

Chapter 18. Claims for Reparations

COLONIAL GEORGIANS by Jeannette Holland Austin

Officials began asking to be reimbursed for inconveniences. John Terry's claim dated 1743 demanded 25 pounds be paid him for his care of the Saltzburgh passengers onboard the *Loyal Judith* in the year of 1741, especially since Mr. Vigera, who had been onboard the same vessel had been allowed 25 pounds. Terry was the Recorder in Frederica as well as Correspondent with the President and Assistants in Georgia, and he set forth the hardships which he had suffered while in office, as well as the losses sustained causing him to quit the colony. He had to go to Charles Towne to embark for England, and during passage, was taken prisoner by the French. The experience occasioned Terry to pay great and unavoidable expenses. The Trustees had encouraged him to go to Savannah, paying his expenses up to the midsummer of 1745 in salaries as a recorder and correspondent. But they did not pay him for his losses until after he left Frederica.

25 July 1750. Several inhabitants, including John Milledge and John Kays, complained they had received considerable damage by Malatche and his people during their return to the Nation last August, and that they had killed in the presence of his servants six steers on the Ogeechee River, that his plantation was robbed of corn and potatoes.

Rev. Mr. Bolzius said there was a greater demand for lumber from Ebenezer than their present saw-mill could possibly supply, and that they planned to erect a saw-mill nearby, if they could get iron work, and requested the Board to let them have the iron of a saw-mill in the public store, which he would pay for in time.¹

Now that the colony was safe, an abundance of people applied to William Stephens for land grants, and a number of Negro slaves were introduced into the colony. On 16 May 1749, the Board asked that a previous petition dated in 1735 be repealed, that is – *The Act for Rendering the Colony of Georgia More Defensible by Prohibiting the Importation and Use of Black Slaves or Negro's into the Same*. The long fight was over – now colonists could expand their plantations, grow rice and indigo and ultimately become rich.

Widow Quarme made a claim for primage on the freight of the German passengers which her husband, Captain Quarme, had transported from Gosport to Georgia in November of 1745. This group of passengers had an unfortunate beginning. The unlucky *Judith* voyage commenced with a group of one hundred seventy three protestants who petitioned the Trustees through their spokesmen, Matthias Wust and Wendel Brakefield, to go to Georgia. Their first attempt to reach Georgia was via the *Two Sisters* which sailed for Philadelphia (1744) on the ship of Captain Charles Stedman. Paying their own expense, they had scarcely left the English coast when their vessel was captured by Spanish privateers who took them to Bilbao. All their belongings were lost, and they were ransomed by the British and taken to the southern coast of England where those who could afford to do so, returned to Germany. In the meantime, their petition was granted and seventy-three persons agreed to sail, this time with Captain Quarme. However, the protestants were still plagued by misfortune as the crew and passengers caught the Palatine fever.

The fever killed the captain, Walter Quarme, and also Thomas Causton, who was returning to Savannah after being summoned to London to have his books audited. Among the survivors were Hermann Heinrich Lemke and Bartholomaeus Zouberbuhler, the new minister.

With the captain dead, and the first mate ill, this left no one to plot the ship's course. Luckily Zouberbuhler knew enough geometry to plot the course into Frederica, with six German passengers serving as crew members.²

Finally, from 1732 to 1739, some 17,185 acres of land had been granted for cultivation, and for the first time, the Trustees voted to give females land grants. In the year of 1736, 9,300

¹ Colonial Records of Georgia by Candler, Vol. I. 3 March 1750.

² The Georgia Dutch

acres of land were granted to private individuals. In order to encourage further settlement, land grants were offered to residents of other colonies.

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New settlements continued when Donald Kennedy of Darien, resident fourteen years, settled on land located on the Sapola River, which he cleared, planting thirty acres. He then asked to be granted an additional 300 acres which was situated at head of a creek upon Sapola River about two miles from lands owned by Mr. John Mackintosh B. ³

Roderick McIntosh petitioned for 500 acres, setting forth that for many years he was an inhabitant and had hitherto possessed no land, other than by permission of the Commanding Officers of Frederica, which land is near Darien, and he had made considerable improvements, had a large stock of cattle, and a garden. 3 March 1750.⁴

Alexander McDonald, had 50 acres about a mile from Darien, when he arrived 16 years ago, improved about 40 acres, but now unfit for cultivation; likewise he had another tract of 50 acres laid out for him at the disbanding of the Regiment about 8 miles from Darien, but as he had got a large stock of black cattle and horses, he hoped for larger tract, would resign two tracts of 50 acres each for 300 acres situated on a branch of the Sapola River, about two miles northward of lands formerly laid out for Capt. Patrick Sutherland. 150 acres ordered. 7 Nov 1753

George McDonald, 12 years in colony, possessed 50 acres, but having lost a great part of his cattle and had much sickness in his family at such an unwholesome place, was obliged to settle another piece of land, (nothing granted) 7 Nov 1753

Angus M'kintosh of Darien, was possessed of 50 acres some years ago, wants 200 additional adj. lands run out for Alexander McDonald on north side of Sapola River. Granted 100. 6 December 1753

John Mackintosh at Darien, agreed to supply the disbanded soldiers who settled southward of the Medway River and brought in his accounts, showing 17 soldiers with wives and children, making 37 heads. They made inquiry and found that these families had settled and cultivated their lands, having sufficient crop for their families support. 16 Nov 1750

According to their 1732 Charter, Georgia's Trustees were to govern until 1753 when they would relinquish to the colony to the crown. But Georgia never lived up to its expectations for the entrepreneurs, so several of them hastened this process. In 1752 they voluntarily surrendered the charter. From that date on, Georgia's official boundaries were determined by the crown and boundaries were spelled out in the royal commission issued to a governor at the time of appointment. These commissions, supplemented by additional instructions on specific matters, constituted the legal authority for a royal colony, and, in essence, served as a colony's constitution.

Before the charter was surrendered, complaints were continuously before the Georgia Board of Trustees to regulate trade with the Indians, as certain traders overstepped their bounds. After the surrender, and His Majesty appointed a Governor and Council to govern the colony, regulations were taken to control trading activities upon the various tribes. In 1761, persons were granted licenses to trade in the Creek Town districts.

Thus, the expiration of the Trustee's Charter in 1752, a royal government was established in Savannah, and life in the colony improved dramatically. The Privy Council appointed Capt. John Reynolds as Georgia's first governor. The document which was drafted defining the borders as beginning at the Savannah River southward to the Altamaha River, and westward from said rivers to the south seas. Governor Reynolds requested that the southern borders be extended to include the southern stream of the Altamaha River as there were many English settlements and a fort garrisoned with a corporal and six soldiers.

³ 5 September 1753

⁴ Colonial Records of Georgia by Candler, Vol. VI

During the period of the Trusteeship, 1733-1752, record keeping in the colony was unsystematic. COLONIAL GEORGIANS by Jeannette Holland Austin
The first Georgia Assembly met in 1751, the members being Francis Harris, John Milledge, William Francis, William Russell of Savannah; George Codagan, David Douglas of Augusta; Christian Riedelsperger, Theobald Kiefer of Ebenezer; William Ewen of Abercorn (basket maker and apprentice boy to Thomas Causton in the Savannah store); Joseph Summers of Little Ogeechee; John Barnard of Skidaway; Audley Maxwell of Midway; and John Mohr Mackintosh of Darien. In 1754, Sir John Reynolds was duly appointed to the position of Royal Governor, who improved procedures. By 1755 Georgia had a colonial assembly which met in Savannah, fully organized, including militia and courts. The first councilors appointed were: Patrick Graham, Sir Patrick Houstoun, Bart., James Habersham, Alexander Kellett, William Clifton, Noble Jones, Pickering Robinson, Francis Harris, Jonathan Bryan and William Russell. In 1756 Reynolds resigned his position as Governor, and was succeeded by an explorer, Henry Ellis, who arrived in Savannah in 1757. It was Governor Ellis who divided the province into parishes in 1758.

In the middle of the Cherokee War (1758-1761), James Wright arrived in the colony to be Governor. That same year, King George III ascended to the throne of England.

Settlers sought the status of freeholders...that is, owners of land which normally passed in title to the eldest son. During the 1750's, applicants by the droves applied for land grants, some already having improved lots and desiring more land to cultivate; others returning from the Carolinas, migrating from Virginia and Maryland, seeking rich soil and the opportunity to become planters;⁵ while others had accumulated cattle and Negroes and need land to grow their crops. John Mohr Macintosh, clan leader in Darien, and Isaac Cuthbert of Savannah were among those settlers who began developing rice plantations with the use of Negroes.

From 1750 to 1775 James Habersham was one of the largest rice planters in Georgia and resided on his plantation *Silk Hope* which contained 3,423 acres in the District of Little Ogeechee, Christ Church Parish. Joseph Butler appeared to have purchased this plantation during the latter portion of the 18th century. Robert Habersham, son of Joseph, acquired *Lapithowly* Plantation, later Deptford, which adjoined *Causton's Bluff* on the west. He also owned a larger number of slaves, as well as rice mills in Yamacraw, and took over his father's commercial (rice) enterprises.

⁵ By definition a Planter (versus farmer) owned more than 20 slaves.