

Finding Loyalists in Your Family Tree

Above: "Encampment of the Loyalists at Johnston, a New Settlement, on the Banks of the River St Laurence [sic] in Canada, taken June 6th 1784," by James Peachey. Library and Archives Canada, Acc. No. 1989-218-1.

Loyalists, also known as Tories and Royalists, supported the British during the Revolutionary era. According to historians, approximately fifteen to twenty percent of American colonists (approximately 500,000 people) identified as Loyalists.[1] These colonists remained loyal to the British Crown for a variety of reasons, including wanting to remain British subjects and maintain family ties and business relationships. However, Loyalists in the colonies risked the confiscation of their lands, as well as being harassed, arrested, and eventually evicted from the colonies.

The following records are key to researching Loyalist connections.

Oaths of Allegiance

Legislation passed by individual colonies required male residents to sign a pledge to the Patriot cause. These were known as "test laws," since they tested allegiance to the Patriot cause. Failure to take the pledge could result in imprisonment, banishment, a loss of legal rights, and even execution if the Loyalist returned to that colony. Claude Halstead Van Tyne's *The Loyalists in the American Revolution* (1902) includes appendices with the text of each colony's laws. The oaths of allegiance generally consisted of three components: renouncing and refusing all allegiance to King George III, his heirs, and successors; swearing allegiance to the colony; and promising to make any traitorous conspiracies known.

The lists of individuals who took this oath can be found in various repositories around the country, including local historical societies and universities. For instance, the New York Public Library has a volume of 1781 oaths taken by South Carolina residents.[2]

Confiscation of Lands

All of the colonies passed their own laws on the confiscation of Loyalist property. Usually, the land was confiscated and auctioned by the colonial government, which kept the proceeds.

Many of these land sales were publicized in local newspapers. For instance, on December 30, 1782, the Committee for the Sale of Absentee Estates in Suffolk County, Massachusetts, gave notice in the *Boston Gazette* that the confiscated home of Robert Jarvis, an "absentee"—a Loyalist who fled—would be sold at public auction at the Bunch of Grapes tavern.[3] (See page 28.)

New York had the most aggressive land confiscation laws. The Forfeiture Act passed there on October 22, 1779, proscribed not only seizure of property, but also banishment from the state. An act of attainder even listed several individual people, including William Tryon, a late governor of the colony, as "enemies of the state."[4]



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Loyalist resources

Databases

American Loyalist Claims
*1730–1835: FamilySearch.org/en/search/catalog/192412
*1776–1835: Ancestry.com/search/collections/3712

Black Loyalist Directory, 1783–1788
This database contains details about Black and multiracial passengers who left the US mainly for ports in New Brunswick, Nova Scotia, and Quebec. The source is *The Book of Negroes: African Americans in Exile After the American Revolution*, edited by Graham Russell Gao Hodges and Alan Edward Brown (Fordham University Press, 2021).
AmericanAncestors.org/search/databasesearch/2823/black-loyalist-directory-1783-1788

***Land Petitions of Lower Canada**
bac-lac.gc.ca/eng/discover/land/land-petitions-lower-canada-1764-1841

***Land Petitions of Upper Canada**
bac-lac.gc.ca/eng/discover/land/land-petitions-upper-canada-1763-1865

***Lower Canada Land Petitions and Related Records, 1637–1842**
familysearch.org/search/catalog/500672

***Loyalist Directory**
uelac.ca/loyalist-directory

Massachusetts: Divided Hearts, Massachusetts Loyalists, 1765–1790
This biographical directory, sponsored by the Society of Colonial Wars in the Commonwealth of Massachusetts, provides information on 1,705 Massachusetts Loyalists.
AmericanAncestors.org/search/databasesearch/80/massachusetts-divided-hearts-massachusetts-loyalists-1765-1790

***Upper Canada, Petitions for Land Grants and Leases, 1791–1867**
FamilySearch.org/en/search/catalog/521830

Other resources

Friend or Foe: Researching Colonial Ancestors During the American Revolution [video]
Chief Genealogist David Allen Lambert discusses how to determine if—and how—your ancestors participated in the American Revolution.
AmericanAncestors.org/video-library/friend-or-foe-researching-colonial-ancestors-during-american-revolution

Loyalist Collection at the University of New Brunswick
loyalist.lib.unb.ca

Researching Black Patriots and Loyalists During the Revolutionary Era [video]
Researcher Danielle Rose discusses Black soldiers during the Revolution and their motivations for joining the Patriots or Loyalists, plus relevant resources, records, and research strategies.
AmericanAncestors.org/video-library/researching-black-patriots-and-loyalists-during-revolutionary-era

*Starred items are described in the article.

Some town records hold information on local Committees of Correspondence, Safety, and Inspection. Reports from those committees sometimes include details about people under investigation who had their property seized and sold. Many town records can be found online on FamilySearch.org under the Catalog>Town Records.

Land Petitions

Many Loyalists who fled the American colonies settled in Canada. Applications for Crown land asked claimants for proof of their loyalty to the Crown. Examples include having signed oaths of allegiance or served in the British military or being children of known Loyalists. When petitions were approved, successful applicants received a ticket with the township and lot number of their newly assigned land.

The land petitions for Lower Canada (which includes present-day Quebec) and Upper Canada (modern Ontario) have been indexed and are searchable on the Library and Archives Canada website.[5] The land petition files can be found on the Library and Archives Canada website and FamilySearch.[6]

Loyalist Claims

In 1783, the American Loyalist Claims Commission was established by an act of Parliament to address Loyalist claims of property damage and confiscation during the Revolutionary War. The records created by this commission provide insight into applicants' lives beyond the information contained in the town records and land deeds.

One of these claims tells the story of John Brown, an immigrant from Scotland who arrived in the American colonies in 1764. John, a tin worker, settled in Georgia. When

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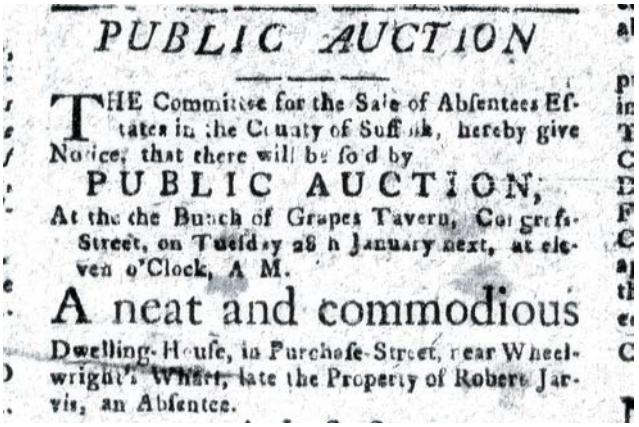
the war began, he avoided serving with the Americans and didn't sign an oath to the new government. Instead, John served in a Georgia militia with British troops. As he later documented on a schedule of real or personal estate, John owned 200 acres of land near Savannah in Queensborough Township, as well as seventeen heads of cattle, eight heads of hogs, four horses, mechanical and plantation tools, and more totaling approximately £185. During the evacuation of Savannah in 1782, John fled to St. Augustine, Florida. In 1786, John filed a claim for his property in Georgia that was confiscated after he left.[7] He later settled in Rawdon Township, Nova Scotia.

The commission's records are held at the National Archives of the UK. This collection is also available on FamilySearch and Ancestry.[8]

United Empire Loyalists' Association of Canada

The major lineage society that honors Loyalist forebears is the United Empire Loyalists' Association of Canada (UELAC). Anyone with an interest in Loyalist history may join the organization. Descendants of Loyalists who fled the British colonies and settled in Canada can apply for a Loyalist Certificate that establishes a genealogical proof back to a Loyalist ancestor. Applications are based on the traditional lineage requirements of births, marriages, and deaths, as well as land petitions, muster rolls, and other records.



PUBLIC AUCTION

THE Committee for the Sale of Absentees Estates in the County of Suffolk, hereby give Notice, that there will be sold by

PUBLIC AUCTION,

At the the Bunch of Grapes Tavern, Congress-Street, on Tuesday 28th January next, at eleven o'Clock, A M.

A neat and commodious

Dwelling-House, in Purchase-Street, near Wheelwright's Wharf, late the Property of Robert Jarvis, an Absentee.

This notice in the December 30, 1782, *Boston Gazette* announced that the Boston house owned by Robert Jarvis, an "Absentee," would be auctioned. Early American Newspapers: Series I, 1690–1876.

The UELAC has an online directory of approved Loyalists, which can be searched by name. Details include the Loyalist's name; known family members (spouse, children, siblings, parents); places of birth, resettlement, and death, if known; military service (if applicable); land petitions; proof of loyalty; and more.[9]

As commemorations of the Revolutionary War continue, a variety of records allow us to embrace the full history of the era, one that acknowledges the convictions and bravery of the Loyalists and their contributions to our shared history. ◆

Notes

1 Robert M. Calhoon, "Loyalism and Neutrality," in Jack P. Greene and J.R. Pole, eds., *The Blackwell Encyclopedia of the American Revolution* (Blackwell Reference, 1991), 235; Robert Middlekauff, *The Glorious Cause: The American Revolution, 1763–1789* (Oxford University Press, 2005), 563–564; and Thomas B. Allen, *Tories: Fighting for the King in America's First Civil War* (HarperCollins, 2010) p. xx.

2 South Carolina loyalists' oaths of allegiance, 1781, Manuscripts and Archives Division, New York Public Library, MssCol 85; archives.nypl.org/mss/85.

3 *Boston Gazette*, December 30, 1782, 3, in *Early American Newspapers: Series I, 1690–1876* (accessed via AmericanAncestors.org>Search>Partner Databases).

4 "The New York Act of Attainder, or Confiscation Act," Provincial Archives of New Brunswick, archives.gnb.ca/exhibits/forthavoc/html/NY-Attainder.aspx?culture=en-CA.

5 Land Petitions for Upper Canada, 1763–1865 are at bac-lac.gc.ca/eng/discover/land/land-petitions-upper-canada-1763-1865; Land Petitions of Lower Canada, 1764–1841 are at bac-lac.gc.ca/eng/discover/land/land-petitions-lower-canada-1764-1841.

6 Upper Canada Land Petitions, 1763–1865, Archives of Canada, at collectionscanada.gc.ca/microform-digitization/006003-110.02-e.php?&q2=29&interval=50&sk=0; and Lower Canada Land Petitions and Related Records, 1637–1842, at FamilySearch.org/en/search/catalog/500672; and Upper Canada, Petitions for Land Grants and Leases, 1791–1867, at familysearch.org/en/search/catalog/521830.

7 "UK, American Loyalist Claims, 1776–1835," Ancestry.com. Original data: American Loyalist Claims, 1776–1835. AO 12–13. The National Archives of the United Kingdom; Series I, Piece 005: Evidence, Georgia, 1786–1787, p. 1; Ancestry.com/imageviewer/collections/3712/images/40939_307345-00014.

8 "American Loyalist Claims, 1730–1835," at FamilySearch.org/en/search/catalog/192412; and "UK, American Loyalist Claims, 1776–1835," at Ancestry.com/search/collections/3712.

9 See uelac.ca/loyalist-directory.

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