

Claim of James E. Bourne

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Slaves Dep.
558
Bourne, James E. – Calvert Co. Md
14 Augt 1822
Rec? 26 “ “

5 Slaves - \$1525
1 – 500
1 – 300
1 – 275
1 – 250
1 – 200
20 X

A List of Negroes the property of James E Bourne who were taken by the British Enemy and carried on board their Fleet while laying the Patuxent River in August 1814 –

Names - - -	Ages - - -	Sex - - -	Value
Negro Bill	23 years	Male	\$500 -
“ David	12 “	“	250 -
“ Dorcas	30 “	Female	200 –
“ Charlotte	47 “	D	300 –
“ Clarisa	14 “	D	275 –
			\$1525

State of Maryland Calvert County to wit
On this Fourteenth day of August 1822 personally appeared James E Bourne before me – the subscriber a Justice of the Peace in and for the County aforesaid and made Oath on the Holy Evangely of Almighty God that some time in the month of August 1814 while the British enemy lay'd in the Patuxent River about five miles from his house they took and carried away the above named Negroes, and that he hath not seen the said Negroes since – and that they would have sold at that time for the prices above stated –
Young Parran

State of Maryland Calvert County to wit
On this Fourteenth Day of August ~~1824~~ 1822 personally appeared George Ireland before me the Subscriber a Justice of the Peace in and for the County aforesaid and solely [sic] and sinserely [sic] affirmed that in the year 1814 ~~is~~ sometime in the month of August while the British lay in the mouth of Patuxent River he saw two of the above named Negroes Bill and Dorcas the property of the James E Bourne in the possession of the British Enemy – Bill was armed with a sword, and Dorcas was was bring their clothing, and he the said George Ireland was informed by Bill and Dorcas that the other three Negroes above mentioned was on board of the said British fleet – and that he the said George Ireland lived at that time at Drum Point near the mouth of Patuxent River where the British fleet then were and that the above named Negroes would have sold for the above stated prices –
Young Parran

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St of Md Calvert County Sc

On this 7th day of Feb'y 1828

Personally appears Jane Smith before me the Subscriber a Justice of the Peace in and for the State & County aforesaid and made oath on the holy evangely of almighty God that to her knowledge David & Clarissa Watts was the children of Dorcas Waters ~~and~~ Charlotte Young & Bill Patterson and that all of the said negroes was the property of Jas. E Bourne and that they went off in the summer of 1814 and that the B. Fleet was at that time in Bay and river and that she further saith that she saw the above mentioned negro Bill going from the landing to a British Brig which laid of against Jas E Bournes landing on the Chesapeake Bay and to his knowledge that the said negroes has never returned.

Sworn to before –

Thos. B. King

St of Md Calvert County Sc

On this 7th day of Feby 1828 personally appears John C Johnson before me the Subscriber a Justice of the Peace in and for the state & county aforesaid and made oath on the holy Evangely of Almighty God that to his knowledge the following negroes named that is to say Bill Patterson Charlotte Young Dorcas Watts and that David & Clarissa Watts was the children of the above mentioned Dorcas Watts and the said negroes was the property of James E Bourne and that they went of [sic] to the British in the summer of 1814 and he further saith that he saw the above mentioned negroes Bill on his way to a British Brig which laid of against the said Bournes land ing on the Cheasapeake [sic] Bay and he believed that he went on board of the said Brig safe and that they have never returned. Sworn before

Thos. B. King

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The affidavits filed in this case it is supposed sufficiently prove that the Five negroes whose value the claimant seeks to recover, absconded, were received & taken off by the British & have been totally lost to their owner. The claimant is without direct proof of the time when they were removed – Negro Bill, who was at the time 23 years of age, is proved by Ireland to have been seen by him in arms on the shore of the Patuxent – from which it may be presumed he had been enlisted among the marines, or soldiers of the line, & consequently employed on the American coast until after the close of the war – Negro Dorcas is proved by the same witness to have been engaged as a Domestic Servant, washing the cloths [sic] of the English, and unless proof to the contrary be produced, may be fairly presumed to have been retained in that employment at least the burthen of proof is shifted to the English to shew that having been so employed she was subsequently & before the close of the war discharged - Upon a careful examination of the list of claims, sp the British list – it will be found – that this negro is the only one named Dorcas for whom a claim is made, & that one and only one of the same name is on the British list – it is true their ages do not agree, (see Halifax list – page 85 - & list of claims page 10) but the coincidence of name & number is more imposing than the differences in ages which may be owing to mistake – Dorcas was the mother of David & Clarissa – if the presumptions are strong enough to fix her stay on the American coast until after the war, & so to entitle the claimant to a recovery. The Board will also presume that the children were not separated [sic] from the mother, & that they also were within the U States & must be paid for – if it be admitted that the burthen of proof [sic] is on the claimant to shew when these negroes were removed, the difficulty of proving that, which from the very nature of existing circumstances must be out of the knowledge of the claimant, will justify the admission of the slightest circumstances tending to make out the fact - and so evidence which (of direct proof [sic] or even strong circumstantial [sic] evidence, could be reasonably required of the party) would not be entitled to much regard, becomes entitled to much

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consideration, the best evidence the nature of the case will admit if is all that can be acquired – true it should be strong enough to produce a presumption in favour of the party seeking to recover - & this the claimant thinks must be the effect of the testimony in relation to Bill Dorcas their two children David & Clarissa

J. Maubury
for the claimant

James E. Bourne

agents remarks