

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)

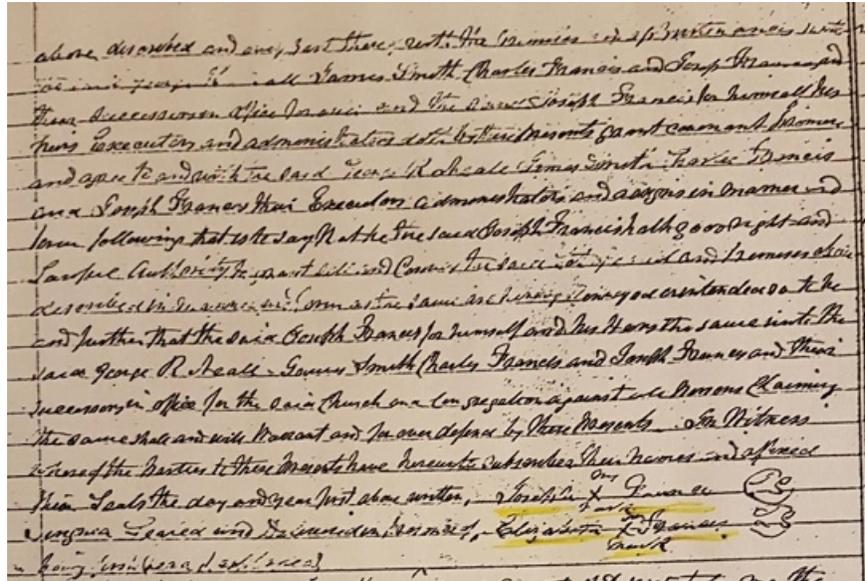
The parcel of land which was stated as “*being for Church purposes for the said denomination*” was described as:

“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.”


 Joseph Francis to George R. Neale et al to James Smith et al this indenture
 recorded the 30 September 1875 on the Book of Stephen B. Harkness made this Twenty
 fourth day of August 1875
 witnessed by S. D. Bacon Esq. J. P. (John Campbell Esq. Notary Public)

(1875) in the year of our Lord one thousand eight hundred and seventy five
 Joseph Francis of Lehigh in the County of Lehigh in the Province of Pennsylvania
 and Lemuel of Canada Freeman and Elizabeth Francis his wife of the
 one part, and George R. Neale of Boston in the County of Middlesex in the Province
 and Dominion of Canada a private Minister of the African Baptist Church
 James Smith of Weymouth in the County of Lehigh in the Province of Pennsylvania
 and a private Minister of the said Church Charles Francis and Joseph Francis
 both of Lehigh, Joze in the County of Lehigh in the Province and Dominion of Canada
 a private and common Minister of the African Baptist Church and congregation were com-
 manded at Lehigh Joze in and their successors in office of the said Church to wit
 that the said Joseph Francis and Elizabeth Francis his wife and in consideration
 of the sum of one dollar of lawful money of Canada to them in hand
 paid by the said George R. Neale James Smith Charles Francis and Joseph Francis
 at or before the execution and delivery of these presents the receipt whereof shal be
 acknowledged here and each of them both granted and confirmed and by these presents do give and
 grant unto the said African Baptist Church and congregation unto the said
 George R. Neale James Smith Charles Francis and Joseph Francis and their suc-
 cessors in office for ever all that certain piece or parcel of land situate lying and
 being on the West side of the Main Road leading to Lehigh Joze in the County
 of Lehigh and bounded as follows viz beginning at a certain marked
 stone then on the West side of the said Main Road from thence South by a certain
 corner it may be along the said Main Road one hundred feet from thence North by a
 certain corner it may be eighty feet from thence North by a certain corner
 it may be one hundred feet from thence Eastward by a certain corner
 it may be eighty feet to the place beginning the same Lot being in the
 said Dominion, together with all more or less the houses buildings
 sheds ways roads water courses privileges and appurtenances to the
 same belonging or in anywise appertaining and the Power and Privileges
 Remainder and Remains thereto and the same together with all the
 right title and Interest thereto at Law in equity of firm the same do give
 and convey unto the said African Baptist Church and congregation in and out of the same
 and over the same in full and complete right to hold the same Lot here and parcel of Land

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



**Second page of Deed to African Baptist Church
executed by Joseph Francis and Elizabeth Francis by
each 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 brianm564@gmail.com

(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 <http://www.aubans.ca/web/about-us/history/> 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)