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A LOYALIST ODYSSEY: JAMES AND MARY CARY IN EXILE, 1783-1804

ROBERT S. LAMBERT *

On a January day in 1783 a married couple in their fifties stepped ashore from the deck of a British transport in His Majesty's province of Jamaica, having left the North American mainland for the first time in their lives.[1]

Colonel James Cary of the South Carolina Royal Militia and his wife Mary were among the hundreds of people of both sexes and races who made the tedious voyage from Charles Town when that port city was evacuated by the British fleet and garrison as a preliminary to Britain's recognition of American independence. Jamaica was to be but the first of many places of temporary residence for the Carys during the years that were left to them. The cause of their exile was simple: he had accepted a commission from the British when they swept over the state in 1780 when the American cause seemed lost. But when the British army retreated in 1781 from their post at Camden near their home, the Carys and other Loyalist families had fled to safety within the British defenses. They had resided as refugees in Charles Town until the war dragged to its conclusion.

The experience of the Carys provides an unusually well-documented example of the consequences of commitment to the British cause, both for individual Loyalists and for the British government. In addition, Cary himself is representative of the kind of local leadership on which the British were forced to rely in their efforts to restore the rebellious population of South Carolina to its allegiance to the Crown.

James Cary was a native of Nansemond County, Virginia. His father was a landowner there and in Northampton County, North Carolina,

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[1] This study is based, especially for their years in exile, on the James Cary Papers in the Thomas M. Pittman Collection in the North Carolina Department of Archives and History, Raleigh (cited hereafter as NCAH). The principal item is a letterbook, but there are also correspondence and financial records as well as genealogical notes by Mr. Pittman. Further genealogical information about the Carys is in the Thomas M. Pittman Papers, William R. Perkins Library, Duke University, Durham, N. C.

just across the provincial boundary. It was to the latter province that Cary moved in the early 1750s about the time he became of age, and where during the next decade he established himself as a citizen of local prominence. He acquired land and town lots by grant and purchase, served as an attorney in the legal transactions of others, was referred to as "gentleman," "Esquire," and "King's Attorney," in Johnston and Edgecombe Counties in the early 1760s, and served a brief term in the legislature. In 1759 he married Mary Bennett, a widow with one son who brought him property from her first marriage. She, too, was a Virginian, having moved as a young woman from Surry County on the south shore of the James River into North Carolina.[2]

For reasons that are not clear the Carys moved to South Carolina in 1764, taking up residence on Wassamasaw Swamp in St. James Parish, Goose Creek, above Charles Town. Here James resumed his role as landowner and attorney until 1770 when he and Mary moved farther into the interior, settling near the newly created district court town of Camden. At first, Cary seems to have managed a plantation for the Quaker, John Milhous, but within a few years he purchased this tract on the south side of the Wateree River near the ferry to the town.[3]

When he first came to South Carolina Cary was associated with the Regulators, a group of backcountry vigilantes who rose up against marauders who robbed and destroyed property. Unable to obtain protection from the authorities in Charles Town, the Regulators took upon themselves the task of suppressing the criminal element, causing near

[2] For the Virginia origins see Wilmer L. Hall, ed., *The Vestry Book of the Upper Parish, Nansemond County, Virginia, 1743-1793* (Richmond, 1949), 52 54, 57; Margaret M. Hoffman, comp., Abstracts of Deeds, Northampton County, North Carolina, 1741-1759, typescript, NCAH, Dec. 16, 1745, and Feb. 18, 1757; and "Miscellany, 1752-1929," Pittman Papers, Duke. The North Carolina period may be traced in Edgecombe County Court Minutes, 1759-1764, 17, 19, and Edgecombe County Deeds, Book C, 151, 222, Book I, 138, 481, Book OO, 276, both NCAH; W. P. Haun, transcriber, *Johnston County Court Minutes, 1759-1766* (Durham, 1975), 45, 129, 184; William L. Saunders, ed., *The Colonial and State Records of North Carolina* (Raleigh, 1886-1905), VI, 428; Cary Papers, NCAH; and Pittman Papers, Duke.

[3] See South Carolina Wills, RR, 372, SCAH, for the will of a surgeon, Mathew Hardy, by which he left nine slaves to the minor child of a servant woman, appointed James and Mary guardians of the child, and James a co-executor. In 1782 the guardianship was transferred to the other co-executor, but it is possible that the slaves could have been among those claimed by Cary. Ibid, TT, 170. See "Deeds, Land Grants, etc." Cary Papers, NCAH, for a copy of Milhous' advertisement of his 650 acre property "on the south side of Wateree River, adjoining Gaunt's Ferry . . . at present occupied by James Cary," Oct. 9, 1773.

civil war in the backcountry. Cary was apparently not active in the more violent phases of the movement; the Anglican cleric Charles Woodmason mentions him, "a Gentleman of the Law," as one whom the Regulators wished to send with Woodmason to England bearing petitions to the Crown for redress of grievances. Woodmason refused to go, and presumably Cary did too. Cary was among the seventy-five Regulators who received pardons from Governor Montagu in 1771 for their part in the movement, and was one of very few who espoused the British cause during the Revolution.[4]

When the Revolution broke out in the backcountry in 1775, the Carys were securely established in Camden District. While he seems to have taken no conspicuous part in the early years of the war when the Americans controlled the state, he did subscribe to their required oath of abjuration. By 1780 he had expanded his South Carolina landholdings to over 1,600 acres through purchase and "for debt." By that date he also claimed to own forty-two slaves, a large number for the backcountry in that day.[5]

The British capture of Charles Town and their sweep through the interior of the state in May and June, 1780, turned the Carys' lives upside down. When British troops reached Camden in June, Cary accepted a commission as major of militia. He had no military experience that we know of, but Lord Cornwallis, the British commander, was anxious to involve locally prominent persons in the task of pacifying the country and restoring British rule so that he could move his army

[4] For the Regulators generally see Richard Maxwell Brown, *The South Carolina Regulators* (Cambridge, Mass., 1963) where Cary is noted on 116, 118, 120, 124, 145, 159-160, and 211-212; and Charles Woodmason, "A Letter to an English Friend," in *The Carolina Backcountry on the Eve of the Revolution*, ed. Richard J. Hooker (Chapel Hill, 1953), 197, 210. In the Regulator accounts the name is spelled "Carey," as it is in other records on occasion, but James consistently spelled it without the "e." Although Cary is listed by Brown among the Regulators from Camden District, he was apparently still living on Wassamasaw Swamp above Charles Town in 1769 after the movement had subsided.

[5] Alexander Burnside testified that Cary had acted as his security and had himself taken the oath. Transcripts of Manuscripts, Books, and Papers of the Commissioners for Enquiring into the Losses and Services of the American Loyalists, Manuscript Division, New York Public Library, LII, 412-426. Cited hereafter as Loyalist Transcripts. Cary's memorial to the Commissioners, copy in the Cary Papers, NCAH, indicates that he raised tobacco, indigo, and livestock on a substantial scale and had orchards and a sawmill. He also claimed to have lost fourteen slaves due to Rebel activities; surviving documentary evidence is not sufficient to support his statement that he owned forty-two slaves.

into North Carolina and Virginia as quickly as possible. Most of the militia officers of battalion and regimental grade chosen right after the conquest were of Cary's caliber: men with some property who had not been active for the Americans, but who had not resided long enough among their neighbors to have real influence among them. In September Cary was made colonel of militia and "Conservator of the Peace," taking command of the district between the Congaree and Wateree Rivers at some distance from his home.[6]

His was not a distinguished military career. On the day before the Battle of Camden he and his men were besieged and captured by a force under General Thomas Sumter; fortunately, for Cary and some of his men, they were recaptured by Colonel Banastre Tarleton when he caught up with Sumter's rear guard during the rout that followed the engagement. This rather ignominious performance and his subsequent conduct show Cary to have had little military inclination, and Cornwallis himself noted: "However loyal he may be, he certainly is not much of a soldier." Cary, "a modest diffident man," had little success in recruiting or in placating the people of his district where "five out of six . . . are Rebels." Nisbet Balfour, the British commandant in Charles Town who handled many of the administrative problems of the occupation, charged Cary with "bad management" for being "credulous and imposed upon by the worst [Rebel] people in the district." Subordinates were involved in plundering, and Cary caused further trouble for his superiors when he decided in favor of a prominent Camden resident against a confirmed Tory in a dispute over rents due on property which the Americans had confiscated earlier.[7]

[6] The colonel's commission was dated Sept. 3, 1780, Papers of Charles, Earl Cornwallis, PRO 30/11, III, 31, Public Record Office, London.

[7] For Cary's capture and release see Thomas Sumter to Horatio Gates, Aug. 15, and Gov. Abner Nash to the Delegates of North Carolina to the Continental Congress, Aug. 23, 1780, in Banastre Tarleton, *A History of the Campaigns of 1780 and 1781 in the Southern Provinces of North America* (London, 1787), 148-150. His military abilities are discussed in Cornwallis to Balfour, Sept. 3, Balfour to Cornwallis, Sept. 1 and Nov. 17, and Col. George Turnbull to Cornwallis, Nov. 15, 1780, Cornwallis Papers, LXXVIII, 4, LXIV, 1, IV, 76, and 14. When Cornwallis heard that Cary had proposed to raise a troop of cavalry, to Rawdon, Dec. 12, 1780, Ibid., XXXXIII, 40, he remarked dryly, "I should expect to hear that Carey & his troop were surprised & his horses & appointments all taken the first week." See United Empire Loyalists, *Enquiry Into the Losses and Services in Consequence of Their Loyalty: Evidence in the Canadian Claims*, in *Second Report of the Bureau of Archives* (Toronto, 1905), for Cary's statement that he met Cornwallis on the road to Camden and tendered his services when the British marched into the interior, and that he served at Hobkirk's Hill.

Despite his poor military record, Cary's loyalty was never questioned. Cornwallis admitted to being "partial" to Cary, saying "I will answer with my life" for his loyalty.[8] Rawdon also was associated closely with Cary around Camden until that garrison was abandoned after the Battle of Hobkirk's Hill in May, 1781, and after the war he and Cornwallis consistently vouched for Cary's loyalty in his applications for compensation from the Crown.

Little is known of Cary's activities after the retreat from Camden. Cornwallis moved northward in 1781 to his ultimate surrender at Yorktown that fall, and Rawdon became ill and left for Britain during the summer. Except for his complaint about housing in Charles Town and a fragmentary record of two slaves and items of furniture that were permitted to come to them through the American lines, the Carys sank into anonymity among the many Loyalist refugees in Charles Town. They sailed in the evacuation fleet for Jamaica late in the fall of 1782.[9]

The Carys took with them a number of slaves, some of whom they owned and some others belonging to South Carolinians who remained in the interior. Slaves were a particularly valuable species of property which the British authorities permitted refugees to take with them. Since his adherence to the British had made his property subject to confiscation by South Carolina, Cary took Rebel-owned slaves who were within the British lines to compensate himself for those he had been forced to leave behind when Camden was abandoned. As a result, as late as twenty years after the war citizens of the Camden area were still trying to obtain redress from the confiscated property for the slaves who had gone to Jamaica with Cary.[10]

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[8] Cornwallis to Balfour, Sept. 3, 1780, Cornwallis Papers, LXXVIII, 80.

[9] Cary to Cornwallis, in London, July 5, 1782, Cary Letterbook, and "Sundry Articles of Household furniture Mrs. Cary to take with her to Charles Town," in Cary Papers NCAH. Like other militia officers in Charles Town, he collected an allowance as a distressed refugee which averaged £ 7 per month, Treasury 50/1, Miscellaneous, Payments to Refugees, Public Record Office, London. See also List of Ships Bound to Jamaica, Papers of the Earl of Shelburne, William L. Clements Library, Ann Arbor, Michigan, LXIX, 215. There is no evidence that Cary tried to negotiate with state authorities for permision to remain in the state, and it is unlikely that he could have been successful had he tried.

[10] Just how many slaves Cary carried off with him is still not known, but raids from their base at Charles Town by Loyalist provincials and militia occurred frequently in 1782, and Negroes belonging to Rebels were considered good prize, *Royal Gazette* (Charles Town), Mar. 27, 1782. Later in Jamaica when Cary and his partner divided their property, each kept eighteen slaves including children, "Mag[gotty Hall] Negroes Allotted to James Cary . . .," Cary Papers, NCAH; as

In Jamaica Cary went into partnership with one Benjamin Davis in a planting venture in St. Andrews Parish near Kingston. This arrangement was not satisfactory and the partners agreed to divide their property, but in the division Cary claimed that Davis took credit for all improvements made and the matter was submitted to arbitration. Following the division Cary attempted to continue operating his Maggotty Hall plantation, incurring a debt of £4,200 by 1786 through local agents of the London bankers, Bolders & Co. This obligation would weigh upon Cary long after he left Jamaica and thwart his efforts to provide a measure of security for his and Mary's advanced years.[11]

It was during the years in Jamaica that Cary began his quest for a measure of compensation for losses suffered because of his loyalty to the Crown. He maintained that the British officers had promised that he would be "made whole" for his losses from the sequestered property of Rebels in South Carolina, a promise which had not been kept except perhaps in part through his seizure of slaves. When he learned that Parliament had created a commission to receive claims from Loyalists

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noted below Cary asked compensation for only fourteen slaves lost out of forty-two he said he owned, Ontario Bureau of Archives, *Second Report*, 648. For Camden residents who charged that he had taken their slaves to Jamaica with him and the number involved in each case, see these items in Confiscated Estates Papers, SCAH: John Chesnut to John Kershaw, Nov. 22, 1802, House of Representatives, Letters Received, a mother and children; Petitions to the Senate of Joshua Dinkins, Nov. 29, 1803, two carried off but knew of nine still in the district who were never confiscated, of John Kershaw, Dec. 2, 1802, two, and of James Kershaw, Dec. 1, 1803, "several"; and the deposition of John Adamson, Nov. 23, 1803, Kershaw District, saying that when in Jamaica in 1783 he had been told by Cary that he had left sufficient Negroes in the state for Joseph Kershaw to indemnify himself for those who had gone with Cary. Cary was listed in the confiscation act of Feb. 26, 1782, Thomas Cooper, comp., *Statutes at Large of South Carolina* (Columbia, 1838), IV, 516-523.

[11]Although his bankers referred to the property as a "sugar work," Cary frequently mentioned its possibilities for producing coffee, foodstuffs and cattle. Davis also had come from South Carolina, and he and Cary were among many refugees granted land in Jamaica and temporary exemption from taxation, *Journals of the Assembly of Jamaica*, Dec. 2, 1784, VIII, 36 (microfilm edition). Despite government help, the refugees often found themselves discriminated against by the original settlers, Edward Brathwaite, *The Development of Creole Society in Jamaica, 1770-1820* (London, 1971), especially 80-95. For the partnership arrangement and division see arbitration agreement, May 28, arbitration bond, Nov. 5, 1785, Account of the firm of Thomas Cockburn and George Davis and Account of Benjamin Davis with Cary, 1784-1785; Cary Papers; and General Release from Bolders & Co. to Cary, Aug. 6, 1790, in the amount of £4,207 sterling, "Miscellany, 1752-1929," Pittman Papers, Duke.

he turned to this as a means of relief from his indebtedness. Thus he began his pleas to Cornwallis and Rawdon to certify his loyalty, an effort he continued long after those gentlemen had become involved in new problems of war and empire. He also gathered what evidence he could find of his property losses. In 1784 he submitted his memorial to the Loyalist Commission in London through an attorney in that city, Robert Cooper Lee of Bedford Square, and began a series of anxious inquiries about the Commission's progress. As time passed Cary became convinced that he could press his claim more effectively by going to England in person.[12]

He also learned, however, that the Commission was sending two of its members to receive evidence of losses from the thousands of Loyalists who resided in Canada. In the fall of 1785, after the division of the Maggotty Hall property had been made, Cary wrote to Lee to expect him to be in London the next summer. But during that winter he changed his mind, and he and Mary embarked for Nova Scotia on the brig, *Rachel*, in April, 1786. Cary apparently looked upon the trip as an expedient that would make a voyage to England unnecessary and fully expected to resume residence in Jamaica. Before their departure he left his affairs in the hands of Bolders' attorney, John Jackson, from whom he also borrowed an additional £505.[13]

After a stormy passage of fifty-six days, the *Rachel* landed the Carys at Windsor at the head of an inlet on the eastern shore of the Bay of Fundy. Leaving Mary there with her servant Sally, James rode by horseback the fifty miles across the peninsula to Halifax. There on June 10 he appeared before Commissioner Jeremy Pemberton to present his case. Cary produced deeds to 1,302 acres of land in South Carolina and 960 in North Carolina which he valued at £4,524. In addition, he claimed to have lost fourteen slaves and large quantities of livestock and growing and stored crops through enemy action, bringing his total claim for losses to just over £6,300. Subsequently, two witnesses testified in his behalf that he had "a great many" slaves and a "large stock"

[12] Cary to Cornwallis, Oct. 3, 1783, to Rawdon, Oct. 31, 1783, June 29, 1784, and April 23, 1785, and to Lee, June 28 and Nov. 30, 1784, and Sept. 20, 1785, Cary Letterbook. He also asked Cornwallis to use his influence to promote a Loyalist colony on the Mosquito Coast of Central America for which Cary offered his services as "Superintendent," Oct. 25, 1784, Ibid. A copy of Cary's Memorial to the Commissioners is in the Cary Papers.

[13] Cary to Lee, Jan. 4, and to Jackson, June 29, Cary Letterbook, and General Release from Bolders, Aug. 6, 1790, Pittman Papers, Duke. Sally, one of the slaves received in the division with Davis, travelled with them as Mary's servant.

on the Wateree lands. Cary also produced a letter from his London attorney certifying that his memorial with supporting documents had been filed with the Commission in England, and other correspondence from Rawdon and Lieutenant Governor Alured Clarke of Jamaica corroborating his loyalty and services. With all this Commissioner Pemberton was not satisfied and asked for documentary proof from America of the value of his lands and of their confiscation and sale by the states.[14]

Cary despaired of obtaining that kind of evidence from the Carolinas and decided to go on to England to press his claim before the full Commission, but he was unable to find passage for London. While waiting for a ship to England, he and Mary settled down in Halifax in what he termed "an expensive country." They renewed acquaintance with Lieutenant Governor Edmund Fanning of Nova Scotia whom they had known in North Carolina. Cary marvelled at the game and fish of the area, even going so far as to send a bear cub to a friend in Jamaica. But although their health was good and the climate reasonably pleasant, it was a long summer. With their funds running low, Cary sent word to his attorney in Jamaica to put his property there up for sale, though he still professed the desire to return to the island when the business in England was done.[15]

* * * * * * *

Not until late summer were the Carys and Sally able to take passage on the ship *Lyon* for England, where they landed early in October. After a bout with illness, James set out to find a means of support while awaiting a decision on his claim. Learning that Loyalist refugees might receive a temporary allowance pending the settlement of their claims,

[14] The voyage and journey to Halifax and Pemberton's advice are in Cary to Mary Cary, June 8, and to Jackson, June 29, 1786, Cary Letterbook. His hearing is in Ontario Bureau of Archives, *Second Report*, 646-648, 652, 678, and deeds to his property are in Cary Papers, NCAH. In 1789, long after a decision had been reached in England on Cary's claim, the State of South Carolina provided evidence that 1,537 acres in five tracts had been confiscated and sold to four different people for £1,461 in indents (evidence of state obligations receivable for taxes), Ibid. That sum was less than half the valuation given by Cary in his claim. All sums mentioned in this article are in sterling.

[15] Cary to Jackson, July 20 and Aug. 17, and to Thomas Cockburn, July 25, and Aug. 26, 1786, Cary Letterbook. When he was feeling particularly low Cary told Jackson of conversing with someone recently from South Carolina who had heard the purchaser (probably William Whitaker) of Cary's "manner" plantation wonder "what I thought of myself now with all my loyalty," Aug. 17, 1786, Ibid. See also R. G. Adams, "Edmund Fanning," in *Dictionary of American Biography*, ed. Dumas Malone and Allen Johnson (New York, 1928-1937), III, 266-267.

he obtained from Lord Rawdon documents to support his memorial to the Lords of the Treasury. In February, 1787, he received £25 as a single payment.[16]

Shortly after his arrival he conferred with his attorney Lee about the prospects for his claim and learned that no awards could be made until reports were received from the Commissioners in Canada on claims heard there. Desperate for funds, Cary discovered that some former Loyalist militia officers had obtained military allowances, commonly called "half-pay," for life. Once again he sought and obtained Rawdon's support for his application and began an anxious period of awaiting a decision.[17]

Sometime during those first months in England, Cary turned to Captain Alexander Shaw of Suffolk Street to handle his affairs with government. Shaw acted as a banker and charged a commission for his services. This arrangement enabled Cary to draw on Shaw for small sums to tide his family over, but that resource was limited by the latter's assessment of his client's ability to return the funds when he received the compensation applied for.[18]

Cary also presented himself at the offices of Bolders & Co., who held the mortgage on the Jamaica plantation, to explain his situation. While Bolders was "kind" to him, Cary came away with the feeling that unless he could pay the debt, his "situation in this country" would become "very disagreeable" and he would not be allowed to leave. Toward the end of the year he tried to sell the property to Bolders who refused the offer, but said that the firm would be guided by the recommendation of its agent in Jamaica, John Jackson of Spanish Town. Cary then directed a series of anxious inquiries to Jackson, who was also acting as his attorney, about the condition of the property and the prospects for a sale, if not of the entire property, at least of some or all of the slaves. He also tried to find out the status of his former partner Davis, but the only mail from Jamaica in those years came from a personal friend who had nothing to do with his property.[19]

[16] Cary to Rawdon, Nov. 6, Dec. 1 and 14, 1786, and Mar. 3, 1787, Cary Letterbook. There is no further mention by the Carys of the young servant Sally.

[17] Cary to Rawdon, Mar. 3, 1787, ibid. For a discussion of military pensions for Loyalists, see Mary Beth Norton, *The British-Americans: The Loyalist Exiles in England, 1774-1789* (Cambridge, Mass., 1972), 229-234.

[18] Shaw to Cary, July 20 and 26, 1787, and Cary to Shaw, July 22, 1787, Cary Letterbook. For the British government's arrangements with the claimants generally see Norton, *British-Americans*, 209-212.

[19] Cary to Jackson, Jan. 8, 1787, Cary Letterbook.

Meanwhile, there was nothing to be done but await the outcome of his claims against government. Shortly after their arrival in London, the Carys took lodgings in Castle Street (now a part of Charing Cross Road) in the section then known as Leicester Fields, just east of Leicester Square. Cary, who had little experience in cities, found London to be a "strange place," saying "I would by no means wish to live in it if I could." In the depressed state of the Carys' finances—in one plea to Rawdon, Cary referred to himself as "a Poor old Beggar"—he fretted about the high cost of living. But Mary, who liked England "so well that she thinks to live in it, if she can find means," seemed content and showed no interest in returning to Jamaica.[20]

During these early months in England the Carys became acquainted with Alexander and Ann Elmsly, a couple who had lived in North Carolina before the war. When their finaancial position was at its worst, James was able to secure several small loans from Elmsly, and the two wives struck up a friendship that would last for the rest of their lives.[21]

But as the weeks dragged by with no decision on his memorials for compensation, the Carys decided to move from London, at least temporarily. In the spring of 1787 they took at a modest rent "a small house and garden" at Twerton, a mile below Bath on the Avon River and about 115 miles west of London. Here they were able to keep in touch with Shaw by post while living on less money, and for the time being Cary's health improved. Staying with them for awhile was John Hutchinson, a South Carolina refugee from Camden District, who was also waiting to hear through Shaw the result of his claims against government.[22]

At Bath in midsummer Cary learned from Shaw the results of his petitions for assistance from government. In June Shaw notified him of an award of £50 per annum as a military allowance during his lifetime, to be retroactive to October, 1783. This gave Cary immediately

[20] Cary to Jackson, Nov. 7, 1787, and to Rawdon, Mar. 3, 1787, ibid. The Carys lived on Castle Street during each of the three periods when they resided in London. See London County Council, Historical Buildings Board and Town Planning Committee, *Survey of London*, ed. F.H.W. Sheppard (London, 1900-), XXXIV, 416-440.

[21] It is very possible that the Carys had known Elmsly in North Carolina where he had been an attorney and legislator from New Bern in the 1760s. He went to England as an agent of the Assembly shortly before the war and established permanent residence there. Saunders, ed., *Colonial Records*, VI, 893, VII, 71, and Gov. Josiah Martin to Lord Dartmouth, Apr. 2, 1774, ibid.

[22] Cary to Shaw, Apr. 17 and 25, 1787, Cary Letterbook.

more than three years of back payments in a lump sum. In the future he was to receive £25 each June and December.[23]

In July he learned that the Commissioners of American Claims had awarded £1,088 as compensation in full for his losses. Forty per cent of the award was payable immediately in cash, and within a short period that portion was at Cary's disposal. This procedure was designed to give some early relief to all claimants, and for people in the Carys' financial straits it was most helpful.[24]

But while the awards promised at least temporary relief from financial difficulties, Cary was bitterly disappointed at what he regarded as niggardly and belated recompense for his loyalty. As time passed, he learned of the military allowances received by other Loyalists from Camden District, such as those to William Fortune whose pension was nearly twice as large, and his house guest Captain John Hutchinson who was given £75.[25]

Cary could have been more philosophical about his pension if the award on his claim had been closer to meeting his expectations. But to be granted barely one-sixth of his claim made him certain that a mistake had been made. To compound the insult to his pride and pocket book, the Commissioners in Canada had misspelled Cary's name, and he could not obtain the forty percent due him until a copy of the

[23] Shaw to Cary, July 7, 1787, Cary Papers, and Cary to Shaw, July 11, 1787, Cary Letterbook.

[24] Shaw to Cary, July 20, 1787, Cary Papers, and Cary to Shaw, July 22, 1787, Cary Letterbook. Norton, *British-Americans,* 213-214, 216, finds that generally awards averaged thirty-seven per cent of claims. The Pitt ministry agreed to pay claims which were "liquidated" (deemed valid by the Commission to a specific amount) in full, if under £ 10,000. In Cary's case the Commissioners counted only the 650 acres on the Wateree that he owned before the fighting started in 1775 (and that at only £ 500, less than forty per cent of his estimate), six slaves instead of fourteen (Cary testified that eight had "run off"), and some personal property. The size of Cary's claim was conspicuous among those from South Carolina heard in Nova Scotia, most of which were from small farmers of enlisted rank from the District of Ninety-Six, and this may have hurt his case. Loyalist Claims, NYPL, XXXII, 281.

[25] Cary kept a list of allowances granted to Loyalists from South Carolina and other provinces, Cary Papers. Fortune was a deserving officer who served throughout the campaign in South Carolina, rising in rank from capttain to lieutenant-colonel. Nisbet Balfour, who had thought so little of Cary's abilities, served with an attorney as a board of two to determine the military pensions, and it is worth speculating whether Cary's meager pension reflected Balfour's assessment of him. H. M. Stephens, "Nisbet Balfour," *Dictionary of National Biography* (London, 1917), I, 976-977.

original memorial was presented at the Treasury by Shaw to prove his client's right to the money.[26]

What could be done, he implored Shaw? Were the Commissioners still empowered to act, could not a new claim be filed with the full Commission? But his agent could offer little but kind words, saying "there is no other remedy but acquiescence," and that because much time would lapse before the balance would be paid that "you must only take so much the more care of what you have got." So Cary abandoned the idea, turning instead to Rawdon to support him in an effort to get the military pension increased. But this time his sponsor did not respond, and nothing came of that plan.[27]

Despite his disappointment, there was now some money with which to pay the most pressing obligations. Cary immediately settled with a major creditor and his friend Elmsly, leaving only the military pension and a small balance with Shaw to live on. In the winter of 1788 he was able to scrape together enough money to take up another note held by Bolders & Co.[28]

In March, 1788, the Carys moved from Bath down the Avon to the port city of Bristol where they took rooms in Philadelphia Street. It was while living there that he was notified by Shaw in February, 1789, that the Treasury was ready to begin paying the balances on the claims of the American Loyalists. Instead of a lump sum in cash, however, the amounts due were to be paid in sixteen installments over eight years, and in debentures or orders on the Exchequer bearing interest at three and one-half per cent. The debentures could be sold on the market for cash, of course, but only at a small discount. For James Cary this means of payment pretty well dashed any hopes he might have retained of putting the money into his Jamaica property, but it also meant that his creditors could not get their hands on the lump sum.[29]

Gradually as the months and years passed, Cary seems to have become reconciled to the idea that there would be no return to Jamaica,

[26] Shaw to Cary, July 26, Cary Papers, and Cary to Shaw, Aug. 29, and to Rawdon, Sept. 14, 1787, and Feb. 5, 1788, Cary Letterbook.

[27] Cary to Shaw, July 22, Cary Letterbook, and Shaw to Cary, July 20, 1787, Cary Papers.

[28] Cary to Elmsly, July 30, and Aug. 2, 1787, and to Shaw, Feb. 13, 1788, Cary Letterbook; Elmsly to Cary, Aug. 10, 1787, and Statement of Account in Shaw to Cary, Jan. 28, 1788, Cary Papers.

[29] Cary to Shaw, June 27, 1788, Cary Letterbook; Shaw to Cary, July 2, 1788, Jan. 16 and Feb. 26, 1789, Cary Papers; Norton, *British-Americans*, 233.

not only because of his financial plight, but because Mary continued to like England. She made friends easily among womenfolk, especially in London, and for one past sixty her health was good.[30]

That was not the case with James who complained frequently of poor health, giving it as the principal reason for their moving about in his last years. It was in one of his low periods when he was ill and felt particularly down on his luck that he asked for Rawdon's help in arranging to have his military pension continued to Mary if she survived him. Once more his former commanding officer complied, providing letters which James felt would enable her to receive his pension. Later, obviously depressed and ill, Cary even memorialized William Pitt, the head of the ministry, asking that government do something further to compensate him for his losses as a Loyalist, but without success.[31]

In 1790, after they had moved back to London, he and Mary conveyed the entire Jamaica property, including "several" slaves, to Bolders & Co. for a nominal sum and the cancellation of the mortgage. With a small but steady income guaranteed for some years ahead, they could have returned to the Caribbean had they wished to do so. Instead, in June, 1791, the couple boarded the brig *Charlton* bound for Halifax with all their belongings, reaching that city early in September.[32]

There is no evidence to indicate why they returned to Nova Scotia, and little to indicate what their lives were like during their three years in Halifax. Cary wrote to Rawdon several times, but the letters were largely descriptive of the area and asked no favors. The long winters were difficult for him, however, and they decided to return to England where the climate was less severe. When they landed at Plymouth in the autumn of 1794, Cary was very ill. Although he recovered sufficiently to resume residence in Castle Street, he did not survive the winter. Thus,

[30] Cary to Henry H. Kennelly, June 13, and to Rawdon, Sept. 14, 1787, Cary Letterbook. During these years Cary did correspond with someone in Richmond, Virginia about the treatment Loyalists had received in that state, to Minton Collins, July 12, 1787, and in 1788 he arranged to have an "urgent" letter sent to John Wagner, a Charleston merchant, to Shaw, Aug. 7, 1788, Cary Letterbook.

[31] Cary to Rawdon, Jan. 29, Mar. 5, 1789, and Pitt, May 20, 1790, and Apr. 5, 1791, Cary Letterbook. The pension was continued to Mary, but only after considerable delay and at a reduced rate. Mary Cary to Henry Crafford, Nov. 24, 1796, Cary Papers.

[32] General release, Bolders & Co. to James Cary, Aug. 8, 1790, "Miscellany, 1752-1929," Pittman Papers, Duke. A Memorandum, June 30, 1791, in the Cary Papers shows that they intended the move to Nova Scotia to be permanent because they took their furniture with them. Their arrival was noted in the *Royal Gazette and Nova Scotia Advertiser* (Halifax), Sept. 6, 1791.

nearly fifteen years after the fateful day on which Cornwallis' army approachd Camden, death finally ended the wandering of this exiled American Loyalist.[33]

And Loyalist James Cary was, for he had volunteered for responsible positions under the British and had suffered the penalties for having chosen the losing side. But like so many South Carolinians, the long period of American rule and the belated conquest of the state by the British forced upon him the problem of choosing sides. A man of average or better intelligence and some advantages and an ambitious man and something of an opportunist, he seems to have yielded to the dominant party, first the Americans, then the British. Perhaps he had been a British sympathizer from the beginning—some of his associates, Elmsly, Edmund Fanning, and Woodmason all strongly espoused the royal cause—but he took no step that jeopardized his property or standing while the Americans held the upper hand. And while his contributions to the British may have been minimal, he was a marked man who could not be allowed to remain in the state after the war.

And so he was forced to leave South Carolina. Having chosen to live in Jamaica, he abandoned his planting operation to chase the rainbow of government bounty in hopes of relief from the obligations incurred in the island. From hindsight, it must have seemed to him as it does to us that he would have achieved as much by awaiting the results of the decision on his claim in Jamaica as he did by his travels to Nova Scotia and England.

From the time Cary ceased receiving active duty pay in 1781, the British government through refugee payments, temporary allowance, military pension to him and his widow, and the cash award and debentures at interest from his Loyalist claim paid the Carys an estimated £1,985 in cash, as well as their passage to Jamaica and the land grant in the island.

For Mary Cary the story had a relatively happy ending. She remained in London for several years where she lived in modest comfort on the pension reduced by half and the income from the debentures. It was there that she first received word from her nephew Henry Crafford in Virginia in 1796 that she would be welcome to return to

[33] Fragment of Cary to [?], July 18, and Richard Smart to Cary, Nov. 15, Cary Papers; Cary to Cornwallis, Sept. 2, 1794, Cary Letterbook. Laurence Hartshorne to Mary Cary, July 4, and Rev. Robert Stenser to Mary Cary, July 14, 1795, Cary Papers, both refer to his death. Items of property which the Carys left behind in Halifax netted £5.16 at auction.

live in his home with her widowed sister. Despite her protests that James' bad luck had left her with little to bring for her support, her family persisted and finally persuaded her to make the trip. Leaving her small affairs in the hands of Ann Elmsly and Ann's son Peter, she arrived in Norfolk in May, 1798, and was soon reunited with her sister and family. In the years that followed she travelled to visit her brother and other relatives in Franklin and Nash Counties, North Carolina. Mary died in Surry County in 1804. Her estate of about £465, much of it in Bank of England stock, was liquidated by Peter Elmsly in London and sent to Crafford who, as executor, distributed the bequests among the numerous children of Mary's nieces and nephews.[34]

[34] Mary Cary to Crafford, Nov. 24, 1796, Jan. 6, and May 19, 1798, Crafford, May 1, 1797, and Ann Elmsly to Mary Cary, Sept. 17 and Dec. 8, 1798, and Feb. 24, 1799, Cary Papers. Mary's will, written in 1800, and the settlement of her estate are in Surry County Wills, Virginia State Library, Richmond, Books 1 and 2.

QUERY

Alfred B. Rhode, 401 Cape Cod Drive, Corpus Christi, Tx 78412 desires information on ancestry of David Rhode, born ca. 1810 in Colleton-Orangeburg Counties, had brothers Daniel C. and Charles D., sisters Ann J. and Rennie. Others? Moved to Rankin Co., Miss., in 1820s and to Lavaca Co., Texas in 1850s. Married Margaret Regene Easterling. Children born Miss.: Elizabeth A. M. 1838, Thomas C 1842, Daniel W. 1844, Martha L. 1847, Celia J. 1849 and Oscar D. 1851.

MEMORIALS

In memory of:	*Contributed by:*
Dr. Joseph Ioor Waring	Thomas R. Waring
	Edgar K. Thompson

THE WAR FOR INDEPENDENCE, NORTH AND SOUTH: THE DIARY OF SAMUEL CATAWBA LOWRY

Edited by VAUGHN CAMP, JR. *

Aside from a few poems and prose works written by him, little is known of the life of Samuel Cosmo Lowry, other than his Diary, a portion of which is reproduced here. Even his gravestone does not bear the date of his birth, but evidence shows it was in early 1846, or very late in 1845.

Lowry, nicknamed "Catawba", was the second son of Dr. James McClure Lowry and Susanna Miller Lowry, of Yorkville, S. C. He was baptised in 1852 and probably received his education at the Yorkville Military Academy.

When the Civil War erupted he was 16 and enlisted in a hometown volunteer company commanded by his Godfather. After service around Charleston in 1861-62, the company was sent north to Virginia to meet the invasion threats of the Union armies. Young Lowry was wounded during the Second Battle of Manassas and then discharged from the service because of his age.

His parents sent him to the State Military Institute at Columbia, but he was soon ousted for attempting to form a company of volunteers among the cadet corps. He reenlisted in another South Carolina regiment, which saw service on Sullivan's Island and in Virginia in the Battle of Howlett's Farm and the trenches around Petersburg. Lowry was promoted to Second Lieutenant.

After recording in his diary: "go back to the ditches tonight," S. C. Lowry was killed at the Battle of the Crater, July 30, 1864, age "nineteen and a half." His body servant, Noah Avery, managed to recover the corpse and return it for burial in Yorkville.

I will now proceed to give, as well as I can recollect from memory, the different incidents that occurred to myself and Regiment during my connection with the Southern Army, a period of 12 months.

* Dr. Camp is a retired college professor now living in Miami, Florida. The original Diary is in the possession of Gen. Sumter L. Lowry, Chief of the Lowry-Avery Clan, of Tampa, Florida. The first section of the Diary is given here, based on a typescript prepared by Gen. Lowry several years ago. The complete text (1861-1864) is deposited with the Society.