

NOTE ON TRANSCRIPTION OF CLAIM OF JAMES DUKE, SR.

The original document was scanned in the incorrect page order. The transcription has been completed in proper page order for clarity.

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The commissioners are respectfully asked to reconsider the claim of the representatives of James Duke Sen'r No 580 – on the docket – which has ~~had~~ been heretofore ~~decided~~ submitted to the Board of Commissioners & acted upon by them, & the claim allowed for nine slaves – The object of the present application is to get an allowance for one slave, in addition to the nine already allowed – ten slaves, being the number which were lost to their owner – by their absconding to the British –

When this claim was first considered by the Board of Commissioners – (upon the same evidence as is now filed in the claim, no new evidence having been taken since the claim was first submitted) the following award was made on the 25 March 1828 – endorsed in the handwriting of the Commissioners upon the statement made by the agent – “Allowed to the duly authorized representatives [illegible] for one slave (Thomas) taken from Georgia, 390 – int & remainder of claim reserved – James & John on Halifax list p 71 & 94 – Taking of all ten proved” – on the 21st May 1828 – This further award was made by the commissioners – “allowed for eight slaves taken from Maryland a 280 each – 2240 – int reserved”. At the time this last award was made – Judge [illegible] filed a paper containing a summary of the evidence, with

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the reasons which induced the Board, to make the allowance for eight slaves – instead of nine which was the number allowed for by the first award – exclusive of Tom who was allowed for at the Georgia average – to which award & the reasons for the same the commissioners are referred [sic] –

The evidence rec'd at the Department of State – on the 26 May 1821 - & which was taken on the 21 Apl preceding – proves I think satisfactorily the loss of ten slaves – the property of James Duke –

- James Denton – proves the loss ~~the loss~~ of James - 1.
 - Joseph W. Reynolds – & not Joshua Sedwick – the witness stated by Judge Sedwick, by mistake – Sedwick being the magistrate before whom Reynolds deposed, proved a woman 25 yrs old & child 3 or 4. [illegible] 2.
 - Booth proves Tom. Jenny & child aged 1 year) 3.
 - Basil Duke – the loss of Minty John & Mary & also Sarah seen at Halifax with Tom who has been before enumerated, making 4 in all - 4. _____
- 10

As these depositions of the witnesses here named were filed in the Department of State – on the 26 May 1821 – from this evidence so filed, the Clerk in the Department of State who made out the definitive list, for the mixed commission has endorsed – the claim of Ja's Duke thus - "James Duke Sen 4 depositions – 8 (9) slaves - & he mentions their names enumerating James twice, he being in doubt, whether, the claim-

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-ant lost two slaves – named James or one – if two then the number of slaves lost would be nine – if one – then only eight.

The error in the clerk of the Department of State, who made out the number of slaves to be only eight – arises from his overlooking the deposition of Joseph W. Reynolds, who proves the loss of one woman & her child – the names of whom are not given – but are since given in the deposition of Nathaniel Duke, Esq. taken on the 29 Dec'r 1827 – and whose names are Susan Wilson & her son Frank Wilson – which added to the number described by name – makes the whole number to be ten –

The Commissioners will perceive that it is not attempted to prove by any evidence except that which was filed in the Department of State at the time the definitive list was made out, the loss of the ten slaves – it has been shewn [sic] that it was owing to the circumstance of Mr. Reynolds not having described the slaves – Susan & Frank – by their names – which may have been unknown to him, although – he knew the fact that they were the slaves of James Duke Sen'r – the mistake of the clerk of whether of judgment or otherwise shall not prejudice the claimant – if the evidence was filed in the Department of State previous to the transmission of the definitive list to the mixed commission, proving the loss of property – the [illegible] of Congress constituting this Board, provides for the consideration of the claim, although the said claim had been omitted to be placed upon the definitive list.

The deposition of Nathaniel Duke, clearly

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establishes the fact, that his father James Duke Sen'r lost ten slaves – they are all described by name in his deposition – which deposition was filed before the time, when the claim was first submitted to the consideration of the commissioners –

The commissioners will perceive, that the four witnesses who were first examined, do not profess to mention all the slaves of James Duke Sen'r who eloped from him & joined the British forces – Each witness speaks only as to what he knew upon the subject – the claimant himself in his life time omitted to make any statement upon oath by his loss – presuming I suppose that that oath would not [illegible word crossed out] avail him – but endeavoring, but the testimony of many witnesses, each of whom knew of the loss of some, one of his slaves – to make out his entire loss –

All which is respectfully submitted

Robert P Denton

Agent

28 July 1828

Petition for con-
sideration of the claim
of James Duke Sen'r
No 580

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Know all men by these presents that I James Duke of Calvert County & state of Maryland have made constituted & appointed Robert P. Dunlop of George Town & District of Columbia my true & lawful attorney, for me & in my name & behalf to demand, prosecute & recover, before the Board of Commissioners under the Saint Petersburg convention, appointed to adjust & liquidate the claim provided for by the first article of the Treaty of Ghent by virtue of the decision given by the Emperor of the Russias, on the construction of said article – My claim for certain negroes [sic] carried away by the British forces – and to do all such further acts in the premises as I could do, were I personally present - hereby confirming all such acts & doings of my said attorney – In testimony whereof I hereto set my hand & affix my seal this twentieth day of January in the year eighteen hundred & twenty five –

James Duke

seal

Test

Basil Duke

Calvert County – State of Maryland – to wit:

Be it remembered that on this twentieth day of January – in the year eighteen hundred & twenty five personally appears James Duke the person named in the above power of attorney, & acknowledges the same to be his act & deed, for the purposes above mentioned, according to the true intent & meaning thereof.

Taken & certified by
Basil Duke

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Calvert County State of Maryland –
to wit: December the Twenty Ninth in
the year eighteen hundred & twenty seven –
Personally appears Nathaniel Duke Esq'r
before the subscriber a Justice of the Peace
for the county & of the state aforesaid and
makes oath on the Holy Evangely of Almighty
God that during the late war between
the United States & Great Britain his
Father James Duke Sen'r lost the follow
-ing negroes to wit: "James Patterson" – Thomas
Sewall or Morgan" – "Jenny Gross" - & "Priscilla
Gross her child" Sarah Deadfoot or Deadford
or Deptford" – "Minty Culley" – "John Broom" –
& " Mary Culley" child of "Minty Culley" aforesaid
& Susan or Suckey Wilson" or Jackson" –
& her child "Frank Wilson" - & that
the said negroes nor neither of them ever
again returned to the service of the said
James Duke Sen'r nor that he ever
received any compensation for them or
either of them - & further this Deponent
saith not – except that he hath always
understood & believes that negro "Thomas
Sewall or Morgan" belonged to his brother
Basil Duke son of the said James Duke
Sen'r - & that the rest of the said negroes
belonged to the said James Duke Sen'r
& how the said "Thomas Sewall or Morgan"
happened to be returned as the property
of the said James Duke Sen'r this Deponent
knows not unless the Deponent or Depo
-nents in the Deposition or Depositions
originally filed in the office of the
Secretary of State of the United States did

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not know that the said "Thomas Sewall or Morgan" belonged to the said Basil Duke and took it for granted that he belonged to the said James Duke Sen'r because he was in his possession – or because the said Basil Duke was then absent from Calvert County aforesaid –

Sworn before
Peregrine Bowen

State of Maryland, Calvert County Sc.

I hereby certify that Peregrine Bowen Esquire before whom the foregoing [illegible] was made and taken and who has thereto subscribed his name was at the time of [illegible] Justice of the peace of the said State in and for Calvert County [illegible] and sworn.

In Testimony whereof I have hereunto subscribed my name and affixed the Seal of Calvert County Court this seventh day of January in the year of our Lord one thousand eight hundred and twenty eight.

William S. Morsell Clk of Calvert
County Court

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James Denton proves that in 1814 Br Officers
told him James was on Board [illegible] 1
Joshua Sedwick proves woman 25 yrs 2
old & child " [illegible] }
Brooke proves Tom, Jenny & child aged one year } 3

Basil Duke, the loss of Minty, Jms & Mary
being three, besides James & Sarah who
were seen at Halifax after the peace
by Wilson, as he was informed – from the statement of
this witness that only
five were lost. By the claim sent in
by the Gov't to the mixed commission, which
is called the defentive [sic] list, there are nine
claimed according to the amount made out at
the State Department; altho [sic] correct by the
proofs then in, make but six, as above, according
to the most extended construction, & but five, by
what is most to be relied on, yet I must take
it as for nine – this list cannot be increased
but by proof then in the office HS

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Slaves. Dep.

Duke, James, Sen'r – Calvert Co. Md.

25 April 1821

recd 26 May “

Four Dep'ns – 8 (9) slaves

		1 - 500
James -----	46 ----- \$400	2 – 400
Thomas-----	32----- 500	2 – 300
Jenny-----	18----- 300	2 - 100
Priscilla-----	1----- 30	<u>2</u> - 30
(James-----	42----- 400 perhaps same as above)	9
Sarah-----	60----- 100	
Minty-----	22----- 300	
John-----	3 ----- 100	
Mary -----	½ ----- <u>30</u>	
	(2760)	
	(2160)	

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State of Maryland – Calvert County –
Mr. James D. Denton being first duly sworn
deposeth & saith, that in the year eighteen
hundred & fourteen, in the month of August,
he was informed by some of the British
(who then lay in the Patuxent River in
armed vessels) that negro James the slave
of Mr. James Duke Sen'r of the County
& state aforesaid – aged about forty six
years ~~of age~~ - & worth about four hundred
dollars was on board of their fleet, in
their service, sawing timber, [illegible] – This
Deponent further states that he lives
& at the time above specified lived – very
near the residence of the said James Duke
Sen'r in whose service he frequently
saw the above mentioned negro before he
was told by the British that he (the said
negro) was in their service - & that since
being so informed by the British – he hath
never seen nor heard of the said negro - & fur
-ther saith not – given under my hand
this twenty fifth day of April, in the year
eighteen hundred & twenty one –

Signed James D. Denton

Be it remembered that on this twenty fifth
day of April in the year of our Lord one
thousand, eight hundred & twenty one, James
D. Denton made oath on the Holy Evangely
of Almighty God to the truth of the above De-
-position, to the best of his knowledge, recollection
& belief – Before the Subscriber a Justice

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of peace for Calvert County & State
of Maryland –
Wm C Dawkins

State of Maryland
Calvert County to wit
On this the 28th of April 1821 personally
appeared before me a Justice of the
Peace for Calvert County, Joseph W
Reynolds & made oath on the holy
Evangel of Almighty God that when
confined on board of his Britanic [sic]
Majesties ship the Loire lying in the river Patuxent Capt Brown
as a prisoner, he saw a negro wom [sic]
& child the property of James Duke
of Calvert County, received on board
of said ship the woman appeared
to be about 25 years of age and the
child appeared to be 3 or 4 years old
both worth at that time about four
hundred dollars –
Sworn before
Joshua Sedwick

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Maryland – Calvert County –
Matthias Booth about fifty years of age being first
duly sworn on the Holy Evangely of Almighty God, deposeth
& saith that in the year of our Lord one thousand eight hundred
& fourteen, in the month of July, a negroe [sic] man & a
negroe [sic] woman & child slaves for life of Cap't James Duke
of the state & county aforesaid, to wit: Thomas about thirty
two years of age & worth about five hundred dollars - & Jenny
about eighteen years of age, & worth about three hundred
dollars & negroe [sic] Pricilla [sic] aged one year worth about thirty
dollars, went off from ~~from~~ the farm of the said Cap't James
Duke, to the British; as this Deponent verily believes –
as he afterwards saw the said negroes in the company with,
or in the possession of the British, several times – ~~some~~
some of whom (the British) then lay in an armed ves-
sel or vessels in the Patuxent River - & frequently
landed on the shore & travelled about contiguous to the
river – during which (landing & going about as aforesaid),
this Deponent saw the aforesaid negroes, as above stated –
& further saith not – given under my hand this twenty
fourth day of April in the year of our Lord one thousand
eight hundred & twenty one - Matthias Booth

Signed

Be it remembered that one the date of the date of the
above Deposition, Matthias Booth personally appeared and
made oath to the truth of the abovesaid Deposition to the
best of his recollection, belief & knowledge – Before the Subscri-
Ber a Justice of the Peace in and for Calvert County &
State of Maryland

Wm C Dawkins

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State of Maryland – Calvert County –
Basil Duke about thirty one years of age [illegible]
first duly sworn deposed & sayeth, that he was [illegible]
Mr James M. Wilson – (since deceased) that he saw [illegible]
James & Sarah the property of Capt' James Duke in [illegible]
after the war between G Britain & America, & that
said negroes did call upon said Ja's M. Wilson [illegible]
a present of money - & the deponent further state
ages to be ~~about~~ James about forty two years
Sarah sixty years – James value about four hundred
dollars & Sarah about one hundred - & the deponent
further sayeth the same James Duke lost three [illegible]
negroes [sic] viz Minty aged twenty two value about
three hundred dollars, John aged three years & [illegible]
about one hundred dollars, Mary six month [illegible]
thirty dollars. The said negroes [sic] went off in [illegible]
with some negroes that have since been seen [illegible]
the British soldiers & further this deponent [illegible]
not – Given under my hand this the sixteenth [illegible]
of May on the year eighteen hundred & twenty [illegible]
Signed Basil Duke

Be it remembered that on the date of the date [illegible]
mentioned deposition, Basil Duke made oath on the [illegible]
Evangelist of the Almighty God to the truth thereof to the [illegible]
of his knowledge, recollection & belief.
Before the Subscriber
a Justice of the Peace for Calvrt [sic] County in the state
Maryland
Young Parran

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State of Maryland, Calvert County Sc.

I Hereby certify that William C
Dawkins Joshua Sedwick & Young Parran Gentlemen
before whom the annexed depositions were made and taken and
who have thereto subscribed their names were at the time of so
doing three of the Justices of the peace of the said State in
and for Calvert County aforesaid duly commissioned & sworn

In Testimony whereof I have hereunto
subscribed my name and affixed the Seal
of my office this sixteenth day of May
in the year of our Lord Eighteen
hundred and twenty one –

Wm S. Morsell Clk of Calvert
County Court

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James Duke Sen'r
Calvert County Md
Claim for ten slaves.
Statement of agent.
Robert P. Dunlop
agent

--- Submitted ---

25 Mar: 1828

to the duly authorized Rep't [illegible]

Allowed for one Slave

(Thomas) taken from Virginia

Georgia \$390

Int & remainder of claim reserved

James & John on Halifax list

P: 71 & 94 –

(Ten)

Taking of all proved

See the other side for
the award

21st May 1828 – allow'd

for eight slaves taken

from Maryland @ \$280

each \$2240 –

Int. reserved

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The claim of James Duke Sen deceased, late of Calvert County, in the State of Maryland is respectfully submitted –

The representatives of James Duke dec'd claim indemnity for ten slaves, viz James Patterson, Thomas Sewall or Morgan, Jenny Gross - & Priscilla Gross her child, Sarah Deadfoot or Deadford or Depford, Minty Cully, John Broom, Mary Cully child of Minty Cully – Susan or Suckey Wilson or Jackson & her child Frank Wilson – See the Deposition of Nathaniel Duke – for the names & number of J. Duke's slaves –

The Clerk in the State Department – who made out the definitive list, has in enumerating the slaves of J. Duke deceased, committed two errors – the first error in inserting the name of James, (Patterson) twice - & the second in overlooking the two negroes viz the woman & her child mentioned in the Deposition of Mr. Reynolds, who were seen by him when a prisoner on board the "Loire" & whom it is believed new [sic] Susan Wilson & her son Frank, whose names are not mentioned on the Definitive list It is respectfully submitted if the proof files in the Department of State in proper time, shewed, the list of other slaves than those named on the definitive list, whether the error of the Clerk in making out that list can prejudice the claimant – It is believed that it cannot –

The Commissioners are refered [sic] to page 94 of the document – Halifax list, for the name of James Patterson – to page 94 of the document – for the name of Thomas Morgan – one of the slaves of J. Duke being known by the names of Thomas Sewall or Morgan – page 81 of the document – for Jenny Gross & her child – Priscilla – ~~then can only~~ Henry, Daniel & Richard Gross – all on the Halifax list appear from that list to have each of them had a Wife & one child – name of wife & child unknown Sarah Bradford, is proved by the deposition of Basil Duke

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to have been seen in Halifax after the termination of the war – her name cannot however be traced on the Halifax list –

The commissioners are referred [sic] to page 75 of the documents Halifax list – two names are found – on that list together, viz Caden Minty, Cullen Mary – which it is very likely are Minty Cully & her child Mary whose names are thus incorrectly given –

See Page 71 of the documents for the name of “John Broom” –

The other slaves cannot be traced upon any of the printed lists – but it is submitted – whether from the number of the slaves of James Duke Dec’d whose names appear on the British lists, the Commissioners ought not to presume that the whole of Mr. Duke slaves were with the British forces within the limits of the U States at the ratification of the Treaty of Peace – especially as no proof to the contrary has been offered on the part of the British government –

Robert P. Dunlop
agent for the representatives
of James Duke Dec’d

The commissioners are also referred to the Halifax list – page 90 for the name of Thomas Morgan –