From Slave Owner's Son to African Baptist Church - how one parcel of land transferred in Digby County, Nova Scotia

By Brian McConnell, UE*

A short distance along the main road outside the Town of Digby, Nova Scotia is an area now known as Joggin Bridge and nearby Digby Joggin. The area was settled by Black Loyalists and their descendants who arrived after the American Revolution. The Acaciaville Baptist Church which is only a few miles from Joggin Bridge traces its history back to this area and its people. It was also one of the founding members of the African United Baptist Association of Nova Scotia in 1854. (1)

The African Baptist Church was conveyed lands in Digby County in 1875 which had previously been part of a larger property purchased from David Rutherford, Executor of the Estate of his father Henry. (2) Henry Rutherford came to Digby in 1783 from New York as a United Empire Loyalist. Originally believed to have been born in Ireland, Rutherford had emigrated to White Plains, Westchester Co., New York about 1772. There he formed a business partnership with George Nash, a native of Scotland, as 'Rutherford & Nash', merchants. Both of them also came to Digby and worked together as merchants. In 1793 Rutherford was elected to represent the Town of Digby in the House of Assembly serving until 1806 and then representing the County of Annapolis from 1806 to 1808. He also owned four Black slaves in 1807, being a man, a woman, and two children. (3)

After Rutherford died on February 21, 1808, an obituary from another notable Loyalist, Reverend Roger Viets, who had served prior to the American Revolution at St. Andrew's Parish in Simsbury, Connecticut and arrived Digby in 1787 becoming Minister of Trinity Anglican Church, described him as:

"...a gentleman, universally known and universally esteemed; a magistrate, etc... He was well known to be kind, generous, hospitable, honest, an obliging neighbor, a father to the poor, and a friend to mankind. He had been a long time the chief guide and support of the Commerce and Navigation of Digby. Having acquired a capital estate by honest economy and diligence, he made the best use of it. He has left a widow, a sister, five children, and very numerous friends to bewail their irreparable loss." (4)

Within Digby County there were also several Loyalists with military experience during the American Revolution who owned Black slaves in 1807. Colonel Isaac Hatfield of Digby who had commanded a corps of Loyalists from Westchester, New York had two male slaves, two female slaves, and one child. Two Loyalists who served with the New Jersey Volunteers and later settled near Weymouth also had Black slaves. These were Colonel John Taylor and Lieutenant Colonel James Moody. Taylor had two male slaves, two female slaves and two child slaves, while Moody had two male slaves, one female slave and five child slaves. (5)



Aca ciaville Baptist Church

By Deed dated August 25, 1875 and recorded on September 30, 1875 in the Land Registry for Digby County, Nova Scotia, Joseph Francis of Digby Joggin, Yeoman, and his wife Elizabeth Francis conveyed a lot of land for the consideration of one dollar at Digby Joggin to George R. Neale of Preston, Minister of the African Baptist Church, James Smith, of Weymouth, Deacon of the said Church, and Charles Francis and Joseph Francis, both of Digby Joggin, Trustees of the African Baptist Church. (6)

The parcel of land which was stated as "*being for Church purposes for the said denomination*" was described as:

"All that certain piece or parcel of land situate, lying and being on the West side of the Main Road leading to Digby Joggin in the County aforesaid and abutted and bounded as follows: Beginning at a Certain Marked Spruce Tree on the West side of the Main Road; From thence Southerly whatever come it may along the said Road 100 feet; From thence Westerwardly on whatever course it may be 80 feet; From thence Northerly On whatever course my be 100 feet; From thence Eastwardly on whatever course it may be 80 feet to the Place of Beginning."

	A H I A A A A A A A A A A A A A A A A A
	Josephi Francis To george Releate at al to Some met dul this in dentice
24	Viceon ded the 30 Jennier 1875 CA He Goat gulphan to open the
- A	Cortherer J. J. Bacen Boj 18 Colin laup bell Sont Reges nim With day illugest
	in the year of Con Lond one Themand Englithund id in Storonty Day . Between
	In the year of low Lond one themaind and with manual and the presence of the te-
	Storeft Francis of Legter Saggin in the county of Sigly In the procence of transfer
-	und Samenan of Canada Seconan and & ligabeth Same my regel the
	inchart, and george it heale of Bittenen The lounty of Hullper low the cloume-
-	2 Quincian of Canada apenaica Minester Athe aprican Baptich Churchen
	Some South of Maymouth in the lowning of Light in the prevence land Somer and
	Canada specarie Scalon Athe Quis Church Charles Francis and Scorth Francis
	both of Sigly Jossen in the County of Sigly in the Privince and Somenias grands
1.	ton a garger to the other of the thing of and and ton mention and one
	apresand seconon Spector of the apress Baptist Church and Tengoego to on some come
	ned at Digly Sugen another Successin office of the other haat - Witnesseth_
	That the said Sorph tannis and Elizabet is Vige to and in Sender attend
	The premies in the serve of one Solland Law the Oroney of Consider to Them in hand_
and the second second	part by the said George Maheale Same South Charles Francis wor Souph Francis
	at on before The enceding and delevery of these dressints the acoust the heard wheneby
	admondedfed Have and cash of them Hather granted has wined sold blened an
Strate .	Je Alex released conveyed win confirmed win by the presents Do on reach of them
and the second	toth grantburguen sele allen enterff silen convey and contining wate the such
111	George R. Acale, Sunn Smith Charles Francis mit Salphe Frances and Thur woon
ale	son in office la our all that entari hice a havel of lund situate bying so-
The second second	being on the Most sede of the moun Usad leading to Segura for County
Carl Maria	clair is al the a new hounded as bothers (in the
Section 2	Annaid admitter and Bounded as follows Eig, ling seman g at a fortace Martad
San Con	Spine the in the West side of the same Hoad in Thense Sont and politication
the states in	Come it may be along the said Mand one hundred lest from there thestones aly
14	on whatener come it may be beighty lest per thence Norther a ley on whatever
Real Providence	Leures it may be one hundred hat from Thence Castin and you what one lowit
	may be alghty feet to the place of beginning the saw Let being to Chord hickory
1000 - 100 -	fathe said Lon omen allon, To gether with ull word sin rolus the houser buildings
the second	thead man water water lounes carements prices so Adunting any lites
	Remarked on in any wise attentainen' gine the Pourier an Placements
	- and and lim and in lost 1 lance 3 ha a lotter , Or to All the she
Ala and a second	and the state of the let of the last in the state of the
	Francis and Elis stell in arreis in links to arthe att
	Teanin and Bly solt in wheir in liste a either of them of the and South the same and oney hart Theney - Sa Have ann de Held the saw Lot prese and America Lend
· · · ·	The and the and the and the and the and the and the sell of the
The state of the s	

First page of Deed to African Baptist Church with names of parties highlighted by yellow underline

above described and every Sent there set the minin and sponten oneis ani years is all Same Smith Prarles Francis and Soup Stra Then dicercossion africe In ouce and the diser Strange Surneis for her hurs accention and administration date bottom month ga ant commont and apre to and with the land new por the cheale Simon Simoth Tharker D. and South Gamer than Excenden a doment hat on a signo in Ina following that to to Jay Mathe Sine Jawa Borigh Francish all good laspec authority the want lite and Course to save son yes wit and have Resources the Suscence and form as the same as Chiney Toning ou crailendle and further that the said South Beares for Sunself and her It are the sau Jaca george R. Acale Sources Smith Praily Famels and South Soun eya Queenson, in office for the sais thurch on a low sugalow a jourst all Borrows Che the same that and will to anot and for our defore by these mounts . An Witness These of the Beatres to these mante have house to subsordies Then have and affered This Scale the day and year Just above written, - y torophile X 9 ungua Series and Saleunden termined, Elisabeth Fr howy initienad sollareas At

Second page of Deed to African Baptist Church ex ecuted by Joseph Francis and Elizabeth Francis by ea ch making an 'X' as their mark

George R. Neale, the Minister of the African Baptist Church whose address was shown as Preston, Nova Scotia was born in Georgia, USA in 1807. He was ordained in 1864 and Minister to the United Baptist Church in Preston from 1869 to 1893. It was reported he would walk from Preston to Yarmouth, Nova Scotia to attend meetings of the African United Baptist Association. (7)

On December 9, 1904 the Trustees of the African Baptist Church Congregation at Digby Joggin, then being Randolph Langford of Granville, George Barton of Jordantown, and Joseph Francis of Joggin Bridge executed an Indenture which released to Frank Nichols, solicitor, all the interest of the African Baptist Church in the property as consideration for a loan of \$250. It provided that if the loan was repaid in one year with interest at a rate of six per cent then the document would be void. (8)

In subsequent years members of the congregation of the African Baptist Church established their church where the Acaciaville Baptist Church is now located. It is now one of 19 churches throughout Nova Scotia which are members of the African United Baptist Association. (9)

Notes:

* This article was completed by Brian McConnell, UE on February 14, 2019. He can be contacted by email at <u>brianm564@gmail.com</u>

(1) "Return of schools in the County of Digby for the year ended the 30th Nov. 1838", R G 14 vol 12 no 73 (1838) (microfilm no. 21875), N.S. Archives. Also see website of African United Baptist Association of Nova Scotia at <u>http://www.aubans.ca/web/about-us/history/</u> as accessed February 9, 2019

(2) By Deed recorded September 22, 1837 in Book 14 at Page 27 at the Land Registry of Nova Scotia for Digby County David Rutherford conveyed to Joseph Francis and William Francis 'ninety acres more or less' for the sum of 67 pounds 10 shillings.

(3) "Petition of John Taylor and others, Negro proprietors", December 1807, RG 5 A, box 14, doc. 49, N.S. Archives

(4) Wilson, Isaiah, "A Geography and History of the County of Digby, Nova Scotia", Holloway Bros., Printers, Halifax, 1900, pages 334-335

(5) "Petition of John Taylor and others, Negro proprietors", op cit.

(6) Deed recorded September 30, 1875 in Book 42 at Pages 434-435 in Land Registry of Nova Scotia, Digby County

(7) "A Brief History of the East Preston United Baptist Church - 175th Anniversary Booklet", August 17, 2017. See website of East Preston United Baptist Church at http://epubc.ca/about-epubc/church-history/ as accessed February 9, 2019

(8) Deed recorded December 20, 1904 in Book 90 at Pages 99 - 101 in Land Registry of Nova Scotia, Digby County

(9) The African United Baptist Association of Nova Scotia is divided into 4 districts. Acaciaville Baptist Church is in District Two. Others in this District are: Gibson Woods United Baptist Church at Gibson Woods, Kings County; Greenville United Baptist Church at Greenville, Yarmouth County; Inglewood United Baptist Church at Inglewood, Annapolis County; and Mount Beulah United Baptist Church at Weymouth, Digby County. (Source: http://www.aubans.ca/web/about-us/history/ as accessed on February 9, 2019)