brought the News, & that at that time all the Articles of Lumber which he has sworn to were in the Yard & he never purchased any afterwards

[Witness's confirmation and initials.]

M^r JOHN CHAMPNEYS, Witness, sworn:

Says that the Claimant commanded the Vessel in which he went passenger from Charles Town to St Augustine. That upon his Arrival there he believes the Gov^r gave him a Lot of Land which he knows was [114] vacant Land. That he dont know the Size of it but that it was very conveniently situated for a Lumber Yard. That they put up a Clapboard fence about 5 feet high all round it & built a small dwelling House & a Kitchen for his Negroes immediately after his Arrival. That he believes the Claimant built it himself & cut the Lumber himself. That he knows that he went into the Country to get Materials & never heard him say that he purchased any Part of it & that he was very well acquainted with him. That he cant tell the Expence of these Improvements that when the Claimant went to St Mary's he (the Witness) let the House & Lot out to M^r Robert Smith at 2 or 3 Dollars ⁷/₁₀ week That he knows the Claimant had some Lumber in his Yard when he went to St Mary's but not the precise quantity.

[Witness's confirmation and initials.]

Oct^r 12th

[115]

Gen^l ROB: CUNNINGHAM,³³ Witness, Sworn:

Says; That as he was going to St Augustine to Embark for Nova Scotia in Oct^r 1783 he met the Claim^t about 20 Miles from Augustine, who directed him to his House at Augustine upon the Beech. That he Accordingly went there and M^r Smith his Attorney gave him possession of one of the Claimants Houses for his Negroes for which he was to have paid 2 Dollars ⁷/₁₀ Week if he stayed any time That the Claimant had 3 or 4 Small Houses there. One was a Dwelling House for himself & the rest were Outhouses all nearly Equal. That he saw some oars & Lumber lying on the Claimants premises

[116 blank]

[117]

No. 18. . . .

The Memorial of James Hume³⁴
formerly Chief Justice of the said province [*i.e.*, East Florida],
but at present residing at Ranelagh square.

Sheweth That your Memorialist was seized in fee simple of a very considerable real estate in the said province consisting of settled plantations and other valuable lands,

³³ See Additional Notes, p. 315.

³⁴ James Hume was acting attorney general and a member of the council of Georgia in the early 1770's and until 1776. On December 1, 1775, the provincial congress extended its supervision over the courts of law. Hume denied its authority and refused to obey its mandate concerning the conduct of causes in the courts. He was therefore ordered to leave the province within a month. He probably went directly to England, where he set forth his grievance in a petition dated May 14, 1776. He was later appointed chief justice for East Florida to succeed William Drayton, who had been suspended the second time by Governor Tonyn about April 1, 1778. Hume did not arrive at St. Augustine until in April, 1780. He was a member of the provincial council and therefore of the upper house of assembly when the latter held its first session from March 27, to November 12, 1781. He continued in East Florida with Tonyn until November 19, 1785. After the evacuation of East Florida had been ordered, Mr. Hume and other prominent inhabitants addressed a memorial to Tonyn, dated September 11, 1783, remonstrating against the proposed disbanding of the provincial troops stationed in St. Augustine and calling attention to the "accumulated distress to which not less than ten thousand loyal inhabitants" would be subjected unless they were supplied with shipping to transport them to other British colonies. James Hume's claim to compensation for his losses in East Florida was £2,467 10s. The commissioners of East Florida Claims allowed him £1,525 5s 3d. See C. C. Jones, *Hist. of Georgia*, II. 142, 191; Egerton (ed.), *R. Comm. on Loyalist Claims, 1783-1785*, p. 63; *Second Report*, Bureau of Archives, Ont., 1904, pt. II. 1135; *Hist. MSS. Comm., Am MSS. in R. Inst.*, IV. 348; Sabine, *Loyalists of the Am. Rev.*, II. 534; C. O. 5/572; Additional Notes, *post*, p. 307.

and was also possessed of a personal property to a great value as will more particularly appear by the schedule annexed.

That in consequence of the cession of the said province to the King of Spain he was obliged to abandon his said real property and suffered also in his personal estate, all which he is ready to make manifest to the board.

[Concluding petition, signature, date, and witnesses.]

[118-119]

Schedule . . .

No. 1 A Villa known by the name of Oak Forest containing by grant One hundred and eighty acres of Oak land situated within four and an half miles of the town of St Augustine on which stood a neat dwelling house, kitchen, store house, stable, carriage house and other buildings. Several acres round the house were improved in pleasure and garden ground, and sixty acres were cleared and laid off in parks the whole was under good fence, an experienced gardener (assisted by ten sometimes fifteen, and sometimes twenty negroes two of whom were house carpenters) was constantly employed for several years in laying out raising & levelling and turfing the pleasure ground, in erecting bridges Chinese Chevaux de frize, and other ornamental and useful fences and in making canals planting hedges &c &c—Many thousand sweet and sour oranges, lemon lime citron shaddock and other fruit trees were planted some of which were beginning to bear fruit when the province was ceded. Mr. Hume conceives this villa must have cost him £1000 at the least, and had the province continued a part of the British empire would have been not only pleasant but very profitable

£1000 0s 0d £ 600 0s 0d

2. A settled plantation known by the name of Cypress Grove situated on six mile creek St. John's river containing by grant 2500 acres

Valuation by	Valuation by
M ^r Hume	Col. Brown
	& Mr. Panton

905 of which is swamp and oak land the remaining 1748 acres is pine land well timbered. M^r Hume had placed 105 negroes on this plantation had made great improvements 50,000 trees were boxed for the purpose of making turpentine, twenty two acres of the swamp were prepared for and planted in rice, and upwards of 40 acres of the oak land were cleared & prepared for Indian corn, an overseers [120-121] house kitchen corn house negroe houses and several other buildings were erected, but by the cession of the country Mr Hume was deprived of the estate and all its improvements

£1000 0s 0d £1039 18s 0d

3. Two valuable coach geldings and a riding horse, taken by an armed Banditti who when they heard of the cession of province collected together and committed depredations

76 13 0

4. A Settled Turpentine tract containing 300 acres on which were built several tar kilns, a number of trees boxed, negroe houses and other buildings

200 0 0 300 0 0

5. Two Tracts of land each containing 500 acres adjoining the rice plantation of Mess^{rs} Panton & Forbes,⁸⁵ on the west side of St John's river, one third very valuable swamp abounding with Cypress trees the other two thirds good pine land

190 17 0 190 17 0

Total amount of M^r Hume's losses sustained by the cession of East Florida to Spain

£2467 10s 0d £2130 15s 0d

[122] . . .

octr 31st 1786.

Mr JAMES HUME, claimant, sworn:

Says that he was chief justice of East Florida, that he had his appointment from this country in 1778 or 1779, arrived at St. Augustine in April 1780 and continued there 'till the last with Governor Tonyn.

That at the time of the cession he was possessed of 180 acres of land called Oak forest situated about 4½ miles from St. Augustine which he bought from

⁸⁵ See Additional Notes, *post*, p. 365.

Mess^{rs} Panton and Forbes about June or July 1780 soon after his arrival for £300 sterling. He produced two original Grants—One of 100 acres to John Meeke⁸⁶ dated 13th. March 1766—The other of 100 acres to William Drayton dated 13th October 1768—A conveyance by lease and release dated 11th & 12th Dec'r 1767 by John Meeke of his said 100 acres to William Drayton⁸⁷ for £25. A conveyance by lease and release dated the 9th and 10th Feb'y 1778 of 180 acres by William Drayton (he having parted with 20 acres to Dr. Cunningham)⁸⁸ to Mess^{rs} Panton and Forbes for £300 sterling and a conveyance by lease and release dated the 4th. and 5th. October 1778 of the said 180 acres from Mess^{rs} Panton & Forbes to the claimant for the said sum of £300 sterling. Says that at the time of his purchase there [123] was a neat wooden dwelling house, a kitchen a storehouse and a dairy. That the plantation was then in a very uncultivated state, except 40 or 50 acres of corn land in the front of the house which were cleared and these he afterwards converted into inclosures and used for pasture. That the tract chiefly consists of oak land well timbered, there were two swamps, which were about ½ aff acre broad near the house, much broader above, and ran the whole length of the tract which was upwards of a mile. That these swamps were fit for rice plantations but not used by him for that purpose. They were oak lands and the heaviest timber was upon them. That he meant to have made this a fruit estate induced by the accounts he had from M^r Fish of the profits arising from it, and had planted 9 acres with 3500 sour orange trees; they were seedlings of two or three years growth when planted which was in the fall of 1780 and Spring of 1781; that besides these he had about 700 standards in other parts of this plantation, some of which were beginning to bear in

⁸⁶ John Meeke is first mentioned in the Council Minutes of East Florida under date of June 25, 1765, when a petition from him for land near St. Augustine was read and a warrant of survey was ordered to be issued for a field of about ten acres. Four months later he petitioned for a grant of one hundred acres. His grant for this tract was signed by the governor in March, 1788. A few weeks later he obtained the grant of a town lot in St. Augustine. See C. O. 5/570.

⁸⁷ William Drayton was appointed chief justice of East Florida on October 7, 1765, in place of James Moultrie, deceased. About six years later he resigned from the council. Lieutenant Governor John Moultrie accepted his resignation and on November 15, 1771, appointed William Owen until the king's pleasure should be known. See C. O. 5/570, 5/571; also *post*, p. 316.

⁸⁸ Dr. Henry Cunningham's name first appears in the Council Minutes of East Florida under date of October 7, 1765, when he petitioned for a grant of land. The governor signed his grant of one hundred acres on March 13, 1766. About three months later Dr. Cunningham took the oath as an assistant judge of the courts of common pleas, general sessions of the peace, oyer and terminer, assize, and general gaol delivery. Early in November, 1768, was signed a grant of five hundred acres for Dr. Cunningham. On July 5, 1770, he and Chief Justice William Drayton were instructed by a royal commission to hold a special court of oyer and terminer at St. Augustine on the eleventh of the following August for the trial of certain runaway negroes. See C. O. 5/570, 5/571.

1783 and a great quantity more in the hedges. That the sour Orange grew wild in the province and the sweet orange succeeded very well. That his plantation had two landings, one on the north river about 1½ mile from [104] the house, and the other on St. Sebastian's creek about ¾ of a mile from the house, oak forest being situated between them. That he did not clear any land for cultivation and only improved it for a pleasure ground and fruit estate. That at first he placed a white gardener and two negroe carpenters upon the improvements, afterwards many more were employed. The gardener was there from 1780 to April 1783 and received £20 p^{er} ann. wages and upon an average from midsummer 1780 'till the news of the cession he had two negroe carpenters and six field negroes working under him. These were his (the claimant's) own negroes and taken from a rice plantation in Georgia. That the carpenters built a new outhouse 14 feet by 16, made afterwards into a storehouse, some negroe houses and did other work upon the estate. He produced an appraisement of this estate under the great seal of the province made upon oath by Col: Brown and M^r Panton dated 21st May 1783 and valuing this estate at £600.

Says that before the cession his servant told him that he was offered £800 for it by a Minorquin, but that he refused it and valued this property at £1000 upon the following calculations.

[125] That there were at least 120 acres of uncleaned land; some pine wood was intermixed with the oak between the two swamps for which he allowed 20 acres; and the remaining 100 acres of oak land would give 2500 Chord of wood at the general allowance of 500 Chord to every twenty acres

That this was worth 4/ p^{er} Chord if sold standing from the convenience of its situation 3/ p^{er} Chord being the common price and some having been sold at 4/ that was not so well situated in respect of conveyance.

For this Article he put down	£500
For the Buildings which he was told cost Mr. Drayton £300 & upwards	300
For the Improvm ^{nt} in which he included the Labour & Cloathing of Negroes, Wages to Gardeners &c &c which in fact amounted to £600	200

That fire Wood when Cut down Would fetch £1 1s p^{er} Chord at St. Augustine. That he sold 98 Chord to the Garrison part at that price amounting to about £30 & the rest which was delivered at the place of landing at 7s 6d p^{er} [126] Chord amounting to about £24. That he sold one of his Outhouses for 100 Dollars & some Doors & Windows for £6 That was all he got for his Property in Oak forest having frequently Attempted in vain to sell the Land after the News of the Cession.

November 1st 1786

M: HUME in continuation

That he don't know whether the Conditions of the Grants in respect of Cultivation were complied with: but that there never was an Idea in the province that purchasers bought settled Plantations subject to the risque of forfeiture for the non performance of the Conditions by the Original Grantees.

That he was likewise possessed of a Tract of 2500 Acres called Cypress Grove situated upon St: Johns River (which was navigable for Vessels of 200 Tons) & distant from St: Augustine by Land about 17 Miles—

He produced a Certificate from M^r: David Yeats of a Grant of 5000 Acres to Witter Cumming Esq^r on 20th Aug^t 1767. A Con- [127] veyance by Lease & release dated the 21st or 22^d June 1776 from Benj^t: Dodd Prov^t: Marshal to Arthur Gordon for £300 A Certificate of the register of Sale on 1st Oct^r 1776 by Arthur Gordon to Mess^{rs}: Godfrey & Hope for £400 A Conveyance by Lease & release dated 4th & 5th Nov^r 1778 from M^r: Godfrey of his *Undivided* Moiety (there having been no deeds of partition Executed though the Plantation was in fact divided) to Mess^{rs}: Alexander & Payne in Trust to pay debts.

A Conveyance by Lease & Release dated 1st & 2^d Dec^r 1778 from Mess^{rs}: Alexander & Payne to William Pengree for Considⁿ: A Conveyance by Lease of [*blank space in MS.*] date & release of 2^d Feb^r 1782 by William Pengree to the Claim^t for £300. Says that at the time of his purchase there were 30 or 40 Acres of high Land Cleared for Corn; 2 Acres or 2½ for Rice About 18000 Trees boxed for Turpentine—An Overseers House & some Negroe Houses built upon the Estate That he understood from M^r: Panton, the [128] Agent of M^r: Pengree, who said there had been a resurvey made of it while it was in the possession of Mess^{rs}: Godfrey & Hope, That there were 905 Acres of Swamp, Marsh & Oak Land & that the rest was Pine barren. That he had gone over the Plantation himself & thinks to the best of his judgment there were 200 Acres of Hamock Land fit for Corn & Indigo. 300 fresh Water Marsh & about 400 of Swamp Oak Land. That after the Purchase he cleared 20 Acres of Swamp Land for Rice & boxed 32000 Trees for Turpentine. cleared about 10 Acres of Hamock Land for Corn; built a New Overseers House, a stone House and a Corn House in which & in other work about the Plantation there were two Negroe Carpenters at Work for 8 Months. That he placed in January & Feb-

³⁹ Witter Cumming, merchant, was admitted as a member of the council of East Florida on December 2, 1765, until the royal pleasure should be known. On May 13, 1766, a warrant and instructions from the commissioners of the royal customs having been received by Governor Grant for the appointment of Mr. Cumming as comptroller of the port of St. Augustine, the state oaths and the oath of office were administered to him. By an order in council from England, Mr. Cumming received a grant of a 5000-acre tract of land, which the warrant of survey described as bounded by the River St. John and Six Mile Creek. See C. O. 5/570.

ruary 1783 upon his Plantation 105 Negroes includ^t Children—Col: Brown & M^r: Panton had valued this at £1039 18s but his Valuation was £1000 & formed upon the following Account of Expences.

[129] Provisions which he bought of John Ross ⁴⁰ in February 1783	£150	0s	0d
He produced a Receipt dated July 31 st 1783 for	54	19	3
& an Order for him to pay	50	0	0
To the Order of Robert Payne dated 8th. Nov ^r 1783 but had not the rec ^t for the remainder			
Paid the Widow of Swinney his Overseer his Wages up to November 1783	66	0	0
This appeared by a Receipt from Mess ^{rs} : Panton, Leslie & Co. Dated 14 th Feb ^r 1784.			
The Labour of Two Carpenters for 8 Months at £5 ^p Month	80	0	0
The Labour of 70 Slaves at £10 ^p Ann for Each for 8 Months	466	0	0
The price of the Plantation	300	0	0

That he charged the Labour of his Negroes up to November 1783 because tho they were agreed for in September 1783 they were not delivered till November. That he had made no charge for Clothing his Negroes or for the Plantation Tools. That in April or May 1784 he sold some

[130] Turpentine the produce of this Estate to M ^r : John Brown ⁴¹ for	£50	0s	0d
And Corn at different times for	20	0	0

He produced an Affidavit dated May 12th 1783 of his Overseer John Swinney who was dead confirming his (the Claimants) Acc^t respecting the Number of Negroes, the Swamp Land cleared, the boxing the Trees for Turpentine, and the Rice Plantations.

That he likewise lost by the Cession a Turpentine Tract of 300 Acres situated in the North Side of the North West Creek running into the Matenza [*sic*] River about 20 Miles from St: Augustine.

He produced a Grant to W^m: Drayton of the said 300 Acres dated 22^d May 1772.

⁴⁰ John Ross was one of the nineteen men elected as members of the commons house of assembly in March, 1781. See C. O. 5/572.

⁴¹ John Brown went from Scotland to Georgia in 1764, was employed as a tin worker for the Indian trade, and became the owner of a plantation in Queensborough. Later he sought protection within the British lines at Savannah, and on September 6, 1780, was appointed a lieutenant in the militia by Governor Wright. At the evacuation of Savannah he retired to St. Augustine, subsequently sailing to Nova Scotia, where he settled in Rawdon Township. His name is mentioned in the confiscation act of May 4, 1782. See *Second Report*, Bureau of Archives, Ont., 1904, pt. I. 60-61.

Says that Mr Drayton sold the s^d Tract to Alexand^r Gray and Alex^r Gray sold it to Robert Payne, but he had not these Conveyances nor any Certificates of their being registered. He produced a Conveyance by deed of feoffment dated 1st Aug^t 1782 from Rob^t Payne to the Claimant for £50 Says That he purchased this Tract for the Employment [131] of about 25 Negroes which came from Georgia. That it was all Pine barren Land Except 20 or 30 Acres which were Cypress & Oak Swamps.

At the time of the purchase it was Entirely uncleared, That his Negroes cleared about 5 or 6 Acres for Houses & Gardens for themselves. That there was a Landing upon the Matanza [*sic*] River which was navigable for Flats about Two or Three hundred Yards from this Settlement

That he Values

The Labour of 25 Negroes 5 Months at the rate of £10 ^{per} Head	
^{per} Ann	£100 0s 0d
Ten Barrels of Rice at £7 ^{per} Barrel, bought for Provis ^{ns}	70 0 0
Purchase Money	50 0 0

That he only got about 8s or £10 by Tar made on this Tract & that he has set down the Value at 200 though Col^l Brown & M^r Panton have appraised it at 300—

That he had likewise run out two Tracts of 500 Acres each situated upon Trout Creek, which was navigable on the West side [132] of St Johns River about 60 Miles from St Augustine: That these Tracts were Contiguous & had been divided into two Grants to Entitle him to a larger quantity of Swamp.

He produced the two Grants one dated 16 June 1782. The other 9th Sept^r 1782.

Says that $\frac{1}{2}$ ^d of each of these tracts was very good Swamp Land. The remainder Pine barren.

That he was at no Expence in Cultivat^g them making any Settlem^t or putting any Negroes upon them owing to the Arriv^t of the News of the Cession. That the fees & Expences of Survey cost about £16 or £17. These were valued by him & his Appraisers at £190 17s

Says That the only Personal Property he lost Consisted of Two Coach Horses taken in Feb^r or March 1784, by a Banditti under the Command of MacGirth⁴² from his Servants about 25 Miles from St Augustine. These he bought of M^r Penman in Dec^r 1782 for 60 G^{ns} & produced a rec^t dated 1. Dec^r 1783. And a Saddle Horse which he bought of [133] M^r Bradstreet for 13 G^{ns} & was taken by a Banditti about the fall of the Year 1783 he was informed by a Black Servant of his. For this he has no Receipt.

[Claimant's confirmation and initials.]

⁴² See Additional Notes, *post*, p. 328.

M^r DAVID YEATS, Witness, Sworn:

Says That in Oak Forest there was a large Proportion of Swamp Land & a considerable quantity of Oak Land. That upon it there was a dwelling House Kitchen, Dairy & Fowl Houses. That he knows the Claim^t was at a great Expence in clearing an Acre of Ground for a Garden raising the Ground about his house that it might be always dry, making inner fences of Cheveux de frize and inclos^g the greatest part of the Low Land with a Common Worm fence. That he don't know the quantity of cleared Land a Considerable part was cleared before the Claim^t purchased & he cleared some more. That the Land was fit for Corn & Rice and he knows that the [134] Claim^t planted Rice One Year.

That he likewise planted a great Number of Orange Trees. That the Claimant sold some Wood to the Garrison but dont know the quantity or the Price. That he (the Witness) Sold a quantity of Fire Wood Standing at his Plantation which nearly adjoined the Claim^t Land & was about $\frac{1}{4}$ of a Mile further distant from St Augustine & was $\frac{1}{2}$ a Mile from a landing at 3/ ^{per} Chord. The original contract was 2/6 ^{per} Chord but afterwards as wood rose he got 3/ ^{per} Chord. That he sold some of General Grants in a situation close upon the river but farther from the town at 4/. ^{per} Chord. That the common price of fire wood latterly at St. Augustine one guinea ^{per} Chord. That he thinks upon well wooded land as the swamp and oak land of this plantation were, there would be from 15 to 20 Chord upon an acre. That the claimant's nearest landing was upon St Sebastian's creek about half a mile from the plantation. That he has been over the whole plantation but cant from thence ascertain the quantity [135] of pine barren land: Upon reference to the plats he thinks there must have been 100 acres of plantable land and 100 acres of pine barren. That the conditions of the large grant of 5000 acres was that the land should be settled with protestant white inhabitants within ten years from the date of the grant in the proportion of one to every 100 acres. That if one third of the land was not so settled within three years the whole to be forfeited and such part of the tract as was not so settled at the expiration of the ten years was to revert to his majesty his heirs and successors.

[Witness's confirmation and initials.]

November 3d 1786.

M^r FRANCIS LEVETT, Witness, sworn:

Says that he was acquainted with Oak forest before and at the time the claimant purchased it, his own land adjoining it. He remembers Mr Drayton's building the houses upon the estate and has heard him [136] say that he paid £300 to Mr Humbert a carpenter for his work upon the buildings and is convinced they cost a

great deal more. That he don't know the time when Mr Drayton first began clearing the estate, but that he and his family lived upon it in the year 1770 and 1771. That he used it as a farm and planted corn and rice but that he Don't know the quantity of land that he cleared. That the oak and pine land were intermixed and though he had frequently been over the estate it was very difficult for him to ascertain the proportion which they bore to each other. Upon reference to the plats which are to be depended upon in small tracts he thinks there must have been 120 acres of oak land and the rest pine barren. That he knows the claimant planted some of the cleared land and likewise cleared some himself. That the first improvement he (the witness) observed was the raising of the ground about the house. This would not increase the produce of the estate but would have made the house sell for more. [137] That the claimant next made a very good garden of an acre or an acre and an half paled in; that he built some outhouses and planted a great number of orange trees; having got permission from him (the witness) in 1780 and 1781 to take several thousand young trees, which would have borne in about 4 years from an orange grove in Sandridge about a quarter of a mile distant from his (the claimant's) plantation. That the claimant cleared some of the land for that purpose himself; The chief expence of making an orange plantation arises from the employment of a number of hands. That he understood the claimant employed his own negroes as he had upwards of 100 in the country. That the only other improvements he recollects were a canal, a large pond in the front of the house and a Chinese bridge. That the price of wood standing in 1776 and 1777 was 3/ p Chord, he has heard that after that time it was sold at 4/ p Chord but he never knew any sold at that price. That in 1777 he being under contract with a barrack mas- [138] ter cut off 500 Chord from 19 or 20 acres of common hammock land and delivered it at St Augustine at one guinea p Chord. That some of it was taken off from part of the 20 acres which he had of Mr Meeke's land contained in the grant produced. That he thinks the claimant's wood was worth 3/ p Chord standing but not more. That there was no landing upon Oak forest, the nearest was upon a branch of St. Sebastian's Creek about $\frac{3}{4}$ of a Mile distant. That he can't ascertain the Value of this Estate, he would not have given £800 for it to have occupied it as a Plantation. In that View it was not of more Value at the time of the Claimant's quitting it than at the time of his purchase, but as a place of Residence or fruit Estate it was of much greater Value.

Says That he knew Cyprus Grove in Mr Godfrey's time before the Claimant purchased it but never saw it afterwards. That the Situation of it was very good, a part of it fronted the river & it was bounded by the 6 Mile Creek which ran all [139] along it That he knows nothing of any other Property belonging to the Claimant.

[Witness's confirmation and initials.]

Mr WILL^m WATSON, Witness, Sworn:

Says That the Claimant built One if not two Houses upon the Estate, but he can't tell the Expence of or the Value of of [*sic*] them That he likewise fenced the ground round the House with Chinese railing & planted a great number of Orange Trees. That he saw the Plantation frequently & thinks the Orange Trees would have borne in 4 or 5 Years from the time of planting them. That he dont know any other part of the Claimants Property.

[Witness's confirmation and initials.]

Mr PETER EDWARDS,⁴⁸ Witness, Sworn:

says That he lived at St. Augustine & knew Oak forest before the Claimant purchased it. At the time of the purchase it [140] was in an unimproved State. Messrs Panton & Forbes had begun to clear away some ground for a Plantation which was used by them for growing provisions. The Claimant planted that Land in the same way. That the Claimant cleared some of the Underwood about the House & above an Acre of Ground for a Garden which he fenced with a Palisade fence & Chinese Gate in front & a Clapboard fence to the rest. That he raised the ground about the House, put up the Outhouse in 1781 about 20 by 30 feet, which he thinks could not have been built for less than £100 & also some other Buildings. That the Claimant planted several thousand Orange Trees, & he saw the Plantation last in 1784, & some of them were then first in bearing, but he thinks not a third part of them. They were planted upon Land which did not require the large Trees to be cleared as they serve by way of Shelter to the fruit Trees. That he has seen in general 6 or 7 Negroes Employed upon the Improvements about the House & [141] sometimes many more.

⁴⁸ Captain Peter Edwards was Governor Tonym's secretary and was appointed by him clerk of the crown, and, when the commons house of assembly was elected, he was named clerk of that body by Tonym. As Mr. Edwards was absent from East Florida when the assembly began its session on March 27, 1781, and for some weeks thereafter, he was not sworn into office until May 26. Meantime, Stephen Haven acted as clerk by the governor's appointment. Captain Edwards was also clerk of the public accounts during the latter part, if not all, of Tonym's administration. His account is still preserved of expenses for freight of ammunition and ordnance stores from Fort St. Mark (now Fort Marion) at St. Augustine to the *Loyalist* and *Keppel* off the bar and for repairs to the *Nancy*, under date of May 4, 1780; also his account for extraordinary expenses for Indians in East Florida from July 1, 1779, to May 31, 1780, which he attested on February 21, 1783. Governor Tonym mentions Captain Edwards in a letter of November 14, 1782, as reporting the figures of disembarkation of troops and loyalists at St. Augustine. This was doubtless the first contingent from Charleston, which was not finally evacuated until December 24, 1782. Captain Edwards' claim for loss of property in East Florida was £1,013 and his award was £387 3s 4d. See *Hist. MSS. Comm., Am. MSS. in R. Inst.*, II. 118, 131, III. 22; W. H. Siebert, *Legacy of Am. Rev. to the Brit. W. Indies and Bahamas*, p. 8; C. O. 5/562 (2d Report of Commissioners on East Florida Claims).

That the Value of the Estate to a Planter (except with respect to the garden & Orange Plantation) was not raised by the Claim^r Improvements.

Says That he knows the Claim^r had 2 Coach Horses worth from £25 to £30 a peice [*sic*] which were taken upon St. Johns Road in the beginning of the Year 1784 by M^rGirth's Party, that he as Clerk of the Crown took the Affidavits respecting the fact & lost a Horse of his own at the same time. They were never afterwards recovered That Plunder was committed before the News of the Cession but not so frequently as afterwards. That the horses might have been conveyed away upon the cession of the province and that several were carried to Jamaica [New] Providence and Dominica.

The [*i.e.*, that] he don't know anything of any other property belonging to the claimant.

[Witness's confirmation and initials.]

[142] Mr ROBERT PAYNE, witness, sworn:

Produced the conveyances of lease and release dated the 12th. and 13th. of may 1773 from Mr Drayton to Mr Gray and from Mr Gray to himself dated 19th & 20th may 1773 of the tract of 300 acres situated upon the north side of the north west creek running into the Metanza [*sic*] which he says was chiefly pine barren, and run out by Mr Drayton for the turpentine and lumber; there were about 30 acres of cypress and oak swamp. That M^r Drayton never cultivated any part of it, nor was he (the witness) at any expence about it. That he never was upon it after the claimant purchased it. Says generally that the claimant made great improvements upon oak forest, but he cannot speak to particulars.

[Witness's confirmation and initials.]

[143]

No. 23

To COL. NESBIT BALFOUR and JOHN SPRANGER esquire, Commissioners appointed by act of parliament to enquire into the losses of all such persons who have suffered in their properties in consequence of the cession of the province of East Florida to the King of Spain.

The Memorial of Ann Webley

widow and sole executrix of Edward Webley, deceased.

That your memorialist's late husband lived many years in the town of St

Augustine in the province of East Florida & carried on the business of a merchant there.

That your memorialist after the decease of her said husband continued to live in Saint Augustine and carried on the same business on her own acc't until the news arrived that the town was to be evacuated and ceded to the Spaniards

That upon the arrival of such news many persons then indebted to your memorialist refused to pay the several sums due to her well know- [144] ing that it was not in her power to recover the same.

That your memorialist's loss amounts to the sum of four hundred and thirty seven pounds seventeen shillings & two pence as appears by the schedule hereunto annexed.

That your memorialist was totally deprived of getting her living and was by such loss and others very much reduced in her circumstances.

That your memorialist lives at No. 4, in George lane little East Cheap London and is ready and willing to attest the truth of her losses upon oath when required so to do.

That your memorialist refers your honors for further information to David Yates [*sic*] esquire late secretary to the said province at his house No. 27 in Gresse street the corner of Stephen street near Rathbone place who she hopes will substantiate the claim of your memorialist in question.

[Concluding petition, signature, date, and witness.]

[145]

A Schedule of sundry losses . . .

William Dott on sales	£ 95 17s 7d
Two negroes left	80 0 0
Two horses	10 0 0
one canoe	7 0 0
Goods and furniture sold to several persons who refused to pay for the same on acc't of the news arriving that Saint Augustine was to be evacuated amounting to	59 16 7
To a sett of bills returned protested	99 13 0
To a sett of do do	35 10 0
To a sett of do do	50 0 0

£437 17s 2d

Ann Webley.

[146 blank]

[147] . . .

november 8th. 1786.

M^{rs} ANN WEBLEY, claimant, sworn:

Says that she went to East Florida in june 1768 and resided there fourteen years. Her husband died in january 1782 and she was left sole executrix in proof of which she produced an attested copy under a certificate from Mr Yeats of the will which was dated november 30th. 1781. That upon her husband's death finding many debts and several consig[n]ments she proceeded to settle his affairs and for that purpose left East Florida on the 1st of july 1782, and arrived in England in august 1782. She left behind her two negroe women bought by her husband in june 1779 which cost £80. These she left with Mr. Dott her attorney who upon the news of the cession in 1783 went to Charles town and as she supposes carried them with him having never sent her any account of them.

Two horses bought by her husband about two years before his death which cost £10, [148] were likewise left with Mr. Dott and of which she has had no account.

A Canoe left with the same person which was bought by her husband about a year before he died and which she values at £5 10

She produced a receipt for £128 the price of the negroe women and a negroe boy but had no receipt for the horses or the canoe.

Says that there was due from M^r Dott to her arising from the Produce of Sales £95 17s 7d

Due from several other persons for furniture sold to them previous to her departure £59 16s 7d

which she left her Attorney M^r Dott power to collect in.

That she lost by a Bill dated 10th July 1781 & drawn by T. Henry Abbot upon Cox & Mair⁴⁴ Agents in London payable to her Husband M^r Edw^d Webley at 30 days Sight & returned protested as the Claimant was informed upon her Arrival in London £96 13s.

By a Bill dated July 5th 1781 drawn by T. Hen^r Abbott upon Cox & Mair payable to M^r James Scotland or order at 30 days sight which was indorsed as she says by him to [149] her & payment refused upon it £50.

That she has been informed Cap^t Abbot⁴⁵ is now in London in the Kings Bench.

⁴⁴ Cox and Muir were regimental agents, with an office at Craig's Court in London. They sought commissions for persons desiring to purchase them in certain regiments and advanced money for various corps of American Loyalists, as well as for the regular troops. For example, they are mentioned in 1780 as agents to the 84th Regiment, and they made advances to subsidize a party of the Maryland and Pennsylvania loyalists. On September 8, 1780, Sir H. Clinton ordered these sums to be repaid by the paymaster of their provincial forces. See *Hist. MSS. Comm., Am. MSS. in R. Inst.*, I. 29, 32, 89, II. 150, 179; C. M. Andrews, *Guide to Materials for Am. Hist., to 1783, in Public Record Office*, II. 286.

⁴⁵ A Captain Abbot tendered new paroles to Christopher Gadsden and other citizens on board the

By a Bill dated May 1st 1782 drawn by Henry Yonge⁴⁶ upon James Jackson & payable to Stephen Haven or Order which was indorsed as she says by him to her & payment refused £35.

That she has heard M^r Henry Yonge is now in [New] Providence.

That she sent out the two last Bills as soon as they became due & were refused payment to M^r Dott at St. Augustine about the beginning of the Year 1783 & has never rec^d any Account of them from him.

[Witness's confirmation and initials.]

M^r FLEETWOOD ARMSTRONG, Witness, Sworn:

Says That he knows the Claimant left one Negroe Wench with M^r Dott which was disposed of by him [to] M^r Peavett who still continues at East Florida.

That M^r Dott had some of her property [150] when he went to Charles Town in 1784 where he died in very poor distressed Circumstances. That he had seen some Bills which were drawn by Cap^t Abbott & M^r Yonge & returned protested to East Florida. That these Bills were given for Cash advanced by the Claimant in order to make remittance over to England. That Cap^t Abbot is in the Kings Bench & M^r Yonge in Providence he has heard that he is Attorney general there.

That he don't recollect any other part of the Claimants property [Witness's confirmation and initials.]

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No. 27. . . .

The Memorial of John Augustus Ernest, Esq:

Sheweth That your Memorialist now is, and has been Resident in London upwards of twenty Years; and at the late cession of East Florida to Spain was in possession

Fidelity in Charleston harbor, South Carolina, on September 3, 1780, after the capitulation of that town to the British in the previous May. These prisoners were about to be exiled to St. Augustine. It was probably the same Captain Abbot who is mentioned in a letter of Brigadier General Archibald McArthur, written from St. Augustine, September 14, 1783, to Sir Guy Carleton, as the person whom he would designate to deliver the barracks and public buildings "in the best order" to the Spaniards. He commanded the Royal Artillery at St. Augustine. See E. McCrady, *South Carolina in the Rev., 1775-1780*, pp. 724-725; *Hist. MSS. Comm., Am. MSS. in R. Inst.*, IV. 356; also *post*, p. 376.

⁴⁶ Attorney General Henry Yonge was a member of the council of East Florida, and *ipso facto* a member of the upper house of assembly which held its first session of more than seven months from March 27, to November 12, 1781 (C. O. 5/572). Miss Doggett speaks of him as district attorney (*Dr. Andrew Turnbull and New Smyrna Colony*, p. 158).