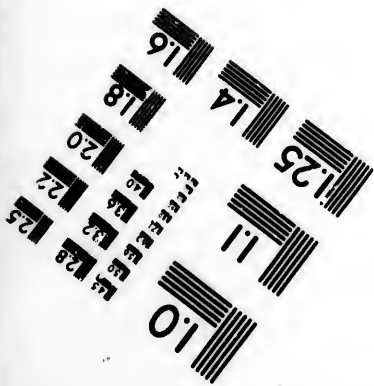
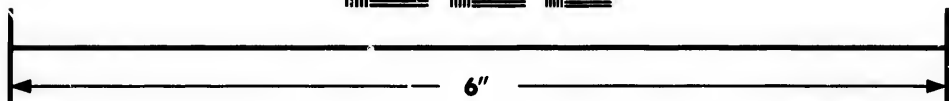
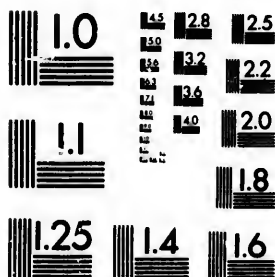


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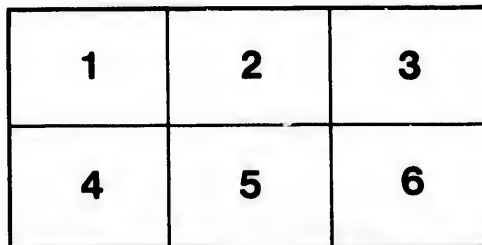
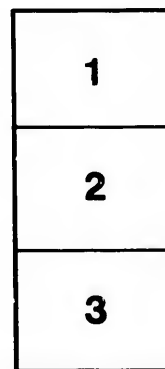
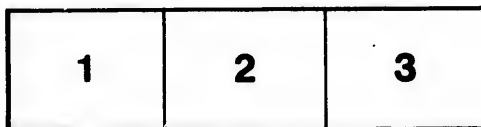
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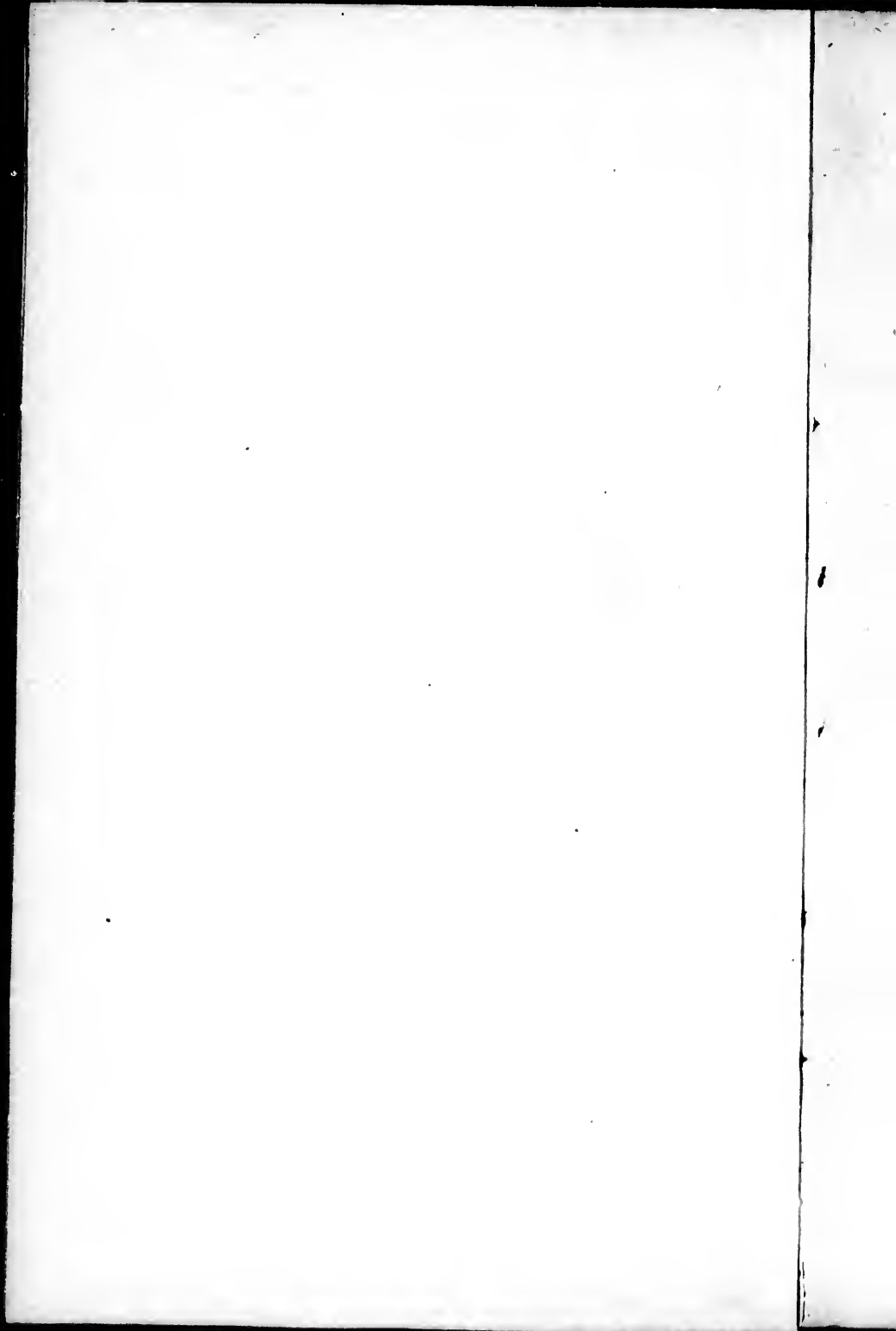
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has since been referred to the  
of the Court of Appeals  
to be decided by the  
of the Court of Appeals  
of the Court of Appeals

**PARTICULAR CASE**

**OF THE**  
**GEORGIA LOYALISTS:**

IN ADDITION TO THE  
**GENERAL CASE AND CLAIM**  
OF THE

**AMERICAN LOYALISTS,**

WHICH WAS LATELY PUBLISHED BY  
ORDER OF THEIR AGENTS.

[FEBRUARY, 1783.]

\_\_\_\_\_

1871

# EVANGELICAL CHURCH

1871

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THE  
PARTICULAR CASE  
OF THE  
GEORGIA LOYALISTS, &c.

---

**T**HE Loyalists of Georgia, in addition to the General Case of the American Loyalists, have the following facts and circumstances to state; many of which are not applicable to the Colonies in general, viz.

**T**HAT the principal part of the Inhabitants, at the commencement of these troubles, which have ended so unexpectedly and unfortunately for Great Britain and themselves, were well affected to his Majesty's person and government, and attached to Great Britain.

**T**HAT it was owing to this loyal disposition, that the House of Assembly, though repeatedly solicited by letters and emissaries from the Legislature



gislatures of some of the other Colonies, declined to concur with them, in resolves calculated to support their opposition to the British Government; by which means, and by the protests of a great many of the Inhabitants of Georgia, inserted in the General Gazette of the Province, the measures of the disaffected were defeated so far at least, that no Delegates were appointed to go from Georgia to the Continental Congress in the year 1774; nor did any go, authorised by the Inhabitants in general, until late in the year 1775; when the disaffected party increased so much, that the King's Governor, the Civil Officers, and many other Loyal Inhabitants were under the necessity of quitting the Province in the course of the year 1776; for no other cause, than their refusal to swear allegiance to the Usurpation, and to abjure their Lawful Sovereign.

THAT the Rebel Legislature in Georgia passed an act of their State in March 1778, for attainting the persons, and confiscating the estates, of the King's Civil Officers, and other Loyal Subjects, who had retired from, and been compelled to quit the Province! In consequence of which, they proceeded to dispose of the estates of such persons, and were actually going on with the sales, when Lieutenant Colonel (now Brigadier General) Campbell arrived in December 1778, with a detachment

tachment of his Majesty's troops, and reduced the Province to the King's obedience.

THAT Sir James Wright the Governor, Mr. Graham the Lieutenant Governor, and the other Civil Officers then in England, were commanded by his Majesty to return to Georgia, and to resume the exercise of their respective offices; which order they readily complied with, and arrived there in July 1779; when many of the Loyal inhabitants returned to the Province, and others submitted to the King's authority, and the legal constitution was restored.

THAT in the month of September following, an attack was made upon the Province by the French General Compte D'Estaing, with a very formidable fleet and army, aided by a considerable body of American troops under General Lincoln, who together laid siege to the town of Savannah; and failing in other respects, after a siege of fifteen days\*, attempted to reduce it by storm on the 9th of October, in which they were

\* The French landed the 12th of September, about fourteen miles from Savannah, and on the 15th Compte D'Estaing sent a summons; which not being complied with, it took them from that time till the 24th to bring up their artillery, &c. &c. On the 24th, they broke ground, and next day some guns were fired against the town; which was continued till the 3d of October, when, in the night, they began to bombard; and on the 4th, at the firing of the morning gun, a most furious bombardment and cannonade began.

defeated

defeated with great loss by the bravery of his Majesty's troops, and the exertions of the King's Civil Officers and Loyal Militia, whose conduct on that memorable occasion was very exemplary: And they bore their share in all the fatigues and duties of that service with fortitude, and for which they received the thanks of General Prevost, who commanded on that glorious day.

THAT after this, the French and American troops withdrew from Georgia; and on the 8th of March following, the King's Governor received, from his Majesty's Secretary of State, a Letter, dated Whitehall, July 9, 1779, of which the following is an extract:

“ THE prosecution of the war in America is  
 “ an object never to be lost sight of, until the  
 “ grand end of it is attained; and as appear-  
 “ ances are now so favourable, I trust the forces  
 “ now there will be sufficient for that purpose.  
 “ And I can venture to assure you, there is at  
 “ present no intention of withdrawing any part of  
 “ them. The King's faithful subjects may there-  
 “ fore *boldly* stand forth in support of his Majesty's  
 “ measures, and in defence of their liberties and  
 “ properties, *confiding in his Majesty's most gra-*  
 “ *cious resolution to protect them.*”

AND on the 5th of April following, the Governor received another Letter from his Majesty's Secretary of State, dated the 19th of January, 1780, which contained the following extract :

“ The accounts brought by Captain Shaw, on  
 “ the 21st of December, from yourself and Major  
 “ General Prevost, of the defeat of the combined  
 “ forces of the French and Rebels which attacked  
 “ Savannah, by the persevering resolution and  
 “ intrepid valour of his Majesty's troops, and  
 “ others of his faithful and zealous subjects, that  
 “ so cheerfully engaged in the defence of the  
 “ town, were received by the King with the  
 “ highest satisfaction; and his Majesty com-  
 “ manded me to signify his Royal pleasure to  
 “ Major General Prevost, that he should acquaint  
 “ the troops, both officers and soldiers, and all  
 “ the King's other faithful subjects, who served  
 “ under his command upon that glorious occa-  
 “ sion, that their behaviour has met with the en-  
 “ tire approbation of their Sovereign. In this  
 “ general praise of all who acted well, yourself  
 “ and the Lieutenant-Governor are necessarily  
 “ included ; but his Majesty commands me to  
 “ express to you, that he imputes much of the  
 “ successful resistance made to the enemy, to that  
 “ ardour and resolution of which you gave the ex-  
 “ ample ; it is also his Majesty's pleasure, that  
 “ you

“ you should acquaint the Lieutenant-Governor,  
 “ that his Majesty is fully satisfied with his zeal  
 “ and services.”

THIS encouragement, the recent success, and the calm that succeeded over the whole Province, inspired the King's Civil Officers, and other faithful subjects, with the utmost confidence; and thereupon the King's Governor, in the usual manner, issued writs for a general election of Members to serve in the House of Assembly; which were duly executed, and the Legislature of the province legally convened, which proceeded to pass several laws for strengthening the King's authority, and cementing the union between Great Britain and Georgia; for rendering the militia more serviceable; for raising works of defence by the labour of their slaves, and other local purposes; and more particularly a law *for granting a perpetual duty on the exports of the Province, as the contribution of Georgia towards a general fund for defraying the common expence of the British empire*; of which his Majesty's approbation was signified in a Letter to the King's Governor from his Majesty's Secretary of State, dated Whitehall, 2d August, 1781, of which the following is an extract:

EXTRACT

EXTRACT of a Letter to Sir James Wright, Bart.  
dated Whitehall, 2d August, 1781.

“ HAVING, by his Majesty’s command, referred  
 “ to the consideration of the Lords Commissioners  
 “ for Trade and Plantations, the Act for grant-  
 “ ing to his Majesty certain duties upon the ex-  
 “ ported products of the Province, as the con-  
 “ tribution of Georgia to the general charge of  
 “ the British Empire, transmitted with your N<sup>o</sup> 40;  
 “ their Lordships, after considering it, repre-  
 “ sented it to his Majesty in Council, as proper  
 “ for his royal approbation, which it received  
 “ accordingly, as you will find by the inclosed  
 “ Order of his Majesty in Council on the 22d of  
 “ June last, which I send you by his command,  
 “ and which you are to make public, in the  
 “ manner usual upon such occasions. And I am  
 “ further commanded, to signify to you his Ma-  
 “ jesty’s pleasure, that you do take the first oc-  
 “ casion of a Meeting of the Council and Assem-  
 “ bly, to acquaint them, that his Majesty has  
 “ received, with great satisfaction, the testimony  
 “ they have given of their zeal and affection for  
 “ his person, and firm attachment to the consti-  
 “ tution, by passing the aforementioned Act; *and*  
 “ *to assure them that his loyal and faithful subjects of*  
 “ *Georgia may always rely upon his Majesty’s pro-*  
 “ *tection, and constant attention to their prosperity*  
 “ *and happiness.*”

THAT confiding in these repeated Royal assur-  
 ances of protection to the Loyalists in general,

\* B

and.

and to those of Georgia in particular, the King's faithful subjects there proceeded to resettle their estates, at a considerable fresh expence, and to betake themselves to their usual occupations and professions; and their prospects from their industry were very promising, when, on the 14th of June 1782, a most unexpected Order was received, for immediately withdrawing the King's troops from thence, and evacuating that Province; in consequence of which, the King's Civil Officers, and a considerable number of other Loyal Subjects, were under the necessity of abandoning their estates, and the very large and promising crops then on the ground nearly fit to reap; and to leave the Province with his Majesty's troops; some retiring to the adjoining Province of East Florida, others to the island of Jamaica, and some few to New York and England.

THAT the Loyalists could do no otherwise than leave Georgia with the troops, for on their being withdrawn, and the cannon, &c. taken away, it became impossible for them to hold the province, or to defend Savannah, against the American forces; and because the Rebel powers there had lately passed a new Act (an Extract of which is annexed), for inflicting penalties, and confiscating the estates of such persons as are therein declared guilty of treason, &c. of whom the names of Two hundred and Eighty-six are particularly inserted in the said Act, which also includes in it a general clause against all other the former Inhabitants of Georgia, whom they

they pretended owed allegiance to their usurped government, and who had aided or participated in the treasonable practices charged to those named in the said Act, which of course included all who had resided in the Province since its reduction, and adhered to the Cause of the British Government and Authority.

THAT the King's loyal and faithful Subjects, from the time of the reduction of the province by Colonel Campbell, to the evacuation thereof, cheerfully bore arms in support of the British Government, and always, when required, assisted on service and duty with the King's troops; and otherwise behaved in so loyal and zealous a manner, as rendered them particularly obnoxious to the Revolters, in so much that while preparations were making to evacuate the Province, such of the unfortunate Loyalists, who had large families, and were impelled, by urgent necessity, to offer to submit to them, were refused permission to remain in the country, on any other terms than that of *enlisting as private soldiers*; and several they would not receive on any terms.



EXTRACTS from an Act for inflicting Penalties, and confiscating the Estates of such Persons as are therein declared guilty of Treason, and for other Purposes therein mentioned.

“ WHEREAS on the 1st day of March, which  
 “ was in the year of our Lord 1778, an Act was  
 “ passed for attainting certain persons therein  
 “ mentioned of treason, and confiscating their  
 “ estates for the use and benefit of this State,  
 “ which said Act has not been yet carried into full  
 “ execution : And whereas it is necessary, that the  
 “ names of the said persons so attainted by the  
 “ said law, should be inserted in a law, with the  
 “ names of various other persons who have,  
 “ since the aforesaid time, been guilty of treason  
 “ against this State, and the authority of the  
 “ same, by traiterously adhering to the King of  
 “ Great Britain, and by aiding, assisting, abetting,  
 “ and comforting the Generals, and other Offi-  
 “ cers, civil and military, of the said King, to en-  
 “ force his authority in and over this State, and  
 “ the good people of the same. And whereas the  
 “ aforesaid treasons, and other atrocious crimes,  
 “ justly merit forfeiture of protection and pro-  
 “ perty : Be it enacted by the representatives of  
 “ the Freemen of the State of Georgia in General  
 “ Assembly met, and by the authority of the same,  
 “ that

" that all and each of the following persons, viz.?  
 [Here follows the names of Two hundred and  
 Eighty-six persons, late Inhabitants of Georgia]  
 " be, and they are hereby declared to be banished  
 " from this State for ever; and if any of the afore-  
 " said persons shall remain in this State sixty days  
 " after the passing of this Act, or shall return to  
 " this State, the Governor or Commander in  
 " Chief for the time being, is hereby authorized  
 " and required to cause the persons so remaining  
 " in, or *returning to*, this State, to be apprehended  
 " and committed to gaol, there to remain with-  
 " out bail or mainprize, until a convenient op-  
 " portunity shall offer for transporting the said  
 " persons beyond the seas to some part of the  
 " British King's dominions; which the Gover-  
 " nor or Commander in Chief for the time being  
 " is hereby required to do: *and if any of the said*  
 " *persons shall return to this State after such trans-*  
 " *portation, then, and in such case, he or they shall*  
 " *be adjudged, and they are hereby declared to be,*  
 " *guilty of felony, and shall, on conviction of their*  
 " *having so returned as aforesaid, suffer death,*  
 " *without benefit of clergy.*

" AND be it further enacted, by the authority  
 " aforesaid, that all and singular the estates real  
 " and personal, of each and every of the aforesaid  
 " persons, which they held, possessed, or were

" entitled

" entitled to, in law or equity, on the 19th  
 " day of April 1775, or which they have held  
 " since, or do hold in possession, or others hold  
 " in trust for them, or to which they are or may  
 " be intitled in law or equity, or which they may  
 " have, hold, or be possessed of, in right of  
 " others, together with all debts, dues, and de-  
 " mands, of whatever nature, that are or may be  
 " owing to the aforesaid persons, or either of  
 " them, *be confiscated to and for the use and benefit of*  
 " *of this State*; and the monies arising from the  
 " sales which shall take place, by virtue of and  
 " in pursuance of this Act, to be applied to  
 " such uses and purposes as the Legislature shall  
 " hereafter direct,

" AND whereas divers other persons, citizens  
 " of this State, and owing allegiance thereto,  
 " (whose names are not herein recited) did, in  
 " violation of the said allegiance, traiterously  
 " assist, abet, and participate in the aforesaid  
 " treasonable practices; be it therefore enacted,  
 " by the authority aforesaid, *that all and every*  
 " *of the person or persons under this description shall,*  
 " *on full proof and conviction of the same in a court*  
 " *of law, be liable and subjected to all the like pains,*  
 " *penalties, and forfeitures, inflicted by this Act on*  
 " *those offenders whose names are particularly men-*  
 " *tioned therein.*

" AND

" AND be it further enacted, That all debts,  
 " dues, or demands, due or owing to merchants  
 " or others residing in Great Britain, be, and they  
 " are hereby sequestered; and the Commission-  
 " ers appointed by this Act, or a majority of  
 " them, are hereby empowered to recover, re-  
 " ceive, and deposit the same in the treasury of  
 " this State, in the same manner, and under the  
 " same regulations, as debts confiscated, there to  
 " remain for the use of this State, until other-  
 " wise appropriated by this or any other House  
 " of Assembly.

" AND whereas there are various persons,  
 " subjects of the King of Great Britain, possessed  
 " of, or entitled to, estates real and personal,  
 " which justice and sound policy require should be  
 " applied to the benefit of this State, be it there-  
 " fore enacted by the authority aforesaid, That  
 " all and singular the estates, real and personal,  
 " belonging to persons being British subjects, of  
 " whatsoever kind or nature, which they may be  
 " possessed of (except as before excepted\*), or  
 " others in trust for them, or that they are or may  
 " be intitled to in law or equity, and also all  
 " debts, dues, or demands, owing or accruing  
 " to them, be confiscated to and for the use

\* Except any debts and demands due or owing to British mer-  
 chants, or others, residing in Great Britain, which shall be appro-  
 priated as herein after mentioned.

" and

AND

“ and benefit of this State; and the monies  
 “ arising from the sale which shall take place by  
 “ virtue of and in pursuance of this act, to be  
 “ applied to such uses and purposes as the Legis-  
 “ lature shall hereafter direct.

“ AND be it further enacted, by the Autho-  
 “ rity aforesaid, That the State will and do gua-  
 “ rantee and defend the Commissioners appointed  
 “ by this act, or a majority of them, in all their  
 “ proceedings for carrying the powers and au-  
 “ thorities given them by the same into full ef-  
 “ fect; and will also *warrant and for ever defend*  
 “ all and every sale or sales which the said Com-  
 “ missioners, or a majority of them, shall make,  
 “ to any purchaser or purchasers of any part or  
 “ parts of the real and personal estates confis-  
 “ cated by this Act.”

“ Augusta, State of Georgia,  
 “ 4th May, 1782.”

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