Chapter IX

SIR PATRICK HOUSTOUN,
SIXTH BARONET

While it is certain that Patrick Houstoun, Jr., returned to Georgia before his father died, the date of his arrival home is unknown. Upon the death of his father he immediately fell heir to the title and, at twenty years of age, was recognized at once in the colony as the sixth Houstoun baronet. From that time the younger Patrick was always referred to in the Colonial Records as Sir Patrick Houstoun.¹

As already cited, Governor Wright wrote to the authorities in London of the death of the elder baronet and of the appointment of the son to succeed to the offices the former had held. Governor Wright wrote that the salary was to be one hundred pounds a year with "perquisites about £37."² Sir Patrick’s commission could not have reached him until late in the summer as it was dated London, May 15, 1762. Containing an expression of confidence in the ability and integrity of young Houstoun, the document commissioned him to serve, like his father, as Georgia’s Register of Grants and Receiver of Quit Rents. Explicit directions followed for the manner and form of carrying out the duties of the office, for collecting quit rents, and what to do to those persons who were delinquent, and a requirement for making yearly reports.

Less than two weeks after his father’s death the young Crown official was working at his predecessor’s desk. On March 28, 1762, he signed his first report which was sent to London; it showed that in the last six months of his father’s life, from July 27, 1761, to January 27, 1762, seventy-eight grants had been regis-

1. There has been confusion among historians, past and present, in writing of the Houstouns, especially of the two baronets in Georgia named Patrick. It is hoped this narrative will furnish the correct information necessary to distinguish father from son.
tered. On August 2 the first report of his own work of registering grants from January 27, 1762, to July 27, 1762, was sent abroad. In a year's time Sir Patrick was given an assistant, presumably his uncle, James Houstoun, who was made deputy register, and in the third issue of the recently-established *Georgia Gazette*, James Houstoun advertised that the office of Register of Grants and Receiver of Quit Rents had been removed to his house. He requested that all persons in arrears call and pay their quit rents and take out their grants that were "lying" in the Register's office. In the year 1763 the first semi-annual report from March 25 to September 25, recording sixty grants, and the second half-yearly one itemizing only fifteen grants, were both signed by James Houstoun, deputy register. Sir Patrick Houstoun had not resigned his post, because in the following years reports were signed by him and in the same way his father wrote his signature, "Pat. Houstoun." On October 30, 1765, he registered a grant of five hundred acres in St. Patrick's Parish to his mother, "Dame Priscilla Houstoun"; the next year one to himself, a grant of three hundred acres of land in the Parish of St. Thomas, and one to Ann Moodie, two hundred acres in St. Matthew's Parish. The office of Register of Grants and Receiver of Quit Rents remained in the Houstoun family from 1754 to the beginning of the Revolution.

During the absence of young Patrick Houstoun, the province had been making strides in government under the first two Royal governors, John Reynolds and Henry Ellis, and when he came back, Governor Wright was in command of the colony. Returning to Georgia with a foreign viewpoint, as well as with a good education, Patrick kept his eyes wide open, no doubt, and learned much about the affairs of the legislative bodies of the colony before he entered the Assembly.

Since the change in the government from the Trustees to that of the Crown (1754) circumstances arose constantly which necessitated immediate action in the Assembly for solving the dilemmas that confronted the legislators. The Assembly was keenly alive

4. Ibid., 455, 489.
5. Ibid., XXXII, 580.
to the needs of Georgia, which in 1762 was twenty-nine years old, and the members framed many bills for the advancement and the good of the province. The membership of the Commons House at that time varied from eighteen to twenty-five members. The Assembly met both morning and afternoon, although the afternoon session was not always held. The morning session convened at eight, nine, or ten o’clock, with the Monday meeting usually beginning at ten o’clock. The afternoon sessions were held at two, three, or four o’clock.*

The Lower or Commons House of Assembly met downstairs in the same two-story house where the Council and the Upper House sat. That house fronted on an open square, later named Reynolds. It was a fairly large house, “presumably contained a fire place and certainly was provided with a bar, a table for the Speaker and another for the clerk.” On what the members sat for the whole period cannot be said, but “red bay chairs costing £1, 5s were used in the latter part of the Assembly’s existence. The mace was of silver and double gilt, cost about £100 and was purchased in England by Benjamin Franklin, Colonial agent for Georgia. At the same time that he bought the mace, he secured a gown for the Speaker and one for the Clerk of the House.”

The first session of the Sixth General Assembly of the province was convened at Savannah on Tuesday, November 20, 1764, by His Excellency James Wright, Esquire, Captain-General and Governor-in-Chief of the Province aforesaid, and Vice Admiral of the same. On that day young Patrick Houstoun, twenty-two years of age, entered the Lower House as an elected member representing the District of Vernonburg. It is obvious in reading the records that he was a conspicuous figure in the Lower House. He was often called upon to serve on committees, frequently as chairman; he was singled out also many times to carry bills or messages to the Upper House, to the Governor, or to the President of the Council. From the week he entered the Assembly until his retirement (barring the time, of course, when

* John Pitts Corry, “Procedure in the Commons House of Assembly in Georgia,” in The Georgia Historical Quarterly, XIII, No. 2 (June, 1929), 112.

* Ibid., 111-112.

* Colonial Records of Georgia, XIV, 136-137.
he was not a member) he was an active committeeman. He took his seat on a Tuesday, and on the following Friday he was appointed with John Milledge to present an engrossed address to the Governor in answer to the one the latter had made to a joint meeting of the two houses the previous Wednesday.

Young Houstoun's legislative career kept him in close touch with Georgia's problems. He participated in legislation for bettering the condition of Negro slaves and for improving the militia. When the Reverend George Whitefield applied for lands to endow a Georgia "Colledge," Sir Patrick was among those appointed to take under advisement the minister's application. He was chairman of a committee entrusted with the task of getting the Upper House to concur with a Lower House project to establish a ferry to South Carolina. He served on a committee to correspond with the colony's London agent, William Knox. In military matters Houstoun would seem to have been especially active, serving as chairman of a commission to provide £650 for building a fort in the Parish of St. Paul's, a guard house in Savannah, and for repairing the barracks in Frederica. He also served on a committee appointed by the Governor to repair the barracks in Savannah.

In March, 1765, the constituents of Vernonburg, Sir Patrick's district, were fearful of losing their property and homes. They were informed, to their surprise, that the lands were said to be claimed by Sir William Baker, Knight, under a grant from the proprietors of South Carolina prior to the division and settlement of the Georgia province. Farm lots and lots in Savannah, and the village of Vernonburg in particular, were all under the claim. A petition was sent to the Assembly requesting that the "Baker claim" be taken under advisement and put before the Colonial Agent. The House resolved to instruct the Committee of Correspondence to direct the Colonial Agent "to solicit Relief in the Premesses." The "Baker claim" was never pushed and those

9. Ibid., XVIII, 646. Other members of the commission were Noble Jones, Lewis Johnston, Alexander Wylly, and William Ewen.
10. Ibid., 641. Other appointees were James Edward Powell, John Milledge, and John Simpson.
11. Among the signers of the petition were Patrick Houstoun, Noble Jones, Francis Harris, Noble Wimberly Jones, Charles Watson, William Ewen, William Spencer, and Henry Bourquin.
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whose properties once seemed threatened were left in possession of their lands.\textsuperscript{12}

It was necessary to enact laws for the regulation of the pilotage of vessels entering the province. Houstoun served on a committee to draft a bill for that purpose. The young baronet also served on a committee which recommended house action in cases involving statutes about to lapse because of time-limit clauses. The next important committee on which Sir Patrick Houstoun served was one "to examine the returns made to the treasurer by the several collectors of the general tax up to November 1765."\textsuperscript{13}

On that committee with Houstoun, who was chairman, was Dr. Andrew Johnston, a member of the Lower House who represented Halifax and the Parish of St. George.\textsuperscript{14} Again Houstoun was selected as a committee member to inquire into the quantity of land proposed in a memorial from William Simpson who had purchased a lot on West Bay Street used as a thoroughfare to Yamacraw, which, if enclosed, would be entirely shut off, and the open view from the Bay to the westward would be obstructed. The memorialist desired to convey and make over to the public the lot, provided he received adequate compensation out of part of the Common which adjoined. Although not chairman of that committee Sir Patrick Houstoun two weeks later brought the prepared bill to the House.\textsuperscript{15}

The above notations on the committee work of young Houstoun, which cover the first twelve months of his membership in the Assembly, illustrate the variety of subjects on which he was called upon to voice his opinion. Day after day he would be in the Assembly room, first reading a resolution "from his Place" then "walking to the table" to deliver it to be read again, which was a regular procedure for all bills or motions. Early in January, 1766, Sir Patrick Houstoun again was in demand. The previous months the Governor in his message had "encouraged

\textsuperscript{12} "The claim was pressed again in 1772 ... but ... was ordered postponed for a month, and it then disappears from available records. The Chaos of the Revolution ... wiped out these claims. ...", Floyd, "Vernonburgh, Known as White Bluff."

\textsuperscript{13} Colonial Records of Georgia, XIV, 298.

\textsuperscript{14} Ibid., 259. Dr. Johnston later was connected with the Houstouns through the marriage of his son and Sir Patrick Houstoun's niece.

\textsuperscript{15} Colonial Records of Georgia, XIV, 309, 310, 325.
a Post for the Conveyance of Letters throughout the Province.” It was ordered that Sir Patrick Houstoun and a Mr. Waters wait on His Excellency and give the Assembly’s opinion that it could not make any provision for that service.

The Governor had recommended that a lazaretto be built at some convenient place near the entrance to the river where ships could lie in safety and the Negroes be “easily landed and Aired and where such as are distempered may remain for such time as shall be necessary.” A committee was appointed to examine the land for that purpose. Sir Patrick Houstoun was a member of the committee which reported it had agreed to purchase a “spot” on Tybee Island where a house would be built for the reception of infected persons. A Mr. Simpson and Sir Patrick were appointed to wait on the Governor and carry him the address of the house. They returned with the Governor’s answer that he was pleased with the report, and after consultation with the Council would send a reply. The stream on which the house was finally built was named Lazaretto Creek.

The news of the enactment of the Stamp Act did not reach Georgia until April 15, 1765. The legislature was not in session at the time, but its Speaker, Alexander Wylly, during the recess received a letter from Samuel White, Speaker of the House of Representatives of Massachusetts, who informed Wylly that his house had unanimously agreed to a proposed meeting to be held in New York in October of committees from the several British colonies to discuss the action of Parliament in laying duties and taxes on the colonies. Upon receipt of White’s letter Wylly dispatched “expresses” to the members of the Georgia legislature calling them to a meeting in Savannah on September 2. Sixteen out of the twenty-five members responded to the call, but on applying to the Governor, were advised by him that he did not think it expedient to call them together, and so no representatives were appointed to the New York meeting. Wylly, however, informed White that no representatives of any province espoused more warmly the common cause of the colonies than the people of Georgia. When the legislature convened in October, Speaker Wylly reported his correspondence with Samuel White, the

16. Ibid., 384, 392, 424, 425. The act for empowering commissions to erect the lazaretto was not enacted until January, 1768. Ibid., 502-503.
Massachusetts Speaker, and the Governor's refusal. The Lower House voted Speaker Wylly a resolution of thanks "for the extraordinary Care and Trouble he had been pleased to take on this very interesting and important Occasion."\(^{17}\)

Governor Wright adjourned the Commons House of Assembly on June 10 to return to Savannah on November 10, but by proclamation he called the delegates in session again on July 16 to deliver an address before the two houses. He expressed his regret at having to summon them back at "an unseasonable and disagreeable Time of the Year." After congratulating the members on their proof of regard and affection for the King, he informed them he had to lay before them certain papers which he had received from one of His Majesty's principal secretaries of state. One of the documents was a printed copy of the repeal of the Stamp Act (March 18, 1766). When the Lower House had reassembled in its own room a motion was made that an address be presented to the Governor for his "affectionate speech." On the committee appointed to prepare the address were Thomas Burrington, Sir Patrick Houstoun, Colonel Mulryne and John Smith.\(^{18}\) The engrossed report was read the next day by Burrington and, after expressing thanks, acknowledgment was made of the graciousness of the "best of kings" in condescending to "bend his Royal Ear" to the supplications of his faithful subjects by removing from them those "Evils they lamented Nor can we sufficiently venerate and admire the Magnanimity and Justice of the British parliament in so speedily redressing the Grievances by them complained of."\(^{19}\) In years to come when he was to be faced with a vital decision Sir Patrick Houstoun's thoughts must have reverted to the part he took in the discussion required in drafting that address. The legislature adjourned on July 22, and reassembled on November 10. Sir Patrick Houstoun was present, and the next day he renewed his committee work, which continued day after day throughout the next two years. He was still attending in 1768 without re-election. In March, 1767, the members of the house requested the Governor to dissolve the Assembly

\(^{17}\) Ibid., 270-274. "Georgia was represented at the meeting in the person of a messenger who was sent to obtain a copy of the proceedings." Jones, History of Georgia, II, 59.

\(^{18}\) Ibid., 372.

\(^{19}\) Ibid., 374.
because they had been in session three years and it "would be highly detrimental to many if they were obliged to give their attendance during any longer period." In April, 1768, the house prepared an address to be sent to the Governor representing that there was no provision made in the law for limiting the duration of the sessions and again asking for dismissal. Sir Patrick Houstoun and John Simpson were ordered to deliver the address. The Governor replied that he had no objections to doing so, and had declined to act before because the members had not served three years. That was the last time Patrick Houstoun served for some years, because when the legislature met in November, 1768, Philip Box was returned for the Town of Vernonburg in the Parish of Christ Church.

Behind the simple statement that Philip Box was elected to fill the seat in the Lower House of the Assembly, was the fact that there must have been a hotly contested election and that Sir Patrick Houstoun was the defeated candidate. As far back as 1768 the "indirect vote" was being exercised in Georgia and probably long before then women had begun to "play politics." Sir Patrick Houstoun was the victim of a feud that began in May, 1768, before the election of delegates to the Lower House. The full story lies in oblivion, but the following items from the Georgia Gazette disclose that heated words were uttered and accusations were made to such an extent that the principals, unfortunately, resorted to the public press, hoping to vindicate their position, if not their honor. The members of some of Savannah's prominent families were involved in the unpleasant incident. The persons concerned were Mrs. Heriot Crooke, Mrs. James Mossman (her daughter), John Mulryne and Thomas Young. John Mulryne was a member of the Lower House representing the Islands of Wilmington, Tybee, Skidaway, and Green. He first took his seat, October, 1765, and was returned to the Assembly in November, 1768. The Mossmans, who lived on the Bay, were intimate friends of the Houstouns, and Thomas Young, a Scotsman, was presumably a friend also, as in 1804 some of the next generation of Houstouns were witnesses to his will.

20. Ibid., 465.
21. LaFar and Wilson, Abstract of Wills, Chatham County . . . ., 175.
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The story can be told only as it appeared in the Georgia Gazette. On May 11, 1768, the Gazette published at the request of Mrs. Heriot Crooke, copies of two letters written by John Mulryne and a copy of an affidavit signed by Thomas Young. Attached to Mrs. Crooke's letter to the editor was a quotation from Shakespeare:

Why let the stricken deer go weep  
The heart ungalled play;  
For some must watch, whilst some must sleep,  
So runs the world away.

John Mulryne's first letter was addressed to the editor:

I propose to have ready for your next paper and the Carolina Gazettes, a curious Affidavit, with a short dissertation upon slander, the abuse of time, and the danger of envenomed tongues, as an introduction to a judicial investigation of facts that have been industriously and falsely spread to the prejudice of

Your humble servant.

His second letter was written to Mrs. Crooke:

I cannot consistent with the candor which I hope ever to maintain, send the above to the printer, until you had first seen it, and "if you think proper," shewed it to those to whom it may concern, that your objections to this and what must necessarily follow it (if you have any that should have weight with me) may be made this day by three o'clock or they will be too late.

The third communication was Young's affidavit:

Thomas Young, of Vernonburg in the province of Georgia aforesaid, planter, being duly sworn, maketh oath, That on Wednesday last the fourth of this inst. May, Mrs. Heriot Crooke and Mrs. Elizabeth Mossman came in a chair to this deponent's house and asked his vote for Sir Patrick Houstoun to be Member of Assembly for Vernonburg, and upon his telling that he was pre-engaged having promised his vote to Mr. Tattnall22 for Mr. Box, they told him that Mr. Tattnall was a captain now, but would not be so above one month or two months more, and that Mr. Mulryne, who busied himself in the matter had broke and sworn off once or twice in Carolina; that if the people did not vote for Sir

22. Mulryne's daughter, Mary, became the wife of Josiah Tattnall of Bonaventure Plantation.
Patrick they would pay thirteen and sixpence tax for negroes, and would be liable to pay the Governor's salary and all the Indian expenses.

(Signed) Thomas Young

I do certify that the above is a true copy of an affidavit this day made before me by Thomas Young.

John Green

Acton, 7th May, 1768

In the next week's issue of the newspaper Mulryne published an answer to Mrs. Crooke's communication. He also resorted to poetry and began:

Truth, candid, decent, modest, easy, kind;
Softens the high and sears the abject mind;
Knows with just reins and gentle hand to guide,
Betwixt vile flame, and arbitrary pride.

Prior

As I was of opinion that the ladies whose names appeared in your last Gazette acted under the influence of a prompter or prompters, who for reasons best known to themselves, chose to wound me from behind a coverture, it occasioned my being at the trouble of writing the letters which were then published, and as that opinion is now, "by many probable circumstances," in some measure confirmed, I think myself under an absolute necessity of calling upon those ladies and their prompters to prove that I ever swore off as they were pleased to term it, which if true, may soon be done, from the records of the Court in Carolina, or by the deposition of some credible person who resided then in that province, and in either case I promise to pay any accessory expense that may attend such proof, which if they do not produce in a reasonable time, it will so exactly correspond with the tax, the Governor's salary, and Indian expenses, mentioned in Thomas Young's affidavit, that the public will doubtless conclude the assertion to be groundless, and accordingly form a proper judgment of their conduct.

The footing and respect of intimacy which I thought myself upon with those ladies, and some gentlemen who are closely connected with them, (one of whom I have the sincerest friendship for) renders this subject extremely disagreeable to me, and necessarily shortens the inferences that I should otherwise have naturally drawn from it. But I am told one of the ladies declared she did not make the report; if she did not, it lay in her way, (as
Falstaff said of rebellion) and she found it. Though if propagating injurious reports be at all commendable, I have been, and shall be, all my life wrong, having ever discountenanced them; and it is with uncommon pleasure that I now reflect upon a time when I was at great pains to discredit and suppress some reports of others, which I would not have upon a just foundation believed of me, or my family, for all the wealth, and the grandeur, and “what may with some be still more tempting,” all the pleasing gratification in murdering reputations that this world affords; nor would it have derogated from the characters of those ladies, or their prompters, had they acted towards me in the like friendly manner. I am, Your humble servant,23

Contrary to all tradition, man, upon that occasion had the last printed word. As far as publicity of the affray was concerned, no more letters appeared in the Gazette that year. Mulryne continued to sign his name to advertisements, and James Mossman’s appeared as an executor of an estate. How far gossip was prolonged must remain in the forgotten past.

The defeated candidate, Sir Patrick Houstoun, then turned his attention from politics. For one interest he was occupied with the estate of Mark Fenton, as the executor, and there was much to do in connection with it because through the years 1769 and 1770 he was advertising for sale the testator’s plantation at White Bluff, his farm produce, and household furniture.24

After just one year’s absence from the legislature, Sir Patrick was elected, in 1769, with William Young to represent the Parish of St. Andrew’s, and they took their seats on November 6.25 Houstoun soon was active in serving on committees, one of which was to examine into the state of the colony’s finances. He continued a member of the legislature through the year 1770, but he attended a session in April, 1771, appeared as a member of the house, and declined taking his seat, giving as his reason that his private affairs would not permit him to attend the meetings. On August 22, 1771, he was appointed a justice of the peace for St. Andrew’s Parish and the other southern parishes, and the

23. Georgia Gazette, May 18, 1768.
24. Ibid., January 4, 1769.
next day he took the oath of allegiance and supremacy.\textsuperscript{26} Apparently he was looking after his Cathead plantation near Darien. The urge for public life, however, was strong enough to induce him to reconsider, and accepting the election, he was back again in the Lower House at the fall session of 1772.\textsuperscript{27} On December 15, Sir Patrick was made chairman of a committee to bring in a "bill to empower the several commissioners or surveyors to lay out and make such public roads in the Province and to improve the roads already laid out, and also to improve the rivers and creeks." On the same day he was placed on another committee to prepare and present a bill "for the preservation of deer by night." His name was presented with that of William Young, Esq., for Speaker of the House. He lost the election to his opponent.

So many of the committees on which Sir Patrick Houstoun served in the early part of 1773 were but repetitions of similar bills presented to the house during his previous membership there, that it is not necessary to mention them again. In 1772 and in the year following, his brother, Dr. James Houstoun, often served on the same committee with him.

The Governor's house had fallen into disrepair during Governor Wright's absence from the province, and in February, 1773, as he was soon to return from England, a committee was appointed, of which Sir Patrick was a member, to see that the house was put in order before His Excellency's return. Sir Patrick, with others, voted in the affirmative for the measure, while many voted against the motion. When the question was brought up in the house as to the personnel of the members who should meet the Governor, those who opposed the above motion were Dr. Noble Wimberly Jones, Jonathan Bryan, the Reverend John J. Zubly, a Mr. Bourquin and a Mr. LeConte; so presumably Sir Patrick Houstoun was among those who went down to "the landing" to greet Governor Wright on his return to Georgia. \textsuperscript{28}

It is evident that at that time Sir Patrick was not certain in his own mind how he should conduct himself toward the new political attitude which was becoming increasingly perceptible,

\textsuperscript{26} White's Historical Collections, 40.
\textsuperscript{27} Colonial Records of Georgia, XV, 336.
\textsuperscript{28} Ibid., 381.
and his frequent absences from his duties in the house were beginning to be noticed. There was a rule in the Lower House that a member absenting himself without a cause should be arrested. That happened to Sir Patrick more than once. On June 22, 1773, he was not present, and "the Clerk was ordered to write him immediately that the House required his attendance."\textsuperscript{29}

On July 29, Sir Patrick again, with Jonathan Bryan and Button Gwinnett, was found guilty of the misdemeanor, and the three were arrested and put in custody.\textsuperscript{30} On August 4 the House was informed that Sir Patrick Houstoun was at the door. He was called in and ordered to be discharged upon paying the required fee. That was his last appearance in the Lower House, and it furnishes a clue to his strong Tory leanings which he was later to show openly. However, the comment has no bearing on the other two who were his companions in "custody" as they were both ardent patriots in the war which came a few years later. It is a difficult matter to follow the working of Sir Patrick Houstoun’s mind in those trying times with the approaching Revolution calling for adherents. His father had been a "faithful servant of the King"; his mother, of course, shared her husband’s feeling of loyalty.

By the time war was declared, Sir Patrick no doubt was thankful that his father and mother both had passed away and could not witness his vacillation. For many Americans 1775 was a year of decision. On April 19 the Battle of Lexington took place. News in those days traveled so slowly that it was not until May 10 that accounts of the engagement reached Savannah. It caused great distress among the citizens, but it also opened the way for a definite decision among many of them. It was in 1775 that Sir Patrick Houstoun was appointed to the Royal Council. Governor Wright’s correspondence with the Earl of Dartmouth\textsuperscript{31} reveals that during that year frequent deaths made it necessary for

\textsuperscript{29} Ibid., 433.

\textsuperscript{30} Ibid., 471. The custom was not peculiar to the Georgia legislature. In 1782 Thomas Jefferson, Patrick Henry, and John Marshall were taken into custody for the same offense. See Albert J. Beveridge, \textit{The Life of John Marshall}, I, 211, 213 (Boston and New York, 1916).

\textsuperscript{31} Secretary of State for the Colonies and President of the Board of Trade and Foreign Plantation.
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the Governor to make numerous appointments to the Council. Before all of these appointments could be acknowledged by the London authorities the Governor was arrested and the King's authority was terminated abruptly. The Royal Governor broke his parole and fled to Bonaventure, the home of Colonel John Mulryne, whence he escaped to England. The Royal Government being no more, such Loyalists as were in Savannah slipped away. The Council of Safety and the Provincial Congress, composed of men who had espoused the Patriots' Cause, then were in command of Savannah.

"Glorious times that tried men's souls!" wrote Loyalist Lewis Johnston on his copy of the Georgia Gazette, late in 1774. That Sir Patrick Houstoun was tormented in 1775 by the necessity of making a decision would appear a logical surmise. He was residing at his plantation near Darien at the time of his appointment to the Council. It would appear that he hoped to remain out of the controversy as long as he could. His position has been criticized as "equivocal." It has been interpreted, also, as "neutral to the last degree." Events of 1776 and 1777 would seem to prove the former opinion to be correct. During those years he was proscribed by both the Royal Legislature and the Colonial Assembly.

In 1776 Sir Patrick Houstoun became involved in an affair of his brother-in-law, George McIntosh, which brought great mortification and hardship to the latter. The accusation of treason against McIntosh came about through a partnership he had entered into with Sir Patrick Houstoun, when, with a third man, they united in putting into one consignment their rice crops which had been cultivated and harvested on their large plantations on the Altamaha River.

Where Sir Patrick was during the trials and tribulations of George McIntosh is not known; but he was, probably, at first

32. Patrick Houstoun to Lachlan McIntosh, June 14, 1775, in Etting Collection, 1-72, Historical Society of Pennsylvania.
34. William Bordley Clarke, Early and Historic Freemasonry of Georgia (Savannah, 1924), 38. Lorenzo Sabine, Loyalists of the American Revolution (Boston, 1864), Preface.
35. The whole story, which concerned McIntosh more than Houstoun, will be found in the chapter, "Ann Priscilla, Wife of George McIntosh."
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in both Savannah and Darien, endeavoring to use his influence in helping to extricate his brother-in-law. However, he was not considered implicated in the charge fastened on McIntosh, and one hint of a possible journey north in April, 1777, is found in an item in a diary of Major Raymond Deméré, dated April 14. "Embarked in company with Sir Patrick Houstoun and Dr. Houstoun for Charleston, on my way to Philadelphia, to join the Continental Army." Charles Town was then in the hands of the Patriots. It seems likely that Sir Patrick continued on north with Major Deméré and his brother James. He evidently stopped in Philadelphia. General Washington's army had spent the winter at Morristown, New Jersey, the British had not captured Philadelphia, and it was the summer that General Lafayette reached the shores of North America. A friend of Houstoun in Philadelphia was Colonel Daniel Cunningham Clymer, who had been in the Philadelphia militia in 1776, but later was Commissioner of Claims of the Treasury. After returning to Georgia, Sir Patrick wrote Colonel Clymer from Augusta, expressing the hope that the Philadelphian would pay him a visit. "Next fall," he wrote in June, 1778, "I hope you will do what you intended doing last and therefore I take this opportunity of introducing to your acquaintance the agreeable companions who will be returning about the time you would choose to travel Southwardly; Mr. McLean & Mr. Cowper who mean to pass the Summer visiting the Northern States, both my worthy and particular friends."

36. Copy in the possession of his lineal descendant, Edward Houstoun Deméré, Jr., of San Francisco, California.

37. "Daniel Cunningham Clymer, the son of William and Ann (Roberdeau) Clymer was born in Philadelphia, April 6, 1748. Losing his father in early life he was brought up by his uncle, General Roberdeau. He graduated at Princeton in 1766, read law, and attained an enviable position in that profession... He married Mary Weidner. ... He died in 1819. His relationship to George Clymer the Signer is unknown." The Historical Society of Pennsylvania.

38. Andrew McLean, in 1776, was thought to further the Loyalist cause but was later cleared of that suspicion. Subsequently he was appointed to hold a treaty with the Creek and Cherokee Indians of Augusta. Allen D. Candler, ed., The Revolutionary Records of the State of Georgia (1908), I, 127-129; II, 218, 490, (Hereafter cited Revolutionary Records of Georgia).

39. Basil Cowper was a member of the Council of Safety, but later joined the Loyalists. Collections of the Georgia Historical Society, V, Pt. 1, 1, 18.

The ensuing few years brought Sir Patrick Houstoun conspicuously to the forefront as a person of uncertain opinions. The Patriots on March 1, 1778, passed in their General Assembly the Georgia Act of Attainder whereby they accused of high treason one hundred and sixteen specified Loyalists whose names were included in the Act. The edict stated that estates, both real and personal, were to be confiscated to the use of the State. Sir Patrick Houstoun’s name was not on the list of Loyalists at that time.\footnote{Jones, *History of Georgia*, II, 421; *Revolutionary Records of Georgia*, I, 348-356.}

Governor Wright returned to Georgia from England on July 14, 1779, and re-established for a time the Royal Government in the colonial capital. On May 1, 1780, the Royal Legislature passed a retaliatory measure called “The British Disqualifying Act” rendering “incapable the several persons hereinafter named from holding or exercising any office of trust, honour, or profit in the Province of Georgia for a certain time and for other purposes therein maintained.” One hundred and fifty men by name were included in that act. Sir Patrick’s name was on that list, a fact which would justify the inference that from 1778 to 1780 Houstoun was either acting with the Patriots, or his indecision had not yet brought him under the suspicion of the Provincials.

The publishing of those two acts, the one by the Patriots in 1778 when Sir Patrick Houstoun’s name was not on the list of the accused Loyalists, and the other list issued by the Royal Legislature in 1780, two years later, when he was mentioned among those included in the British Disqualifying Act is conclusive evidence that he was considered a Patriot at that time, but no record has been found of his contributing to the republican cause. Sir Patrick was not on the Council of Safety, and he was not a member of the Provincial Congress, although two of his brothers, George and John, were members of both.

It is known that Sir Patrick Houstoun received a commission as Captain in the Light Infantry Company of Colonel Francis Harris’s Regiment on August 18, 1767.\footnote{State Officers Appointments 1754-1827, Department of Archives and History, Atlanta.} No further record has
been found of his military service, so that it is impossible to say whether in the dramatic incident which follows he was acting in a military capacity or as a private citizen. It remains an enigma why the Royal Legislature disqualified Sir Patrick Houstoun in 1780, because in September of that year he played a conspicuous part on the side of the British when an attack was made on the "White House" near Augusta.

After the British had captured Savannah (December, 1778), some of the troops were sent up the Savannah River to seize Augusta, and by the end of January they had taken the town only to abandon it in less than a month. A year later the British were re-occupying Augusta. They were to hold it for several months. Lieutenant Colonel Thomas Brown with other British officers, had command of the "White House" about a mile and a half from the town. The house had been fortified and converted into a fort. 43 The Americans closed in on the little fort, and Colonel Brown, realizing the precarious situation he and his men were facing, dispatched messengers to Colonel John Harris Cruger stationed at Ninety-Six, South Carolina, 44 to come quickly to his aid. Sir Patrick Houstoun was the first of those messengers to reach Colonel Cruger who at once left his troops for Augusta. 45 A bloody conflict ensued which resulted in the retreat of the Americans. Colonel Brown wreaked terrible vengeance on the prisoners, and the fighting in and around that house has been considered some of the hardest in the Revolution on Georgia soil.

Sir Patrick in 1781 petitioned the Royal Council for restoration to good standing. It would appear that the Council took his petition under advisement sometime in 1781. The official minutes would convey the impression that not the least important consideration in producing the Council's favorable action was Houstoun's part in the "White House" engagement, a contribution to the Royal cause for which Colonel Cruger expressed his gratitude by assisting Patrick to win absolution. Yet it should

43. The historic "White House," known as No. 1822 Broad Street, is still standing (1949).
44. Edward McCrady, The History of South Carolina in the Revolution 1780-1783 (New York, 1902), 139.
be noted that the Council was constrained to commend Houstoun for "the whole of his Conduct before. . . ." By unanimous opinion he was restored to the status of a loyal subject.46

Part of the conflict which Sir Patrick Houstoun was undergoing in the four years between 1775 and 1780 may have been due to unhappiness in his private life. A contemporary letter tells of his engagement to a Miss Nelly Graham. As it is known that Patrick never married, the conclusion is, of course, that something went amiss during the war to prevent the marriage. Nelly Graham's baptismal name was Elena. She was born in Savannah in 1759, and she was the daughter of Lieutenant Governor John Graham, whose wife was Frances Crooke, the sister of Mrs. James Mossman. Fourteen of the Grahams' seventeen children were born in Savannah, six of them dying in infancy. Among the coterie of friends of the Houstouns and the Grahams were Robert Mackay and his wife, who was Mary Malbone of Newport, Rhode Island. In Savannah on business, Mackay wrote his wife in February, 1775, that Houstoun and Miss Nelly Graham were soon to be married.47

John Graham was born in Scotland about 1718. He came to Georgia in 1753 expecting to inherit a large fortune from a relative, but on arrival he was disappointed; thereupon he engaged in business. In 1760 he met Governor Wright, who three years later appointed him commissary and clerk of the courts with a salary of sixty pounds a year.48 Previously, Graham had abandoned business to engage in agriculture. He became a planter with large holdings, having developed three plantations, and he had accumulated two hundred and sixty-two slaves. In March, 1776, he received a commission as lieutenant governor without salary. During the next two months the Patriots became aroused and formed in

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46. Original document on file in office of Department of Archives and History, Atlanta.
47. The original letter was given in February, 1943, to the Georgia Society of the Colonial Dames of America by the late Mrs. Franklin Buchanan Screven of Savannah, who was the great-granddaughter of Robert Mackay. The letter is in the Mackay-McQueen-Cowper Collection in Hodgson Hall, Savannah.
48. Saye, New Viewpoints in Georgia History, 117.
Sir Patrick Houstoun, Sixth Baronet

Savannah the Council of Safety. At its meeting on May 1, the Council ordered that “permission be granted to John Graham to depart the Province with his family with necessary servants and provisions for the voyage leaving his property behind him for security of his creditors and he has leave to return.” The next day the Council ordered that John Graham be required to give bond of £10,000 as security to the public on his departure from the province. ⁴⁹

On May 13, Graham left Georgia with his family “being twelve in number (exclusive of servants),” but, “at great expense he was obliged to freight a vessel to take him to England.” ⁵⁰ Among the members of his family were Sir Patrick Houstoun’s fiancee, Elena, and the following sisters and brothers: Frances, Susannah (named for her aunt, Mrs. Alexander Wylly), Elizabeth (named for another aunt, Mrs. James Mossman), Mary, Ann, Alexander, and Clement. When the Grahams arrived in England they went to live at St. Lawrence, near Canterbury, where Elena, or Nelly, died in 1808. ⁵¹

Up to 1779, Sir Patrick was declared a Loyalist. The next year he was listed as a Patriot. Could his broken romance have had something to do with his vacillation? At any rate, after the “White House” incident in 1781, Sir Patrick Houstoun’s position was no longer equivocal. He was an out-and-out Loyalist, but, unlike many others, he did not leave the country at once when the war was over because he wished to discharge his obligations to the state. As he was a large property owner it required some time to adjust his affairs. The Royal Council had restored him to

⁵⁰. “Memorial of Lieut-Governor Graham to the Right Honorable Lord Germain His Majesty’s Principal Secretary of State for America,” in Collections of the Georgia Historical Society, III, 376, 377.
⁵¹. John Graham returned to Georgia in 1779 when Savannah was under British rule; and until the end of the year 1782, he engaged in Loyalist activities, when he returned to England. He died in Naples in 1795. 

Note: Information on the Graham family was obtained from a letter written to Dr. E. Merton Coulter of the University of Georgia (who gave permission to use it) by Miss Cecily Gertrude Papillon of Hawkley, near Liss, Hampshire, England, requesting information on her great-great-grandfather, Colonel John Graham, when he was in Georgia. Miss Papillon is descended from his daughter, Mary (born in Savannah, in 1772), who married Sir Henry Oxendon of Broome Park, Kent. A copy of an oil painting of Ann Graham (born in Savannah, in 1774, died at Torquay, England, in 1806) hangs in Colonial Dames House, Savannah.
British favor in 1781, as previously mentioned, and it will be
noted presently that although having forfeited his property he
was able to leave his home in Georgia with a clear conscience.
The Georgia House of Assembly (Provincial) was dissolved on
December 26, 1778, when news reached Savannah that the British
troops were about to enter the town, and the members moved
speedily to Augusta where, for the immediate future, all meet-
ings were to be held.

Commissioners of the Confiscated Estates were elected by the
Executive Council of the State Legislature on May 4, 1782. Thir-
teen members were named from eight counties, and on the
thirteenth day of the following month they began their work.
On July 24, when the Assembly was again meeting in Savannah,
it was resolved in Council that it be recommended to the Com-
missoners of Forfeited Estates to postpone for one month the
sales in the respective counties, and public notice thereof be given.
On the same day a petition from Sir Patrick Houstoun was read,
and it was re-read on July 26. The next day the Committee on
Confiscated Estates reported that it was the unanimous opinion
of the members, "that as some favorable circumstances appear
in behalf of the Petitioner he ought to be taken off the Confis-
cation and Expulsion Act and Put on the Amercement Act and
amerced agreeable to the rates which others in similar cases are,
which was agreed to."\(^{52}\) Again, at a meeting of the House of
Assembly held on August 3, the committee reported that it had
divided the list of those to be amerced into three classes. Mem-
ers of the first class were to be fined twelve per cent, if paid in
cash, on all property real and personal. They were permitted
forty days to file under oath an appraisement of their property.
Within three months they were expected to make a final settle-
ment. The second class was to be amerced eight per cent. Mem-
ers of the third class were to serve as soldiers, or to find substitutes.
The report was adopted and Houstoun was placed in class number
one. On March 20, 1783, the Council, declaring Houstoun in
default of his amercement, ordered that his three-thousand-acre
plantation near Cathead Creek, Darien, be sold at public auction
at Savannah’s Vendue House. Previous to the March 20 action

of the Council Patrick’s brother William had purchased at £10 per acre 2500 acres of Cathead Creek plantation.\footnote{53. \textit{Ibid.}, I, 496.}

Besides the grants previously mentioned the Council had bestowed others upon Sir Patrick Houstoun and in the last years of his residence in Georgia, he was a wealthy landowner. Among other conveyances he was possessed of five hundred acres in St. Patrick’s Parish, one hundred and fifty additional in St. Andrew’s, three hundred and fifty in St. Philip’s, one hundred in St. George’s, one hundred in St. David’s, three hundred and fifty in St. Paul’s, four hundred in St. Thomas’s, one hundred at Frederica,\footnote{54. Record in Secretary of State’s office, Atlanta.} and three thousand unlocated acres.

Having been placed in class number one of the Amercement Act, Sir Patrick Houstoun finally yielded to the mandate of the Assembly. On April 1, 1783, the Executive Council acknowledged receiving from Houstoun the sum of £100 in specie. It agreed to suspend proceedings against the delinquent Loyalist and, further, granted him until the meeting of the next Assembly to complete his amercement.\footnote{55. \textit{Revolutionary Records of Georgia}, II, 485. The records of the transactions of the commission are imperfect. \textit{Ibid.}, I, 413.}

After that application of Sir Patrick Houstoun for deferment of his castigation for being a Loyalist, there appears to be no further mention of his name in the meetings of Council through 1784, although several times the reports of the commissioners are mentioned. His proclivity for acquiring more land assailed him again in April, 1784, but instead of asking for a grant his intention was to purchase land from a “governor” to whom he wrote from Savannah, April 13, 1784. It could not have been the Governor of Georgia, as his brother John was then serving his second term in that office. The implication is that this request for land was addressed to the Governor of South Carolina who, it would appear, had advertised certain of his holdings.\footnote{56. The Historical Society of Pennsylvania (Dreer Collection.)}

Sir Patrick had wished to leave Georgia even before peace was declared. It may have been that he wanted to follow the thousands of expatriated Loyalists who, not wishing to live in
The Houstouns of Georgia

the new nation, had established homes in other lands under the British flag; or he may have found it necessary to try to recover his health which was impaired by the mental strain of the war years. In 1781 it was evident to Council Members that Sir Patrick had “manifested a disposition to leave the country and detach himself from the party in rebellion.” It is not unlikely that after the war was over he made his home with his brother George at White Bluff. As the summer of 1784 approached, he began making plans for his departure for England. He made his will in May and in mid-summer he sailed for London. He left three brothers at home, and the fourth, William, was at the Continental Congress in New York; his only sister, Mrs. George McIntosh, had died in 1777. He seems to have had a high regard for his brother George. If he had any bitter feeling toward his patriot brothers, it was for James, as the bare mention of the latter’s name in his will, cutting him off with five shillings, implies there was animosity between them. It may have been personal and not political, but the bequest gives a hint of a sad leave-taking. Toward William, the youngest member of the family, who was fifteen years his junior, Sir Patrick exhibited a tender affection.

Sir Patrick’s will was written less than ten months before his death. Prepared in Savannah, it was dated May 10, 1784.57

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57. I, Sir Patrick Houstoun, Baronet, do make my last Will and Testament in manner and form following.

I give and bequeath unto my ever affectionate, dutiful and beloved Brother George Houstoun, his heirs and assigns forever all the Lands, Negroes, Bonds, notes goods and effects of every kind whereof I die possessed and all that shall remain after the payment of my just debts... and the Legacies hereinafter mentioned.

I give unto my Brother James five shillings.

I give unto my Brother John one hundred pounds.

I give unto my Brother William five hundred pounds.

The above to bear Interest at the expiration of six months after my decease and to be paid in twelve months after my death.

I give unto my Nephew John Houstoun McIntosh one hundred Pounds to bear Interest from my death and to be paid to him when he arrives at the age of twenty one years, but if he should die before he arrives at that age then I direct that the said sum with the interest that may be due thereon be paid to the eldest surviving daughter of my Brother George, and Lastly I do hereby make and ordain my said Brother George sole Executor of this my last Will and Testament.

It was signed P. Houstoun, and the witnesses were John Irvine, John Moodie and Peter S. Lafitte. (Chatham County Court House, Will Book “B”).
Near this place are deposited the remains of Sir Patrick Houston, of Houston in North Britain, Baronet; who died March 26 1785, in the 63rd year of his age, greatly lamented by all his Relations and Friends.

Sacred to the Memory of A Brother
Beloved, Esteemed, Honoured.

This Monument was erected by Sir George Houston of Houston, Barony.
On his arrival in London, or soon thereafter, Sir Patrick went to Bath in hope of regaining his health. The cure failed; on March 24, 1785, he passed away in his forty-third year, alone and far away from home and family. He was buried outside of the walls of the Old Abbey Church at Bath. A black and white marble tablet is fastened to a side wall inside the church. On it his brother, Sir George Houstoun, had inscribed the date of his death, his age, his home and that he was "greatly Lamented by all his Relations and Friends." It is interesting that Sir George, appreciating his brother's loyalty to the Crown of England, ignored the Georgia home and had inscribed on the tablet the words "North Britain" as Patrick's residence instead of Georgia, his birthplace.58

The news of his death reached Savannah on Monday, August 8, and his obituary was published on Thursday:

On Monday last arrived in this river from London, the ship planter, Capt. Grieve. By her we have an account of the death of Sir Patrick Houstoun, Bart. of this State, who about 12 months ago went to London. The many amiable qualities of this worthy gentleman having rendered him extremely dear in life, his death cannot but be an event of uncommon concern and regret to all his numerous connexions and acquaintances.59

58. A photograph of the tombstone at Bath is in the possession of the author, the gift of Mr. Wallace Houstoun, of Scotland, 1911. It is regrettable that the stone cutter of Bath misspelled the name Houstoun. He undoubtedly read carelessly the written instruction of Sir George, who inherited the title.

59. Gazette of the State of Georgia, August 11, 1785.
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SIR GEORGE HOUSTOUN, SEVENTH BARONET
1744-1795

From the portrait formerly owned by the late Dr. William Patrick Johnston, of Washington, District of Columbia