

WHITES POINT QUARRY PROPERTY
HISTORICAL BACKGROUND
DIGBY NECK, NOVA SCOTIA

By
Dr. Barry Moody

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Historical Background

The area now known as Little River was settled by Europeans relatively recently, compared with some other nearby regions such as Yarmouth and Annapolis Royal. There is no indication of settlement there during the first century of French occupation of Nova Scotia. The Acadians, as they expanded outward from the Annapolis area, sought the low tidal marshes on which to build their dykes and establish their farms. Present-day Digby County offered no such opportunities to the French settlers. The Little River area remained under the sway of the native population, as did much of the province.

The first waves of English-speaking settlers likewise bypassed the Digby Neck. The founding of Halifax in 1749 and the arrival of the New England Planters, beginning in 1760, brought no permanent residents to the Little River region, although what is now Digby County did receive its first European settlers at this time. All of Digby Neck was granted to a group of Halifax officials in 1765; however, non-fulfilment of the terms under which the grant was made led to the property being escheated.¹ It was not until the influx of the United Empire Loyalists in 1783-84 that a sudden shift took place in the history of Little River. Much of present-day Digby County* was granted to these refugees of the American Revolution. It was at this time that the communities of Digby and Weymouth were established, and became the main Loyalist centres in the region.

Much of Digby Neck, along with the rest of the county, was laid out in various sized lots for the refugees. In the initial distribution of land, most of the Digby Neck land fronting on the Bay of Fundy was left unsurveyed and ungranted. This included most of the property which is the subject of this study.

Among the more prominent of the Loyalists to settle in Digby at this time was Lieutenant-Colonel Joseph Barton, who had risen to prominence in the recent fighting as Commander of the 5th and then the 1st Battalion of the New Jersey Volunteers.² With the final defeat of the British in 1783, Barton left his native New Jersey along with other refugees, taking up land in Nova Scotia, which remained part of the British Empire. He chose to locate in the new town of Digby, where he was granted a town lot, along with 900 acres in the surrounding township.³ However, shortly after his settlement in Digby, he died as the result of injuries sustained in felling a tree, undertaken by Barton as a bet. He was buried 19 February 1788.⁴

* What is now Digby County remained part of Annapolis County until well into the 19th century.

A knowledge of Barton's prominence among the Loyalist refugees, and his early death, are necessary to understand the history of the piece of property under investigation. By 1800, the comings and goings of many Loyalists and the conflicting claims and counterclaims to much of the land made necessary a general escheat of property and a regranting of land to those actually in possession of it. Barton's heirs were confirmed in their possession of the lands granted to their father in 1784, and were now granted an additional 1250 acres in the township.⁵ Included in this 1250 acres was a 300 acre lot on the Fundy shore, near Little River, designated Farm Lot 11 in Division N, and granted to the "Heirs of Joseph Barton."

The so-called "Hatfield Grant" or "Grant of Confirmation" of 1801 was meant to clarify land ownership in the township, and to provide further rewards to certain loyal citizens.⁶ It is therefore surprising to find Barton's children, as his heirs, included in those benefiting from the additional lands. Barton's services to the Crown during the Revolution would certainly warrant such treatment for his surviving children. However, it would appear that long before the new grant, Barton's children had moved back to New Jersey, perhaps as early as immediately after the premature death of their father in 1788. They may well have still been minors at the time of Joseph Barton's death, and their mother had died ten years before.⁷ Certainly by 1798, his three surviving children were living in New Jersey, and not within the British Empire.⁸ The recognition of their rights to additional lands in Digby Township is therefore rather surprising.

The grants to the heirs of Joseph Barton and the others in 1801 were made with certain stipulations, primarily concerning the clearing of the land, the building of a house and establishment of a farm. One of the terms of the grant was of special interest for the present (2002) situation: If the land was not suitable for farming, the grantee was to establish a stone quarry and employ at least one man to work it for every 50 acres granted.⁹

Although Barton's heirs clearly did not fulfil the terms of the grant, they managed to avoid having this part of their property escheated. In 1848 the two remaining heirs of Barton sold lot 11 in division N, 300 acres near Little River, along with several other pieces of property, to Robert Timpany.¹⁰ For the next century and a half, the property would be held by Digby Neck families. Timpany in turn retained the property for twenty years, selling it in 1866 for \$50 Nova Scotia currency. Such a price would indicate that few if any improvements had been made to the property.¹¹

Over the years the property would be divided into smaller pieces and then reunited finally under a single ownership in 2000.¹² For as long as the sale price continued to be included in the deed of sale (in this case, until 1944), the amount paid would indicate that no homes or other substantial buildings had been constructed on the property. For the first half of the 19th century at least, this would be born out by

Church's map of Digby County (circa 1864), which shows all homes in the county (see attached).

The Barton property (with a few deletions) comprises the bulk of the property under consideration. The remaining portion was originally part of the William Addington grant, also part of the Hatfield Grant of 1801, lot 10 in division N.¹³ Addington was also a Loyalist, from the Carolinas, although his name does not seem to appear on any of the earlier grants or musters.¹⁴ Unlike the Barton heirs, Addington was not an absentee landlord, settling in the Little River area, where some of his descendants still reside. As with the Barton lot, the Addington grant has had a checkered history of ownership, being divided several times, and individual pieces passing in and out of possession of various members of the Addington family.¹⁵ It would appear that the Addingtons resided on the western half of the original grant, which they retained. It was the eastern half of the original grant (lot 10) that was added to the Barton Lot in the year 2000.

Conclusion

This brief examination of the history of the piece of land under consideration would indicate that it possesses no special historical significance. Its history, while interesting, is similar to that of many other such properties in the county. The Addington portion is part of an original Loyalist grant, as is most of Digby County. For the Barton piece, the Loyalist connection is tenuous, since it was owned only by the children of a Loyalist (Barton), not by a Loyalist himself. No other names of great significance appear to be connected with the property.

Notes

¹ Mary Kate Bull, Sandy Cove(Hantsport, NS: Lancelot Press, 1978); Isaiah W. Wilson, a Geography and History of the County of Digby (Belleville, ON: Mika Press, 1975), 34-35.

² <http://www.royalprovincial.com/history/figures/skinner.shtml>; New Jersey Muster Rolls – American Revolution <http://www.rootsweb.com/~canmil/uel/njbart78.htm>

³ Loyalists and Land Settlement in Nova Scotia (compiled by Marion Gilroy), (Halifax: Public Archives of Nova Scotia, 1937), 7; Wilson, A History and Geography.... 53.

⁴ Wilson, A History and Geography...., 370.

⁵ A memorial Regarding Land Grants in Digby County – dated April 15th 1800, a transcription in the Admiral Digby Museum, Digby NS. <http://www.rootsweb.com/~nsdigby/perm2/mem2.htm> ; Loyalists and Land Settlement..., 7.

⁶ <http://www.rootsweb.com/~nsdigby/perm2/hatfield.htm>

⁷ Documents relating to the Revolutionary History of the State of New Jersey, vol.II 1778. p. 8, quoted in <http://archiver.rootsweb.com/th/read/BARTON/1999-05/0927661550>

⁸ Registry of Deeds for Digby County, NS, Weymouth, Book 4, 55-6, deed, James Barton, Barrent Barton, Solomon and Anna Broderick, “heirs of the late Colonel Joseph Barton,” all of New Town New Jersey to Christian Tobias of Digby, 9 April 1798.

⁹ <http://www.rootsweb.com/~nsdigby/perm2/hatfield.htm>

¹⁰ Registry of Deeds, Book 18, 265-6, deed, James Barton of Pennsylvania. And Anna Brodrick of Illinois Heirs of Joseph Barton to Edward H. Timpany of Digby, 18 Aug. 1846

¹¹ Registry of Deeds, Book 34, 255-6, deed, Edward ad Jennet Timpany to George Cornwell, 20 Jan. 1866

¹² See for examples, Registry of Deeds, Book 56, 22-3, deed, George and Rebekah Cornwell to Harris Carty, 1 April 1872; Book 165, 84-5, deed, Thomas and Edna Carty to Harvey Denton, 7 Jan. 1946.

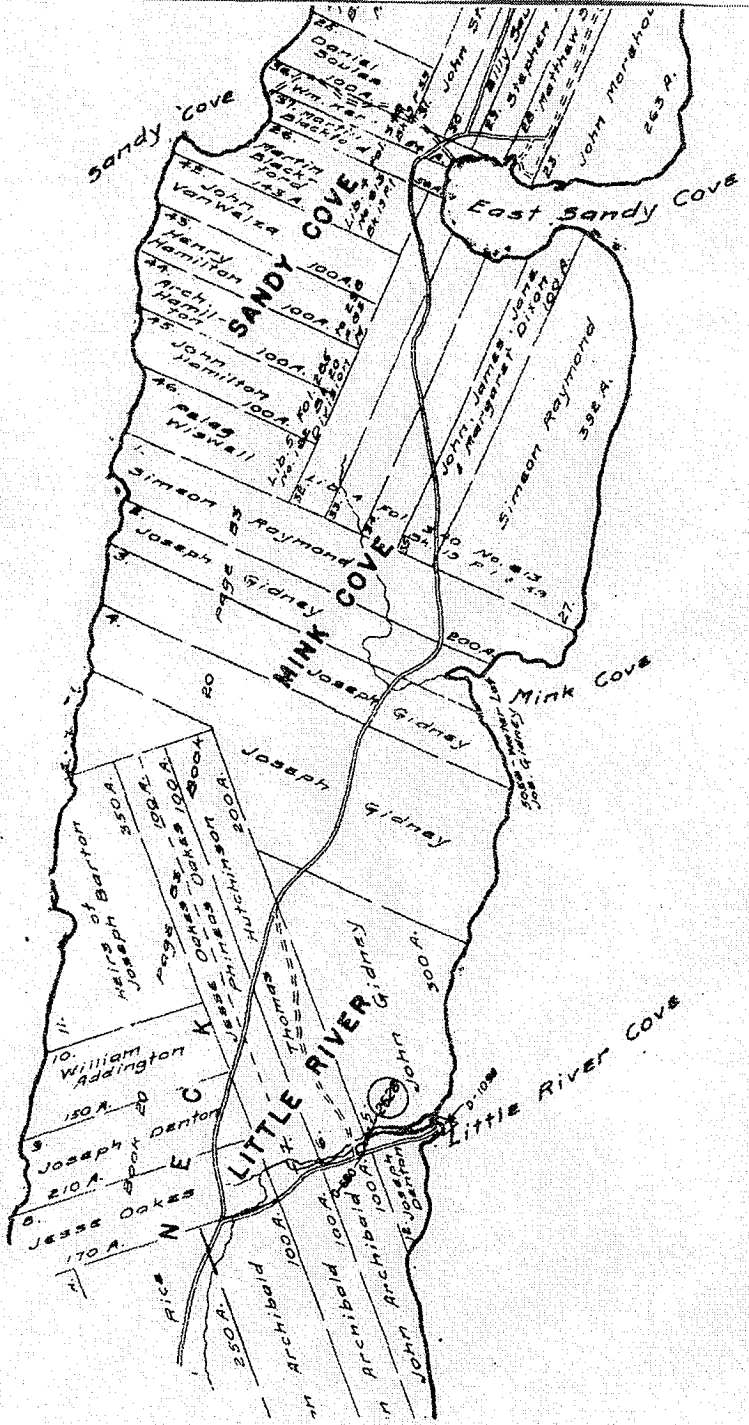
¹³ Loyalists and Land Settlement..., 7; <http://www.rootsweb.com/~nsdigby/perm2/hatfield.htm>

¹⁴ Wilson, A Geography and History..., 346.

¹⁵ Registry of Deeds, Book 56. 54-55, deed, Reuben Addington to Isabelle Addington, 19 Dec. 1881; Book 59, 179, deed Isabelle Addington to Harris Carty, 28 April 1888; Book 161, 621, deed, Thomas and Edna Carty to William Frost, 29 May 1944; Book 163, 548-50 deed, William and Sarah Frost to George Addington, 29 Aug. 1945; Book 167, 347, deed, George and Isabel Addington to Harvey L. Denton, 17 May 1947.

Figure 1

Dept. of Lands & Forests
Nova Scotia
Compiled 1946



White's Cove, Digby Neck

Supplemental Report ¹

The surveyor's report of the White's Cove property, provided to the writer subsequent to the preparation of the initial report, allows for a clearer picture of the rather complicated history of land acquisition and distribution in Whites Cove.

When the heirs of Joseph Barton sold the property to Robert Timpany in 1848, they conveyed the entire grant (Farm Lot 11 in Division N).² However, when Timpany disposed of the property to George Cornwell 18 years later, an important proviso in that deed would indicate that the occupation of the property had become much more complicated. The 1866 deed from Timpany to Cornwell states that the entire lot is conveyed "excepting any part or Parts of said Farm Lot that may have been in possession and occupied by any person or persons a sufficient number of years to give or Establish by Law a legal claim."³ This would indicate that others had occupied part of the property at least 20 years prior to the 1866 sale, and had probably established dwellings there as well. In addition, at some time in the 19th century, either through common practice or legal but unrecorded conveyance, certain "Fishing Privileges" at the Cove came into existence. It is not clear if these "privileges" included the right to erect houses or fish shacks, but probably did.⁴ An 1884 deed refers to "the Lands known as the fishing privileges" in the White's Cove area.⁵

Various deeds mention houses and other buildings at White's Cove. Determining their precise location is hampered by the fact that some of the deeds convey houses or parts of houses, but no land. In 1869 Hosea Lord "of White's Cove," yeoman [farmer], conveyed one half of "that tenement or dwelling house wherein I now reside" to Samuel Hersey for \$150.⁶ Other deeds make reference to further Hersey family members living in White's Cove.⁷ The research of Miss Mary McCarty would indicate that in 1877 four families lived in White's Cove,⁸ although as is clear from the Lord deed cited above, that would not necessarily mean 4 separate houses. Given this activity, it remains surprising and unexplained that the usually very reliable Church's map does not show any houses in the vicinity of White's Cove. Several Hersey families are shown as living in the village of Little River, but none on the Bay of Fundy Shore. The occupations of the White's Cove residents listed include farmer, mariner, and fisherman. The last reference to White's Cove as a place of residence discovered thus far is to be found in the report of a death at sea, when Benjamin Goddard, a native of White's Cove, Digby County was swept overboard from the Gloucester schooner *Laura Goulart* in the spring of 1936. By this time, it is clear, Goddard had been a resident of Gloucester for many years.

Whites Cove appears to have been occupied on a year round basis from approximately the 1860's to the end of the 19th century. By the mid 1880's, the

extended Hersey family appears to have run into financial difficulties. In 1884, Israel Hersey was forced to mortgage his property at White's Cove to Thomas Shreve of Digby, while Charles Hersey sold his property at the Cove six years later to the same individual.¹⁰ In 1884, Samuel Hersey lost a suit for debt to James H. Tebert (Tibert), and was forced to relinquish to the Sheriff of Digby Co. his lands at White's cove, plus his household goods, farm implements, 6 tons of hay, 2 cows and 7 sheep.¹¹ McCarty in her article notes the burning of Israel Hersey's home at White's Cove in December 1890, and the departure of the Morehouse family about a decade later.¹² It would appear that these events heralded the end of permanent human occupation of the White's Cove area.

Conclusion

While the ownership of the land and the small settlement at White's Cove is interesting, in and of itself they have little historical significance. Of course, any place occupied by humans over an extended period of time acquires its own "history;" however, nothing of particular historical significance associated with White's Cove has yet surfaced.

¹ Contrary to statements made at the Public Meeting at Wolfeville 12 November 2002 (and probably elsewhere), the initial report did NOT confuse White's Cove and Gulliver's Cove. The early ownership of Whites Cove is as laid out in that report. A title search was done at the Registry of Deeds for Digby County, Weymouth, tracing the ownership back from the present owners to the first grant to the heirs of Colonel Joseph Barton. This is confirmed by the recent survey of the lands of Allen C. Denton and Cheryl A. Denton, which specifically refers to the land as "Lot No. 11 Lands Granted to [Heirs of] Joseph Barton."

² Registry of Deeds for Digby County, Weymouth, NS, Book 18, 265-6, deed, James Barton and Anna Brodrick to Edward H. Timpany, 18 August 1846.

³ Registry of Deeds, Book 34, 255-6, deed, Edward and Jennet Timpany to George Cornwell, 20 Jan. 1866.

⁴ Registry of Deeds, Book 151, 87-90, deed, Alonzo and Cynthia Morehouse to Thomas Carty, 20 June 1905.

⁵ Registry of Deeds, Book 53, 257-8, deed, Samuel and Martha Hersey to Albert Hersey, 9 April 1884.

⁶ Registry of Deeds, Book 35, 811, deed, Hosea Lord to Samuel Hersey, 21 June 1869.

⁷ Registry of Deeds, Book 45, 281-2, deed, Samuel Hersey to John R. Hersey, 24 Feb. 1874; Book 53, 266-7, Cynthia Lord to Charles Hersey, 11 Mar. 1884; Book 53, 327-8, Albert Hersey to Melvina Hersey, 14 April 1884; Book 151, 87-90, Alonzo and Cynthia Morehouse to Thomas Carty, 20 June 1905.

⁸ Mary McCarty, "Community had lengthy history," *Digby Courier*, 26 Feb. 2003

⁹ www.downtosea.com/1926/igoulart.htm, <http://www.lostatsea.ca/digby.htm>

¹⁰ Registry of Deeds, Book 53, 37-40, Israel and Margaret Hersey to Thomas C. Shreve, 6 Mar. 1890.

¹¹ Registry of Deeds, Book, 54, 71-2, Samuel Hersey to Sheriff of Digby County, under execution issued for \$213.60 at the suit of James H. Tebert, 7 Oct. 1884.

¹² McCarty, "Community had lengthy history."