A RESEARCH PROJECT

(HARRY) HENRY CUNNINGHAM

Submitted by
Alfred Owens
History 300
RESEARCH
July 31, 1980
Armstrong State College

Henry Cunningham (1759-1842), was a free man of color, a minister of the gospel, a craftsman, a slaveholder, and speculator of sorts in real estate; whose life was not without its controversies.

Although Henry Cunningham's ancestry is shrouded in mystery, his epitaph reveals that he was born in 1759 and died on March 29, 1842, at the age of eighty-three years. Henry Cunningham's descendants related (through oral tradition) that he came to Savannah from England and was educated at Oxford. (There is a breath of evidence pointing another direction;¹ we shall address this directly in another paragraph.) Henry married a mulatto, Elizabeth, called Betsy, a free woman of color, at Savannah Chatham County, Georgia, in the year 1792. There is no written evidence of this date. We can only deduce this from collateral facts: The Cunninghams' marriage was reputed to be in its forty-sixth year at the time of Elizabeth's death on July 14, 1838, her age being ninety-eight; his seventy-nine, respectively.

"If we read the record with sufficient insight and imagination, we find before us a panorama of personal history."²

The earliest known mention of Henry Cunningham is found in the "Telfair Papers"; these papers are in the public domain and are the ones from which Chatham County, Georgia, drew information in preparing the Tax Digest for the year 1798.
The above-mentioned records list Mr. Cunningham as a free person of color engaging in the trade of coopering (or cow pering). There also appears a separate entry showing one "Harry," a free person of color, a cooper by occupation, boarding in Washington Ward. This writer contends that these are one and the same person.

On January 20, 1788, the First African Baptist Church (the first colored church in North America) was organized by the Reverend Andrew Bryan, and was designated the "First Colored Church." During the decade 1788-1798, Henry Cunningham applied for membership, and, after being duly baptized, was received into full membership in the church. Mr. Cunningham was later ordained a deacon of the congregation, and became a very active force in promoting the general well-being of the church.

A white congregation of Baptists was organized in the city in 1800, with the Reverend Henry Holcombe as Pastor, a congregation which consisted of eighty-four members, and which was designated the "Savannah Baptist Church." Henry Holcombe, meeting with twelve whites and representatives from the black congregation, organized the "Savannah River Association of Baptist Churches." On April third, fourth, and fifty of the year 1802, the Association called their first Convention, to meet at Savannah, for the purpose of strengthening their alliance. At this time, it must be noted
that the First Colored Church was united with the Savannah Baptist Church. Delegates from both churches met to form a stronger Association. The First Colored Church had a membership of eight hundred fifty, as compared to eighty-four for the white congregation.

From this observation, it is easy to infer that the religious interest of the Colored Baptist Church people of Savannah far exceeded that of the whites.

As a result of the large colored membership, the following resolution was formulated:

"Resolved, that we should take measures as soon as possible for reducing the members with whose concerns we are entrusted to compact bodies," *that each may meet with convenience in one place, to walk in the social ordinance of the gospel agreeably to a written covenant which should be well understood and conscientiously regarded by everyone whose name it may bear."

Henry Holcombe immediately reacted to this resolution by proposing that two more colored churches be embodied from the membership of the First Colored Church, and that two more colored ministers be ordained as pastors. This proposal met with approval from the pastor of the First Colored Church, the Reverend Andrew Bryan. He added that his church should be allowed to select these pastors and to proceed with the plan.

*(This was to have far-reaching consequences in the future for Henry Cunningham and the Colored Baptist Church in Georgia.)*
Three deacons were aspiring for the pastorate of the Second Colored Church in the persons of Henry Francis, Evans Grate, and Henry Cunningham.

Immediately upon the adjournment of the Savannah River Association, the Reverend Andrew Bryan and his church called a council and ordained Henry Francis on May 23, 1802. This was done in spite of the fact that Henry Cunningham and Evans Grate were aspiring to be, and capable of being, Pastor of the Second Colored Church. The Reverend Holcombe threw his influence toward Henry Cunningham, even though Henry Francis had received ordination on May the twenty-third.

The immediate and fast action on the part of the church and its Pastor gives the impression of favoritism toward Henry Francis for the pastorate of the proposed Second Colored Church. Henry Cunningham felt this more keenly than Evans Grate did, and asked to be dismissed. He then joined the white Savannah Baptist Church. Requests for letters were so multitudinous that after a limited number of applications, the venerable pastor brought them to a halt by threatening expulsion.

No doubt the Reverend Holcombe became impressed with Cunningham's intelligence and aptitude for the ministry. An unusual Code of Conduct grew between the two men, and Reverend Holcombe endorsed him as Pastor of the Second Colored Church. It may be noted that Henry Francis became
Pastor of the Ogeechee Colored Church with 250 members from the First Colored Church; there were now two functioning colored churches in the area.

As evidence that no bad blood existed, Henry Francis, on December 26, 1802, helped organize the Second Colored Church, and on January 1, 1803, ordained and installed Henry Cunningham as its Pastor.⁹

Henry Cunningham and twenty-five followers from the white baptist church founded the Second Colored Church and promptly accepted one hundred seventy-five members from the First Colored Church, constituting a sizable congregation.

Henry Cunningham built his church on lot 19 on the eastern side of Green Ward and directly in front of Greene Square. Greene Square was named for the Revolutionary War hero, General Nathaniel Greene. The streets that bounded the church are as mentioned: on the right by York Street, known before the Revolutionary War as Prince Street; on the left is President Street, known as King Street; on the front, by Houston Street, which was named for John Houston, the first Mayor of Savannah, Georgia, in 1790. These streets were laid out in 1733.

The church was laid amidst the homes of the wealthiest and most influential white citizens of the city. One built in 1794 was owned by Judge George Jones of Wormsloe Plantation; the Clark-Davenport home was built in 1799; and Joseph
Bryant's house was built in 1791. Homes that were built after the construction of the Second Colored Church were: The Norris-Cook, in 1848; the Old Sea Captain's house, in 1840; Mr. Bacon's house, in 1820; and the Reverend Henry Holcombe's first house of the Savannah Female Orphanage, in 1807.

To both slave and free persons of color in the Antebellum South, religion and church were symbolic of life. This was clearly shown at the Second Colored Church, for within a few months of its existence, the church membership had increased to 230. This came about as the result of 27 baptisms and of three members being received by letter. Later this same year (1803), the Reverend Holcombe dismissed 23 of his members with suggested directions that they join the Second Colored Church.  

John Benjamin DeVous, one of the dismissed members from Reverend Holcombe's church, became the church's first deacon. He was born in Savannah, Georgia, October 15, 1774. He was to survive the church's first pastor by three years.

Aside from his craft as cooper, Henry Cunningham operated a conveyance service and catered to the transportation needs of the businessmen both residing in, and visiting, the busy Port City. His advertisement offering two carriages for public conveyance appeared in the Republican and Savannah Evening Ledger of April 27, 1809, on page three, column three.
On May 13, 1809, thirteen free persons of color were granted their letters of dismissal from the First Baptist Church (white) of Philadelphia, Pennsylvania, and on the 19th day of June, 1809, they organized the First African Baptist Church of that city. This was an outgrowth of the humiliating treatment of the colored members of the white churches. As evidence of this fact, the founders of the First African Baptist Church were regularly granted letters of dismissal upon their request "for the purpose of establishing a church of the same faith and order" under the care and protection of the Mother Church.

They occupied their new church edifice, located in LaGrange Place, during the summer of 1809. Shortly afterward, the Reverend Henry Cunningham of Savannah, Georgia, was called to the pastorate, and continued with the church until 1812.  

Returning to his pulpit at Second Colored Church in 1812, the Reverend Cunningham's earliest task was to bury his old friend and benefactor, Andrew Bryan. The Reverend Cunningham committed the sacred remains to the earth reciting the beautiful and impressive funeral service of the Episcopal Church, as requested by the deceased.

During this period, the Reverend Cunningham received and baptized into the congregation Andrew Cox Marshall, the
nephew of Andrew Bryan. Andrew Cox Marshall was destined to become the second pastor of the First Colored Church amidst controversy and even a public flogging; however, this same man, in 1850, was to be worth over five thousand dollars, and owned a gig as early as 1826.\(^\text{13}\)

On October 1, 1812, Henry Cunningham purchased a parcel of land and improvements\(^\text{14}\) thereon. In modern times, it has been erroneously believed that this purchase lay adjacent to-and in direct proximity to-the church's location on lot 19. of Green Ward. This belief gave rise to the legend within the black community that Henry Cunningham had built, or caused to be built, a residence, on lot twelve\(^\text{15}\), Green Ward. The facts are: lot twelve, Green Ward, never came under the indirect, or direct, control of either Henry Cunningham or the Second Colored Church. Cunningham's holding was lot thirty-six, Washington Ward, one-half of which lot was sold on June 11, 1816 to the estate of Richard Houston.\(^\text{16}\) The aforementioned property in question, lot twelve, was deeded to, and remained in the ownership of, a corporation acting for, and as, the "Female Asylum," from August 3, 1807, until April 9, 1840.\(^\text{17}\) This writer has viewed at the Georgia Historical Society, the Savannah Tax Digest of 1811; this Digest shows a return made by James Morrison acting for "Harry"\(^\text{18}\) Henry Cunningham, on lots twelve and nineteen. Twelve is obviously an error of entry.
(A deed of all the above-mentioned transactions are attached for the perusal of the reader.)

In the year 1818, there are four active Colored Baptist Churches, and Henry Cunningham leads them in dissolving the Old Savannah River Association founded in 1802, and in organizing the Sunbury Association on November 7, 1818 with the following as members: First Colored Church, Andrew Cox Marshall;* Savannah Baptist Church (white, Henry Holcombe;* Second Colored Church, Henry Cunningham;* Great Ogeechee Church, Henry Francis;* Sunbury Colored Church, Evans Grate.*

By a law of 1818, 20 all free persons of color were required to register annually. The Clerk of the Inferior Court was charged with the responsibility of keeping a book for that purpose. Along with other information, this official entered the place of birth of each registrant. It was in just such a book of registry that Henry Cunningham appeared in 1820 as a native of McIntosh County, Georgia. He is now sixty-one years old. Can we accept his registry claim? If so, what about his superior education? That he was superbly educated, there is no doubt; we have epistles 21 that have survived and are attributed to his pen. (See attached copy.)

During the year 1822, Henry Cunningham led his congregation to add "African" to the church's name; this was done to distinguish it further from the white church, which began to dismiss all persons of color to the colored churches.

*Pastors.
On December 21, 1829, copies of the incendiary pamphlet *Appeal*, written by David Walker, a free Negro of Boston, which urged slaves to violent actions, were discovered circulating among the Negroes of Savannah. The pamphlets had been brought to Savannah by a white steward of some vessel, who had delivered them to a Negro preacher.²² It was quietly whispered abroad that Henry Cunningham was that preacher. His known literacy of itself branded him suspect.

Eighteen Thirty-Two brought winds that boded ill for the colored church. A terrible confusion broke out between Andrew Cox Marshall and Deacon Adam Johnson of the First African Baptist Church. The nature of the schism was such that resolutions were passed against First Church in the Sunbury Association. Henry Cunningham, feeling that his congregation might be threatened, wrote a highly controversial letter to the white Baptists seeking their protection.²³ To his chagrin, the Mayor of the city obtained a copy of the letter and published it.

The excitement occasioned by the insurrection led by the Bible-reading Nat Turner was the reason for the Georgia law of 1833 which circumscribed the activities of Negro preachers. "No person of color, whether free or slave," read the law, "shall be allowed to preach to, exhort, or join in any persons of color, there being more than seven Negroes present."²⁴ Henry Cunningham's members totaled 736 in 1833.
To preach at all, he had to "first obtain a written Certificate from three ordained ministers" of his denomination which vouched for his "good moral character...pious deportment, and his ability to teach the gospel." This had to be accompanied by a written permission from properly constituted county or city officials. A license was valid for six months and revocable at will.25

Most Negro preachers were effectively silenced by the 1833 law. The recurrent fear of servile uprisings, instigated by free Negro clergymen, made the law easy to enforce, for the majority of the white populace favored it.

The difficulties in earning a livelihood for Henry Cunningham, a free Negro preacher, after 1833, cannot be chronicled here; but it is possible to conclude with a great degree of accuracy that the lowest point of the free Negro preacher's fortunes was reached after the passage of the 1833 act.

Henry Cunningham survived another nine years. The doors of the Second African Baptist Church continued to swing ajar, although her fortune waned. On November 5, 1835, in recognition of her struggles and impoverished condition, the Mayor and the Aldermen of the city exempted her from further payments of ground rent on lot 19, Green Ward.

On July 14, 1838, Betsy, Henry's companion of 46 years, slipped away to peace. This probably seemed life's final blow, but Henry was to survive his Betsy by three years and ten months.
Henry Cunningham's death on March 29, 1842, brought to a close, a life that "with untiring zeal, had dispensed the gospel of Jesus Christ to his people; to which thousands, within whose memory his virtues live, will testify."

Today, the bones of Henry Cunningham lie along side his beloved Betsy's, in a brick mausoleum in Laurel Grove Cemetery in Savannah, Georgia. This burial place was given by his old friend, Andrew Cox Marshall, who also lies alongside his wife in an adjacent vault. (See enclosed photograph.)
A careful study of the available Registers of Free Persons of Color, in Savannah, Chatham County, Georgia, revealed the following concerning the Reverend Henry Cunningham:

<table>
<thead>
<tr>
<th>Name</th>
<th>Residence</th>
<th>Property</th>
<th>Guardian</th>
</tr>
</thead>
<tbody>
<tr>
<td>1817-29 Henry Cunningham</td>
<td>#11 Carpenter's Row</td>
<td>2 slaves</td>
<td>James Morrison</td>
</tr>
<tr>
<td>Elizabeth Cunningham</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1823 Same</td>
<td>Green Ward</td>
<td>1 slave, 1 house</td>
<td>J. Penfield</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Columbia Ward</td>
<td></td>
</tr>
<tr>
<td>1826-35 Henry Cunningham</td>
<td>Columbia Ward</td>
<td>5 slaves</td>
<td>J.C. Dunning</td>
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</tbody>
</table>

Except for a short period, 1818-19, free persons of color could own and hold property in their own names, providing they had the "general oversight" of a white guardian. The procedure by which a free Negro might obtain a guardian was outlined in a state law of 1810.

Henry Cunningham's name appears on the following annual Savannah Tax Digests, along with his taxable properties.

<table>
<thead>
<tr>
<th>Year</th>
<th>Property</th>
<th>Slaves</th>
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</thead>
<tbody>
<tr>
<td>1812</td>
<td>Lot 19, Green Ward</td>
<td>1</td>
</tr>
<tr>
<td>1813</td>
<td>Add 1 slave</td>
<td></td>
</tr>
<tr>
<td>1814</td>
<td>Same</td>
<td></td>
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<tr>
<td>1817</td>
<td>Same</td>
<td></td>
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</table>
1823  Bldg #34 Washington Ward  4 slaves, 1 crippled  3 sound

1830  4 slaves  1 gig  Bds #1 Haupt lot

1831  Same

1832  Bldg. on Broughton Street  6 slaves

1835  Bldg. #34 Washington Ward  3 slaves.

We have seen Henry Cunningham come full circle; he started with lot #36, Washington Ward in 1812, the westerly half of which was sold to the Richard Houston estate in 1816. Henry is now seventy-six years old. He is believed to have resided here until his death on March 29, 1842.
1 Registry of Free Persons of Color. 1826/35. Georgia Historical Society, Savannah, GA.


3 Cooper (or Cowper); The Craft of Making or Repairing Wooden Barrels (or Casks).


5 History of the Baptist Denomination of Georgia.

6 Carter G. Woodson, The History of the Negro Church, p. 113.

7 E. K. Love, History of the Colored Church.

8 Certain benevolent whites of Savannah thought so highly of the Reverend Henry Francis that they purchased him and gave him his freedom.


9 E. G. Thomas, p. 39

10 Records of the Savannah River Association (See Attached Copies.

11 During these three years, it seems that there was no regular pastor called, but the Reverend Cunningham "had charge" and was assisted once a month by some of the white ministers appointed by this Association to serve on the first Lord's Day of each month.

Minutes of the First African Church of Philadelphia, Penn., William J. Fisher, Chairman, Board of Trustees.

12 J. M. Simms, First Colored Baptist Church in North America, pp. 73-74.
Chatham County Tax Digest, 1826.

Book 2E folio 245, Records of Clerk Chatham County Superior Court.

Book 2A folio 463, Ibid, (see also 2y-416)

Book 2G folio 143, Ibid.

Book 11I folio 103, Ibid., (see also 11H-272)

Minutes of the Sunbury Association, 1818.


J. M. Simms, p. 67.


2. Savannah City Directories; none

3. Probate Records - wills, deeds, and marriages.

4. Church Records, First Baptist Church; Second Baptist Church; First African Baptist Church of Philadelphia, Penn.


6. Superior Court, Schreck records, ward books, deed books, 2A, 2E, 2G, 2Y, 11I, 11H.

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<tr>
<td>Baptized</td>
<td>27</td>
<td>29</td>
<td>27</td>
<td>15</td>
<td>20</td>
<td>16</td>
<td>7</td>
<td>14</td>
<td>153</td>
<td>27</td>
<td>21</td>
<td>4</td>
<td>14</td>
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<tr>
<td>Born by Letter</td>
<td>3</td>
<td>23(?)</td>
<td>2</td>
<td>2</td>
<td>4</td>
<td>1</td>
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<td>Communicated</td>
<td>1</td>
<td>8</td>
<td>2</td>
<td>2</td>
<td>3</td>
<td>2</td>
<td>5</td>
<td>2</td>
<td>11</td>
<td>31</td>
<td>2</td>
<td>9</td>
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<td>6</td>
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<td>Dismissed</td>
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<td>Total</td>
<td>250</td>
<td>230</td>
<td>274</td>
<td>290</td>
<td>301</td>
<td>319</td>
<td>332</td>
<td>342</td>
<td>354</td>
<td>349</td>
<td>505</td>
<td>516</td>
<td>525</td>
<td>520</td>
<td>135</td>
</tr>
</tbody>
</table>

* Taken from microfilm of minutes of Southern Baptist Convention and Savannah River Baptist
  Assoc. = South Carolina, 1802-1829.

** These were colored brethren, who on being dismissed, joined the Second Colored Savannah
  Church from Hallowell's church.

*** It was noted that the former accounts of this church have been erroneous. The present
  are correctly ascertained from the church by letter, and other testimony. This will account for the
  difference of numbers between the present and former statements.

Simon Sweat, Moderator
November 16 - 18, 1804
Savannah, Georgia
Henry Cunningham

November 16 - 18, 1805
Beaufort County House, S.C.
Henry Cunningham

November 16, 1807
Mt. Hope Church
Andrew Marshall

November 25 - 28, 1809
Beaufort, S.C.
Henry Cunningham

November 23, 1811
Pine Creek Church
Henry Cunningham
Scipio Gordon

November 27, 1812
Union Church, Beaufort District, S.C.
Henry Cunningham
Quash Dolly

October 1316
Beaufort, S.C.
Henry Cunningham
Scipio Gordon

November 24 - 27, 1816
Black Swamp, South Carolina
Henry Cunningham
Evan Greer
Euphia Williams

November 24 - 27, 1806
Black Swamp, S.C.
Evan Greer
Thomas Loyd

November 26 - 29, 1806
Beaufort, S.C.
Henry Cunningham
Andrew Marshall
Elias C. Miller
Richard Houston

November 24 - 27, 1810
Savannah, Georgia
Henry Cunningham
Richard Houston

November 21, 1812
Summerville, Georgia
Henry Cunningham
Scipio Gordon

November 26, 1814
Pulaski Church, Beaufort District, S.C.
Henry Cunningham
Quash Dolly

October 25, 1817
Savannah County, Georgia
No delegates listed.
113 Houston Street  North \( \frac{1}{4} \) lot 12  Greene, Ward
117-119 Houston  SE \( \frac{1}{4} \) lot 12
520 East State  SW \( \frac{1}{4} \) lot 12

1805-1806 Ground Rents  Bryan Morell
1807, August 3 (2A 4 3) Mayor and Aldermen to Female Orphan Assylum
1809 T.D. Not listed  ** NOT CUNNINGHAM **
1809-1821 Ground Rent book: Reverted to city and granted F.O.A.
1811 T.D. Harry Cunningham  bds.  $1500.
(In the 1815 T.D. Harry Cunningham is listed as F.M.C. with
one slave.)

From minutes of the board of the Female Orphan Assylum:
page 4. A list of "Subscribers for a fund to raise a sum of
money to purchase the house on the Assylum
lot Number 12, Greene Ward for a residence
for the children of the Female Assylum,"

page 13. December 21, 1810: "Mrs. Noel mentioned that Harry
Cunningham had made an offer to sell the house
he had put upon the Assylum lot and wished it
to be put to a vote, whether the house should
be purchased for the Female Assylum or not.
The motion was then made and carried."

page 18. "Mrs. Rogers removed to the Assylum on the 22 march (1811)
with 15 of the children who were comfortably
lodged in the assylum house."

(From the above it seems that Harry Cunningham, a Free Man of Color,
built a house on lot 12 in either 1809 or 1810, the 1840 digest is
missing and the lot is not listed in 1809, the year before it appeared
in the tax digest. *This house as we shall see later was the present
117-119 Houston, or at least was on the southeast corner of the lot.
* It is also possible the house was built before 1807 when teh F.O.A
acquired the lot.
The Female Assylum remained here until we learn from their minutes,
page 420, the assylum was moved to a new building in the South Common.
(lots 32 and 33 Jasper Ward, on East Charlton Street) the week
preceding Christmas 1839.

page 405. January 16, 1839: board resolved to seal the old building.

1840, March 31 (11 H 272) Savannah Female Assylum to James Frew,
Master Carpenter lot 13 for $1516. (Frew was one
of the builders of the Jasper Ward house.)

1840, July 10 (2 Y 416) Frew to Green Fleetwood for $3000.
1842 T.D. " "  2000. " + "

1850, Oct. 31 (3 H 290) Fleetwood to James King for $2200.
Henry Cunningham had nothing to do with this house!

See: Deed #1
Deed #2
Copies.
"THE SECOND AFRICAN CHURCH TO THE SAVANNAH BAPTIST.

"DEAR BRETHREN—We have witnessed with sincere regret the many serious difficulties which have for many months existed among some of our colored churches, and which have tended to destroy our harmony and remove from us the religious privilege which we now so richly enjoy. And we have regarded with approbation the efforts our white brethren have made to secure to us the permanent possession of our present enjoyment. We are decidedly of the opinion that great advantage will arise to the colored churches by their being under the protection and supervision of the white church. We do, therefore, respectfully request that the Second African Church may be taken under the care of your body in such manner as shall by you be considered expedient.

"Very sincerely yours in the Gospel,

"[Signed] HENRY CUNNINGHAM.

"SAVANNAH, 23d June, 1833.

"Isaac Mooter, William Ferguson,
"Licensed Preacher, William Rose,
"Hannibal Briton, John Cox,
"John Deveaux, Isaac Robert,
"‘Edenborough Fleming.’

The Second Church made no conditions upon which they would be accepted. They left everything with their white brethren. They were received most unanimously, of course.
The Indenture made the first day of October in the year of our Lord one thousand eight hundred and twelve, between Charles Talley, of the City and County of Savannah, and Charles Harris, Esquire, Attorney at Law, guardian for Henry Cunningham, a Baptist preacher, and six persons of color of the other part. Witnesseth.

That Charles Talley for and in consideration of the sum of One Thousand dollars, hand paid by the said Charles Harris, guardian for the said Henry Cunningham at the time and delivery of these presents, the receipt whereof is hereby acknowledged with good will and consent, and doth by these presents grant, bargain, sell and convey unto the said Charles Harris, guardian for the said Henry Cunningham and assignees, all that lot of land thirty-five (35) by forty-nine (49) feet, situate and lying in the said City of Savannah, fronting southwardly on Troup Street, and adjoining on Street being thirty-five feet, and ninety feet in depth, which said lot was the proper office of the mayor and aldermen of the said City of Savannah on the third day of October in the year of our Lord, one thousand seven hundred and ninety-nine, to which the Mayor and Aldermen have in the year of our Lord, one thousand seven hundred and ninety-nine, to that to which the Mayor and Aldermen have

Sold the said lot to the said Charles Harris, guardian for the said Henry Cunningham and assignees, for the sum of Two Thousand dollars, to be paid in cash at the time of the sale, the same to be received by the Mayor and Aldermen of the said City of Savannah, for the use and benefit of the said Henry Cunningham and assignees.

In witness whereof the said Charles Harris, guardian for the said Henry Cunningham and assignees, have hereunto subscribed their names and seals.

Date: October 1, 1812

Place: City of Savannah

Witnesses:

[Signatures]

[Seals]
ever subject always make shift to the payment to the said City of and the regime of the money and ground rent, according to the City ordinance, and that we made and will, and in case of failure and forfeiture for the non-payment of the ground rent, according to the ordinance such forfeiture and left to accrue to the said Charles Tilk, his guardian, pro suo et fideicommisum, having his heirs and assigns and not to the said Charles Tilk or his heirs or executors, ministers or assigns. In witness whereof the parties have hereunto set their hands this day and year first above written.

[Signature]

Recorded 19 May 1813

Thos. Tullock, J.S.B.
State of Georgia

City of Savannah

This be the third day of August in the year one thousand seven hundred and seventy...
For the said lot being then in arrear, the said Marshal, in pursuance of the Authority vested in him by the said ordinance, & by the order of the City Council, did re-enter the said lot, in the name & behalf of the Corporations, and the said lot by such re-entry having become vested in the City, the said Marshal, after having given due public notice, by advertisements in the Gazette of the City, did proceed on Tues.

writing the twenty-first day of June in the present year to expose the said
Let a public sale be made of the estate of the deceased woman mentioned, provided it shall be before the last twenty first day of July. The said sale to be opened the first day of the third month of the revolution was passed by the city council in the following terms to wit: Resolved, that the mayor be authorized to purchase any of the lots lately taken off from the first west common which may be sold for amount of debt, and to have a census of the city, and to the same in certain respects and such subscribers or anyone upon their death be nominated by the corporation for the use and benefit of the female orphanage to hold the same without the power of alienation to any other than the public, which be entirely in existence for the purchase of subsisting female orphans, children. The trustees paying a rent of one hundred dollars per annum, and whereon the purchase of the said lot number twelve Greene Ward, he therefore the indenture to convey, that the mayor and aldermen of the said city, on council convened, for and in consideration of the ten thousand pounds to be paid, and in consideration of the first year off proceeds and lat futh, have leased, bargain'd, and sold, and by these presents, the her, bargain'd, and sold unto the said Robert J. Hewson, Robert Habersham, Robert Newell, Robert Bolton, Thomas Browne, John Cathcart, John Holcombe, John Roberts, and John Eggers' junr. all that lot of ground, situate in Greene Ward known by the number twelve. The same for the sole and entire use of and to hold the said lot with all the advantages thereto appertaining unto the said Robert J. Hewson, Robert Habersham, Robert Newell, Robert Bolton, Thomas Browne, John Cathcart, John Holcombe, John Roberts, and John Eggers' junr. and the survivor of them and to their successors, subject to the said lot in Greene Ward, of the said Robert J. Hewson, Robert Habersham, Robert Newell, Robert Bolton, Thomas Browne, John Cathcart, John Holcombe, John Roberts, and John Eggers' junr. and their successors shall hold the same for the sole and entire use and enjoyment of a society of ladies in the city of Savannah, established for the purpose of supporting and educating destitute female orphans children, denominating the "Female Asylum." And that the said society shall enjoy possession of the said lot, and the appurtenant houses, lands, and shall have the use and profits of the same and that the same be under the care and guardianship of the said female asylum, and to such other uses and purposes only as may be requisite for promoting the purposes of the said institution. The said party of the second part paying thereunto a ground rent of one hundred for the use of the city, provided all other estate, and the true intent and meaning of these presents, and of the
parties to the same is, That the said Female Asylum shall enjoy the
use, profit and possession of the said lot and its appurtenances, for the
purpose here in before expressed, so long as the said Society shall continue
to exist, and to support female orphans and children, provided also that the
said party of the second part, or the said Society or its Trustees or agents,
shall not have power to alienate convey the said lot and premises or
any part thereof to any person or persons whatsoever, provided also
that upon the death of all the Trustees named as the second part
to these presents, it shall be in the power of the Corporation to name
their successors, and provided further that whenever it may so happen
that the said Female Asylum shall cease to exist for the purposes
of its original institution, these presents shall cease, determine and
become void, and the lot and premises hereby conveyed shall revert
to the Corporation.

In witness whereof the Mayor and Aldermen
in council convened have affixed the seal of the city to their
signatures, to these presents, the day and year first above written.

Seal of the
City of Iowa

John G. Noel, Mayor

Geo. Murph, alder.

J. H. Hemy, alder.

Willie Davies, alder.

Ed. Hardine, alder.

James W. Stackhouse, alder.

Memorandum

Two members being absent from the State, six members
constitute a Deemum and Majority by the present Rule.

Recorded 26th Aug. 1867

J. H. Noel
Mayor
Deed 1840

THIS INVECTURE made this Ninth day of April, in the year one thousand eight hundred forty. Between the Mayor and Aldermen of the City of Savannah and Hamlets thereof, in the first part, and, — The Savannah Female Asylum, — in the City of Savannah, of the second part. Whereas, the said Mayor and Aldermen of the city of Savannah and Hamlets thereof, did in acquaint the following preamble and resolutions:— "Whereas the Mayor and Aldermen of the city of Savannah, did, by deed bearing date the third day of August, eighteen hundred and seven, convey unto a lot of land in said city, known as number twelve (12) in Green ward to Robert Habersham and others, to hold in trust for the sale and entire use, benefit and emolument of a society of ladies in the City of Savannah, established for the purpose of supporting and educating indigent or destitute female orphan children, denominated "the Female Asylum". So long as the said society should exist, on an annual rent of one cent, but in the said deed providing that the said Trustees or the officers presiding of said society should never alien or convey the said lot to said Trustees of the said Female Asylum are engaged in erecting a permanent building for the accommodation of the children under their care and will have no further use for the lot in Green Ward as a dwelling, and desire to sell same to raise funds for paying the balance or for erecting the new brick building. Be it Resolved, that this Board will give its assent to the sale by the said Trustees of the Female Asylum of the said lot number twelve (12) Green Ward, the proceeds of the sale to be applied in payment of the cost of the new building, whereas it has been made known to the said Mayor and Aldermen of the City of Savannah and Hamlets thereof, that the said lot has been sold by virtue of the said authority, and the proceeds applied in the manner prescribed by said Resolution. NOW THIS INVECTURE WITNESSETH:

That the Mayor and Aldermen of the City of Savannah and Hamlets thereof, in pursuance of the aforesaid resolution, and in consideration of the premises and of the sum of One dollar to the said Mayor and Aldermen of the City of Savannah and Hamlets, thereof, by the said Savannah Female Asylum in the City of Savannah, paid, the receipt whereof is hereby acknowledged, they, the Mayor and Aldermen of the City of Savannah and Hamlets thereof, have granted, bargained, aliened, remised, released and confirmed, and by these presents do grant, bargain, sell, convey, release, and confirm unto the said Savannah Female Asylum in the city of Savannah, and its successors and assigns. All that lot of land, situate, lying and being in the City of Savannah, in the County & State aforesaid, and known in the plan of said City as lot Twelve (12) Green Ward. Together with all & singular the houses, out-houses, edifices, buildings, stables, yards, gardens, liberties, privileges, rights, members and appurtenances thereto.
thereunto belonging or in anywise appertaining. Add the reversion and reversions, remainder
and remainders, rents, issues and profits; And all the estate, right, title, interest, property
at Possession, claim and demand whatsoever, in law or in equity of the said, The Mayor and Aldermen
of the city of Savannah and Hamlets thereof, of, in, or to the same, or any part or parcel thereof
with the appurtenances. To have and to hold the said lot of land and all and singular other the
Premises hereby granted, bargained, sold, aliened, and confirmed, with the hereditaments and
appurtenances unto the said the Savannah Female Asylum in the City of Savannah, its successors and
assigns, to the only use and behoof of the said The Savannah Female Asylum in the City of Savannah
its successors and assigns forever, and to and for no other use, intent or purpose, whatsoever.
In witness whereof the said The Mayor and Aldermen of the city of Savannah and Hamlets thereof
have thereunto set their official signatures, and caused to be affixed the seal of the said City,
this ninth day of April in the year one thousand eight hundred and forty.
Signed, sealed and delivered in the presence of:

M. Myers, N. P.
F. E. Tebeau-
(Seal of the city of Savannah.)
Attest: M. Myers, C. C.

Robert W. Charlton, Mayor (____)
John F. Posey
Fred'k. Densler.
John Wagner
M. Hopkins.
Robt. H. Goodwin
Jno. W. Anderson
G. Butler.

Received for record and recorded
April 5th., 1913.