

The Black Cemetery at Conway, Nova Scotia as a Reminder of Brinley Town & the Loyalists

*By Brian McConnell, UE **

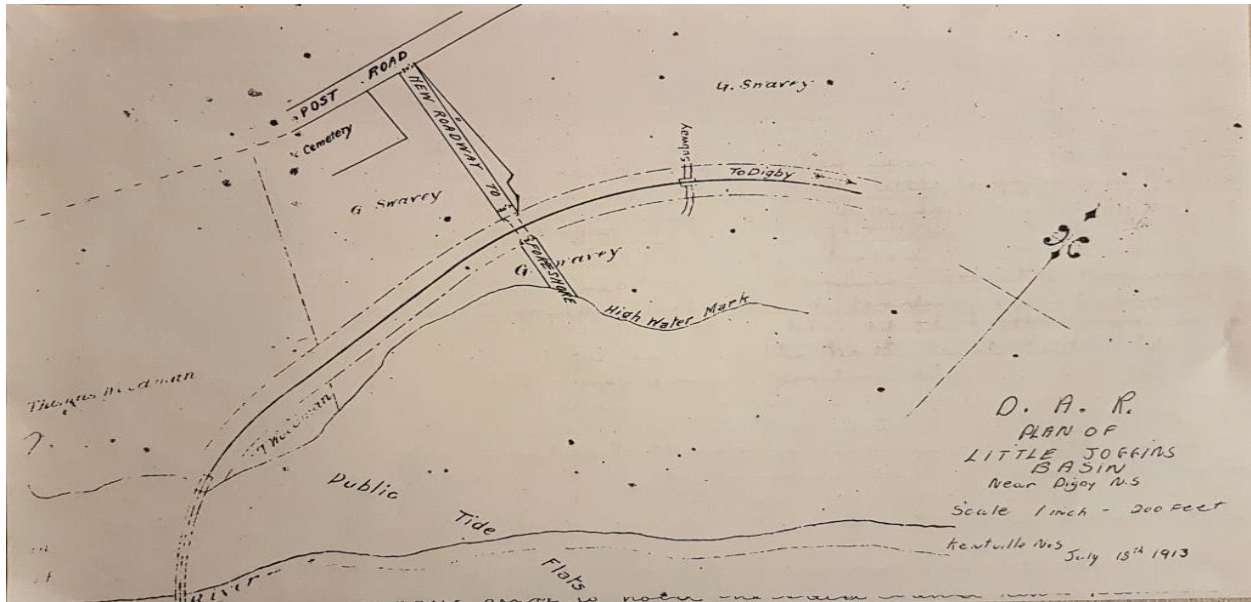
As you approach the Town of Digby, Nova Scotia on Highway 303 you pass by a cemetery at Conway. It is only a few kilometers from downtown Digby and has been referred to as the Black Cemetery.(1) Conway includes the area where the community of Brinley Town, sometimes spelled as Brindley Town, was started after the Loyalists arrived at the end of the American Revolution. (2) Brinley Town consisted of 76 one acre lots of land granted to the Black Loyalists by Governor John Parr of Nova Scotia on July 29, 1785.



Old Stones visible in Black Cemetery at Conway

Land records dealing with property holdings indicate the cemetery was formerly referred to as “the burying ground used by the colour population.” This reference appeared in a Deed dated June 21, 1922 from Arthur L. M. Swabey which conveyed a 33 acre lot of land to Gertrude S. Dukeshire and reserved out the cemetery. (3) Later Deeds include references to being “lands of the African Baptist Church and used as cemetery” and “commonly known as the coloured cemetery”. (4)

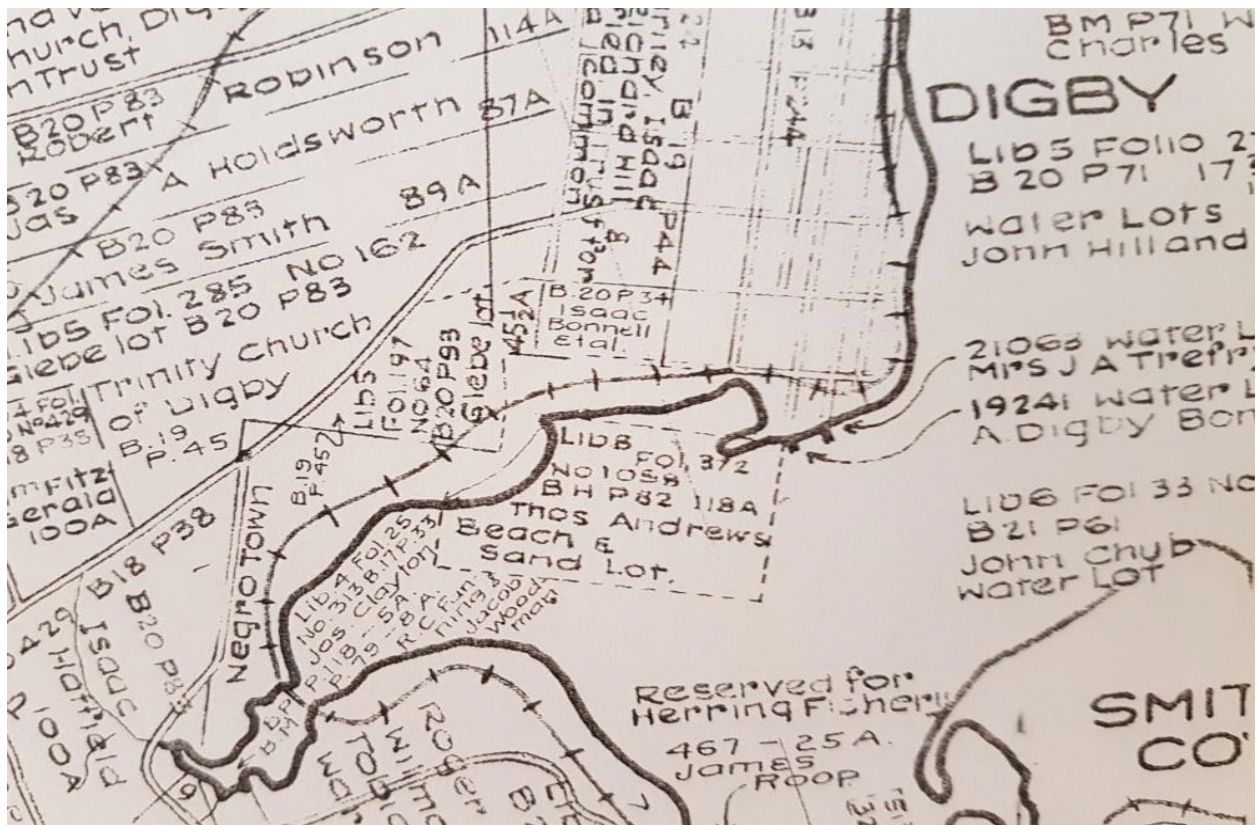
The location of the cemetery beside Highway 303, formerly called the Post Road, appears on a Dominion Atlantic Railway Plan completed on July 13, 1913.



Cemetery as shown on 1913 Plan

Among the gravestones in the Cemetery appear some with the surnames Barton and Johnson.(5) Both of these names were ones of Black Loyalists who settled in Annapolis and Digby Counties. There are also gravestones which have not been identified and as well it seems people were buried many years ago for which no stones are no longer visible. A listing of the identified gravestones appears in the attached Appendix A.

Roger Viets, the Anglican Minister for Digby from 1787 to 1811 made regular visits to Brinley Town and referred to it as "Negro Town". It also appears with that name on a map compiled in 1946 by the Nova Scotia Department of Lands and Forests of the so-called "Hatfield Grant". The Grant was made in 1801 when lands throughout Digby County, which was then known as Annapolis County, were granted to settle land claims. Viets noted that in 1791 he had 50 Black Anglican communicants while the next year in 1792 there were only eight. The Methodist Society of Brinley Town also closed in 1792. (6) It seems approximately three quarters of the inhabitants of Brinley Town may have left by the early 1790s.



Map based on Hatfield Grant of 1801 showing Negro Town, originally called Brinley Town, located left of middle along the Little Joggin of the Basin of Annapolis

Negro Town, as Brinley Town later became known in the early 1800s, appears on the map above. It is bounded to the north by lands of Trinity Church of Digby and on the west by Isaac Hatfield who was originally from Westchester County in New York and commanded a corps of Loyalist volunteers in the American Revolution. He was one of the first Wardens of Trinity Anglican Church. (7) On the map to the East is shown Digby. The map also indicates the railway line as it passes through Negro Town and heads on to Digby.

Brinley Town was named after George Brinley, a merchant from a prominent family in Boston who was banished in 1778 for being a Loyalist and went to Halifax, Nova Scotia. There he served as Commissioner General to the British Army in America. He died in 1809 and was buried in Halifax in the Old Burying Ground.

Among the Black Loyalists who may have remained longer in Brinley Town were John Custus and wife Chloe, John Shepherd, Jacob Bounmel, John Godfrey, Harry Breven and wife Hagar, Samuel Farmer, Robert Johnson, and John Williams. (8) This is evidenced by Deeds for one acre lots of land in Brinley Town executed by them with their 'X' mark later than 1792, by which time the largest number of Blacks had left. Deeds were also executed by others with surnames which appear in the list of "Refugee Negroes settled at Digby" in 1784. They may have been children who came of age or spouses. The list included 49 men, 35 women, and 17 children amounting to 101 who settled in Digby.

Where mustered	Names	Men	Women	Children under 16	Children over 16	Total	Remarks
Digby	Casty - -	1	1	.	.	2	Refugee Negro settled at Digby
	Bristol Godfrey	1	1	.	.	2	
	John Jackson	1	.	.	.	1	
	Henry Mitchell	1	1	.	1	3	
	Henry Berig -	1	1	.	1	3	
	John Godfrey -	1	.	.	.	1	
	Thos Tucker -	1	.	.	.	1	
	Gaff Benson	1	1	.	2	4	
	Ed. Godfrey -	1	.	.	.	1	
	John Cushman	1	.	.	.	1	
	Daphne Mills	.	1	.	.	1	
	Thomas Griffiths	1	1	.	1	3	
	Miles Jordan	1	1	.	.	2	
	David Edmunds	1	1	.	2	4	
	John Jordan	1	1	.	1	3	
	John Babus -	1	1	.	.	2	
	Benj. Nelus -	1	1	.	3	5	
	Robt. Johnston	1	1	.	.	2	
	Benj. Bush -	1	1	.	1	3	
	Saml. Tomking -	1	1	.	.	2	
	Wm. M. Knight -	1	1	1	.	3	
	Christ. Naines	1	1	.	1	3	
	Henry Reddick -	1	1	.	1	3	
	Long Head -	1	1	.	.	2	
	Henry Warren	1	1	.	.	2	
	John Lawler	1	1	.	.	2	
	John Warren	1	.	.	.	1	
	Mariza Jordan	1	.	.	.	1	

Page above shows some of "Refugee Negroes settled at Digby" from "Return of Negroes and their families mustered in Annapolis County between the 28th of May and the 30th of June 1784"

The land records for Digby County, Nova Scotia indicate female as well as male Blacks executed Deeds for lots in Brinley Town. On April 8, 1822, Jane James, Black woman, possible wife or daughter of Black Loyalist Robert James who appeared on the 1784 listing of refugee negroes settled at Digby, signed a Deed by making her mark of an 'X'. (10) It was for two lots of land of one acre each, being lots six and seven in Brinley Town. She was paid eight pounds.

7th
 Jane James
 Charles Budd
 Entered 8th April
 1822 on the 8th
 of Henry Budd
 This Indenture made the 8th day of April in the year 1822 Between Jane James Black woman of the Township of Digby County of Annapolis of the one part and Charles Budd of the same place of the other part Witnesseth that the said Jane James in consideration of the sum of eight pounds lawful money of Nova Scotia to her in hand paid by the said Charles Budd the Receipt whereof is hereby acknowledged hath granted bargain sold conveyed and by these presents do Grant bargain sell convey and assign unto the said Charles Budd his heirs and assigns all and singular those two lots situated in the Township of Digby aforesaid known and distinguished by the names of Brinley six and seven in Brinley Town so called at the Head of the latter Lagoon containing two acres more or less with all and singular the privileges and appurtenances therunto belonging or in any wise appertaining and the Rents rents issues and profits thereof and all the other rights and title within in law or equity of her the said Jane James or to all and singular the said premises and every part and parcel thereof with the appurtenances to have and to hold unto the said Charles Budd his heirs and assigns forever and the said Jane James for herself and her heirs the said lots and pieces of land appurtenances and the said Charles Budd his heirs and assigns shall well forever warrant and defend against all wrongs and pressures whosoever. In witness whereof the said parties have hereunto set their hands and seals the day and year first above written
 Signed sealed & delivered
 in the presence of
 Henry Stedwell
 Jane + James
 mark

1822 Deed for Lots 6 & 7 in Brinley Town from Jane James, Black Woman

The Deed has been transcribed to read as:

*This Indenture made the 8th day of April. 1822
Between Jane James, Black woman of the Township of Digby,
County of Annapolis of Digby, of the one part and Charles Budd
of the same place of the other part
Witnesseth that the said Jane James in consideration of the
sum of eight pounds lawful money of Nova Scotia to her is
been paid by the said Charles Budd the
receipt wherof is hereby acknowledged Hath Granted bargain
and sold and by these presents do Grant bargain sell
unto the said Charles Budd his heirs and assigns all and
singular those two lots situate in the Township of Digby
aforesaid known and distinguished by the names of numbers
six and seven in Brinley Town so called at the Head of the
Little Joggin containing two acres more or less
with all and singular the privileges and appurtenances
thereunto belonging or in any way use appertaining with
Revision rents of and profits thereof and all the Estate
rights and title either in law or equity of her the said Jane
James of in and to all and singular the said premises
And every part and parcel thereof with the appurtenances
to Have and to Hold unto the said Charles Budd his
heirs and assigns forever and the said Jane James for
herself and for her heirs the said lots and pieces of lands
or premises and the said Charles Budd his heirs and assigns
and will forever warrant and defend against all and every
person and persons whomsoever. In Witness whereof the
said parties have hereunto set their hands and seals this day
and year first above written*

<i>Signed sealed & delivered</i>	<i>her</i>
<i>In the presence of</i>	<i>Jane X James</i>
<i>Henry Stuckart</i>	<i>mark</i>

NOTES:

* This article was completed by Brian McConnell, UE on July 25, 2018. To contact him email: brianm564@gmail.com

(1) The Black Cemetery at Conway appears listed in the Canada GenWeb project at <http://geneofun.on.ca/cems/NS/NSDIG02030> Photographs of the Cemetery and graves can be viewed at <https://www.findagrave.com/cemetery/2669348/black-cemetery?>

(2) Brinley Town was granted by Governor John Parr of Nova Scotia on July 29, 1785 to the Black Loyalists of Digby. It included 76 one acre lots. The community did not last. The inhabitants were discouraged by their treatment and conditions in Nova Scotia. Many left for Sierra Leone with Thomas Peters. He served with the Black Pioneers during the American Revolution.. See “ The History of Immigration and Racism in Canada: Essential Readings”, edited by Barrington Walker, Canadian Scholars Press, 2008, p. 54. For a list of the names of the Black Loyalists who received one acre lots in Brinley Town see Brudenell, Edward, letterbook on Loyalists 1785- 1786, MS Can 48, volume 1, Houghton Library, Harvard University, Cambridge, Mass.

(3) Registry of Deeds for Digby County, NS, Lawrencetown, Book 128, Page 558, Deed from Arthur L.M. Swabey to Gertrude S. Dukeshire dated June 21, 1933 and recorded June 30, 1922.

(4) In Deed from Gertrude S. Dukeshire to Frank Woodman dated April 18, 1933 and recorded April 27, 1946 in Book 165 at Page 133, Registry of Deeds, Digby County, NS, it is described as “lot owned and occupied by the African Baptist Church and used by said Church as a Cemetery said Cemetery lot containing three - quarters of an acre more or less.” A Deed for property lying to north of the cemetery dated May 15, 1953 from Donald Woodman and wife Mabel to Basil A. Porter recorded on August 25, 1953 in Book 186 at Page 32 states that it begins “...on the southwesterly corner bound of land known as the colored cemetery.”

(5) See Appendix A for listing of gravestones and markers in Cemetery.

(6) See “The Black Loyalists: The Search for a Promised Land in Nova Scotia and Sierra Leone, 1783-1870”, by James W. St. G. Walker, University of Toronto Press, 2017

(7) See: Evenden, Doreen, “The Loyalists and Victorians Build a Church: Trinity Anglican , Digby, Nova Scotia, Scallop Boat Press, 2018

(8) See the following Deeds recorded in the Registry of Deeds for Digby County, NS which conveyed lots in Brinley Town:

(i) Joseph Hartly, Black man, and wife Diana to William Muir, dated November 1, 1803, recorded June 27, 1804, Lots 64, 71, & 72, consideration 15 pounds, signed by the “X” mark in Book 3A, Page 243.

(ii) Robert Johnson to Isaac Hatfield, dated Nov. 25, 1820, recorded May 1, 1822, consideration one pound for Lot 39, executed with his mark of an "X" in Book 7, Page 1.

(iii) John Wright & Elizabeth Wright to Isaac Hatfield, dated July 20, 1801, recorded Feb. 1822, Lot 57, being land originally granted to Black Loyalist Benjamin Nelis. Consideration 3 pounds. Book 7, Page 1.

(iv) Thomas Byng (possible son of Black Loyalist Henry Byng) and wife Nancy, dated Dec. 16, 1816 and recorded May 10, 1822 to Elkana Morton, Lot 34, originally granted to Black Loyalist John Godfrey and in possession of Robert Woodman. Consideration 10 pounds. Book 7, Page 9.

(v) John Custus & wife Chloe, dated March 6, 1799 to Isaac Hatfield, record May 10, 1822, Lots 53 and 55, originally granted to John Custus and Samuel Morrison, executed with their mark of "X". Consideration 7 pounds. Book 7, Page 10.

(vi) John Custus & wife Chloe, dated Sept. 1, 1798, recorded May 11, 1822, Lot 54, originally granted to Black Loyalist Samuel Morrison, executed with mark of "X". Consideration 5 pounds. Book 7, Page 11.

(vii) Emma White (possible daughter of Henry White), Philip Woods & wife Hilly Woods to Isaac Hatfield, dated May 1, 1801, recorded May 11, 1822, Lot 44, originally granted to Black Loyalist Dempson Buskskin, Lot 46, originally granted to Black Loyalist Henry White, Lot 48, originally granted to Black Loyalist Henry Beaufort, executed with their "X" marks. Consideration 5 pounds. Book 7, Page 12.

(viii) John Shepherd to Isaac Hatfield, dated May 17, 1798, recorded May 11, 1822 for Lot 45, originally granted to Water Dickson. Consideration 4 pounds. Book 7, Page 13.

(ix) Harry Breven, Black man, & wife Hager Breven to Samuel Lingworth, dated Dec. 12, 1798, recorded May 11, 1822, Lot 6, executed by their "X" marks. Consideration One pound five shillings. Book 7, Page 14.

(x) Jacob Bounmell to Isaac Hatfield, dated Oct. 27, 1798, recorded May 14, 1822, for Lots 42 and 43, originally granted to Black Loyalist Jacob Brun. Consideration 6 pounds. Book 7, Page 14.

(xi) Samuel Farmer to Isaac Hatfield, dated Sept. 4, 1798, recorded Mar. 14, 1822, for Lot 50, signed with his mark of an "X". Consideration 4 pounds. Book 7, Page 15.

(xii) Caty Godfrey (possible daughter of Black Loyalist John Godfrey) to Isaac Hatfield, dated January 2, 1805, recorded May 15, 1822, Lot 40, originally granted to Black Loyalist Yaff Benson. Signed with her mark of an "X". Consideration 2 pounds. Book 7, Page 16.

(xiii) Robert Johnson to Isaac Hatfield, dated April 4, 1807, recorded May 15, 1822, for Lot 56, signed with his mark of an "X". Consideration 4 pounds. Book 7, Page 17.

(xiv) Liberty Logue to Isaac Hatfield dated June 7, 1805, recorded May 18, 1822, Lots 51, 52, originally granted to Black Loyalist Isaac Mead, executed with his mark of an "X". Consideration 6 pounds. Book 7, Page 19.

(xv) John Williams to Isaac Hatfield dated Feb. 22, 1805, recorded May 24, 1822, for Lot 54, executed with his mark and "X". Consideration 4 pounds. Book 7, Page 27.

(xvi) Ann Bush (possible wife or daughter of Black Loyalist Benjamin Bush) to Isaac Hatfield dated Dec. 12, 1808, recorded March 21, 1822, consideration 2 pounds for lot 46 Brinley Town, being land granted to Peter Yeamans. Signed by her mark of an "X". Consideration 2 pounds. Book 7, Page 58.

(xvii) Jane James, Black woman,(possible widow of Robert James) to Charles Budd dated April 3, 1822, recorded April 8, 1822.. Lots 6 and 7. Signed by her mark of an "X". Consideration 8 pounds. Book 7, page 76.

(9)"Return of Negroes and their families mustered in Annapolis County between the 28th of May and the 30th of June 1784" , Commissioner of Public Records Nova Scotia Archives RG 1 vol. 376 pp. 73-7 (microfilm no. 15437)

(10) Deed from Jane James to Charles Budd dated April 3, 1822 and registered April 8, 1822 at Registry of Deeds for Digby County, Nova Scotia in Book 7 at Page 76.

Appendix A

Identified Gravestones

Josephine Barton (1890 - 1934)

Mrs. Nina Barton (1887 - 1955)

Private Seymour Richmond Barton (1895 - 1951)

Private William H. Barton (1887 - 1973)

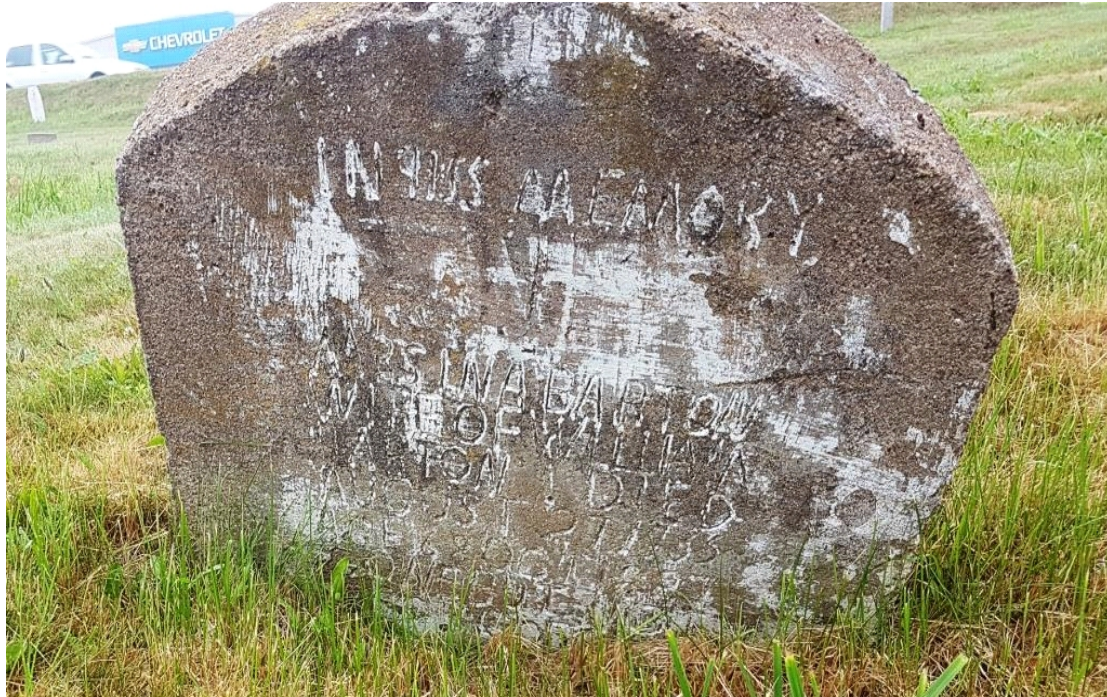
Wilson Francis (1889 - 1959)

Ella Maude Guy (1922 - 1952)

Blanche Slavin Johnson (1908 - 1932)

Alpheus Boyd Slavin (1913 - 1927)

Fred Slavin (1866 - 1926)



Gravestone of Mrs. Nina Barton in Black Cemetery