

## Loyalists in Digby & the Old Loyalist Cemetery \*

A reminder of the Loyalist heritage in southwestern Nova Scotia is a sign in Digby, near the corner of Warwick Street and First Avenue, marking the “ Old Loyalist Cemetery, 1783”.



After the American Revolution, in early May and October of 1783 over 1,200 United Empire Loyalists arrived on ships from New York and were settled in Conway Township. The Town was named Digby after Admiral Robert Digby who was responsible for the transportation of the Loyalists.

Among the known Loyalists who are buried in the Old Loyalist Cemetery are members of the Holdsworth and Smith families. These and others laid to rest there appear on the list attached as Appendix 'A'.(1) Loyalists of the Town and area were also buried in “Trinity” Cemetery around that Anglican Church and many in private graveyards on farms.

The history of the Old Loyalist Cemetery dates back to the settlement of the Town of Digby. After taking the Oath of Allegiance, all Loyalists were able to purchase a town lot. Since these lots were considered improved they had to be purchased. (2) Free grants of land in the surrounding Township were available, with the size depending on the military rank of the head of the household and 50 additional acres for each family member and servant. The average size of rural lots was 200 acres.

Captain John Robinson, a Loyalist who served with the Loyal American Regiment, organized a census of the Loyalists in Digby in the summer of 1784 which counted their number at 1,295. Most of these Loyalists were from New York and New Jersey, but some were also from New Hampshire, Connecticut, Pennsylvania, Virginia, Massachusetts, Georgia, and North and South Carolina. Among the men were those who had served with the New Jersey Volunteers, Loyal American Battalion, Royal Garrison Battalion, and Black Pioneers. Some 200 Black veterans were settled in Brindley Town, now known as Acaciaville.

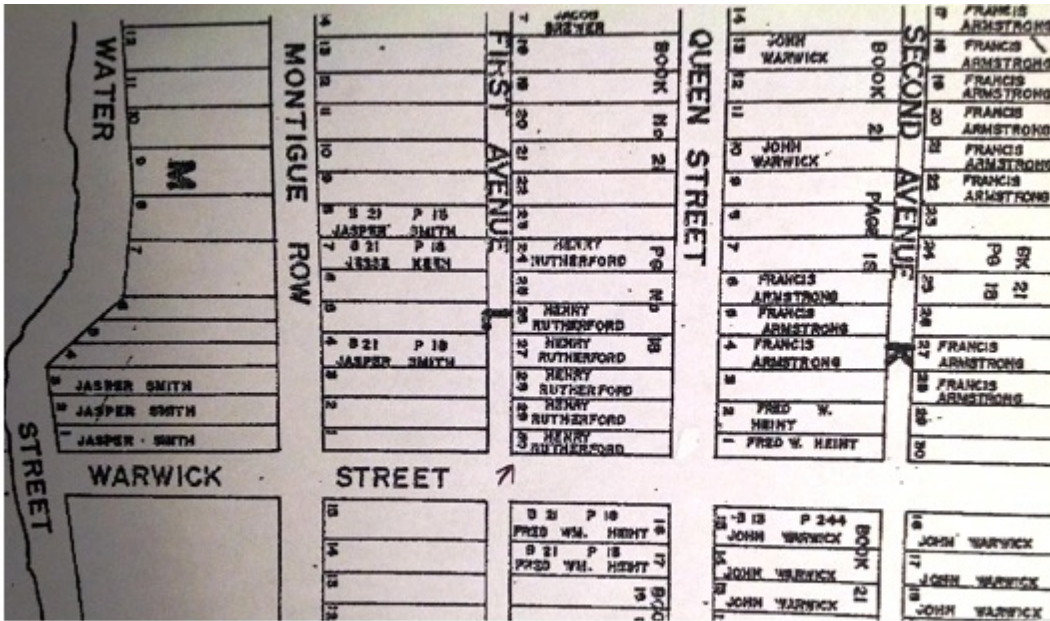
Loyalist leaders who came to Digby included Major Robert Timpany of the 3<sup>rd</sup> Battalion, New Jersey Volunteers, who became a Justice of the Peace and Deputy Land Surveyor of Nova Scotia. Others were Colonel David Fanning, a cavalry officer from Virginia who settled at Bay View, Major Thomas Milledge of Skinner's Volunteers from New Jersey and Elisha Budd, an Ensign in the King's American Regiment.

One Loyalist officer who met a sad end in Digby was Lieutenant Colonel Joseph Barton, formerly Commander of the 5<sup>th</sup> and later 1<sup>st</sup> Battalion of the New Jersey Volunteers. On a winter evening in the bar - room of Reid's Hotel in Digby, having had perhaps more than enough to drink, expressed that the next day he could unassisted fell a tree, although never having felled one before. He also made a high wager to that effect. The next day he was mortally wounded when while felling the tree he was levelled to the ground and buried on February 19, 1788.

The Old Loyalist Cemetery in Digby is described in a Deed dated August 7, 1919 which conveyed the lot of land containing the Cemetery to its present owner, the Town of Digby. (3) It was described as:

*“On the North by Warwick Street,  
On the East by First Avenue,  
On the South by land owned by R. W. Johnson,  
And on the West by land owned by Margaret L. Turnbull,  
Said lot of land having been formerly used as a cemetery.”*

An older Deed for a adjacent property recorded in 1885 describes it as being bordered by *“the Rutherford burying ground.”* (4) The land occupied by the Cemetery appears on a map for the Town which shows the lands original grantees or first owners.



Location of Old Loyalist Cemetery in Digby above shown by arrow

Henry Rutherford was born January 31, 1751 in County Waterford, Ireland and trained as a Presbyterian minister before emigrating to White Plains, Westchester, New York. During the American Revolution he and George Nash partnered, as “Rutherford & Nash”, merchants. Both came to Digby in 1783 as Loyalists and operated a general store. Rutherford was also involved in the fishing trade and as a contractor built a road from Digby to Weymouth. He represented the Town of Digby in the Nova Scotia House of Assembly from 1793 - 1806 and from 1806 - 1808 Annapolis County.

On the death of Henry Rutherford on February 21, 1808, his obituary read:

*“Died on the 21<sup>st</sup> February, at Digby, Henry Rutherford, Esq., a gentleman universally known and universally esteemed, a magistrate, etc. He had served as representative of the town of Digby, and afterward for the County of Annapolis. 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 honesty, 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.”* (5)

## NOTES

\* This article was prepared on October 11, 2014 by Brian McConnell, UE. To contact him email: [brianm564@gmail.com](mailto:brianm564@gmail.com)

(1) See list of burials in Digby, Old Loyalist Cemetery attached as Appendix "A" based on information from Admiral Digby Museum, Digby, N.S.

(2) See "The Church of England's Role in Settling the Loyalists in the Town of Digby, 1783-1810", M.A. thesis of Taunya Dawson, Acadia University, 1991.

(3) See Deed from Cutler Titus and Eleanor J. Titus to Town of Digby, dated August 7, 1918 and recorded October 25, 1918 in the Registry of Deeds for Digby County, N.S. in Book 119 at Page 29.

(4) See Deed from James Cowan to Statira Rice dated March 30, 1885 and recorded June 23, 1885 in the Registry of Deeds for Digby County, N.S. in Book 55 at Page 39.

(5) See "A Geography and History of Digby County, Nova Scotia" by Isaiah W. Wilson, originally published by Holloway Bros., Printers, Halifax, 1900.

**Appendix "A"**

**DIGBY OLD LOYALIST CEMETERY**

NAME	DATE OF DEATH	AGE
Sarah Ann Armstrong (Daughter of Leo & Mary Armstrong)	Dec. 11, 1831	32
Elizabeth (Betty) Holdsworth (Wife of James A. Holdsworth)	Mar. 30, 1825	88 yrs. 10 mths.
James Addington Holdsworth (1)	Nov. 16, 1804	68
Jane Holdsworth	Mar. 22, 1800	32 yrs. 10 mths.
Capt. John Holdsworth	Feb. 1, 1813	52 yrs. 2 mths.
Mahitable Holdsworth (Wife of Capt. John Holdsworth)	May 11, 1802	22 yrs. 19 days
Thomas Holdsworth (Died at sea)	Sept. 9, 1978	36 yrs. 1 mth
Sarah Lovett (Daughter of Phineas & Margaret Lovett)	Oct. 11, 1801	3 mths. 28days
Elizabeth Smith (Wife of Tobias Sullivan)	July 10, 1820	83
Zachariah Smith (Who died in foreign land)		21

(1) Born in London, England, James Addington Holdsworth emigrated to New York just before start of American Revolution. He came to Digby as a Loyalist. His son James Bourne Addington represented Township of Digby in Nova Scotia House of Assembly from 1836 - 1840.

**DIGBY OLD LOYALIST CEMETERY CONTINUED**

NAME	DATE OF DEATH	AGE
Henry Smith		
Joseph Smith	Nov. 14, 1817	80
Wife: Letetia (Letty)	May 1, 1817	78
Lewis Smith	Jan. 26, 1878	86
Charlotte Smith	July 14, 1818	18
George Pelletier	1989	73
Francis Edward Pratt	1969	77
Wife: Dorothy (Patterson)	1987	93
Constance	1985	90
Hartwell Nugent Putman (Son of John Putman & Margaret Nugent)	Mar. 10, 1953	80
Dr. Frank E. Rice	May 31, 1958	88
Wife: Laura E. Rice	Nov. 15, 1935	68
Hilda N. Crowell	Nov. 19, 1951	57
Isabel Saunders	1906	64
Dr. Donald Alan Stewart Wife: Dorothy Lorene (Saunders)	1989	69
John H. Theriault	1924	80
William H. Theriault	Dec. 14, 1950	79
Adelaide Theriault	1928	46
E. Haines Timpany	1926	80
Wife: Margaret Cynthia	1932	92
Garfield L. Trask	Jan. 1, 1987	60
Wife: Judy E. (Gidney)	1986	53

**DIGBY OLD LOYALIST CEMETERY CONTINUED**

NAME	DATE OF DEATH	AGE
Sarah A. Trask	March 20, 1836	8 years 3 mths
Sarah N. Trask (Children of Elkanah & Mary Trask)	Jan. 24, 1826	14 yrs. 11 mths
Gertrude Ellen Warne	April 13, 1993	103
Eleanor Woodman (Wife of A. Woodman)	June 13, 1882	37 years 4 mths
Joseph Zebeau	June 20, 1862	64