

Elisha Jones, Weston Loyalist

Editor's note: The following article by Rivers School history teacher David Burzillo was inspired by a 1990s international trade dispute involving the United States, Cuba, and Canada and the issue of properties confiscated in war—properties such as The Rivers School campus in Weston.

The Rivers School sits on land that was once part of the vast and disparate land-holdings of Elisha Jones (1710-1776). By the start of the American Revolution Jones owned 274 acres of land in various parts of Weston, including property on both the Natick and Weston sides of Nonesuch Pond. In addition, he also owned 60 acres of land in Princeton, and almost 9000 acres of land in the western Massachusetts towns of East Hoosac, Pittsfield, and Partridgefield.

Jones was a prominent member of the Weston community, making his home on Highland Street near the center of town and taking an active role in local affairs. He did a little bit of everything. In Weston he served as treasurer and selectman; at the county level he served as a justice of the peace and deputy sheriff; and on the colonial level he was a representative to the General Court. His interests were not confined to politics and real estate; he ran a store in Weston and acted as a banker as well. Jones married Mary Allen of Weston, and together they raised twelve children, eleven boys and one girl. (1)

Elisha Jones has the distinction of being the only Weston loyalist whose property was seized and sold during the Revolution and its aftermath. Jones's support of King George was clear from the earliest stages of the struggle. Weston historians Brenton H. Dickson III and Homer Lucas report that Jones saw the writing on the wall and began recruiting locals for an army to defend the king as early as the summer of 1774.(2) His sons Elisha, Jonah, and Stephen are listed as members of the Third Company of Associators, which was formed in Boston on July 5, 1775, one of at least five loyalist units formed in the Boston area to defend the king in the early stages of the conflict. A number of certificates of loyalty, signed by Generals Howe, Gage, and Burgoyne were referred to in the compensation claims filed after the war by Elisha's descendants as evidence of their unwavering dedication to the Crown. In 1787, Commissioner Pemberton, then evaluating compensation claims by the sons of Elisha Jones, referred to them as "a very meritorious Family."

By the end of 1774, with the political situation in Weston and its environs becoming more and more dangerous, and after a large and threatening crowd surrounded Jones's house one evening, Elisha Jones left Weston for Boston, seeking the company of the many loyalists gathering there as well as the protection of the



Elisha Jones's 1755 mansion on Highland Street (at left in the above drawing) was one of the finest in pre-Revolutionary-War Weston. Because Elisha was a Tory sympathizer who fled to Boston in 1774, his property was confiscated and sold at auction after the war. The house was purchased by General Thomas Marshall, from whom it passed to other notable owners before being acquired by General Charles Jackson Paine in 1868. Above is a conjectural drawing of what it may have looked like between about 1870 and 1882, with Paine's addition at right. When General Paine wanted to replace the Jones house with something new, his friend Charles H. Fiske Sr. moved it to Boston Post Road in 1883. In 1888, to give it a more advantageous setting, Fiske moved the house again to newly purchased land at 22 Church Street, where it remains today. (Drawing courtesy Tom Paine)

British troops. He died on February 13, 1776, at the age of 66. Shortly thereafter, in March, many loyalists left Boston for Nova Scotia in conjunction with the evacuation of British troops from Boston at that time.

Once the focus of the war moved out of New England, the General Court turned its attention to the issue of loyalists. In September 1778 the *Banishment Act of the State of Massachusetts* was passed, enjoining local authorities to jail any of the people named in the act, should they choose to return to Massachusetts. It furthermore said that such people should then be transported to British territory and called for the execution of anyone who voluntarily returned after having been removed. The act listed 308 people including three of Elisha's sons: Ephraim, Jonas, and Elisha. On April 30, 1779 the General Court passed *An act for confiscating the estates of certain persons called absentees*, which authorized the seizure of property of any person who had taken up arms against the colonies, aided the king in any way, withdrawn for safety to areas under the king's control, or fled to Boston after the start of the war to seek the protection of British troops. Clearly many members of the Jones family qualified under a number of these categories. Elisha himself had fled to Boston in late 1774; at least six of his sons fought with or aided British forces during the course of the war; and at least six of his sons, with their families, left Boston for Canada.

Ultimately, Elisha Jones's Weston properties were sold in seven different auctions occurring between 1782 and 1785. But the process was neither simple nor quick. One factor complicating the disposal of Jones's property was the extent of his landholdings and business dealings, which made accounting for his property and the claims against his estate quite complicated. In addition, while Jones demonstrated great business acumen throughout his life, he did not exhibit a similar acumen when it came to his legal affairs. He died intestate, and the lack of a will complicated the claims of his sons and their efforts to settle his estate, as well as necessitating a great deal of time and energy on the part of the state to ready his property for auction.

Three years after Jones's death, the selectmen of Weston petitioned Middlesex Probate Court for the appointment of an Agent for his estate. Within a year the original Agent had died, having only partially completed his duties, though he had obtained an appraisal of the estate. A new Agent had to re-certify and re-submit some documents. A second appraisal was completed, and the property was appraised at twice what it had been the first time around. In addition, certain claims by creditors against Jones's estate were approved by the Court, while some were decertified because they were deemed "groundless" and without support of "legal evidence." Because of the many issues surrounding Jones's properties in Middlesex County, the case dragged on until 1782. In 1786, more than ten years after Jones's death, Nathan Jones, on behalf of his father's heirs, petitioned the Middlesex Court to appoint Israel Jones administrator of his father's estate. As was the case with Jones's other probate, this administration was particularly complex, and Probate Judge Prescott did not order the accounts to be finally recorded until June 1801, a full twenty-five years after Elisha's death.

One compensation claim submitted to the British government by the heirs of Elisha Jones after the war refers specifically to an 85-acre tract of land called *Nonesuch*, about 15 miles from Boston. Both of the appraisals submitted by the Agents for Jones's estate refer to "The Farm Called Nonesuch." Ultimately, Jones's property on the Natick side of Nonesuch Pond was purchased by Nathan Jennison. Eighteen acres on the Weston side of the pond was purchased by Isaac Jones, Elisha's cousin and the proprietor of the Golden Ball Tavern, for 31 pounds.

The sale of these and other of Jones's properties, ended the story in Massachusetts, but it did not end the quest for compensation by his descendants in Canada. Loyalists, many of whom ended up in Canada, and some of whom ended up back in England, expected the British government to provide compensation as a reward for their dedicated support of the king throughout the conflict.

Many of those moving to Canada were given land, and some filed claims for monetary compensation for property lost in the conflict. Numerous claims were filed by Elisha Jones's sons and the widow of Elisha Jr. Ephraim, Jonas, Josiah, Simeon, and Stephen Jones filed a claim for 16,426 pounds on the property of their father and were each awarded 443 pounds. Mehitable Jones, the widow of

Elisha Jr., and one of her sons filed a claim for 7000 pounds on property confiscated from Elisha Jr., who had died shortly after the war. They were later awarded 858 pounds.

The treaty of Paris encouraged the hopes of loyalists for restitution and compensation by the new government of the United States. Article V of the treaty called on Congress to encourage state legislatures “to provide for the restitution of all estates, rights, and properties, which have been confiscated belonging to real British subjects;” furthermore, it called on local governments to allow British subjects to return to the U.S. to seek restitution, and to compensate those who purchased confiscated land so that it could be returned to its original owners. Article VI stated that “there shall be no future confiscations” from loyalists. The Treaty was ratified on September 3, 1783. Interestingly, three of Jones’s Weston properties were auctioned after this date, including his holdings on either side of Nonesuch Pond.

The British government was very proactive in taking action to compensate loyalists, but it was by no means a simple matter, and the entire process was the subject of much debate and hand-wringing. The Board of Loyalist Agents, which was formed in February 1783, advised Parliament on the issue of loyalist claims. Many historians believe that the Board’s insistence on dealing with the issue of compensation and its publicly articulated position that the government needed to take responsibility for the process helped bring down the government of Prime Minister Shelburne a few months later. A short time later a *Royal Commission on the Losses and Service of American Loyalists* was formed. The commission worked for the next five years, evaluating over 5000 claims and in the end accepting four out of five. It ultimately distributed about 3,000,000 pounds in compensation to the claimants.

After the death of Isaac Jones, the property on the Weston side of Nonesuch Pond changed hands on three further occasions. Ultimately, a small piece was sold, but this smaller section and the much larger one were once again consolidated when the property was purchased by The Rivers Country Day School in 1956 for the creation of a new campus. Groundbreaking took place on November 14, 1959, and the school’s third campus was officially opened in 1960.

The beauty of its natural setting is an asset of inestimable value to the Rivers community. While the potential agricultural value of the property certainly attracted Elisha Jones the businessman, the beauty of the natural setting surely contributed to his desire to acquire the property and add it to his vast real estate holdings. Through Elisha Jones, Rivers enjoys a fascinating connection to an important Revolutionary-era figure in Weston history as well as an important link to the story of the Revolution in Massachusetts.

by David Burzillo

(1) Information on Elisha’s children has been omitted from this article. Copies of

the full text are available at the historical society. (2) Dickson, Brenton H. III and Lucas, Homer C., *One Town in the American Revolution: Weston, Massachusetts* (Weston Historical Society, 1976.) pp. 36 - 50 and pp. 174 and 182-3.

One Hundred Years Ago: Weston in 1910

Excerpts from the Waltham Daily Free Press Tribune, from a clippings scrapbook in the Local History Room, Weston Public Library. Weekly columns chronicled births, deaths, marriages, accidents, illnesses, outings, vacations, guests, hirings and retirements, church sermon topics, fairs, entertainments, dances, organs shipped, graduations, and so forth, On July 8, 2010, the reporter noted "as our unbreakable rule is not to reveal the source of our information without the consent of the informant we assume the blame ourselves if anything is incorrect."

January 14: "Those who unfortunately lost on the Boston election are manfully settling their bets."

"Ice has been harvested during the past week on Brown's pond about 14 inches thick."

January 25: "Mssrs. Paine and Merriam have returned from their southern trip, having captured 450 pounds of ducks, etc., all that is allowed under the law."

February 11: "The High school debate on Wednesday evening of last week was well attended and very interesting. . . The speakers all did well, but the general opinion of the audience was that the girls made the best debaters. Perhaps the suffragettes of the future may receive some aid from Weston."

February 18: "George Sibley had an uncomfortable experience with a bull last week which he was leading home. He was thrown down and dragged some 300 to 400 feet, hurting his hands and shoulder. He hung on to the rope, however, and got the animal securely under cover."

"The Court found against the Town of Weston in a suit brought by Albert T. Pope to recover for injuries to a horse in consequence of breaking through a bridge in the sum of about \$170."

"Many went to the Winter Carnival Tuesday evening in Lexington. McAuliffe carried four large barge loads and at least 100 went in private sleighs."

"Station Agent Trask's hyacinths are showing the accustomed blooms."

April 8: "The new State law making April 1 instead of May 1 the time for beginning the assessment of taxes will cause an early arrival of city people having