

**LOYALISM, PATRONAGE AND ENTERPRISE:
THE SERVOS FAMILY
IN BRITISH NORTH AMERICA 1726-1942**

By

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A Dissertation

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PHD (2006)

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**Loyalism, Patronage and Enterprise: The Servos
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ABSTRACT

The Servos family came to America from the German Palatinate in 1726, and ultimately settled on New York's frontier. With the patronage of Sir William Johnson, the family acquired mills on the Charlotte River in Tryon County shortly before the revolution. The family was not the elite or lower ranks but rather were of the middling classes. During the revolution, the family's loyalist sympathies led to the family head being killed by patriot forces and to the sons then joining the British military. After the war ended, the family tried first to re-establish their lives in the newly formed United States, but eventually joined the loyalist migration to Upper Canada. There, they successfully established new mills using the patronage extended by the British government to loyalists. In the nineteenth and twentieth centuries, the family fell victim to circumstance when their mills became redundant in the Niagara economy, and eventually they needed to sell their lands to pay debts.

The family's success could not have been achieved without their entrepreneurial qualities and knack for seizing opportunities and responding to the challenges of the frontier and the revolution. They exploited to their advantage relationships with those in authority and the uncertainty and light hand of the government in a frontier society.

This study covers six generations of the family from their migration to America until the last family member died in Niagara in 1942. It is hoped that such a long term study will assist in understanding the values and skills transferred from Europe and how they were adapted/developed on the frontiers of America and Upper Canada. Study of a single family permits us to focus on how individual decisions were made in the context of revolution and how the legacy of that loyalism impacted subsequent generations of the family.

PREFACE and ACKNOWLEDGMENTS

The Niagara Historical Society and Museum houses records and artifacts of the Servos family (the Servos collection).¹ The Society was founded in 1895 under the leadership of Janet Carnochan to encourage the study of Canadian history and literature, collect and preserve Canadian historical records and relics, and build Canadian loyalty and patriotism. By 1906, the Society had accumulated sufficient funds to construct Memorial Hall, the first building in Ontario designed solely for use as an historical museum. The Servos collection contains 544 archival and photographic items and 309 artifacts relating to several generations of the Servos family. The Servoses ran mills on Four Mile Creek near the Town of Niagara. The family biographer, William Kirby,



Memorial Hall, courtesy of Niagara Historical Society, no. 986.053.07.

writing in 1883, referred to the family as "... a family in respectable middle life, which may be taken as completely representative of the great body of loyalists who founded Upper Canada."²

This paper flows from the desire of Clark Bernat, the Society's present curator, for a historical research project on the Servos family, and hopefully provides a starting point for those interested in the importance of the Servos family to the history of Niagara. In writing this paper, I have benefited from the assistance of curator Clark Bernat, Servos family genealogists, Marylyn Jackson and Jack Peltier, Town of Niagara historians, Joy Ormsby and Linda Gulu, and property title searcher Edie Perry. In addition, Professors Kenneth Cruikshank, John C. Weaver and Karen Balcom of McMaster University and Professor Peter Oliver of

York University have been helpful in the planning, organization and execution of this paper. In particular, the patience and practical expertise of Professor Cruikshank in directing the research and framing the arguments for this paper have been invaluable. The writer extends genuine thanks and appreciation.

¹ There are various other spellings of the Servos name. B.J. Service states that there are over 35 different ways to spell the name. See notes on "The 'Service' family in Germany, which mentions variations such as Serbes, Serves, Servis, Serviss, Service, Zervas, Zerbes, Zerbos, Zerbus, Zirbes, Zirbesen, Zerfas, etc. in the Servis Servos Serviss file in the Ontario Archives, RG 17-21, box 2, file G-o28, 1938-42. Much of the genealogical information in this study on the Servos family comes from Jack Peltier and Marilyn Jackson, Servos/Serviss/Service Compendium, The Family of Christianus Servos (1664-1745) and Margaretha Elizabetha Debruen (St. Catharines, Ontario and Calgary, Alberta: published by the authors, June 2001), (the "Servos Family Compendium").

² William Kirby, "The Memorials of the Servos Family," in Niagara Historical Society, Publication no. 8 (St. Catharines, Peninsula Press, 1919), 3-18.

TABLE OF CONTENTS

Title Page	page (i)
Descriptive Note	page (ii)
Abstract	page (iii)
Preface and Acknowledgments	page (iv)
Table of Contents	page (v)

Chapters

Introduction: The Loyalists	page 1
Centennial Celebrations	page 3
The Servos Family	page 4
Loyalist Studies	page 6
Loyalist Issues	page 14
Political Choice	page 15
Who were the Loyalists	page 21
Loyalist Values and Skills	page 23
Loyalist Experiences	page 30
Loyalist Legacy	page 34
Why The Servos Family	page 36
Chapter 1: Migration and Making it in America	page 40
Palatine Values	page 41
Palatine Migration	page 46
Servos Emigration to America	page 52
Johnstown, New York	page 57
New York Frontier	page 61
Kingsborough Settlement	page 64
Cayadutta Creek Farm	page 72
The Adaquatancie Patent	page 81
Charlotte River Farm	page 86
Enterprise of Christopher Servos	page 90
Chapter 2: Revolution and Loyalism	page 92
Politics of Revolution	page 94
Anti Loyalist Measures	page 98
Tryon County Loyalists	page 102
Harpersfield Patriots	page 108
British Strategy for New York	page 113
Servos Family in the Revolution	page 116
Killing of Christopher Servos	page 120
Reflections on Christopher Servos	page 123
British Indian Department	page 130
Servos War Service	page 136
Peace Treaty	page 141

	Indian Department Reduction	page 143
	Postwar in Tryon County	page 147
	Political Choices	page 154
Chapter 3:	Loyalist Entrepreneur	page 160
	Settlement on the West Bank	page 160
	Loyalist Settlement Schemes	page 162
	Niagara's First Mills	page 168
	Niagara Township	page 173
	Arrival in Niagara	page 180
	The King's Mills	page 182
	Servos Accounts	page 186
	Four Mile Creek Mills	page 191
	Merchant Network – W&J Crooks	page 195
	The Servos Family	page 205
	Enterprise of Daniel Servos	page 212
Chapter 4:	Loyalist Advantages	page 214
	Patronage	page 214
	War Loss Claims	page 218
	Claim for Half Pay	page 225
	Land Grants	page 226
	Land Tenure System	page 230
	Ownership of Mill	page 237
	Servos Land Petitions	page 244
	Acquisition of East Bank Lands	page 248
	Additional Land Grants	page 251
	New York Claims	page 256
	Measure of Loyalism	page 261
	Assessment of the Loyalist Advantage	page 266
Chapter 5:	Loyalist Legacies	page 269
	John Dease Servos	page 269
	Influence of William Kirby	page 280
	Peter Claus Servos	page 285
	Mary Servos	page 295
	Margaret Marilla Aikins	page 301
	M.E.O.J. Servos	page 302
	Nostalgia	page 317
	Disposition of Servos Homestead	page 323
	Social Utility of Loyalism	page 325
Conclusion:	A Loyalist Family	page 327

Images

Images in Chapter One (Images 1):

German Palatinate (1)	page 42
Colonel Guy Johnson Map 1771 (2)	page 50
Northern Frontier of New York (3)	page 53
Kingsborough Patent Lands (4)	page 68
Captain Gray Map 1778 (5)	page 82

Images in Chapter 2 (Images 2):

New York Frontier in Revolution (1)	page 93
Revolutionary War on the Frontier (2)	page 110
Daniel Servos Commission (3)	page 139
Indian Department Uniform (4)	page 140
List of Materials for Uniform (5)	page 140

Images in Chapter 3 (Images 3):

First Settlement Plan of Niagara (1)	page 166
Niagara Settlers Plan (2)	page 178
Niagara Lots Map (3)	page 179
William May Account (4)	page 185
Niagara Peninsula Mills (5)	page 198
A. Jones Sketch (6)	page 199
Servos Farm and Mills (7-9)	page 200
Servos Homestead (10)	page 201
Mrs. Simcoe Drawings (11, 12)	page 202
Militia Commission (13)	page 203
Servos Graveyard (14)	page 204

Images in Chapter 4 (Images 4):

Petition for War Losses (1)	page 223
Petition for Mill Site (2)	page 245
Petition for Mill (3)	page 246
Petition for residue of lands (4)	page 252

Images in Chapter 5 (Images 5):

Britannia drawing (1)	page 275
God Save the King Lyrics (2)	page 276
Mary Servos (3)	page 283
Peter Servos (4)	page 283
William Kirby (5)	page 283
M.E.O.J. Servos (6)	page 283
Mary Servos letter (7)	page 297

Servos home museum (8-12)	page 298
UEL Medal (13)	page 305
Owen Staples Drawings of Grist Mill (14, 15)	page 320
Owen Staples Drawing of Homestead exterior (16)	page 321
Owen Staples Drawing of Homestead interior (17)	page 321
Owen Staples Drawing of Homestead Vista (18)	page 322

Images in the Conclusion (Images 6):

Mary Servos grave (1, 2, 3)	page 329
Servos Building Ruin (4)	page 330

Appendices

Appendix A: Servos Family Timeline	page 334
Appendix B: Plan 1 (Acquisition of Four Mile Creek Land)	page 339
Appendix C: Plan 2 (Disposition of Four Mile Creek Land)	page 340
Appendix D: Notes on Plans 1 and 2	page 341
Appendix E: The Servos Family	page 343
Bibliography	page 344

INTRODUCTION – THE LOYALISTS

In the early 1760s, the settlers in the thirteen American colonies objected to the enforcement by Britain of its navigation laws restricting American shipping in favour of British interests and to the imposition by Britain of taxes and duties on various goods imported into America. The British legislation was widely referred to by the American colonists as “the Intolerable Acts.” In 1774, colonial concerns were heightened by passage of the *Quebec Act*, which reserved all of the lands north of the Ohio River for the benefit of the inhabitants of Quebec and the Indian populations, to the exclusion of the American colonists.¹ Another provision in the *Quebec Act* granted religious toleration to Quebec’s Roman Catholics who had until the end of the French and Indian War in 1763 been enemies of the colonists.² The *Quebec Act* therefore seemed to favour the interests of Indians and the inhabitants of Canada to the detriment of the American colonists.

Britain’s arbitrary exercise of power in the 1760s and 1770s led first to protests, sometimes virulent, from the American colonists (both patriots and loyalists), and then to an extended debate over the need or even the desire for continuing political, economic and military connections with the British empire. The protests were followed by the Boston Tea Party (December 16, 1773), the closing by Britain of the Port of Boston in 1774, and the military skirmishes at Lexington and Concord in April 1775 that marked the commencement of active revolutionary war hostilities.

During the American Revolutionary war (1775-1783), an estimated 513,000 American colonists remained loyal to the British crown. The loyalists comprised

¹ For the *Quebec Act*, see Gustav Lanctot, *Canada and the American Revolution 1774-1783* (Toronto: Clarke, Irwin & Company Limited, 1967), 229-37.

² See Robert S. Allen, *His Majesty’s Indian Allies, British Indian Policy in the Defence of Canada, 1774-1815* (Toronto & Oxford: Dundurn Press, 1992), 40-3.

approximately 16% of the total population (3,210,000), or 19.8% of white Americans.³ At war's end, about 70,000 loyalists fled from the United States. Approximately 46,000 (or about 66%) of these came to British North America (later Canada), making it the most important destination for the loyalists.⁴ The rest of the loyalist refugees went to the Bahamas (2,000), British West Indies (4,000), Bermuda (100) and Britain (10,000), and smaller numbers fled to Europe, the Floridas or Central America. In addition, about 6,000 black loyalists ended up in the Maritimes, Sierra Leone, the Bahamas and the West Indies. About 2,000 Indians, mainly Iroquois, came to Upper Canada, but there were also a few Creeks who went to New Providence, in the Bahamas. Finally, thousands of American slaves accompanied the loyalists, mainly to the southern islands, but a few thousand came as refugees to British North America.⁵

Of the 46,000 loyalists who migrated to (what would eventually become) Canada after the revolutionary war, approximately 7,500 (or about 16%) came to Upper Canada and of these about 620 (1.33%), including the subjects of this study, settled on the west bank of the Niagara River.⁶ Before the arrival of the loyalists, Niagara was sparsely populated with the Mississauga who resided there, some itinerate fur trappers, the British military who staffed the naval stores and dockyards forming part of Navy Hall, and a small number of disbanded soldiers who had established a settlement there in the 1780s.⁷

³ Paul H. Smith, "The American Loyalists: Notes on their Organization and Numerical Strength," William and Mary Quarterly ser.3 25 (1968), 269.

⁴ The Maritimes received about 35,000 of the loyalists who came to British North America.

⁵ See Wallace Brown, Victorious in Defeat (Toronto: Methuen, 1984), 31-3.

⁶ Bruce Wilson, in Loyal As She Began (Toronto: Dundurn Press, 1981), 13 estimated 7,500 loyalists; J.J. Talman in "The United Empire Loyalists" in Edith G. Firth ed., Profiles of a Province: Studies in the History of Ontario (Toronto: Ontario Historical Society, 1967), 3 estimated 6,000 loyalists, and William Canniff, History of the Settlement of Upper Canada (Ontario) (Toronto: 1869), 195 estimated 10,000.

⁷ See a "list of Persons who have subscribed their names in order to Settle and Cultivate the Crown Lands Opposite to Niagara, July 20th, 1784," in E.A. Cruikshank, Records of Niagara 1784-7 (Niagara: NHS publication no. 39, 1928), 41-4.

CENTENNIAL CELEBRATIONS

On August 14, 1884, centennial celebrations were held at Niagara, Toronto and Adolphustown to commemorate the 100th anniversary of the founding of the loyalist settlement of Upper Canada.⁸ For the Niagara celebrations, a platform for the speakers and community leaders was erected on the Common near the Town of Niagara. The celebrations were attended by some 2,000 persons including many loyalist descendants. Eloquent speeches were delivered by several dignitaries including His Honour John Beverley Robinson (Lieutenant Governor of Ontario); Lieutenant Colonel George T. Denison; Senator J.B. Plumb (who gave the main address of the day), Indian leaders, A. Hill (Chief of the Bay of Quinte Mohawks and great grandson of Joseph Brant), and Chief A.G. Smith (official interpreter of a delegation of 48 chiefs and warriors from the Six Nations Grand River Indian reserve); James Hiscot, (Warden of the County of Lincoln); H.S. Garrett (Mayor of Niagara); William Hamilton Merritt (grandson of the builder of the Welland Canal); the Right Reverend Thomas Brock Fuller (Lord Bishop of Niagara, who gave the prayer and a short address); and noted Niagara novelist and historian William Kirby. The chairman of the celebrations committee, who opened the proceedings, was Robert N. Ball of Niagara, a descendant of a loyalist family.⁹ In the remarks that he made at the celebration, William Kirby stressed Niagara's importance as "the true historical and proper place for the centennial celebration of the settlement of Upper Canada," and he went on to say:

Here was the principal landing place of the expatriated loyalists, here came the loyal fighting men of the

⁸ Niagara is used in this paper to describe the present day Niagara-on-the-Lake, previously the Town of Niagara and Niagara Township. The term Upper Canada denotes present day Ontario, previously the western part of the Province of Quebec (to 1791)

⁹ Janet Carnochan, History of Niagara (Toronto: William Briggs, 1914), 146.

Revolutionary War, and here they planted their war torn but glorious flag and said to the waves of revolution: “Come not here! This is our Canadian home and our portion of the British Empire forever!”¹⁰

An extract from Kirby’s poem “The Hungry Year” named for the experiences of the loyalists was republished in time for the centennial celebrations. Kirby took every opportunity to remind Canadians of the importance of their British heritage. He himself married into a loyalist family, the Servos family of Niagara, three of whom were present at the celebrations and one of whom was the secretary of the celebrations committee.¹¹

THE SERVOS FAMILY

The Servos family came to America from the Palatinate, the region in present day Germany between Basel and Cologne along the Rhine River. The Palatines were not a single nation but peoples who lived in a series of principalities, each of which was governed by a different local ruler. In the Palatinate, the Servos family faithfully served the Prince of Wied as soldiers, and in 1726 he sponsored them in their emigration to America. In America, the Servos family became tenants on New York’s frontier. They leased land from Sir William Johnson (1715-1774), a wealthy land owner and office holder with close ties to the British government. At that time, New York was a British province, one of the 13 original American colonies. Eventually, the family acquired (with Sir William’s assistance) a farm and mills of their own on the frontier in Tryon County, New York.¹² During the American Revolution, Christopher Servos, the head of the

¹⁰ Centennial Committee, The Centennial of the Settlement of Upper Canada by the United Empire Loyalists 1784-1884 (Toronto and Niagara: Rose Publishing Company, 1885), 104-5.

¹¹ See Norman Knowles, Inventing the Loyalists: The Ontario Loyalist Tradition and the Creation of Usable Pasts (Toronto: University of Toronto Press, 1997), 79.

¹² Some family genealogists link the name of Servos to “different Rhenish dialects from the name of St. Servatius” and maintain that the Servos family “had lived in that part of Germany since time immemorial.” See the notes of B.J. Service under the heading “The ‘Service’ family in Germany” in the Servis Servos Serviss file in the Ontario Archives, RG 17-21, box 2, file G-928, 1938-42, (the “B.J. Service papers”).

family, was killed by the patriots for his loyalist sympathies, and following his death his sons all joined the British military. When the war ended, two of the sons joined the loyalist migration to Upper Canada, and one of them was again able, with the advantages extended to the loyalists by the British government, to successfully establish a farm and mills in Niagara Township, to replace those lost by the family during the revolution.

Because of its tradition of loyalty, the Servos family benefited in its various locations from the patronage extended by the governing authority, the usual route to political and economic success at the time. This was the case for the family in the Palatinate, the American colonies and Upper Canada. However, the family also displayed entrepreneurial activity in the way it responded to the challenges of the frontier and the revolution.¹³ The Servos family was a loyalist family, but their loyalty was pragmatic. They exploited relationships effectively with those in authority, and took advantage of the uncertainty and light hand of the governing authority in a frontier society. During the revolution, they delayed making decisions until circumstances forced them to take action, and they sometimes acted without regard to official procedures and regulations. Nevertheless, their initiatives were consistent with the objectives of the authorities and were welcomed because the enterprises they created were beneficial to settlement.

In the latter part of the nineteenth century, the Servos enterprises failed when mill technologies energized by water power were superseded by machinery operated with steam and hydro-electric power. The Servos family then tried to capitalize on the social

¹³ In this paper, entrepreneurial activity denotes the kind of economic behaviour on the part of an individual intended to increase his productive assets and wealth, as contrasted with activity intended to further “the communal, cooperative aspects of colonial economic behaviour.” See Edwin J. Perkins, “The Entrepreneurial Spirit in Colonial America: The Foundations of Modern Business” Business History Review 63(1), *Entrepreneurs in Business History*. (Spring, 1989): 166-170, and the discussion on capitalism on pages 27-9 below.

capital of loyalism (which to a certain extent had a financial impact), hoping to turn this to financial advantage. In the end, however, the family assets were sold on a piecemeal basis to cover debts incurred by the family.

The chronology of the Servos family's movements, achievements and decline is laid out in Appendix A and a family genealogy is provided in Exhibit E.

LOYALIST STUDIES

Scholars have long been aware of the significance of the loyalists to the founding of Upper Canada. The elements of the loyalist story (tradition) are loyalty to the British crown and institutions during the revolution, loss of homes and property in the United States for King and country, and the creation at great sacrifice of a pioneer community out of the wilderness of Upper Canada. The educational, religious and administrative institutions the loyalists helped to create became the structural foundation for the new Province of Upper Canada when it was formed in 1791.¹⁴

Efforts to record the history of the loyalists began in the 1850s, but during the nineteenth century only limited success was achieved.¹⁵ In the twentieth century, historians approached the subject of the loyalists more critically as they acquired a deeper appreciation of the complexity of loyalist issues and settlement. However, no clearly defined attitude toward the loyalists has been achieved, and such conclusions as exist regarding the loyalist contribution and the formative influences of loyalism on Upper Canadian society, economy and political culture are often confusing and even

¹⁴ See Wilson, Loyal As She Began, 9.

¹⁵ Foremost among the early histories produced were those of Egerton Ryerson, Loyalists of America and their Times from 1620 to 1816 two volumes, (Toronto: William Briggs, 1880); and William Canniff's, History of the Settlement of Upper Canada (Ontario). For American works see Lorenzo Sabine, Biographical Sketches of Loyalists of the American Revolution (Boston: Little Brown, 1864. Reprint, 2 vols. Port Washington, New York: Kennikat Press, Inc., 1966).

contradictory. Also, the recording of the loyalist story is still not complete. For example, in a region as important to loyalism as Niagara Township where the Servos family lived the major history is a booklet of only 111 pages commissioned in 1967 for Canada's centennial, and no history outlines the contribution of the loyalist migrants from Tryon County, the so-called Tryon Tories, to the settlement of Niagara Township.¹⁶

It was traditionally assumed that the loyalists helped shape the character of Upper Canada and had a positive impact on its economic development. William Kirby was one of the historians who looked at the loyalist contribution positively.¹⁷ Early loyalist historians concentrated on the elite.¹⁸ As influential men before the war who were also successful after the war, the elite have rightly caught the attention of historians. However, the early emphasis on the elite led to public perceptions of the loyalists as Tories - mostly wealthy supporters of George III, usually British royal office holders, powerful merchants, large landowners or Anglican clergymen.¹⁹ For their own reasons, American historians and popular mythology also view the loyalists in this way. In his book about the origins of Upper Canada, Bruce Wilson states that the loyalists were first regarded in Upper Canada as the "very cream of the population of the Thirteen Colonies ... they were an educated and cultured elite, representing 'the learning, the piety, the gentle birth, the

¹⁶ See James A. Rennie, Niagara Township Centennial History (Niagara-on-the-Lake: Township of Niagara, 1967).

¹⁷ See also Alfred Leroy Burt, The Old Province of Quebec (Toronto: The Ryerson Press, 1933); W. Stewart Wallace, The United Empire Loyalists (Toronto: Glasgow, Brook & Company, 1914); and David Mills, The Idea of Loyalty in Upper Canada, 1784-1850 (Kingston, Ontario: McGill-Queen's University Press, 1988).

¹⁸ See E.A. Cruikshank, Butler's Rangers, The Revolutionary Period (Welland, Ontario: Lundy's Lane Historical Society, The Tribune Office, 1893; reprint, Niagara Falls, Ontario: Renown Printing Company Limited, 1988); Earle Thomas, Sir John Johnson, Loyalist Baronet (Toronto and Reading: Dundurn Press, 1986); William L. Stone, Life of Joseph Brant – Thayendanegea including the Indian Wars of the American Revolution (New York: G. Dearborn, 1838); and Bruce Wilson, The Enterprises of Robert Hamilton (Ottawa: Carleton University Press, 1983).

¹⁹ Catherine Snell Crary, The Price of Loyalty: Tory Writings from the Revolutionary Era (New York: McGraw-Hill Book Company, 1973), xxiii. See also L.F.S. Upton, The United Empire Loyalists: Men and Myths (Toronto: The Copp Clark Publishing Company, 1967), 1-2.

wealth and the citizenship of the British race in America.”²⁰ W. Stewart Wallace wrote in 1914 that “the United Empire Loyalists are still regarded with an uncritical veneration which has in it something of the spirit of primitive ancestor-worship.”²¹

Some historians concluded in the late nineteenth and twentieth centuries that the importance of the loyalists had been exaggerated. This would have been the conclusion, for example, of those who were unduly influenced by the bias of the elite studies. Also, Norman Knowles thought that, by virtue of its concentration on the elite, the loyalist story had a more limited appeal in the age of progressive reform and populism.²² But there were other reasons for the conclusion that the impact of the loyalists was exaggerated. R.O. Macfarlane views the loyalist migration simply as part of the continuing westward movement of population on the North American continent.²³ And Wallace Brown argued that the loyalist influence was effectively “submerged” by continuing immigration from the United States, the British Isles and Europe, the influence of French Canadian traditions, and the cultural weight of the United States, with the result that a strong loyalist tradition had disappeared at an early date, possibly by the end of the War of 1812.²⁴ There are also historians (such as Norman Knowles) who thought that the emphasis on the loyalists was misplaced because they could find no coherent loyalist ideology or identity in their stories. Knowles states that all loyalists shared a common interest in land; it was land that attracted them to Upper Canada in the

²⁰ See Bruce Wilson, *Loyal As She Began*, 9-10.

²¹ Wallace, *The United Empire Loyalists*, 3.

²² Knowles, *Inventing the Loyalists*, 163-171.

²³ Ronald Oliver Macfarlane, “The Economic Interpretation of Loyalism,” in Upton, *The United Empire Loyalists: Men and Myths*, 158-161.

²⁴ Wallace Brown, “The View at Two Hundred Years: The Loyalists of the American Revolution,” *Proceedings of the American Antiquarian Society* 80 (1971): 37.

first place or induced them to stay once they had arrived, and it was the right to acquire land that initially set them apart as a distinct group.²⁵

The opinion that the goals of some loyalists were unrelated to loyalism is shared by other historians, and some have even suggested that the loyalist influence on Upper Canada's development was a negative one. The loyalists were described by Wallace Brown as "one of history's complete losers."²⁶ And J.M. Bumsted referred to them as the "waifs of early North American history."²⁷ John Davidson added "For when all is said and done, the Loyalists were no more than a set of worthy gentlemen, office holders, lawyers, doctors, and clergymen, and their dependents, who took the losing side in a great quarrel, and took it so vigorously that when the end came there was no room for them in the land of their birth."²⁸ Davidson attributed a lack of initiative to loyalists, a tendency to take things easy, and a desire to wait upon the action of government, with the result that Upper Canada's "industry languished and enterprise was discouraged."²⁹ Edgar McInnis argued that "economic factors operated perhaps even more powerfully than political ones, in inducing many of the loyalists to move toward the west and the north," and in his opinion many of the loyalists intended only "to better their economic position through the acquisition of free or cheap land" for its speculative value rather than for cultivation.³⁰ The loyalists were also criticized for limiting religious freedom in Upper Canada by

²⁵ Knowles, Inventing the Loyalists, 164.

²⁶ Wallace Brown, The Good Americans: The Loyalists in the American Revolution (New York: William Morrow and Co. 1969), 222.

²⁷ J.M. Bumsted, "Loyalists and Nationalists: An Essay on the Problem of Definitions," Canadian Review of Studies in Nationalism 6 (Spring 1979): 218.

²⁸ See John Davidson, "The Loyalist Tradition in Canada," Macmillan's Magazine (September 1904), in Upton The United Empire Loyalists: Men and Myths, 165.

²⁹ John Davidson, "The Loyalist Tradition," in L.F.S. Upton, The United Empire Loyalists: Men and Myths, 169.

³⁰ Edgar McInnis, Canada, a Political and Social History (New York: Holt, Rinehart and Winston of Canada, 1982), 201.

encouraging the primacy of the Anglican Church and for creating an undemocratic oligarchy or aristocracy “with no great respect for the popular vote.”³¹

The problem in recording the complete story of the loyalists has been in large measure a lack of sources regarding the ordinary loyalist, the pioneer settler (often illiterate) who left few if any diaries, letters or other personal records that would make it possible to probe values, sentiments and feelings. The primitive circumstances in which the ordinary loyalists lived have made it difficult for historians to access their lives, and as a consequence their contribution to Upper Canada’s economic development has been under-explored. In addition, the loyalist records that do survive contain a further bias in that they emphasize white male Americans, and ignore, *inter alia*, other races (especially blacks, free and slave alike) and women (including spouses). In 1987, historian David Stouck posed the dilemma as follows: “How to describe the history of the inarticulate remains an unsolved problem in Loyalist studies. Who were the Loyalist ranks and what happened to them? Only individual histories can begin to fill that gap.”³²

Loyalist research can be tedious because surviving archives are often fragmentary and do not provide a complete record where the loyalist himself did not maintain a daily account of his activities. Much of the information that we have concerning the ordinary loyalists comes from the war loss claims they submitted to the British commissioners following the revolutionary war.³³ There were 1,106 claims filed by New York loyalists; they constituted 0.54% of New York’s white population (estimated at 203,747 in 1776)

³¹ Nathaniel Burwash, “Architects of Canada,” in Upton, The United Empire Loyalists: Men and Myths, 145-152 at 147 and 152.

³² David Stouck, “The Wardell Family and the Origins of Loyalism,” Canadian Historical Review (1987): 64.

³³ See for example Wilson, Loyal As She Began, 13-24; and Wallace Brown, The King’s Friends: The Composition and Motives of the American Loyalist Claimants (Providence, Rhode Island: Brown University Press, 1965), 76-107.

and made up nearly half the total of loyalist claimants from all the colonies. Tryon and Albany Counties (with about equal numbers) accounted for about 50% of the New York claimants. There were 138 claimants from New York City (nearly 13% of total New York claimants), who represented 0.55% of the city's population of 25,000 in 1775.³⁴

The analysis of the war loss claims by New Yorkers confirms that the loyalists were a “cross section indeed of American life,” as opposed to the Tory stereotype of persons of wealth and privilege.³⁵ The New York claimants included persons of all nationalities and citizenships, all social positions, ranks and status, all levels of income and wealth, all types of occupations, all motivations, all races, and all religious creeds and beliefs.³⁶ About half of the New York claimants were born outside the American colonies and the majority of those were from the British Isles, but 69 (out of 1,106 or about 7%) were of German origin. Only five of them had held public office, and only one would have been considered a professional by today's standards. Two were surgeons and one a school teacher. A small number of loyalists had been shop owners, tavern-keepers or artisans, and two had been ship owners.³⁷ One commentator (Wallace Brown) noted that “the outstanding fact about the Loyalist movement in New York was not just its great numerical strength, but also its wealth of political, military, and literary talent, and its representatives of leading families.”³⁸ Nevertheless, the bulk of the New York loss claimants (74.7%) were farmers and landowners, and about half of these were from Tryon County (the Servos home county). The same conclusions are reached, based on a

³⁴ Brown, *King's Friends*, 77-83.

³⁵ Esmond Wright, “The New York Loyalists: A Cross-section of Colonial Society,” 94.

³⁶ Flick, *Loyalism in New York during the American Revolution*, 35-6; Brown, *The King's Friends*, 76-107 and 306-11; and Wilson, *Loyal As She Began*, 13-24.

³⁷ Wilson, *Loyal As She Began*, 13.

³⁸ Wallace Brown, *The King's Friends*, 106-107.

review of the 488 claims filed by Upper Canada loyalists. Bruce Wilson states that “the great majority of Ontario loyalists were pioneer farmers, most of who had resided in New York State, 54% of those coming from the sprawling county of Tryon, then the western frontier of the New York settlement.”³⁹

In their submissions to the war loss commissioners, the New York loyalists gave various reasons for their decision to join the British during the revolution. The primary motivation was of course loyalty. In some cases, this was characterized positively, for example as loyalty to Britain or to the Johnson family or to a religion or an ethnic background that followed the British cause. In other cases, the choice of loyalty was characterized negatively. For example, some loyalists said that they were anti-American or feared that the revolution might end up in anarchy or despotism or that they hoped to avoid persecution in the United States for non-conforming ethnic, religious or political beliefs. Some loyalists simply expected that Britain would win the war or that a British victory would preserve their social status or an office held or preserve a standard of living enjoyed before the war. Other loyalists may have chosen Britain to obtain free land grants or employment or economic opportunity available to them in Upper Canada.⁴⁰

Historians have cautioned us not to accept uncritically the abundance of evidence submitted by the loyalists to the war loss commissioners. The argument is that the American emigrants were not a valid statistical sample of the loyalists, that the claimants were not representative of the emigrants, and that the commissioners’ transcripts do not present accurate quantitative data about the claimants’ property. One historian, perhaps

³⁹ Wilson, *Loyal As She Began*, 13.

⁴⁰ Wilson, *Loyal As She Began*, 18-20; Duncan Fraser, “Sir John Johnson’s Rent Roll of the Kingsborough Patent,” *Ontario History* 52(3) (September 1960), 182; Brown, *The King’s Friends*, 104; and Crary, *The Price of Loyalty*, 2.

uncharitably, concluded that the use of the war loss claims for any purpose, other than to identify the level of compensation or pensions sought by the petitioners, is questionable.⁴¹ Because of the questions raised about the reliability of the loyalist claims, generalizations based on information contained in the claims are open to scrutiny. First of all, the generalizations may not explain the actions of individuals who displayed characteristics that were not representative of the group of loyalists who submitted the claims. Also, many of the statements made by the loyalists to the commissioners may have been motivated more by the need to provide a basis for compensation from the British government than by the desire to portray incontrovertible facts and circumstances, and consequently the evidence submitted to the war loss commissioners may have been altered or exaggerated for that reason. As noted by one historian:

Petitions inevitably stressed the “merits and pretensions” of the petitioners. They told the Lieutenant Governor and his council only what the petitioner wanted known and could present a one-sided or exaggerated version of the case.⁴²

Finally, the loyalist claims are distorted by those claimants who returned to the United States at a later date because of strong family ties and interests there or because they became disillusioned with the hardship of life in Canada.⁴³ Even with those misgivings, the loyalist war loss claims provide useful information about loyalists and the nature of loyalism, and they remain today the best available source of information on the loyalists, both elite and non-elite. Historian Christopher Moore suggests that the loyalist claims provide some useful information for approaching the “personal experience of the

⁴¹ Eugene R. Fingerhut, “Uses and Abuses of the American Loyalists’ Claims: A Critique of Quantitative Analyses,” *William and Mary Quarterly* 3rd series 25 (April 1968), 245-258.

⁴² J.K. Johnson, “‘Claims of Equity and Justice’: Petitions and Petitioners in Upper Canada 1815-1840,” *Histoire Sociale* 28(55), 238.

⁴³ Neil MacKinnon, *This Unfriendly Soil* (Kingston and Montreal: McGill-Queen’s University Press, 1986), 158-179.

loyalists” and “to place them in the American societies that shaped them and the Canadian ones to which they came and contributed.”⁴⁴

To assist with research on ordinary loyalists, Barbara M. Snyder suggests that we investigate them in terms of their surviving relationships with things and places, since they became involved with a wide range of natural and humanly modified landscapes, artifacts and documents.⁴⁵ The most important documents were land records as in “the predominantly rural world of the Loyalists, ownership, control and use of land were still directly part of many of the encounters with the world we’ve reviewed.”⁴⁶

The reliance on surviving records can be problematic, although perhaps inevitable, in the case of family research, where surviving records reference the male heads of the family and ignore the contributions of the family’s children and women members. In the case of the Servos family, this reliance on surviving records is particularly unfair because, as this paper will demonstrate, the family was close and acted to a great extent as a family unit and as members of the Palatine community in America.

Even with these limitations, inherent in a research paper, some historians have proceeded to record the stories of ordinary loyalists with visible success.⁴⁷

LOYALIST ISSUES

Writing about the loyalists, historians have focused on four main issues. The first issue is why some people became loyalists and others did not. Underneath this question is the subquestion: who were the loyalists? The literature raises the question of whether the

⁴⁴ Christopher Moore, The Loyalists, Revolution, Exile, Settlement (Toronto, MacMillan of Canada, 1984), viii.

⁴⁵ Barbara M. Snyder, “Changing Geographical Worlds: From the New Hampshire Grants to the Cataraqui Townships with Loyalists to Canada” (PhD diss., Queen’s University, 2000), 401.

⁴⁶ Snyder, “Changing Geographical Worlds,” 404.

⁴⁷ See for example the works by David Stouck, “The Wardell Family and the Origins of Loyalism;” and Barbara Snyder, “Changing Geographical Worlds: From the New Hampshire Grants to the Cataraqui Townships with Loyalists to Canada.”

loyalist choice was made for practical (social or economic) and/or ideological reasons. This question is, for obvious reasons, the main focus of American historians, although it is also of interest to Canadian loyalist historians. A second issue raised by loyalist historians is what political, social and economic values the loyalists brought with them to Upper Canada and how those values shaped Upper Canada's political, social and economic structures and institutions. This issue is the major traditional focus of Canadian historians. The third issue is what practical social, economic and political advantages came from being a loyalist, and how did those advantages shape Upper Canadian politics, economy and society. Again, this is more of a Canadian focus. Fourth, loyalist historians write about the legacy of loyalism. Traditionally, historians assumed that loyalism had an impact on the settlement of Upper Canada, but some historians, who questioned the degree to which loyalism had an initial impact, became interested in how loyalism was constructed and revived in the nineteenth century and subsequently.⁴⁸

POLITICAL CHOICE

In 1946, Historian J.J. Talman stated that “the contribution that the loyalists made to Upper Canada cannot be denied,” but he also issues the following challenge: “The questions may then be asked, what did they stand for, and why did they become Loyalists?”⁴⁹ American historians begin their answer with the origins of the American Revolution, and they look at the contrasting ways in which the patriots and loyalists reacted to the challenges of the revolution.

In his book The American Tory, William H. Nelson states that the patriot (or whig) theory of the revolution is that America was forced to assert its independence in

⁴⁸ See Brown, The King's Friends; idem. The Good Americans; William H. Nelson, American Tory (Boston: Beacon Press, 1961); and Wilson, Loyal As She Began.

⁴⁹ J.J. Talman, Loyalist Narratives from Upper Canada (Toronto: The Champlain Society, 1946), xxii.

order to maintain its political freedom, while the loyalists (or tories) held that America itself had played an active and aggressive part in bringing on the revolution.⁵⁰ Patriots saw the Intolerable Acts as threats to American liberty and defended their right to challenge British authority, and they concluded that political independence was necessary for their political freedom. The loyalists blamed Britain for having encouraged rebellion by neglect and lax administration, but they felt that the resort to violence was unjustified rebellion and some of them also feared that the revolution could lead to anarchy. The patriots put their faith in the judgment of the individual, while the loyalists hoped to effect change through existing institutions rather than by creating new ones.⁵¹ The loyalists wanted to strengthen the nonelected branches and make the government less vulnerable to popular pressure. Thus, the loyalist alternative to the revolution was a reformed British empire and revitalized colonial institutions.⁵² Nelson's view was that the revolution occurred because of the weakness of social institutions in America and the influence of libertarian ideas imported from Europe.⁵³ In the end, Nelson thought that the loyalists failed to allow "for the decadence and incapacity of the institutions they revered" while the patriots maintained their "very imperfect sense of the strength of existing social arrangements."⁵⁴

Robert M. Calhoun approached the political choice issue from a different point of view. He saw the political debate which led to the revolution as an effort by patriots and

⁵⁰ Nelson, *The American Tory*, 170-1.

⁵¹ For the debate, see A.C. Flick, *Loyalism in New York during the American Revolution* (London: Columbia University Press, The Macmillan Company, Agents, P. S. King & Son, 1901), 11-2; David V.J. Bell, "The Loyalist Tradition in Canada," *Journal of Canadian Studies* 5(2) (1970): 22-33; and Wilson, *Loyal As She Began*, 10.

⁵² Janice Potter, *The Liberty We Seek, Loyalist Ideology in Colonial New York and Massachusetts* (Cambridge, Massachusetts: Harvard University Press, 1983), 154.

⁵³ Nelson, *The American Tory*, 172.

⁵⁴ *Ibid.*, 189.

loyalists to discover the legitimate sources of authority within American society. Calhoun argued that the patriot goal was to enlist the entire American colonial community in resistance to British authority and in the creation of stable insurrectionary institutions. In pre-revolutionary America, allegiance to the British crown was the norm for most people, and so to succeed the patriots needed to convert the potential norm to a program of republicanism and rebellion. In the end, the search for legitimate political authority in America thrust loyalists and patriots onto diverging courses.⁵⁵ By 1775-6, republicanism and revolution had become the political norm in the America colonies, but it was still not the choice of all colonists. Those who did not fit in with the new norm were the loyalists.

From his study of the American Revolution, Nelson struggled to identify the social characteristics of those in the community who chose to remain loyal:

Taking all groups and factions, sects, classes, and inhabitants of regions that seem to have been Tory, they have but one thing in common: they represented conscious minorities, people who felt weak and threatened. The sense of weakness, which is so marked a characteristic of the Tory leaders, is equally evident among the rank and file. Almost all the Loyalists were, in one way or another, more afraid of America than they were of Britain. Almost all of them had interests that they felt needed protection from an American majority.⁵⁶

Building on the conclusions of Nelson and Calhoun, historians of the revolution on the frontier began to move away from generalizations, and they emphasized local community struggles and diversity. In general, these studies found that local circumstances were more important factors on the frontier (where the Servos family lived) in determining who became a loyalist, than were the broader New York provincial

⁵⁵ Robert M. Calhoun, The Loyalists in Revolutionary America (New York: Harcourt Brace Jovanovich, Inc., 1965), 506.

⁵⁶ Nelson, The American Tory, 91.

or American continental issues. Such local studies recognize that not everyone in the community was equally free to make a decision. Many family members (and spouses) were influenced by decisions made by the head of the family.⁵⁷ The same could be true for blacks (both free and slave) and servants, who had ties to particular families.⁵⁸ Local community struggles and diversity also occurred among the Indian populations. Historian Colin G. Calloway states that “any broadly brushed treatment of Indian development and experiences is likely to obscure and distort local diversity.”⁵⁹ And further that “in Indian country and Indian communities the outbreak of the Revolution and experiences is likely to obscure and distort local diversity.”⁶⁰ For Calloway, the story of the many of Indian tribes is one of confusion, attempts at neutrality and reluctance to engage in warfare until forced by local circumstance, and sometimes only then fleetingly.⁶¹

For many other colonists, the choice was open whether to adopt the loyalist or the patriot cause. Studies have shown in general that personal considerations influenced their decision, such as those pertaining to their family, farms and neighbours, and the local personal connections in their local areas. Not being so important were broader military or political causes or their religious or ethnic affiliations or their trades or occupations.⁶²

In his study of the American frontier, Wallace Brown contended that “farmers are usually conservative people, and the mass of New York farmers were no exception. Most

⁵⁷ Janice Potter-Mackimmon, *While the Women Only Wept* (Montreal & Kingston, London, Buffalo: McGill-Queen's University Press, 1993), 19-21, 32, 43-4, 58, 61, 95 and 160. The title comes from an 1894 William Kirby poem: “with the trite phrase that Loyalist men had acted heroically and while the women only wept.”

⁵⁸ See Robin W. Winks, *The Blacks in Canada, A History* (Montreal & Kingston: McGill-Queen's University Press, 1997), 29-31.

⁵⁹ Colin G. Calloway, *The American Revolution in Indian Country* (Cambridge: Cambridge University Press, 1995), xiii.

⁶⁰ *Ibid.*, 26.

⁶¹ *Ibid.*, see particularly chapter 1.

⁶² Robert William Venables, “Tryon County, 1775-1783: A frontier in Revolution” (Ph.D. diss., Vanderbilt University, 1967), 180; Jack M. Sosin, *The Revolutionary Frontier, 1763-1783* (New York: Holt, Rinehart and Winston, 1967), 93-4; and Brown, “The American Farmer during the Revolution,” 338.

were probably content with their lot and had little interest in the political issues of the Revolution and no taste for rebellion.”⁶³ Also Brown found that during the revolution, the “the New York countryside was uncongenial to Whiggery: there was no strong local government, no town meeting, and no Samuel Adams to organize and propagandize” as was the case in New England.⁶⁴ Because of the lack of local governments and town meetings on the frontier, it was more likely that local community struggles would determine the political choice of loyalist or patriot for frontier settlers. In that event, with everything else being equal, the call for a “spirit of equality” was more likely to appeal to the frontier settlers and lead them to the patriot side or neutrality.⁶⁵

Gregory Nobles, who draws upon many recent studies of the revolution on the frontier, also concluded that larger political issues did not play much of a role in rural New York; frontier settlers were aware of the power struggle, mostly underway elsewhere, between patriots and loyalists, but being removed from the larger political issues of the revolution did not mean that farmers lacked an interest in local politics or events. Rather, frontier settlers were more interested in the debates directly affecting their lives. According to Nobles:

People living in frontier regions, both Native Americans and Euro-American, usually took a decidedly localistic approach to the broader conflict; different frontier groups took different sides in order to promote their own immediate interests. The intensity of these local conflicts seems all the more striking because they had so little apparent connection to the larger ideological or imperial issues. In many cases, the standard designations of Patriot and Loyalist provided only a thin cover for Anglo

⁶³ Brown, *The King's Friends*, 105-6.

⁶⁴ Brown, “The American Farmer during the Revolution: Rebel or Loyalist,” 335.

⁶⁵ Wallace Brown, “The American Farmer during the Revolution: Rebel or Loyalist,” *Agricultural History* 42(4) (1968): 329.

American factions that often engaged in a brutal guerilla war of plunder, murder and revenge.⁶⁶

Further, Nobles argues that many frontier settlers were willing to follow whatever force in their area was the strongest, and fought in the revolution only to save their farms or to avoid physical abuse or imprisonment. They were concerned less with who would lead them than with more practical considerations, such as whether those leaders would be able to bring order and security to a region in turmoil. Thus, the allegiance to Britain of many frontier settlers was not the result of royal appointment or an ideology of empire but of more practical considerations such as security for themselves and their property and opportunity for their families. The goal for frontier settlers was for some kind of authority that would “bring law and order to a region where crisis seemed to follow crisis,” but this was not always achievable in the midst of revolution.⁶⁷

Many of these studies, therefore, suggest that some political choices were only made when absolutely necessary. In the early stages of the revolution, the enforcement of anti-loyalist measures on the frontier constantly lagged behind the expectations of the central authorities.⁶⁸ Historian Jonathan Clark even suggests that this represented the patriot strategy on the frontier, namely to mobilize local patriots while keeping potential loyalists “permanently apolitical.” To do so, local revolutionaries did not seek to punish

⁶⁶ Gregory H. Nobles, American Frontiers: Cultural Encounters and Continental Conquest (New York: Hill & Wang, 1997), 87-8.

⁶⁷ Stouck, “The Wardell Family and Loyalism,” 76-81; and Gregory H. Nobles, “Breaking into the Backcountry: New Approaches to the Early American Frontier, 1750-1800,” William and Mary Quarterly 46 (1989), 664.

⁶⁸ Allen, His Majesty’s Indian Allies. British Indian Policy in the Defence of Canada, 1774-1815, 50; Jonathan Clark, “The Problem of Allegiance in Revolutionary Poughkeepsie” in David D. Hall, John M. Murrin and Thad W. Tate eds., Saints & Revolutionaries (New York and London: W.W. Norton & Company, 1984), 305-6 and 309-10; and Judith L. Van Buskirk, Generous Enemies, Patriots and Loyalists in Revolutionary New York (Philadelphia, Pennsylvania: University of Pennsylvania Press, 2002), 3.

the guilty or even to reform the wayward so much as to enforce a patriotic consensus.⁶⁹

As the revolution progressed, several historians suggest that individuals responded to increasing pressure by becoming even more “apolitical.” Sung Bok Kim found in his study of the effects of revolution in Westchester County that “exhausted and uncertain of the outcome of the war as the Continental Army provided its ‘feeble’ defense from 1778 to 1781, the people of the United States turned to the pursuit of selfish ends and material gains more than to public causes.”⁷⁰

WHO WERE THE LOYALISTS

When the revolution began, New York ranked seventh out of the 13 American colonies in population, but it had the largest number of loyalists of any of the colonies.⁷¹ New York historian Esmond Wright holds that “New York was in fact the most loyal of all the colonies, both relative to the others and in sheer numbers.”⁷² According to Wright, the loyalist claims were confirmed by contemporary references; both John Adams and Alexander Hamilton estimated that in 1776 half the population of New York was “Tory.”⁷³ However, historian Philip Ranlet more conservatively speculates that the loyalists were most likely only “a small minority” with about 15% of New Yorkers supporting the King at the beginning of the war and about 8% at the end.⁷⁴ New York historian A.C. Flick estimated that the New York loyalists numbered approximately

⁶⁹ Clark, “The Problem of Allegiance in Revolutionary Poughkeepsie,” in Hall et al, eds., Saints & Revolutionaries, 310.

⁷⁰ See Sung Bok Kim, “The Limits of Politicization in the American Revolution,” Journal of American History 80(3) (1993): 888.

⁷¹ Brown, The Good Americans, 231.

⁷² Esmond Wright, “The New York Loyalists: A Cross-section of Colonial Society,” in Robert A. East and Jacob Judd, The Loyalist Americans, A Focus on Greater New York (Tarrytown, New York: Sleepy Hollow Restorations, 1975), 78.

⁷³ *Ibid.*, 78.

⁷⁴ Philip H. Ranlet, The New York Loyalists second edition (Lanham, Maryland: University Press of America, 2002), 120-1 and 186.

90,000, 35,000 of who emigrated from the United States after the war.⁷⁵ Nonetheless, it has been estimated that New York provided 23,500 men for the British military forces, a figure perhaps equal to the total supplied by all the other colonies combined. Perhaps one-third of the military engagements of the revolutionary war took place in New York and about 67% of the New York loyalist war loss claimants mentioned serving in the armed forces. No American colony contributed more to the British military effort.⁷⁶ Tryon County (home of the Servos family) had the greatest number of New York loyalists outside New York City, and, was the “acknowledged hotbed” of loyalism in western New York.⁷⁷ At that time, there were about 5,000 colonists in Tryon County; and about 20% of these (like the Servos family) were tenant farmers of the Johnson family.⁷⁸

The loyalist strength in Tryon County and elsewhere in New York State was premised on several factors. First of all, the state was situated close to the British military forces in Canada and the British northern forts (primarily Fort Niagara). Second, New York possessed a large number of British government appointees, office holders and large landowners (like the Johnson family and their associates) who owed their positions to the British. Third, the indigent Indian populations were more likely to favour the British over the patriots because of their long association and their fear that the patriots would deprive them of their traditional tribal lands and treaty rights. Fourth, the Anglican Church, which was closely aligned with the British governing authority, had a long-standing and dominant influence in New York. Fifth, there were a large number of intellectuals in New York who in the main supported the patriot goals but stopped short

⁷⁵ Brown, *The King's Friends*, 81.

⁷⁶ *Ibid.*, 78 and 87.

⁷⁷ Wilson, *Loyal As She Began*, 13.

⁷⁸ Venables, “Tryon County, 1775-1783,” 183.

of violence and the claim for independence by the patriots. Finally, the British controlled New York City during the war and this enabled them to exercise a strong military influence from the south eastern portion of New York.⁷⁹ The loyalist strength in New York, based in large part upon British military support, gave the loyalists reason for hope in the revolution's early years.

LOYALIST VALUES AND SKILLS

Loyalist historians have also considered what values the loyalists brought with them to Upper Canada, and how those values may have helped to shape political, social and economic structures in Upper Canada. This is the traditional focus of Canadian historians. Based on his review of the war loss claims, A.C. Flick defined colonial loyalism in his 1904 book Loyalism in New York in the following terms:

On its political side Loyalism stood for the recognition of law as against rebellion in any form, for the unity of the empire as against a separate, independent existence of the colonies, and for monarchy instead of republicanism. It clung to the established order of things; in its conservatism it avoided dangerous "revolutionary principles" and shunned association with those "that are given to change." This did not mean that the loyalists upheld England's colonial system in all its features, or that they sanctioned her unwise policy in dealing with the colonists. If anything, in the days before the revolution, they were more active than the whigs in seeking to modify that system and to correct the known abuses. Their method was to operate through legally organized bodies in ways provided by the constitution. They had positive remedies to suggest which, they constantly insisted, would have secured every demand of the whigs except independence.⁸⁰

The conservatism of the loyalists, according to Flick, led the loyalists to take the British side in the revolution, but this did not mean that they were opposed to rapid

⁷⁹ Wright, "The New York Loyalists: A Cross-section of Colonial Society," 27.

⁸⁰ Flick, Loyalism in New York, 11-12.

change or that they were moderate or cautious in their approach to the revolution. The loyalists sympathized with patriot criticism of British policies, but they retained their faith in the existing British institutions and they stopped short of taking positions that would destroy the political framework of the society they knew.⁸¹

Based on the conservatism of the loyalists in the revolution, some historians have concluded that the migration of the loyalists to Upper Canada resulted in distinct differences in the social and political characteristics of the two jurisdictions.⁸² The argument is that the departure of the loyalists left the United States with a more liberal, less conservative approach to political matters, and poorer in the knowledge of matters of finance, diplomacy and politics. The liberalism that arose in the United States after the revolution was said to be characterized by individualism, egalitarianism, universalism and a *laissez-faire* anti-statist political culture. The change in popular sentiment is thought to have hastened the development in the United States of a republic (i.e. a democracy) or at least produced conditions conducive to an agricultural democracy.⁸³

In Upper Canada, the migration of the loyalists was held to have produced an even greater impact on the political environment. Of necessity, the loyalists brought with them a preference for Britain rather than the United States as a social model, but many of them also expressed expectations for a life in Upper Canada different from and superior to that of the United States. The loyalists rejected American populist excesses, and in Upper Canada there was a weaker emphasis on social equality and a greater acceptance

⁸¹ Leslie S.F. Upton, Revolutionary versus Loyalist, The First American Civil War, 1774-1784 (Waltham, Massachusetts: Blaisdell Publishing Company, 1968), xii-xiii.

⁸² Edward Grabb, James Curtis and Douglas Baer, "Defining Moments and Recurring Myths Comparing Canadian and Americans after the American revolution", CSRA/RCSA 37(4) (2000): 372.

⁸³ See Seymour Martin Lipset, Revolution and Counterrevolution (New York: Basic Books, 1968), 37-68.

of social stratification and hierarchy and of the fact of economic inequality. Upper Canadians had a higher regard for “law and order.”⁸⁴

Some commentators view the conservatism of Upper Canadians as a reaction or “counterrevolution” to the form of liberalism or republicanism that developed in the United States following the revolution.⁸⁵ Others argue that Canadian society was really a liberal society in the first place, reflecting its American origins, but the revolution provided it with a “Tory touch,” that it was in other words “etched with a Tory streak coming out of the American Revolution.”⁸⁶ Still other historians held that the conservatism of the loyalists merely reinforced a strong central British state, regulated by the British military, which was in place in Canada before the arrival of the loyalists.⁸⁷ In Upper Canada, the British did not take as aggressive a role in governing the loyalists as they had taken with the American colonists before the revolution. Rather, as noted by S.F. Wise, in Upper Canada Britain “made no assimilative demands beyond its insistence upon adherence to vital survival values – loyalty, order, stability – values that coincided with the interests and outlooks of many of the groups and collectivities that make up colonial society.”⁸⁸

⁸⁴ See Lipset, Revolution and Counterrevolution, 37-42; S.F. Wise, “Upper Canada and the Conservative Tradition,” in Firth, Profiles of a Province, 31; and Kenneth D. McRae, “The Structure of Canadian History,” in Louis Hartz, The Founding of New Societies (New York: Harcourt, Brace & World, Inc., 1964), 219-274.

⁸⁵ See Gerald M. Craig, Upper Canada 1784-1841 (Toronto: McClelland and Stewart Limited, 1963), 2-3; S.F. Wise, “Upper Canada and the Conservative Tradition,” in Firth, Profiles of a Province, 20; Lipset, Revolution and Counterrevolution, 37-60. see also discussion in Janet Ajzenstat and Peter J. Smith, eds., Canada’s Origins, Liberal, Tory or Republican? (Ottawa: Carleton library no. 184, Carleton University Press, 1995), 1-18.

⁸⁶ Hartz, The Founding of New Societies, 34; and Gad Horowitz, “Conservatism, Liberalism, and Socialism in Canada: An Interpretation,” in Ajzenstat & Smith, Canada’s Origins, 24-5.

⁸⁷ Elizabeth Mancke, “Early Modern Imperial Governance and the Origins of Canadian Political Culture” Canadian Journal of Political Science 32(1) (March 1999): 19.

⁸⁸ S.F. Wise, “Upper Canada and the Conservative Tradition,” in Firth, Profiles of a Province, 31.

Historians who see more diversity in the settlement of Upper Canada question the conservatism of the loyalists and instead they find confusion and complexity arising out of Upper Canada's American origins. David V.J. Bell argues that many loyalists came to Upper Canada with a profound identity crisis stemming from the revolution. Bell posits that the loyalists did not intend, when they opposed the revolution, to sacrifice their homes, beliefs and hard-won identity. Nevertheless, they were forced by being losers in the revolutionary war to reject American roots and principles but that rejection was not succeeded by any Canadian political culture to replace it. The result was a cultural vacuum, and without a unifying societal basis the loyalists became a "cultural mosaic" in Canada, a "sort of non-melting pot," bound together only by loyalty to Britain, anti-Americanism, and acceptance of government as a "benevolent agent." Upper Canada was therefore sort of a "non-nation," in effect a society almost still born, with a confused self-image and identity crisis from its very birth.⁸⁹

After the revolutionary war, many loyalists became anti-American because of the losses incurred during the revolution and the treatment they received in the United States afterwards.⁹⁰ However, anti-Americanism as a factor in Upper Canada lessened over time, particularly following the deaths of the original loyalists and the extensive immigration to Upper Canada, particularly from the United States. More recently, some historians have noted a positive American contribution to the formation of Upper Canada. For example, historian Jane Errington has described Upper Canada as a colony of "both Great Britain and the United States" both of whom were influential "in laying here

⁸⁹ David V.J. Bell, "The Loyalist Tradition in Canada," 22-33.

⁹⁰ Talman, Loyalist Narratives from Upper Canada, lxii and lxxv.

foundations of their new society.”⁹¹ She adds that in its early years Upper Canada was both “a conservative community which spanned the border” and a colony where “strong ideological, social and economic ties had developed between the members of the colonial elites and federalists in the United States” over the years.⁹²

In her study of cross border relations in the two countries, Janet Dorothy Baglier argues that the original loyalists and later immigrants to Upper Canada were neither consciously British nor American but in the broadest sense of the term, North American. In Niagara, anti-Americanism was less a determining factor than elsewhere in Upper Canada, partly because of the heavy immigration from New York. For Niagara loyalists, the selection of the Niagara River as the international boundary facilitated the movement between Niagara and New York and made the transition to life in Niagara easier. New Yorkers were attracted by Niagara’s soil, topography and climate, the similarity of culture and language, and the possibility of being reunited with family and friends who left the United States after the revolution. In Upper Canada, the settlers were able to obtain land on beneficial terms, and they were still able to cultivate close social and economic relations with their American neighbours.⁹³

In addition to the political matters, North American society experienced the rise of capitalism in local economies in the eighteenth century, and the transition to capitalism was accelerated by the American Revolution.⁹⁴ At first, the actions of early pioneers were

⁹¹ Jane Errington, The Lion, the Eagle and Upper Canada (Kingston and Montreal: McGill-Queen’s University Press, 1987), 5.

⁹² *Ibid.*, 7.

⁹³ See Baglier, “The Niagara Frontier,” discussion on “Settling the Niagara Frontier” 20-49.

⁹⁴ See Winifred Barr Rothenberg, “The Market and Massachusetts Farmers, 1750-1855” Journal of Economic History 41(2): 312-3; Allan Kulikoff, “The Transition to Capitalism in Rural America” in William and Mary Quarterly 46 (1) (1989): 120-144; Martin Bruegel, Farm, Shop, Landing: The Rise of a Market Society in the Hudson Valley, 1780-1860 (Durham & London: Duke University Press, 2002), 4, 7

thought to be largely motivated by personal obligations, the importance of the family, the meeting of household needs, and the maintenance of relationships within the community. Some of these social utility goals were encouraged by actions of the state.⁹⁵ Early settlers sought to achieve a competence rather than accumulate capital or profits, and self-sufficiency was the object. The exchange of commodities was for the immediate use of the household and neighbours, with surplus production being only a secondary consideration. Cash was lacking in early agrarian communities. Typically interest was not charged on overdue accounts, and accounts were often paid by barter (the exchange of labour and/or goods for goods), account-book credit, personal notes and bonds.⁹⁶

Signs of nascent capitalism were evident in the formation of local markets in which sellers and buyers met for the exchange of goods and services. Sellers looked for the highest profits and adjusted their sales to seek the highest prices. Buyers sought the lowest prices. Farmers and workers sought to increase productivity, traded with neighbours, acquired imported consumer goods, and sought external markets for surplus production. Workers (including women) left the home to enter the labour force.⁹⁷

Capitalistic practices also appeared in the awarding of commercial contracts at Fort Niagara during the revolutionary war. Robert Hamilton's success confirmed that loyalty to Britain, personal connections and experience in trade were essential to obtain

and 225; and Naomi R. Lamoreaux, "Rethinking the Transition to Capitalism in the Early American Northeast" *Journal of American History* 90(2) (September 2003): 437-440.

⁹⁵ Kulikoff, "The Transition to Capitalism in Rural America," 120-144; and idem "Households and Markets: Toward a New Synthesis of American Agrarian History" *William and Mary Quarterly* 3d Ser., vol. 1, no. 2, April 1993, 343, 349.

⁹⁶ See Craig T. Friend, "Merchants and Markethouses: Reflections on Moral Economy in Early Kentucky" *Journal of the Early Republic* 17(4) (Winter 1997): 553-574.

⁹⁷ For introduction of market forces, see Thomas S. Wermuth, "New York Farmers and the Market Revolution: Economic Behavior in the Mid-Hudson Valley, 1780-1830" *Journal of Social History* (Fall 1998) 32 (1): 179-196; and idem, *From Market-Places to a Market Economy, the Transformation of Rural Massachusetts, 1750-1850* (Chicago, Illinois: The University of Chicago Press, 1992), 38 and 242-4.

provisioning contracts from the British.⁹⁸ However, as noted by Bruce Wilson (Robert Hamilton's biographer), the American Revolution brought about a new entrepreneurialism at Fort Niagara, distinctly different from that which had led Hamilton to his early successes. According to Wilson, the new entrepreneurialism eventually replaced both the eighteenth-century frontier authority structure in which influential colonists (like the Johnsons) contended for patronage from the British crown, and "the old Indian trade tricks of dubious land speculation and cheating of the Indian Department that had so richly rewarded frontier families like the Butlers in New York."⁹⁹ Connections and experience in trade were still required to obtain patronage from the government, but the new entrepreneurialism also rewarded respectability and loyalty.¹⁰⁰ To some commentators, the rise of capitalism in North American economies and the new entrepreneurialism at Fort Niagara rewarded individualism, a characteristic that was essential to the development of early pioneer economies and that accompanied many loyalists on their migration to Upper Canada.¹⁰¹

Janet Baglier argues that, after 1783 people on both sides of the American border increasingly began to look to their neighbours across the river for markets, friendship and family allegiance, resulting in the creation of a borderland economy. By 1793, a ferry service linked both sides of the Niagara River.¹⁰² The move for freer trade was more pronounced after the passage of Jay's Treaty of 1794, which advocated "free" and open trade across the border and further ameliorated the anti-Americanism prevalent in other

⁹⁸ Wilson, The Enterprises of Robert Hamilton, 1 and 177-9.

⁹⁹ *Ibid.*, 152.

¹⁰⁰ Bruce Wilson, "The Struggle for Wealth and Power at Fort Niagara 1775-1783," Ontario History 68(3) (September 1976), 148-9.

¹⁰¹ See Rothenberg, "The Market and Massachusetts Farmers, 1750-1855," 313; and A.G. Roeber, Palatines, Liberty and Property, German Lutherans in Colonial British America (Baltimore, Maryland: Johns Hopkins University Press, 1998), 64.

¹⁰² Jackson, John N. and others, The Mighty Niagara (Amherst, New York: Prometheus Books, 2003), 99.

parts of Upper Canada.¹⁰³ The positive influence of American settlers who came in the early days to Upper Canada was noticed by early travelers. During his trip to Upper Canada in 1795, La Rochefoucault-Liancourt commented that the “spirit of independence, which prevails in the United States, has already gained ground in this province, and will, no doubt, be much increased by a more immediate connection with the United States.”¹⁰⁴

In summary, many historians accept that at least a measure of conservatism came to Upper Canada with the loyalists, but they differ on the extent of that conservatism and the degree of liberalism that found its way into Upper Canada, particularly in Niagara where there were stronger cross border ties than in other parts of Upper Canada and where there was more trade and commerce with the United States. Also, it appears that many loyalists were exposed to capitalism in the American colonies, and this may have influenced their approach to the economic development of Upper Canada.

LOYALIST EXPERIENCES

The third issue that appears in the loyalist literature concerns the actual experiences of the loyalists in settlement, the practical social, economic and political advantages that came from being a loyalist and how they shaped Canadian politics, economy and society. As a result of the political choice they made during the revolution to join the British side, the loyalists faced the loss of their property and exile from the United States when the war ended. It was the usual practice for the British government following a war to compensate those who had loyally served its cause, and in view of

¹⁰³ See Baglier, “The Niagara Frontier,” discussion on “Settling the Niagara Frontier,” 20-49 and “The Borderland Economy” 50-86.

¹⁰⁴ La Rochefoucault-Liancourt, “Tour Through Upper Canada 1795” in Ontario Archives, Thirteenth Report of the Bureau of Archives For the Province of Ontario, by Alexander Fraser LL.D., 1916 printed by order of the Legislature of Ontario (Toronto: King’s Printer, 1917), 15-171, at 62.

Britain's defeat in the revolutionary war it was even more important for the British government to do so. The peace treaty did not reinstate the loyalists to their former lands and positions in the American colonies, and so it was incumbent upon the British to compensate the loyalists in other ways. Robert Calhoun has suggested that only by adequate resettlement and compensation could the British government be true to its own best standards: a place where acquisitive, venturesome men could depend upon British reliability and predictability, and receive, in addition to economic opportunity, just reward for risks and sacrifices in the service of the British crown.¹⁰⁵

Howard Temperley has argued that a policy of generosity would have the additional benefit of binding the new colony of Upper Canada more closely to Britain. According to Temperley, the British intended to establish by the financial assistance extended to the loyalists a "colonial elite" on whose loyalty the government could depend without upsetting other elements in the community. The argument is that more perhaps by accident than design, the British government had discovered an effective way of limiting the republican (democratizing) influences of the frontier and of ensuring Britain's continuing control over the colonies and settlers in Canada.¹⁰⁶

The British parliament responded to Britain's defeat in the American Revolution by creating a commission, whose task was to compensate the loyalists for the losses they had incurred during the revolution. In addition, the loyalists were eligible for land grants, half-pay (the British equivalent of a pension), and preference for government positions. The vehicle by which the loyalists (or clients) were rewarded by the governing authority

¹⁰⁵ Robert M. Calhoun, *The Loyalist Perception and Other Essays* (Columbia, South Carolina: University of South Carolina Press, 1989), 171 and 174.

¹⁰⁶ Howard Temperley, "Frontierism, Capital and American Loyalists in Canada" *Journal of American Studies* 13 (1979), 26-7. See also Sabine, *Biographical Sketches of Loyalists of the American Revolution*, 104-118.

(the patron) for their loyalty was patronage, broadly defined by historian S.J.R. Noel as the core interaction between the governing authority and his dependants:

a type of reciprocity, an exchange of mutually valued goods or services between individuals who were of unequal status and in possession of unequal resources. Less abstractly, a patron is typically in a position to bestow upon a client some tangible benefit, such as access to land, credit, employment, or other material reward, or (less tangibly) security, information or the opportunity to profit. In return, a client is typically able to offer loyalty, service, personal acclaim, and support – including support for the patron's commercial enterprises, the carrying of arms under his leadership should the need arise, and political support in circumstances where numbers count, as in voting or campaigning (either for the patron himself or for his nominee).¹⁰⁷

Noel calls the patron and client relationship which developed in Upper Canada “clientelism” and he concludes that it was woven into the total fabric of the Upper Canadian community.¹⁰⁸ The process by which patronage was bestowed in Upper Canada has been described by John Clarke in his study on Land Power and Economics on the Frontier of Upper Canada as follows: someone recommended the individual as an employee, guaranteed the individual's reliability, and assured the governing authority that the individual possessed the desired attributes or was of the right social, political and religious background. Trust in the individual was of prime importance. There was nothing shameful about patronage as it benefited employer and employee alike.¹⁰⁹

In practice, however, the bestowal of patronage by the governing authority was not the complete solution for all loyalists. A study of Nova Scotia loyalists made by Neil Mackinnon concludes that part of the problem was a lack of resources in the governing

¹⁰⁷ See S.J.R. Noel, Patrons, Clients, Brokers, Ontario Society and Politics, 1791-1896 (Toronto: University of Toronto Press, 1990), 13-4.

¹⁰⁸ *Ibid.*, 9-15.

¹⁰⁹ John Clarke, Land Power and Economics on the Frontier of Upper Canada (Montreal & Kingston: McGill-Queen's University Press, 2001), 443-6.

authority to assimilate the large number of loyalists who came to Nova Scotia after the revolution, but the loyalists were also partly responsible for their failure to succeed in the new settlements. Mackinnon found that most loyalists were neither pioneers nor suitable for pioneering and their failure in Nova Scotia was as much a failure of expectations as of economics - they did not have the expectations of pioneers but of loyalists seeking restitution and a final triumph for their cause. Nova Scotia did not have the resources to offer them either one.¹¹⁰ Mackinnon argues that many loyalists experienced in time a weakening of their sense of exclusiveness and of their identity as a unique group. These factors and the difficulties inherent in settlement finally assisted the loyalists to accept the outcome of the revolution and encouraged them to proceed with their lives within the reality of the new settlements.¹¹¹

The loyalists who came to Upper Canada may have differed in some respects from the loyalists who went to other jurisdictions. Robert Leslie Jones reports that many of the loyalists who came to Upper Canada lived previously in New York, where they had been subjected to a century and a half of colonial frontier agricultural life, from which they had derived “a store of information and practices” that served them well in the new colony at Niagara.¹¹² Meanwhile, many of the loyalists who went to Nova Scotia had spent the war in New York City, an area controlled by the British army throughout the war, and their origins had previously been mainly in long settled portions of New England and the eastern seaboard of the United States. They were perhaps more dependent on Britain as a governing authority than the loyalists of western New York, and this may have influenced their behaviour and chances of success in Nova Scotia.

¹¹⁰ Mackinnon, *This Unfriendly Soil*, 156-7.

¹¹¹ *Ibid.*, 183-4.

¹¹² See Robert Leslie Jones, *History of Agriculture* (Toronto: University of Toronto Press, 1946), 17-21.

LOYALIST LEGACY

A fourth issue found in the Canadian loyalist literature concerns the legacy of the loyalists. Some historians appear to be more interested in how the myth or function of the loyalists was adapted in later periods of Upper Canadian history. This did not occur during the lifetimes of the original loyalists as they were fully occupied in rebuilding their lives in Upper Canada, although they may have been responsible for exaggerating their experiences, as, for example, in the statements supporting their applications for land grants. Jo-Ann Fellows argues that the idealization of the loyalists originated as a justification by the loyalists of their defeat and exile and in time became a founding myth. The process began after the War of 1812 and became more pro-British after the 1884 centennial celebrations. By then, the loyalists were portrayed as “the heroic founders and defenders of English Canada and the carriers of a distinctive set of institutions and values that distinguished Canada from the United States.”¹¹³

Further, Fellows states that the original targets of loyalist attack were the United States and its republican government and institutions, but this was replaced at a later point in the nineteenth century by anti-Americanism and resistance to any form of annexation with the United States. The loyalist tradition was also used by some advocates to foster a national Canadian identity based in large measure upon the loyalists, while others used the loyalist image to defer Canadian nationalism and promote closer links or even imperial federation with Britain.¹¹⁴ These advocates believed in British liberty based

¹¹³ Knowles, *Inventing the Loyalists*, 165.

¹¹⁴ For loyalist myth see Jo-Ann Fellows, “The Loyalist Myth in Canada,” in *Canadian Historical Association Papers* (1971) 94-111; and for imperialism see Carl Berger, *The Sense of Power: Studies in the Ideas of Canadian Imperialism, 1867-1914* (Toronto and Buffalo: University of Toronto Press, 1970).

upon the establishment of monarchical institutions in British North America.¹¹⁵ Other groups, such as proponents of women's or aboriginal rights, linked onto the loyalist tradition to further their own political and social agendas; they did this by connecting the contributions of their forefathers/foremothers to the origins of Canada.¹¹⁶ In addition, the loyalist tradition provided a focus for numerous hereditary, loyalist and patriotic organizations, historical plaques and markers, museums and collections of antiques and handicrafts, which promoted the history of Canada and the loyalists and led to the "staging of commemorative celebrations, erection of monuments, and publishing of local histories." Even French Canadians relied on their presence in Canada before the arrival of the loyalists to further legitimize their standing in Canada.¹¹⁷ In the late twentieth century, the loyalists were reinvented as the nation's first refugees and the founders of multiculturalism.¹¹⁸ Norman Knowles concluded that the loyalist tradition was a fluid one, "shaped and reshaped by the political, social, and economic currents affecting successive generations." For Knowles, the story of loyalism is constantly invented and reinvented (not inherited) by subsequent generations to serve their own contemporary purposes and he concludes that "the tradition continues to evolve as the past is reconstructed in the light of the conceptual needs of the present."¹¹⁹

The same theme of adapting the experiences of participants in the American Revolution to serve contemporary purposes appears in the literature on the American Revolutionary war veterans. American historian Michael G. Kammen argues that appeals to collective memory can be a means either of resisting change or abetting it, and that

¹¹⁵ Bumsted, "Loyalists and Nationalists: An Essay on the Problem of Definitions," 222.

¹¹⁶ Knowles, *Inventing the Loyalists*, 166.

¹¹⁷ *Ibid.*, 171.

¹¹⁸ *Ibid.*, 171

¹¹⁹ *Ibid.*, 171.

selective filtering of memory can shape the traditions and self-images of a people.¹²⁰

According to Sarah J. Purcell, “images of revolutionary heroes and martyrs have frequently been used by politicians, writers, and a host of ordinary people to imagine and explain what America means.”¹²¹

WHY THE SERVOS FAMILY

The story of the Servos family offers us an opportunity to consider the lives of six generations of a loyalist family over the long period of time beginning in 1726 with the family’s departure from the Palatinate and ending in 1942 with the death of the last family member to live on the family farm in Niagara. A study of a family over such a long term helps us to understand the family’s political choice of loyalism during the revolution and the values and skills they brought to Upper Canada as part of a longer history of the family. The Servos family brought with them to America a tradition of values from their Palatine background that equipped them for the ordeal of settlement in America, values founded in concepts of community and protestant work ethic and which encouraged individualism and enterprise. Those skills and values were adapted and developed on the colonial New York frontier, and then transported to Upper Canada. The study of the Servos family enables us to take migration studies beyond the first generation and to consider the interaction of their skills and values in the light of subsequent events, places and generations. In particular, we can consider the roots of political choices during the revolution within a context of longer term family history.

¹²⁰ Michael G. Kammen, Mystic Chords of Memory: the Transformation of Tradition in American Culture (New York: Knopf, 1991).

¹²¹ See Sarah J. Purcell, Sealed with Blood: War, Sacrifice, and Memory in Revolutionary America (Philadelphia: University of Pennsylvania Press, 2002), 2.

A long term also facilitates the study of the family's familiarity with, success within, and presumably support of a successive system of patrons - in the Palatinate (a prince), in New York (Sir William Johnson) and then in Upper Canada (the British government). In their role as clients to these patrons, however, the Servos family did not simply defer to authority or demonstrate a lack of entrepreneurial energy, but on occasion they took an active role in creating opportunities and directing their own futures. Also the entrepreneurial abilities and contacts with patrons varied with the successive generations of the family.

Study of the Servos family allows us to see parallels and differences in experience of settlement on both sides of the American-Canadian border. Instead of focusing on either choices in the American Revolution or the loyalist settlement of Upper Canada, we can consider both, and see how the family's past experiences and the skills and values formed in New York shaped their behaviour when they settled as loyalists in Upper Canada. Since the Servos family was landless, both on its arrival in New York and following its migration to Upper Canada, study of the family also allows us to review the methodology of land granting and holding and the relation between clients and land-holding patrons in both jurisdictions.

A family study adds a human dimension to loyalist studies. Focus on one family permits us to review the loyalist choices during the revolution and the values and skills family members brought to Upper Canada in a way that a more general study would find it difficult to do. It also enables us to focus at the level where decisions are being made. Decisions about being a loyalist may be subject to generalization, but focus on one family

helps us to see revolution and loyalism from the point of view where the decisions are actually being made.

A social history of a family raises a number of issues: How were they (the several generations) affected by the political and economic “structures” of the eras? How were they moved by their own self-identity? Did their self-identity, for example, cushion economic reversals? Were they sustained in periods or episodes of failure by a sense of exclusivity? A spirit of enterprise and faith in opportunity, despite reversals? How does their story continue or challenge the tradition of loyalist historiography?

The Servos family was not part of the top elite or leadership. Their experiences in British North America were not as patrons but for the most part as clients. They were not British office holders in the colonies, or among those whose background in the colonies meant that their choice was fairly clear. In referring to their role in society, the family members referred to themselves as “farmers.”¹²² They were probably closer in social status to many of the whig supporters of the revolution – middling classes, neither lower ranks nor elite, but because of choices they made during the revolution, they had to rebuild their lives in Upper Canada rather than reconstruct themselves in the new social order in the United States that followed the revolution. The Servos family did not leave self-conscious reflections on the meaning of events, or carry values to construct a broad new order. Instead, the family’s interest was in reconstructing their lives, and reestablishing themselves to the middling status they had enjoyed in the American colonies prior to the revolution.

¹²² See Return of officers of the Indian Department recommended for half pay, signed by Sir John Johnson at the end of the revolutionary war, in Sir Frederick Haldimand Unpublished Papers and Correspondence 1758-84 (“Haldimand papers”), National Archives, Ottawa, Canada, MG 21, microfilm reel no. 85, 353.

The legacy of loyalism is also often studied among those who revived the story of the loyalists; this study shifts the focus to consider the loyalist legacy's impact and specific functioning of loyalism on a single family of loyalists. A long term study involving several generations of the Servos family allows us to look at loyalism (particularly as we move farther from the revolution) as a social resource (with perhaps indirect economic implications) rather than as a narrowly defined economic asset. It thus provides a different (not better or worse) perspective on the meaning of loyalism.

Chapter One examines the long term values acquired by the Servos family in the German Palatinate, their migration to New York, and the evolution of the family's values and skills on the New York frontier. Chapter Two probes the political choices available to the Servos family during the American Revolution and the impact of the revolution on the family. The subject of Chapter Three is the rebuilding of the family's lives in Upper Canada, the practical skills and values of the family and their impact on the developing community in Upper Canada. Chapter Four analyses the practical advantages that came to the family from being loyalist, and the extent to which those advantages were significant in establishing the family in Upper Canada. Finally, Chapter Five deals with the functioning of loyalism among the subsequent generations of the family.

CHAPTER 1 – MIGRATION AND MAKING IT IN AMERICA

In the seventeenth century, the Servos family resided in present day Serbia or Hungary, the name Servos indicating that the family was probably Hungarian of Servian origin, as Servos is the Hungarian form of Serbos, pronounced Servos, meaning Servian. At that time, the region was controlled by the Holy Roman Empire (Austria), which sought, *inter alia*, to extend there the influence of the Roman Catholic Church.¹ Many Protestant families fled the region for destinations in Germany, Holland and England, where they were free to practice their own religion without fear of persecution. In due course, the Servos family followed other Protestant refugees, and they ultimately settled near the Rhine River in the Principality of Wied in the German Palatinate.²

The Servos family member who immigrated to the Palatinate was Hendrich Servos (1595–1675). He settled in the village of Segendorf on the River Wied. On the other side of the river was the village of Niederbieber where the parish church was situated. At a later date, the Servos family moved about four miles away to Neu Wied on the Rhine River; Neu Wied replaced one of the German cities that was destroyed in the course of the Thirty Years War and was known as a place without prejudice and where immigrants were welcomed without regard to status, race or religious belief or the amount of their personal wealth.³ On his arrival, Hendrich Servos enlisted in the army of

¹ Some family sources indicate that the offending Austrian was Emperor Leopold. See William Kirby, "Memorials of the Servos Family," in Niagara Historical Society ("NHS"), Publication no. 8 (St. Catharines: Peninsula Press, 1919), 6.

² Wokeck, Trade in Strangers, 3.

³ See B.J. Service notes "The Servos Family records, by Dr. Voss of Niederbieber, Germany" under the heading "The 'Service' family in Germany" in the B.J. Service papers.

the Prince of Wied. In due course, Hendrich's son, John Daniel Servos (1620-1676), and his grandson, Christianus Servos (1664-1745), also served in the Prince's army.⁴

Roughly 111,000 German-speaking people, including a large component of Palatines, immigrated to the British North American colonies between 1683 and 1775.⁵ In America, the Palatines settled on the frontiers of New York and the lower Delaware Valley (Pennsylvania and New Jersey). The Servos family emigrated from the Palatinate in 1726, and ultimately settled on lands on the New York frontier owned by Sir William Johnson. The attitudes and behaviour of the Servos family as entrepreneurs and loyalists in America were shaped by their Palatine origins and values, their migration to America, and the opportunities and challenges facing them and other settlers in the American colonies. The migration to, and the early settlement of the Servos family in America demonstrate the importance of relationships with those in authority, knowing the right people, but also the importance of taking the initiative and exploiting relationships with those in authority effectively. The Servos family in America proved to be particularly adept at blending their entrepreneurial skills with the needs of the governing authority.

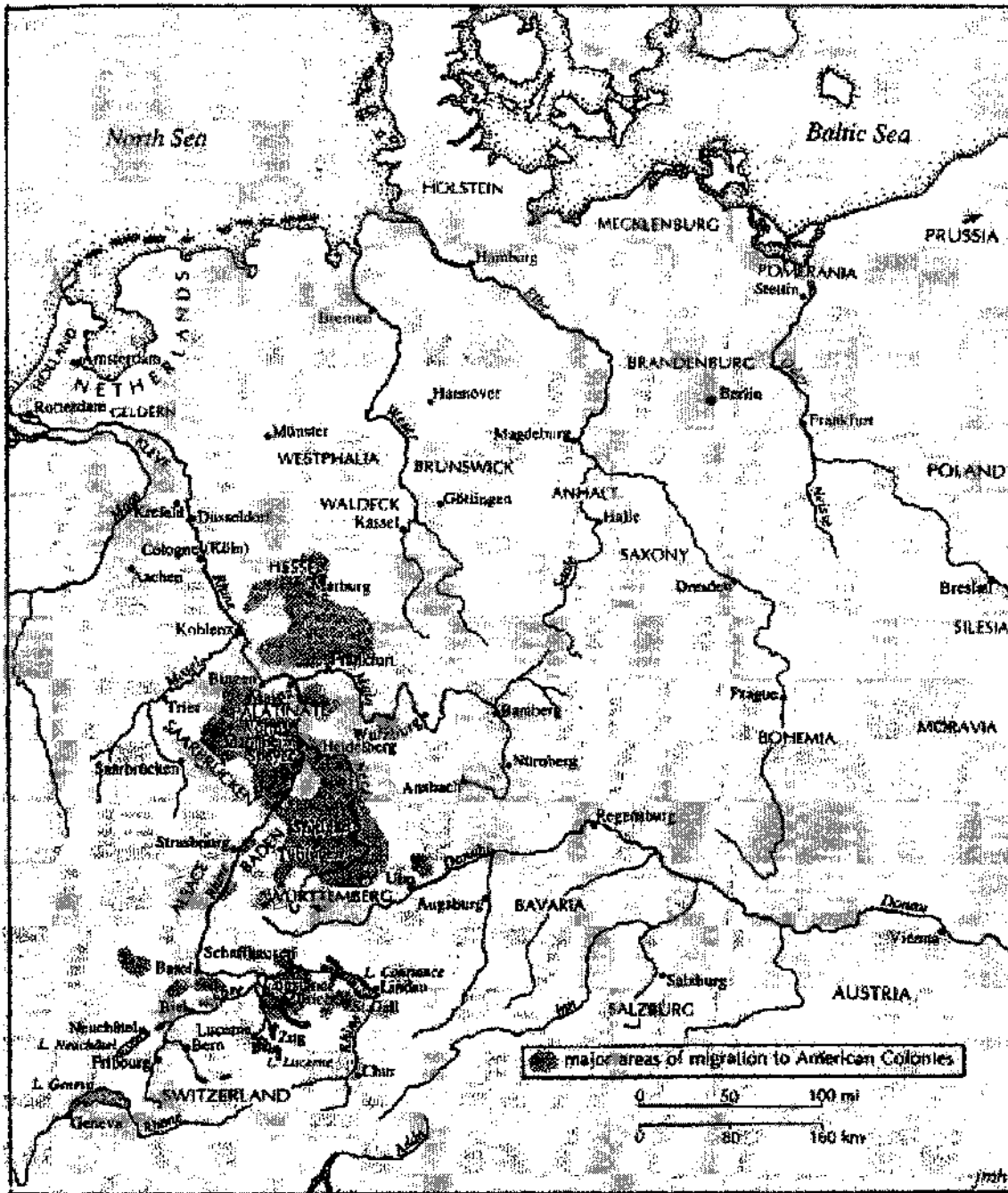
PALATINE VALUES

The idea of migrating was attractive to many Palatines, who were motivated in turn by the "carrot" and the "stick." Life in the Palatinate was highly regimented and authoritarian; there were many wars and participation in them was obligatory.⁶

⁴ For Servos family background, see Kirby, "Memorials of the Servos Family," 7-8; and John R. Servos, "Memoirs of the Servos Family," in vol. 8 of *The United Empire Loyalists Association of Canada, Annual Transactions (1917-26)* (Toronto: Telpord and Craddock, 1927), 140-151.

⁵ Marianne Wokeck, *Trade in Strangers, the Beginnings of Mass Migration to North America* (University Park, Pennsylvania: Pennsylvania State Press, 1999), 37.

⁶ The Prince of Wied allied his military forces with the Protestant armies of Holland and England led by the Duke of Marlborough, and they fought in the European wars of the eighteenth century against the Catholic armies of France and Austria. See Kirby, "Memorials of the Servos Family," 6-7.



The plan shows the Palatinate lands along the Rhine River. Neuwied, the ancestral home of the Servos family in Germany, is about nine kilometers northwest of Koblenz, and Niederbieber, the location of the church attended by the Servos family, is two kilometers north of Neuwied along the Rhine River. The plan is from Marianne Wockeek, *Trade in Strangers, The Beginnings of Mass Migration to North America* (University Park, Pennsylvania: Pennsylvania State University Press, 1999), 3.

In addition to military service, the Palatines were subject at home to compulsory taxes, overpopulation, financial indebtedness, land scarcity, and recurring political, economic, agricultural, ethnic, cultural and religious crises in their localities. At the same time, in North America the major European powers were establishing colonies and needed immigrants to populate those colonies. America offered immigrants the “carrot” of a better life abroad, and the possibility of obtaining their own land and gainful employment. Marianne Wokeck refers to these same factors as the “push” and “pull” forces in migration.⁷

The majority of German migrants traveled to America in small groups comprised of villagers from the same locale. There was also a high degree of kinship among German immigrants to America. The destinations chosen by specific frontier migrant populations depended to a great extent upon the cultural background of the group traveling together and the time of their arrival in the American frontier regions.⁸ The traditional route for Palatine emigrants was to travel first down the Rhine River to Holland, then by ship to England and from there on to America by either the same or a different ship. At first, New York City was the most popular destination for Palatine emigrants; it had a large population of Hollanders or Dutch people even though England had taken over the Dutch colony in 1664. Emigrants from the Palatinate and the Holy Roman Empire were called Germans or High Dutch, while those from Holland or the United Provinces were known as Dutch or Low Dutch.⁹ In due course, as German migration to America increased,

⁷ Aaron Spencer Fogleman, Hopeful Journeys, German Immigration, Settlement, and Political Culture in Colonial America 1717-1775 (Philadelphia: University of Pennsylvania Press, 1996), 4-6; and Wokeck, Trade in Strangers, xxv-xxvi, xxviii and 221-225.

⁸ Timothy G. Anderson, “The Creation of an Ethnic Culture Complex Region: Pennsylvania Germans in Central Ohio, 1790-1850,” Historical Geography 29 (2001): 146.

⁹ William E. Roscoe, History of Schoharie County, New York (Syracuse, New York: D. Mason & Co. 1882), 13.

Philadelphia replaced New York as the most popular destination for German immigrants to America.¹⁰

Studies by German historian A.G. Roeber have shown that Palatine immigrants were well situated for life in British North America by virtue of their sense of community, work ethic, religious background, and philosophy of individualism. The large number of families among Palatine immigrants provided them with a strong base from which to form German-speaking settlements in America. In the Palatinate, they were expected to carry out their lives in the normal course as part of a society regulated by religious doctrine and laws promulgated by the local governing authority. However, by the time of the American Revolution, a marked change had occurred in the way that Palatines viewed their place as individuals in American society. According to Roeber, the new “libertarian” approach emphasized individual spiritual discipline, literacy, order and certainty together with the pursuit of liberty in terms of individual “choice and personal interest” rather than wider goals expressed in terms of political and social considerations as had previously been the case. Roeber suggests that those virtues turned out to be not unlike those that a successful entrepreneur needed.¹¹

The religious background of the Palatines also proved to be beneficial to them on their arrival in America. The early German emigrants were disciples of the reform doctrines of Martin Luther, while many Dutch emigrants followed the Calvinistic or Dutch Reformed religion. Over time, these differences were ameliorated and refined. A study of German Lutherans arriving in New York concluded that they considered themselves to be “members of a religious confession firmly supportive of princes and

¹⁰ Wokeck, *Trade in Strangers*, xxiv-vii and 37-58.

¹¹ A.G. Roeber, *Palatines, Liberty and Property*, 2-4, 8, 18, 64 and 309-108.

public authority,” and that they believed that citizens owed obedience to and cooperation with those in public secular life “who defended property and an ordered liberty.”¹²

Devotion to those in authority, however, had a price to be paid for the Palatines. Many of them came to America expecting to find liberty or even freedom from restraint in return for “obedience.” The Palatines sought “privileges,” sometimes defined as the protection of the law which all British subjects enjoyed. Another important objective for Palatines was to receive land grants to compensate them for their “vast expense and labour” in settling the American frontier.¹³

Roeber’s findings are borne out in a survey of Palatine migrants to colonial Pennsylvania conducted by Mark Häberlein. Häberlein concluded that many emigrants had small, scattered property holdings and high indebtedness in Europe, and so they were often forced to carry on a trade there as well as farm in order to make a living. Their multiple skills helped them to adapt in North America. Häberlein concluded that Palatine emigrants, who left the old world before 1750 with substantial starting capital and large supporting families, could improve their situation significantly by relocating to America. On the other hand, those Palatines who started out poor, arrived late, or lacked connections with friends and family had to struggle harder and longer before achieving the comfortable status of property owners in America and many of them never did so.¹⁴

Notwithstanding the advantages that the Palatines had in migration, many of them became disillusioned following their arrival in America due to conditions that they found unfavourable. In addition, immigrants to New York were confronted with the threat of

¹² Ibid., xii.

¹³ Ibid., 13.

¹⁴ Mark Häberlein, “German Migrants in Colonial Pennsylvania: Resources, Opportunities, and Experience,” *William and Mary Quarterly* 50(3) (July 1993): 574.

French and Indian raids on the frontier, the wider religious freedom offered by other American colonies such as William Penn's settlements in Pennsylvania, and the prevailing system of large land grants to political favourites in New York that restricted the opportunities for new settlers to acquire title to their farms.¹⁵

PALATINE MIGRATION

There were three distinct phases of German migration. The first phase (1683-1709) occurred because of religious persecution against pietism in Europe, and the desire of many Germans to pursue utopian experiments in America such as the William Penn settlements in Pennsylvania. The early German settlements were successful, and led to further migrations from Germany. From the early 1700s, active recruitment encouraged emigration from the Palatinate, and a strong tradition of migration helped to create substantial, recurring outflows of emigrants.

In the second phase of German migration to America (1709-1714), about 3,000 Germans, motivated by an agricultural famine and devastation to their homeland from the War of the Spanish Succession, migrated first to England at the invitation of Queen Anne in 1709 and then to New York in 1710 where they populated five towns (or dorfs) in Livingston Manor on the Hudson River.¹⁶ Their mission was to manufacture naval stores (shipbuilding products) for the British navy and to assist the British in the defense of the American colony against the French from Quebec. The Palatines had initially been led to believe that, if they migrated to New York, their destination would be Schoharie where they would settle on lands that would be conveyed to them in due course, but it transpired

¹⁵ Francis Whiting Halsey, *Richard Smith, A Tour of Four Great Rivers* (New York: Charles Scribner's Sons, 1906), xxxvii.

¹⁶ Philip Otterness, "The 1709 Palatine Migration and the Formation of German Immigrant Identity in London and New York," *Pennsylvania History* 66 (Supplement) (1999): 9-10.

that those lands were not suitable for the manufacture of naval stores and hence their settlement in Livingston Manor instead.¹⁷

The Palatines were industrious in the naval stores project and demonstrated loyalty to Britain by participation in the wars with the French, even joining in an invasion of Quebec in 1711. However, during the course of the naval stores scheme, the Palatines were exploited by Robert Livingston who owned all the lands in the manor.¹⁸ In addition, Livingston and the New York authorities did not convey to the Palatines the lands on which they had settled, and instead took the position that the Palatines would only be entitled to the land after paying for it and after reimbursing the government for the expenses incurred in connection with the venture.¹⁹ In September 1712, poor planning and lack of funding for the project led both the British Lords of Trade and the New York authorities to withdraw their support for the Palatines.²⁰ The Palatines themselves may have played a role in the failure of the project, as they were more interested, once in America, in farming and obtaining title to their own lands, than they were in the success of the scheme.²¹ In the end, the Palatines decided to pursue elsewhere their goal of securing title to land and escape from what was for them only a form of servitude on

¹⁷ John M. Brown, Brief Sketch of the Settlement of the County of Schoharie by the Germans (Schoharie: L. Cuthbert, 1823, reprint Cobleskill, New York: G.W. Bellinger, editor the Index), 19-20; F.W. Halsey, The Old New York Frontier, its Wars with Indians and Tories, its missionary schools, pioneers and land titles 1614-1800 (New York: Charles Scribner's Sons, 1901), 35-6 and 50; Roscoe, History of Schoharie County, New York, 10-6; and Albert Bernhardt Faust, The German Element in the United States (New York: Arno Press and the New York Times, 1969), 1: 73-4.

¹⁸ Irving Mark, Agrarian Conflicts in Colonial New York 1711-1775 (Port Washington, Long Island, New York: second edition, Ira J. Friedman, Inc., 1940, 1960), 34, 111.

¹⁹ Roscoe, History of Schoharie County, 14.

²⁰ Roeber, Palatines, Liberty and Liberty, German Lutherans in Colonial British America, 8, 10 13; and Roscoe, History of Schoharie County, 21; and Faust, The German Element in the United States, 1: 88.

²¹ Otterness, "The 1709 Palatine Migration and the Formation of German Immigrant Identity in London and New York," 17-9.

Livingston Manor.²² The Palatine discontent led to periodic armed clashes with the New York authorities.²³

Although discouraged by their experience on the Hudson River, the Palatines decided to remain in the American colonies and not return to Europe. From their initial settlements on Livingston Manor, the Palatines followed the Hudson, Mohawk, Schoharie, Susquehanna and Delaware River systems. The Mohawk River flows from the west into the Hudson River about 140 miles north of New York. The Schoharie River, about 20 miles to the west of the Hudson River, provides a north-south link between the Mohawk River and the Delaware and Susquehanna Rivers to the south, providing access to western New York and Pennsylvania to the south. The early migrations of the Palatines were a function of their efforts to obtain title to lands on which they could settle, and they followed these river systems to find farms they could own.²⁴

In the winter of 1712-1713, most of the Palatines left the Livingston Manor, and moved to other areas of New York such as the Schoharie Valley and the upper Mohawk Valley. In the Mohawk Valley, the Palatines were granted land on the Mohawk River's north bank beyond the Schoharie River in the Six Nations' country, and there they established the villages of Stone Arabia and German Flats in what was later to become Tryon County.²⁵ In their locations along the Mohawk River, the New York authorities hoped that the Palatines would provide a buffer against the French and the threat of

²² Dr. James Sullivan, History of New York State, 1523-1927 (New York: Lewis Historical Publishing Company, Inc., 1927), vol. 3, 752.

²³ Mark, Agrarian Conflicts in Colonial New York, 111-112.

²⁴ See Michael Kammen, Colonial New York—History (New York: Charles Scribner's Sons, 1975), 179.

²⁵ See Nelson Greene, History of the Mohawk Valley (Chicago: S.J. Clarke Publishing Company, 1925), vol. 1, 477.

French invasions.²⁶ It was near there at present day Johnstown, New York, that the two oldest sons of Christianus Servos, Peter and Christopher Servos, would relocate in 1758.

At the same time, a second group of the Livingston Manor Palatines decided to migrate to Schoharie, and once again they were led to believe that they would receive title to the lands on which they settled.²⁷ This time the local Indians agreed to sell land to them.²⁸ In the winter of 1712, one group of 50 families went to Schoharie and another 150 families followed the next spring.²⁹ On their arrival, the Palatines gathered in the town of Middleburg at the high water mark of the Schoharie River near an oak stump burned hollow that was said to have served the Indians as a corn mill.³⁰ From there, the Palatines established seven dorfs to the north along the Schoharie River between Middleburg and Cobleskill.³¹ By 1713, there were 500 to 700 Palatines in the Schoharie Valley.³² For a year and a half, the Palatines worked their farms. At that time, they learned that the titles to the lands on which they had settled had previously been sold by the Indians to at least two other parties, and that competing claims to titles to their farms were held by Albany land speculators who demanded that the Palatines sign leases or purchase the land.³³ The Palatines refused to do so, and the controversy continued for seven years. Occasionally, the disputes led to violent altercations with the authorities and title holders, and the Palatines were fined and imprisoned as a result.³⁴

²⁶ James Thomas Flexner, Mohawk Baronet, a Biography of Sir William Johnson (Syracuse, New York: Syracuse University Press, 1989), 18.

²⁷ Jephtha Root Simms, History of Schoharie County and Border Wars of New York (Albany, New York: Munsell & Tanner, 1845), cpts. 1 (21-50) and 2 (51-78), 47.

²⁸ Mark, Agrarian Conflicts in Colonial New York, 112-113.

²⁹ Sullivan, History of New York State, 752.

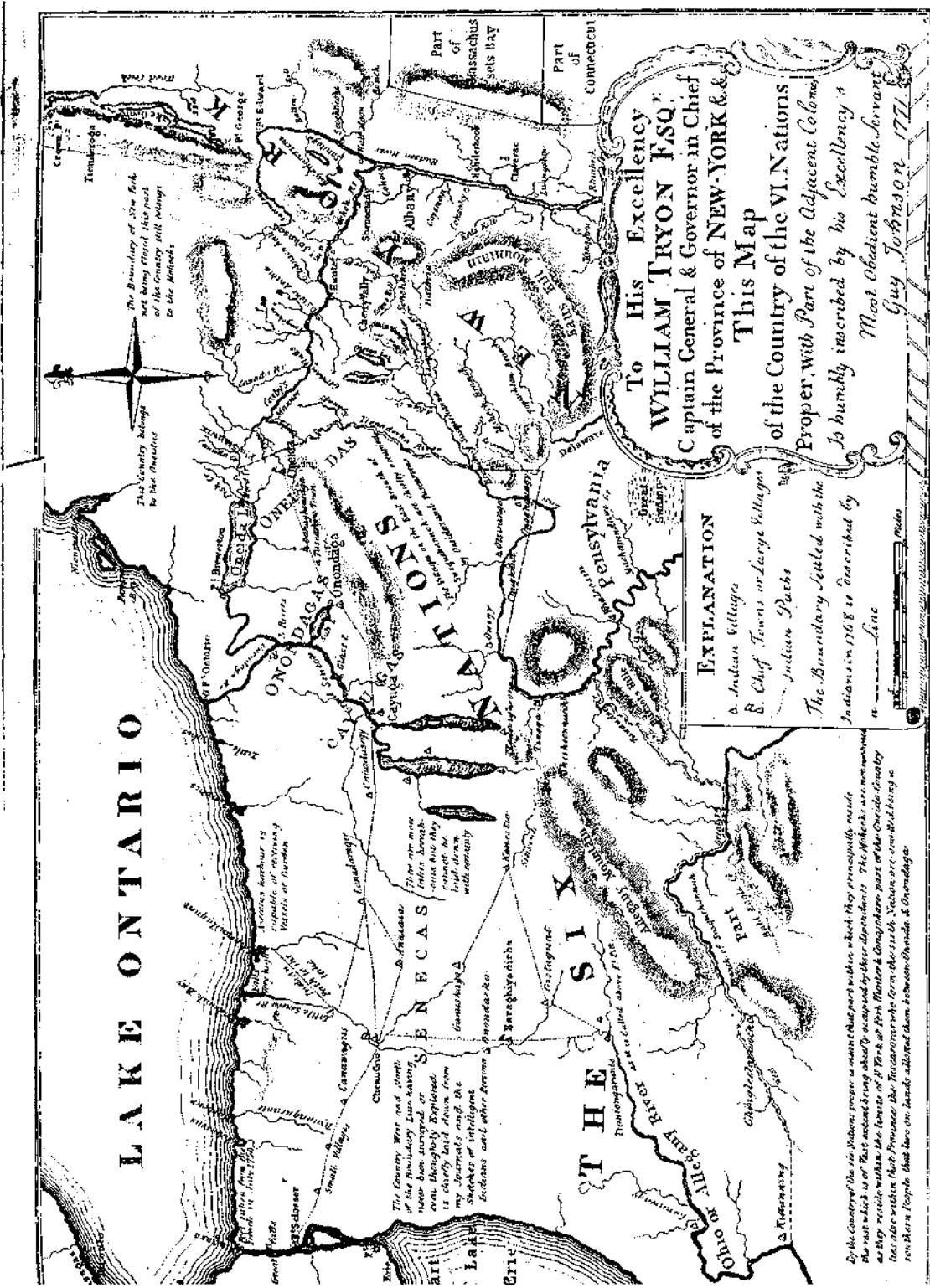
³⁰ Brown, Brief Sketch of the Settlement of the County of Schoharie by the Germans, 12-13.

³¹ Flexner, Mohawk Baronet, 18.

³² Simms, History of Schoharie and Border Wars, 50.

³³ *Ibid.*

³⁴ Roscoe, History of Schoharie County, New York, 25-8.



Guy Johnson's Map of the Country of the Six Nations Proper 1771, E.B. O'Callaghan, ed., *The Documentary History of the State of New York* (Albany, New York: Weed, Parsons and Company Publishers, 1849-51), vol. 4, 660.

In due course, the Palatines sent a delegation to London to plead their case, but in the interim Queen Anne had died and the news of their altercations with the authorities turned the English authorities against them.³⁵ Once again, through a series of misunderstandings, the Palatines did not obtain title to the lands in Schoharie on which they had settled, and the legal title to their farms remained in the hands of third parties who were adverse in interest to them.³⁶

The unsatisfactory resolution of these events led to a number of German families departing the Schoharie Valley in 1722-1723 for other regions in New York and Pennsylvania which they thought would be more favourable to their settlement.³⁷ About 30 families moved north to the Mohawk River, populating the German settlements in and about Canajoharie, Stone Arabia and German Flats with a strong Palatine presence.³⁸ Another large group went down the Charlotte River, and after a journey of five days they arrived at what was later known as the “canoe place” where they made canoes and then continued their journey down the Charlotte and Susquehanna River systems into Pennsylvania.³⁹ The Germans who departed the Schoharie Valley for Pennsylvania formed the advance guard of the so-called “Pennsylvania Dutch.” The canoe place was near present day Davenport, New York, and it was about five miles east of there that Christopher Servos (1721-1778), the second oldest son of Christianus Servos, would

³⁵ Brown, A Brief Sketch of the First Settlement of the County of Schoharie by the Germans, 23-8.

³⁶ For the Palatine story in the Schoharie Valley, see Sullivan, History of New York State, 752; and Halsey, The Old New York Frontier, 36-8.

³⁷ Mark, Agrarian Conflicts in Colonial New York, 114-5.

³⁸ Robert W. Venables, “Tryon County,” in Joseph S. Tiedemann and Eugene R. Fingerhut, eds., The Other New York, the American Revolution beyond New York City, 1763-1787 (Albany, New York: State University of New York Press, 2005), 181.

³⁹ Brown, A Brief Sketch of the First Settlement of the County of Schoharie by the Germans, 27-8; and John D. Monroe, Chapters in the History of Delaware County New York (Delaware County Historical Association, 1949), 6.

acquire a large farm from Sir William Johnson in 1772. By 1757, most of the Germans had departed from the Schoharie Valley for Pennsylvania or other areas of New York.⁴⁰

The Palatine ordeal in New York brought them together and in the words of one historian “helped clear the way for the development of a German-American identity rooted in the immigrant experience.”⁴¹ The third phase of German migration was a sustained one, commencing in 1715 and continuing until the American Revolution started in 1775. As a group, rather than individually, the Palatines came to conceptualize the values identified by A.G. Roeber, based on protestant work ethic and individualism, and eventually they formed the nucleus of a viable German community in America.

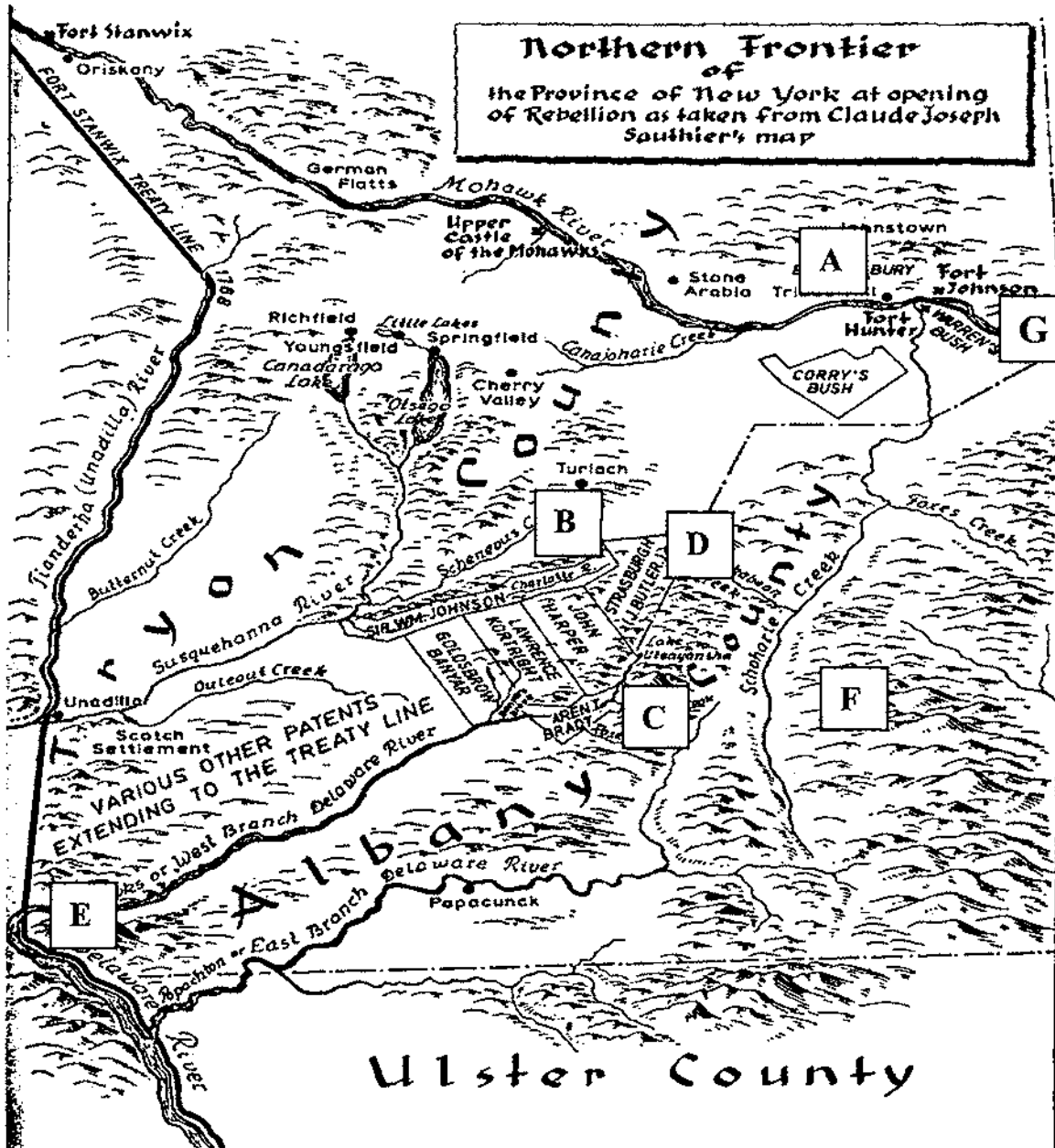
SERVOS EMIGRATION TO AMERICA

Christianus Servos, the third generation soldier in the army of the Prince of Wied, was born in Segendorf Germany and baptized in Niederbieber September 30, 1664. He entered the military service of the Prince of Wied in 1687. On May 29, 1708, Christianus married Margaretha Elizabetha de Bruen, and by 1725 or 1726, they were the parents of at least six children. The Servos family belonged to the Reformed Church at Niederbieber, and the church records contain many references to Servos baptisms, deaths and marriages, indicating their continuing links to the church.⁴²

⁴⁰ Simms, History of Schoharie County and Border Wars, cpts. 1 (21-50) and 2 (51-78); Halsey, The Old New York Frontier, 35-8; idem, Richard Smith, Four Great Rivers (New York: Charles Scribner's Sons, 1906), iv-lvi; and Roeber, Palatines, Liberty and Property, 21.

⁴¹ Otterness, “The 1709 Palatine Migration and the Formation of German Immigrant Identity in London and New York,” 18.

⁴² The eight children of Christian and Margaretha Servos included four sons, Johannes Peter (b1709), Frederick Wilhelmus (b1711), Wilhelmus (b1716) and Christopher Thomas (b1721); and four daughters, Elizabeth (b1707), Johanna Maria (b1714), Anna Magdalena (b1718) and Anna Veronica Margaretha (b1723). Elizabeth, the eldest child, may have been the daughter of an unknown first wife or born out of wedlock. It appears that two of the children, Wilhelm and Anna Veronica, died in Germany and therefore did not come to America.



This map is found in Hazel Mathew, *The Mark of Honour* (Toronto: University of Toronto Press, 1965), 27, and shows the region around the Servos family's Cayadutta Creek farm near Johnstown [see A on map], and the family's Charlotte River farm (in Sir William. Johnson's Charlotte River patent) [see B on map] at the time of the revolution. John Harper's farm [see C on map] and the Butler family's Strasburgh patent [see D on map] are to the south of the Charlotte River farm. At the west is the Fort Stanwix Treaty line [see E on map] marking the division between the Indian lands and the lands opened for white settlement, and the Schoharie River is to the east [see F on map]. The letter G marks the Servos family's first New York farm at Warrenbush/Fort Johnson (exact location unknown).

Christianus Servos served in the Prince's Guard as a musqueteer for 12 years, corporal for five years, sergeant for 15 years, and Landsfahndrick (i.e. lieutenant) for seven years and nine months. In total, he served in the army of the Prince of Wied for 39 years and nine months.⁴³ During the period of his military service, Christianus developed a favourable relationship with his patron, the Prince of Wied. The patron and client relationship was based on the subservient relationship that Christianus as subject had to the Prince as ruler. In 1717, a quarrel arose between the Prince and the magistrate of the city of Neuwied on account of alleged constitutional violations by the Prince. The support of the townspeople was divided between the Prince and the magistrate. The quarrel lasted for years and was settled through the so called Wetzlar contract of April 10, 1721, which took place through the interposition of the presiding officers of Germany's highest court at the time – the imperial court in Wetzlar. A petition of citizens and inhabitants of the City of Neuwied of December 22, 1717, presumably in support of the Prince, bore the signature of Sergeant Servos, indicating at least some interest in local affairs.⁴⁴

On occasion, the Prince of Wied rewarded Christianus Servos for his many years of loyal service. On April 25, 1715, Sergeant Servos was recorded as living in house no. 216 in the old market street (Markt-Gasse). The land tax records of the time show that the Servos house was land tax free as long as Christianus or his children occupied it "primi gradus," and that the size of the Servos house was small compared with other houses in the area. The tax free status of the Servos house was likely granted to him by the Prince

⁴³ Kirby, "Memorials of the Servos Family," 7.

⁴⁴ See letter dated July 12, 1938 from Dr. Fritz Voss to B.J. Service in the B.J. Service papers. B.J. Service engaged Dr. Voss, professor and licensed genealogist of Neuwied, Germany, to research Servos family origins in Germany.

of Wied because of his position as a soldier in the Prince's army.⁴⁵ In 1711, Frederick Wilhelm, the then Prince of Wied, became the Godfather of the second oldest son of Christianus Servos, who was born on the 2nd and baptized on the 5th day of August 1711 and who was named Frederick Wilhelm after the Prince.⁴⁶

At the age of 62, Christianus decided to immigrate to America. His reasons for doing so were not recorded. But we can surmise that the small size of his household and the large size of his family, the arduous nature of his military service, and opportunities in America may have appealed to him. Some of the other factors motivating Palatine emigration, such as the possibility of acquiring title to their own land and securing gainful employment, may also have motivated the family. To achieve that end, Christianus approached Frederick Wilhelm to request a discharge from service in the Prince's army and permission to emigrate from the Principality of Wied. The requests were quickly granted. In addition, the Prince gave Christianus a letter of reference dated April 27, 1726 addressed to the Governors of New York and Pennsylvania, confirming that Christianus during his service to the Prince "was always distinguished as a brave and honorable man, faithful in the performance of every military duty and in all the relations of life of strictest integrity, upright and honorable as becomes a faithful soldier to be." The Prince also added "in order that he may be favorably received by the Honorable Governors of New York or Pennsylvania as a man in every way worthy of their assistance and patronage, we recommend the said Christopher Servos (sic) to them, pledging ourselves by any means in our power to the said Honorable Governors to

⁴⁵ Ibid. Among other things, Dr. Voss' research determined that the land tax on the Servos house would have been four Reichstaler 18 Albus if it had been subject to tax. Only small houses paid that amount of tax or still smaller tax – about four rtl or three rtl. Most paid five or six rtl and a few paid somewhat more.

⁴⁶ See Marion Banker, *The Family of Christianus Servos* (Gloversville, New York: published by the author, October 1968, copy in Montgomery County Department of History and Archives, Fonda, New York), 1.

reciprocate any kindness, good-will and assistance which they may be pleased to show to the said Christopher Servos (sic).”⁴⁷ The earnestness of the Prince’s statements and intimate details of Christianus’ life set out in the letter indicate the Prince’s special desire to be of assistance to Christianus. The ability of Christianus Servos to exploit for his own purposes the subservient relationship with his patron (the Prince of Wied) to facilitate his emigration from the Palatinate was a trait that would be displayed in British North America by subsequent generations of the Servos family.

In emigrating from the Palatinate, Christianus Servos and his family likely followed the usual route for Palatinate émigrés along the Rhine River to Rotterdam, where they embarked on one of the many passenger ships taking German settlers to the port of Philadelphia. There is no record of their arrival in America, as records of immigrant arrivals were not kept until the next year (1727). Their passage to America was likely financed by the sale of their house in Neu Wied and whatever savings Christianus retained after 40 years in the service of the Prince of Wied. With these financial resources, a large family and cultural values derived from their Palatine background, the Servos family had reasonable prospects for success in America.

We do not know much about the early experiences of the Servos family following their arrival in America. The first record of the family presence in America is found in a listing of freeholders in the Highlands of New York, Ulster County in 1728. Christianus’ name was recorded as “Christian Chervis,” and it was likely Sheriff Van Dyck (the census taker) and not Christianus himself, who recorded the name. At the time, a freeholder was defined as “a form of tenure by which an estate is held ... for life.”⁴⁸

⁴⁷ The Prince’s letter is found in Kirby, “Memorials of the Servos Family,” 7-8.

⁴⁸ Marion Banker, The Family of Christianus Servos, 1.

Later, the family lived in New Jersey, perhaps in Middlesex County. The name of Christianus Servos is found in the New Jersey Janeway Account Book in 1739 which mentions an account owing by "Jacob Arnest, son-in-law of Christian Servis." A summons was issued in Morris County in 1740 in order to collect on this account.⁴⁹

Christopher Servos (1721-1778), the second son of Christianus Servos, was born in Segendorf, Germany in 1721 and came to America with his father and his brothers and sisters in 1726 at the age of five. In America, Christopher Servos grew up in New Jersey, and as a young man married Anna Clara Crief (1714-1800), seven years his elder, in New Jersey in 1738. Their first son, Daniel Servos (1738-1803), was born in New Jersey in 1738. They had a large family, and although family records differ, the names of at least ten children are associated with their marriage.⁵⁰ It is known from family sources that Christianus Servos, the patriarch of the Servos family in America, died around 1745.

JOHNSTOWN, NEW YORK

Some time before 1755, Christopher Servos and his family journeyed north from New Jersey to the Warrensbush settlement, a large tract of about 14,000 acres situated near the intersection of the Mohawk and Schoharie Rivers in the Province of New York.⁵¹ Three years later, they moved about 10 miles west along the Mohawk River to

⁴⁹ Henry Z. Jones, More Palatine Families: Some Immigrants to the Middle Colonies 1717-1776 and their European Origins plus New Discoveries on German Families who arrived in Colonial New York in 1710 (Universal City, California: published by the author, 1991), 267-9.

⁵⁰ The ten children are Daniel (1738-1803), Catrina (1744-1813), Jacob (1751-1831), Gertrude (b1752), Maria (1756-1786), Christian (1758-1814), John (1760-1855), Anna Magdalena (1761-1818), Margaret (1762-5-1791) and Philip (1767-1847). See William V.H Barker, Early Families of Montgomery County (Fonda, New York: copyright William V.H. Barker, 1985), 317; Jack Peltier and Marilyn Jackson, Servos/Serviss/Service Family Compendium, The Family of Christianus Servos (1664-1745) and Margaretha Debruen (Calgary, Alberta and St. Catharines, Ontario: published by the authors, June 2001), 1-9; Dorothy Serviss Johnson, The Serviss & Hollenbeck and Thomson & Ross Families and their Johnny Cake Journey in North America (Westwood, Massachusetts: published by the author, 1999), 7-8; and Jones, More Palatine Families, 267-8.

⁵¹ John Christopher Guzzardo, "Sir William Johnson's Official Family: Patrons and Clients in an Anglo-American Empire, 1742-1777" (Ph.D. diss., Syracuse University, 1975), 21, 194, 346.

the Kingsborough settlement. At the centre of the Kingsborough settlement, about four miles north of the Mohawk River was Johnstown, New York, the seat of power of Sir William Johnson, western New York's most prominent citizen before the start of the American Revolution. At the time that the Servos brothers arrived in Johnstown, the Kingsborough settlement was owned by Sir William. Johnson had also managed the Warrensbush settlement on behalf of his uncle, Sir Peter Warren, after whom the settlement was named.⁵²

Charles Roscoe Canedy III attributes Johnson's success in America to his inclusion in a "dynamic entrepreneurial element" who "bore the risks of economic development, made the investment decisions, and reaped the rewards of their business acumen or went to the wall for their follies."⁵³ Johnson's Indian name, given to him by the Mohawks, was Warraghiyagey, translated by an early Johnson biographer as "he who does much business" or more freely "Chief Big Business."⁵⁴ But Canedy also concludes that Johnson's success could not have been achieved without the "fostering presence of governmental instrumentalities," which in New York was "decidedly more than minimal."⁵⁵ The relationship that Christopher Servos developed with Johnson tells us much about frontier communities in general, and about the opportunities and challenges facing the Servos family and other western New York settlers in particular.

The motives for Christopher's move to Johnstown have not been recorded. His older brother, Peter, moved to Johnstown at about the same time, and Peter may have encouraged Christopher to relocate there. After their arrival in Johnstown, the Servos

⁵² The uncle was Sir Peter Warren, an admiral in the British Navy. See Flexner, Mohawk Baronet 13-15.

⁵³ Charles Roscoe Canedy III, "An Entrepreneurial History of the New York Frontier, 1739-1776" (Ph.D. diss., Case Western Reserve University, 1967), 32.

⁵⁴ Arthur Pound, Johnson of the Mohawks (New York: The Macmillan Company, 1930), 20.

⁵⁵ *Ibid.*, 382-383.

brothers lived on the same farm and are sometimes mentioned together in records from the time. Other factors that may have influenced the Servos move to Johnstown were the large number of German settlers in the area, many from the Palatinate, and the possibility of acquiring their own land. Although the date of their arrival in Johnstown is unknown, the Servos family undoubtedly settled there before 1758 when Christian Servos, son of Christopher Servos, was baptized at the Caughnawaga (now Fonda) Mission.⁵⁶

Johnson's lifestyle was ideally suited for the pioneer conditions extant on the New York frontier. At an early date, he adopted Indian customs when among the Indians, learned to write and speak the Mohawk language and developed a reputation for fair dealing in business and trade with the Indians. By 1739, Sir William developed a prosperous trade with the Indians for his own account along the Mohawk River and up to Lake Ontario at Oswego.

Beginning in 1741 Johnson acquired large land holdings of his own, much of which came as gifts to him from the Mohawks. To charges that he was acquiring all the best land for himself, Johnson replied that he was doing the public a service because he instantly – sometimes even before the patent was actually granted – placed on his acres settlers of whom he took personal care.⁵⁷ In 1745, Johnson was appointed justice of the peace, his first public office and recognition of his importance in the community.⁵⁸ In his dealings with the Indians, Johnson rose above the level of merchant or trader to that of a “diplomat and statesman.”⁵⁹ Sir William was assisted with the administration of his large

⁵⁶ Christian Servos was baptized in 1758. See Marly B. Penrose, Compendium of Early Mohawk Valley Families (Baltimore, Maryland,: Genealogical Publishing Co. Inc., 1990), vol. 2, 720.

⁵⁷ Flexner, Mohawk Baronet, 297.

⁵⁸ Milton W. Hamilton, Sir William Johnson, Colonial American, 1715-1763 (Port Washington, N.Y. and London: National University Publications, Kennikat Press, 1976), 44.

⁵⁹ Hamilton, Sir William Johnson, Colonial American, 1715-1763, 20-23, especially 23.

estates by his son, Sir John Johnson, his sons-in law, Daniel Claus and Colonel Guy Johnson (also his nephew), and his nephew John Dease who became his physician.⁶⁰

When he first arrived in America, Johnson built a one and one half storey house north of the Mohawk River which he named "Mount Johnson." By 1748-49, the house proved to be too small, and Johnson built a larger house near present day Amsterdam, New York, first called Mount Johnson and now known as Fort Johnson.⁶¹ Johnson's first wife was Catherine Weisenburg, a Palatine who had arranged her passage to the American colonies as an indentured servant and who on her arrival in New York was sold to Sir William for £5.0.0.⁶² Johnson also concurrently took a series of Mohawk women as wives by whom he had a number of children. His wives were probably married to him according to Indian custom, but Johnson never recognized the legality of these marriages. In his will, he referred to his last wife, Molly Brant, as "my House Keeper."⁶³ The marriage to Molly Brant around 1759 was mutually beneficial to both Johnson and the Brants. It confirmed Johnson's attachment to the local Indian tribes, and enabled Joseph Brant, through his sister's influence with Johnson, to establish a power base with the Mohawks that would prove useful to Johnson and the British authorities during the revolutionary war.⁶⁴

In the colonial period, the French and the English fought three wars over control of North America, namely Queen's Anne's War (1701-13), King George's War (1744-48), and the French and Indian War (1754-63). Sir William Johnson participated in the

⁶⁰ Hamilton, *Sir William Johnson, Colonial American*, 242.

⁶¹ Hamilton, *Sir William Johnson, Colonial American*, 37.

⁶² Flexner, *Mohawk Baronet*, 25. It is reported that Sir William married Weisenburg on her deathbed – see Barbara Graymont, *The Iroquois in the American Revolution* (Syracuse, New York: Syracuse University Press, 1972), 29.

⁶³ Graymont, *The Iroquois in the American Revolution*, 29.

⁶⁴ The Six Nations were the Mohawks, Onondagas, Oneidas, Cayugas, Tuscaroras and Senecas.

last two of these wars with a great deal of military success, and he was credited with the British victories over the French at the Battle of Lake George in 1755 and Fort Niagara in 1759.⁶⁵ For his successes, Johnson was appointed Colonel of Indians in 1745, Colonel of Militia in 1748, and Major General in 1755.⁶⁶

In addition to his victories over the French, Johnson was instrumental in keeping the Six Nations neutral in disputes over encroaching white settlement during Pontiac's uprising in 1763-64 and Lord Dunmore's War (also known as Cresap's War) in 1774.⁶⁷ Johnson's influence with the Indians secured their assistance as British allies or at least their neutrality in most cases. For his long service, the British Crown gave Johnson the sum of £5,000 in 1755, made him a Baronet, and appointed him Colonel of the Six Nations and their Allies and Superintendent of Indian Affairs for the northern colonies of North America, positions that he held until his death.⁶⁸ As Superintendent of Indian Affairs, Johnson managed the relationships between the British government and the various Indian tribes in his jurisdiction through a program of provisioning the Indians, distributing presents, and hearing and adjudicating Indian complaints in solemn councils.

NEW YORK FRONTIER

The main concern for the Indians on the New York frontier was the encroachment of white settlers onto their lands.⁶⁹ By the end of the French and Indian War, the advance of white settlement westward along the Mohawk River had enveloped the land of the Mohawks who lived along the river. By the 1763 Treaty of Paris that ended the French

⁶⁵ Hamilton, Sir William Johnson, Colonial American, 157-169 (Battle of Lake George) and 241-259 (Fort Niagara).

⁶⁶ *Ibid.*, 55-7, 62 and 118

⁶⁷ See Flexner, Mohawk Baronet, 256-283 (Pontiac's uprising) and 346-7 (Lord Dunmore's War).

⁶⁸ Hamilton, Sir William Johnson, Colonial American, 195-7.

⁶⁹ Pound, Johnson of the Mohawks, 444.

and Indian War, France ceded all of its territory in eastern North America to Britain, and enabled the British to rule the colonies in a more direct manner than she had previously been able to do. To reward the Indians, particularly the Six Nations who were vital military allies in the French and Indian War, the British government, by the Royal Proclamation of 1763, established a boundary between the Indian lands and those of the white settlers, which ran southwest from Fort Stanwix and then along the Allegheny Mountain range, reserving the lands to the north and west of the line for the Indians.⁷⁰ The Proclamation also provided that Indian lands could not be sold by the Indians except to the Crown and then only for compensation in each case. The wisdom of the policy was subsequently confirmed when the Indians generally remained loyal to the British cause during the American Revolutionary war.⁷¹ On the other hand, the policy assisted wealthy land owners like Sir William, who alone had the contacts with the Indians and the financial means to obtain large land grants.⁷²

As white colonization spread westward, the discontent of the Indians mounted until it was apparent that accommodation must be reached by the British with the Indians.⁷³ To this end, Johnson concluded the Fort Stanwix Treaty in 1768, which provided for a large land grant by the Six Nations to the British crown. The Indian lands ceded included the lands west of the Proclamation line of 1763, the Ohio Valley to within 30 miles of the Mississippi, all of present day Kentucky and West Virginia, much of

⁷⁰ Graymont, The Iroquois in the American Revolution, 61. For the Proclamation, see Cornelius Jaenen and Cecilia Morgan eds., Documents in Pre-Confederation History (Don Mills: Addison Wesley Longman Ltd., 1998), 116

⁷¹ Brian E. Titley, A Narrow Vision (Vancouver: University of British Columbia Press, 1986), 1-2.

⁷² Johnson estimated the costs of obtaining large tracts of land at £10.10.0 per thousand acres, and the annual quitrent of £0.02.06 per thousand acres. See Sung Bok Kim, Landlord and Tenant in Colonial New York. Manorial Society, 1664-1775 (Chapel Hill, North Carolina: University of Carolina Press, 1978), 135.

⁷³ Hazel Mathews, The Mark of Honour, (Toronto: University of Toronto Press, 1965), 8-9.

western Pennsylvania and Tennessee, and part of northern Alabama. In the treaty, the British also promised full military and political support for the Indians.⁷⁴

The resulting boundary, which was supposed to protect the Indians from the encroachment of white settlers onto Indian lands, was also beneficial to Johnson and other land speculators, as the lands acquired from the Indians were opened up for white settlements.⁷⁵ The lands in which Johnson was interested were included “within the limits of New York” by Guy Johnson when he drew his map of the Six Nations’ country in 1771.⁷⁶ In preparing his map, Johnson noted that what lay beyond the boundary line “having never been surveyed or even thoroughly Explored is chiefly laid down from my Journals and the Sketches of intelligent Indians and other Persons.”⁷⁷

Another prominent family on the frontier, closely aligned with the Johnsons, was the Butler family. The Butlers were influential allies of the Johnsons, particularly with respect to Indian affairs, and their experience with the Mohawks would prove to be useful to the British during the revolutionary war. Walter Butler, an Irish army officer who had come to America with his regiment about 1709, had gained influence with the Indians during his service on the frontier. In 1733, Butler received a crown grant in Schoharie which was later acquired by Sir Peter Warren as part of the Warrensbush tract, and two years later he acquired the Butlersbury settlement from the Mohawks on the north side of the Mohawk River. His son, John Butler, took up a military career and served with Sir

⁷⁴ Flexner, *Mohawk Baronet*, 277-8, 331.

⁷⁵ Janet Dorothy Baglier, “The Niagara Frontier: Society and Economy in Western New York and Upper Canada, 1794-1854” (Ph.D. diss., Buffalo: State University of New York, February 1993): 26; Gavin K. Watt, *The Burning of the Valley, daring raids from Canada against the New York Frontier in the fall of 1780* (Toronto: Dundurn Press, 1997), 47-9; and Graymont, *The Iroquois in the American Revolution*, 2-3 and 29.

⁷⁶ See Guy Johnson’s Map of the Country of the Six Nations Proper 1771, E.B. O’Callaghan, ed., *The Documentary History of the State of New York* (Albany, New York: Weed, Parsons and Company Publishers, 1849-51), vol. 4, 660.

⁷⁷ *Ibid.*

William Johnson in the French and Indian War. After the war was over, Sir William kept John Butler on his staff in the Indian Department even though most of the other officers were dismissed. In due course, Butler became one of the King's Justices, a man of increasing influence and wealth, and a valued ally of the Johnsons.⁷⁸

KINGSBOROUGH SETTLEMENT

The Johnstown settlement was situated on the Kingsborough lands, a parcel of about 50,000 acres acquired by Sir William from the Mohawks. In due course, the gift was confirmed by the Kingsborough patents issued by the British government in 1754 and 1755.⁷⁹ In colonial New York, a grant made by the Indians was not considered to be valid until ratified by a British government patent, a process that could take years or even result in the disallowance of the grant.⁸⁰

The Kingsborough lands were at the centre of several large tracts of land granted for white settlement at the same time, and the Johnsons also had interests in many of the other tracts. To the west lay the Royal Grant, or Kingsland, of 99,000 acres given to Johnson by the British Crown as a personal gift "in acknowledgment of your services," the annual quitrent being set at two beaverskins.⁸¹ To the north and east of Kingsborough, Johnson extended his holdings, as the years passed, to the far bank of the Sacandaga River and along that river to its junction with the Hudson River. This involved shares in the Sacandaga, Mayfield, Duncan, Stuart, Northampton, Glen and Vrooman, and Achilles

⁷⁸ *Ibid.*, 36-37.

⁷⁹ The Kingsborough patent was issued June 23, 1754 to Arent Stevens and others. The patent covered 20,000 acres purchased from the Mohawks in 1752 for "3 pieces of showed (shoddy wool), 6 pieces of gailing linen, 3 barrels of beer, 6 gallons of rum and a fatt beast". A second patent was issued to James Stewart and others dated May 27, 1755 containing 24,000 acres. See Fraser, "Sir John Johnson's Rent Roll of the Kingsborough Patent," 177.

⁸⁰ John C. Weaver, *The Great Land Rush and the Making of the Modern World, 1650-1900* (Montreal & Kingston: McGill-Queen's University Press, 2003), 55.

⁸¹ Flexner, *Mohawk Baronet*, 296.

Preston patents, as well as purchases into several other grants such as the Wilson and Abeel grants.⁸² To the south, the Kingsborough lands were bounded by Butlersbury, Colonel John Butler's 4,000 acre estate, and other large tracts including a part of the Stone Arabia patent with a large Palatine population.

The process of acquiring land in western New York differed in certain respects from other parts of the state and from the other American colonies. In the usual case, ownership of land in New York was acquired from the British government, but by 1710 influential public figures held over 2,000,000 acres of the best agricultural land. The large land owners generally retained control of their lands, with the result that tenancy has traditionally been associated with family farms in pre-revolutionary New York.

By the early eighteenth century, New York had about 30 "great baronial estates" almost equally divided between non-manorial and manorial estates from the large land owners. In theory, manorial estates carried privileges of feudal lordship, including the right to hold civil and criminal courts and to extract fowl and labour rents from tenants. Over time, neighbouring local political jurisdictions took over most of the manorial privileges. Traditionally, historians have viewed the great estates as a feudal anomaly, but in practice New York was far more capitalistic than feudal. By the time of the revolution some large land owners had begun to sell (as opposed to rent) farms to individual land owners. On the other hand, where farms were rented, New York landlords provided tenants with favourable lease terms, with the result that individual farms in New York were roughly of the same size and profitability as freehold farms elsewhere in the neighbouring colonies. It should also be noted that the practice of leasing land to tenants

⁸² Ibid., 297.

also was common in the other colonies, particularly in areas where land was no longer cheap.⁸³

In the mid-1750s, Sir William Johnson moved the centre of his operations to the Kingsborough patent. A unique feature of the Kingsborough lands at the time was the form of “patron” and “client” relationship between Sir William and his tenants. Johnson’s form of clientelism was based on the prevailing land tenure system of landlord and tenant in the Kingsborough patent. Johnson’s principal biographers referred to him as a “feudal chief” and the “most able frontiersman,” to his tenants as “a Feudal Family on the Frontier,” and to the arrangement between him and his tenants as a “benevolent feudalism.”⁸⁴ Another biographer called Johnson a “gentleman-planter-soldier” and an “agrarian entrepreneur” and described his settlements as a “plantation community.”⁸⁵

At Johnstown, Sir William’s goal was to establish in western New York “paternalism in settlement which would greatly enhance his power and influence in the Mohawk Valley.”⁸⁶ Johnson’s settlements did not attract the more democratically minded settlers, who generally moved on to other areas where they could secure title to lands as full freeholds, and Johnson’s tenants did not normally come from democratic communities in Europe or more easterly America. As noted by Johnson’s biographer:

The inhabitants of the Mohawk Valley were preponderantly recent arrivals from places – Ireland, Germany, the Scotch Highlands – where the medievalism Johnson had himself imbibed in Ireland was still a contemporary force. Although the settlers had fled aristocratic tyranny, they

⁸³ Jack P. Greene, Pursuits of Happiness, The Social Development of Early Modern British Colonies and the Formation of American Culture (Chapel Hill and London: University of North Carolina Press, 1988), 124-130. See also Kim, Landlord and Tenant in Colonial New York, vii, 4-43, 87-128.

⁸⁴ See Flexner, Mohawk Baronet, 257 and 311 and Pound, Johnson of the Mohawks, 363-375.

⁸⁵ Guzzardo, “Sir William Johnson’s Official Family: Patrons and Clients in an Anglo American Empire, 1742-1777,” 3 and 139.

⁸⁶ Hamilton, Sir William Johnson, Colonial American, 304.

proved highly receptive to the benevolent feudalism that was, in so many ways, to their immediate advantage.⁸⁷

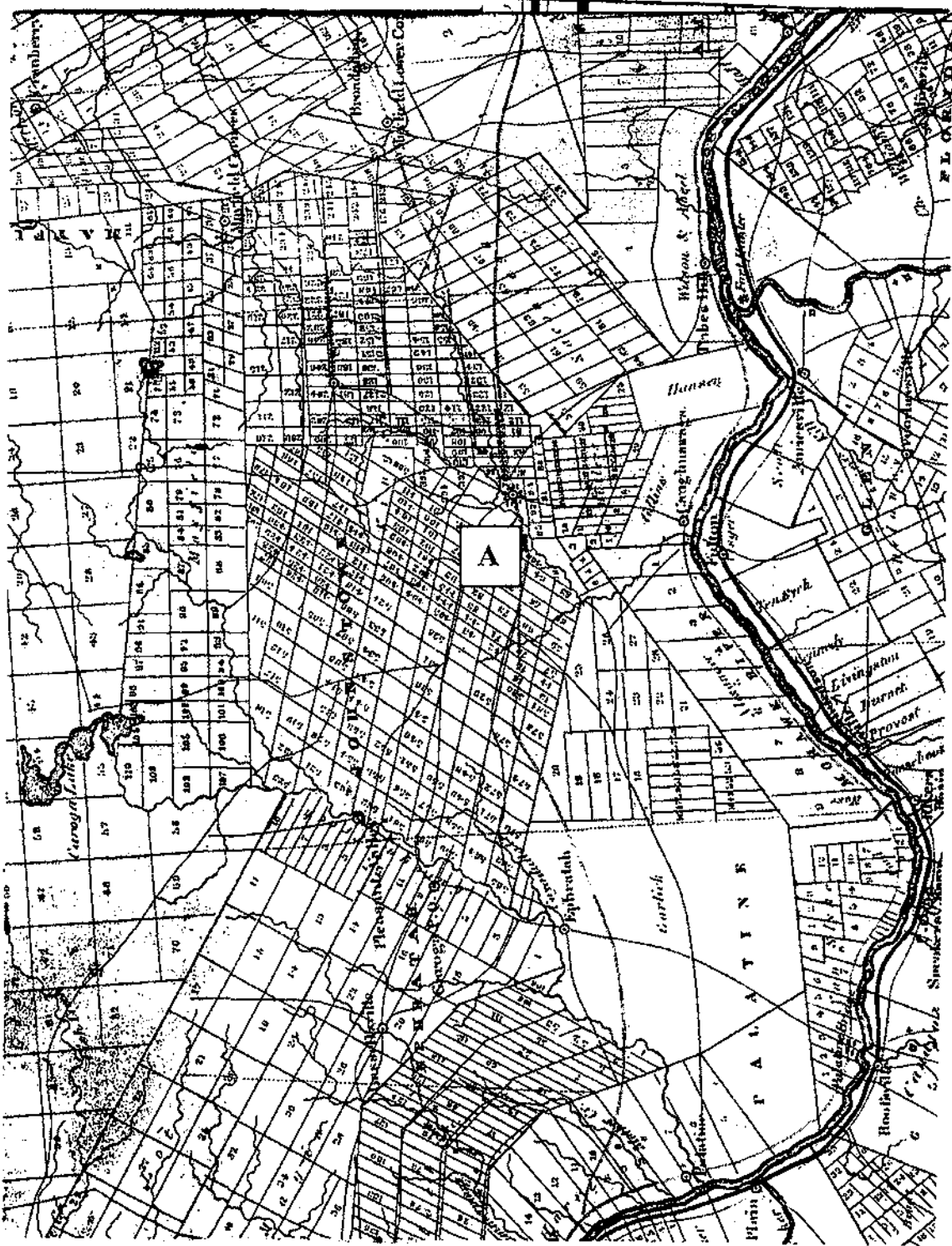
The village of Johnstown was established in the middle of the Kingsborough patent, and the remaining lands were made available for settlement. Lots in the Kingsborough Patent were allocated to over 200 tenants, mainly Scots and Germans.⁸⁸ Johnson had decided not to sell any part of the Kingsborough patent lands, and in fact he remained the sole owner of all the Kingsborough lots until his death. The settlers did not have to make any capital payment to Sir William to acquire their lots, so the method of settlement appealed to immigrants without financial means. It may be that this feature was attractive to the Servos family. Instead of paying a purchase price for their lands, the settlers paid Johnson an annual occupancy rent, which could be increased or decreased depending upon the ability of the settlers to pay. Sir William's policy was to charge a shilling per acre perpetual rent, and the term was for life, renewable forever.⁸⁹ Even those settlers who performed essential functions in the new community were required to rent their lots from Johnson. These included Robert Adams – merchant, Samuel Street – cordwainer, Wm. R. Crawford – sadler, Michl Klyne – gunsmith, James Bennet – carpenter, Peter Jost – tanner, Gilbert Tice – innkeeper, Christian Scheak – blacksmith, Nicholas Hylliard – tailor, Bryan Lefferty – attorney, Robert Picken – surveyor, and William Adams – physician.⁹⁰ In this way, by retaining ownership of the land and only leasing the lots to settlers, Johnson was able to maintain control over the settlement as well as all the settlers.

⁸⁷ Flexner, *Mohawk Baronet*, 311.

⁸⁸ Many of the Germans were from the Palatinate. The Scots were highlanders. See William Naylor McDonald III, F.S.A. Scot, "The Tartan Tomahawk," *The Highlander* 31(2) (Mar/Apr 1993), 3-9.

⁸⁹ Sung Bok Kim, *Landlord and Tenant in Colonial New York*, 196.

⁹⁰ Fraser, "Sir John Johnson's Rent Roll of the Kingsborough Patent," 188.



This map shows the Kingsborough Patent Lands to which Christopher and Peter Servos moved in 1758 on the Cayadutta Creek (Lot 400) near Johnstown, New York [see A on map]. A copy of the plan is in the custody of the Montgomery County Department of History and Archives in Fonda New York.

In addition to his retention of titles to the Kingsborough lands, Sir William also held or controlled all appointments to local government office, and all important social, administrative, judicial and commercial roles in the Johnstown community.⁹¹ And his authority as patron or feudal chief was reinforced by his position as Superintendent of Indian Affairs, and by his direct links to the British government and the military. In line with his role as patron, in 1762-1763 Johnson erected a large baronial wood mansion with detached stone wings, which he called Johnson Hall, on a 500-acre parcel one mile west of Johnstown.⁹² The Johnsons' continuing presence at Johnstown and their financial interest in the adjoining land tracts ensured that they would exercise a dominant influence on the western New York frontier.

At Kingsborough, the patron and client relationship proved to be beneficial to Johnson's tenants, since it alleviated for them the need to provide for themselves all those things that were forthcoming from Sir William. It was Sir William's practice to provide his tenants with "credit and other necessities for beginning a new community."⁹³ With the clientelism of Sir William, the settlement of the Kingsborough lands proceeded quickly, and Sir William assisted the Johnstown development in many tangible ways. On March 28, 1761, Johnson gave 50 acres of land "adjoining to the land of Peter Service and Christopher Service" as a glebe for an Episcopal Church.⁹⁴ Then, on March 2, 1762 Johnson gave his Dutch and German tenants glebes for Dutch Reformed and Lutheran parsonages, evidenced by "two agreements between the Reformed and Lutheran

⁹¹ Flexner, *Ibid.*, 334-5.

⁹² Hamilton, *Sir William Johnson, Colonial American*, 312-319.

⁹³ Sosin, *The Revolutionary Frontier 1763-1783*, 42.

⁹⁴ Sir William Johnson, *The Papers of Sir William Johnson*, (the "Sir William Johnson papers"), (Albany: University of the State of New York, prepared for publication by the Division of Archives and History, 1921-1965), vol. 10, 250.

Churches, before Piter Conyn Justice, and Frederick Shultz V.D.M. for equal division of two gifts of land, each of 50 acres, made by Johnson for a parsonage, signed by Peter Servos and Jacob Bichel.”⁹⁵ In 1763 Johnson donated several homes and a house that became Johnson’s free school for 45 students, white and Indian, by 1769.⁹⁶ During 1765 and 1766, he built at Johnstown St. John’s Episcopal Church and “a snug house for a clergyman,” and six years later he built a larger church to accommodate 1,000 people.⁹⁷

By 1770 Johnstown had grown to be a town of over a hundred dwellings and about 500 people, with several stores, blacksmith’s, gunsmith’s and carpenter’s shops, a good-sized flour-mill, two sawmills and a wagon-shop.⁹⁸ After only 14 years of settlement, on March 12, 1772 Tryon County, named after William Tryon (the last British Governor), was formed out of Albany County in recognition of the emerging settlements in western New York, with Johnstown designated as the county seat.⁹⁹ By the time of the American Revolution, the new county had a population of about 10,000 white people, and was divided into six large districts for purposes of administration, namely the Mohawk, Palatine, Canajoharie, German Flats, Kingsland, and Old England Districts.¹⁰⁰ These districts included all of the land west and northwest of Schenectady, New York and extending to Lake Ontario. For the new county, Sir William built a brick court house and a stone gaol, thereby saving the need to travel to Albany some 40 miles away for

⁹⁵ Sir William Johnson papers, vol. 3, 643.

⁹⁶ Pound, Johnson of the Mohawks, 388-9, and Flexner, Mohawk Baronet, 300-2.

⁹⁷ Flexner, Mohawk Baronet, 301.

⁹⁸ Augustus C. Buell, Sir William Johnson (New York: D. Appleton and Company, 1903), 248.

⁹⁹ Tryon County became Montgomery County in 1784. Herkimer and Otsego Counties were carved out of Montgomery County in 1791. In 1797, Delaware County was formed out of Otsego County and in 1838 Fulton County which includes the Cayadutta Creek farm was formed out of Herkimer County. The Charlotte River farm was situated partly in present day Otsego County and partly in Delaware County.

¹⁰⁰ See Sosin, The Revolutionary Frontier, 53. The first five of these districts were formed March 24, 1772. On March 8, 1773, the original name, Stone Arabia, was changed to Palatine; German Flats was changed to Kingsland; and Kingsland was changed to German Flats. Old England District was formed April 3, 1775.

legal matters.¹⁰¹ Johnson was also credited with founding the Tryon County fair in 1773.¹⁰²

A successful patron and client relationship was necessarily a tenuous one, premised on the mutual trust of patron and client, and when the trust broke down, the situation could become unstable. On the New York frontier, it was necessary for a successful patron to have regard to what one historian called a “long tradition of economic independence” among the tenants. Colonial farmers knew that their independence gave them rights as voters and citizens. They willingly deferred to landlords like Johnson on political issues, but they wanted the landlords in turn to respect their status as family heads and citizens. If landlords ignored tenant concerns, the tenants could adopt a policy of resisting landlord wishes or even resort to violence. In fact, agrarian revolt periodically occurred in New York in the 1740s and 1750s as farmers rose up to protest tenancy, powerful landlords, and uncertain land titles.¹⁰³

This did not occur in the Kingsborough patent, because Johnson was responsive to the needs of his tenants. Statements submitted to the British loss claims commissioners after the American Revolution substantiate the success of clientelism at the Kingsborough settlement. For example, the statement of William Smith, Chief Judge of New York and later of Lower Canada, declares that Sir William “used to purchase Tenants and incur large expenses in settling them.” Colonel Guy Johnson stated that “old settlers paid rents regularly. Not more than three moved away. In 1764, Sir William forgave those in arrears their debts and relet their lands at a more reasonable rate.”

¹⁰¹ Flexner, *Mohawk Baronet*, 334-335.

¹⁰² Venables, “Tryon County, 1775-1783: A Frontier in Revolution,” 71.

¹⁰³ Allan Kulikoff, *From British Peasants to Colonial American Farmers* (Chapel Hill and London: The University of North Carolina Press, 2000), 289-90.

Colonel John Butler said that “It was supposed that after that time the tenants did not get in arrear. About 1767 or 1768, those who had settled from the beginning were able to pay their rents.”¹⁰⁴

In addition, Johnson’s popularity with his tenants and those who purchased lands from him was reinforced because he was able to use his influence with the government to obtain title to lands from the Indians, and because he supported the Indians and those tenants and purchasers who accepted Indian titles against the rival claims of other large New York land owners such as the Livingstons.¹⁰⁵

CAYADUTTA CREEK FARM

On their arrival at Johnstown in 1758, Peter and Christopher Servos became tenants of Sir William Johnson, and eventually (at least by 1766) settled on a farm located on lot 400W of Johnson’s Kingsborough patent lands.¹⁰⁶ In the records of the time, only Peter’s name shows up as a lessee of the farm, and only Peter is assessed for taxes in respect of their occupation of the farm.¹⁰⁷ The annual rent payable by the Servos family to Sir William for the Johnstown farm was five shillings, and the farm was located to the west of Johnstown on the north bank of the Cayadutta Creek on the Johnstown-Ephratah road. The Cayadutta Creek flows through Johnstown and into the Mohawk River at Caughnawaga New York. The land around the Mohawk River is generally elevated with many tributaries flowing through the valleys between the hills, the range between the highest and the lowest parts amounting to some 440 feet above sea level. In

¹⁰⁴ Fraser, “Sir John Johnson’s Rent Roll of the Kingsborough Patent,” 178.

¹⁰⁵ Mark, *Agrarian Conflicts in Colonial New York*, 161.

¹⁰⁶ *Ibid.*, 184.

¹⁰⁷ See “A List of the persons that are assessed above five pounds, with the sums they are to pay, and the number of days they are to work upon the King’s highways, annexed,” in Simms, *History of Schoharie County*, 150-1. Peter Servos’ quota was £18, his annual assessment was three shillings, and his number of days work was five.

general, the country is well suited for agriculture, and the Servos family conducted a farming operation there. The location of the farm on the banks of the Cayadutta Creek and the family's later expertise in building and operating mills invite speculation that mills were situated either on the Servos farm or nearby. The surviving Johnson estate papers do record the existence of a mill on the Cayadutta Creek.¹⁰⁸

The contemporary impression was that the Servos family was close, perhaps even related to Sir William Johnson. The factual basis for this belief is unclear, but several possible explanations have been uncovered. One explanation offered for the close Johnson relationship was that Anna Clara Crief, the wife of Christopher Servos, was a sister of Catherine Weisenburg (Sir William Johnson's first wife, who was also a Palatine). This relationship would have made Christopher Servos Sir William's brother-in-law. Further support for this relationship is found in sworn testimony given in 1778 by one Barnabas Kelly who stated that Christopher Servos was an "uncle of Sir John Johnson."¹⁰⁹ A similar argument has been made that Sir William's first wife was related to the wife of Peter Servos.¹¹⁰ However, extensive research conducted by New York historian Catherine M. Strobeck in family official and religious records of the Weisenburg family in Germany has failed to connect the name Weisenburg to either of the Servos brothers to whom Kelly might have referred.¹¹¹

A second explanation for a Johnson family connection was premised on the marriage of Elizabeth Servos (1707-1811), the sister of Peter and Christopher Servos, to

¹⁰⁸ See reference to a grist & saw mill near Mayfield and a saw mill near town in Fraser, "Sir John Johnson's Rent Roll of the Kingsborough Patent," 189.

¹⁰⁹ Statement of Barnabas Kelly dated June 26, 1778 in George Clinton, Public Papers of George Clinton, First Governor of New York, 1775-1795 - 1801-1804 (New York: Wynkoop, Hellenbeck, Crawford, Co., State Printers, 1899-1914), v. 3, 504-6 (the "Clinton papers").

¹¹⁰ Halsey, The Old New York Frontier, 212; and Sir William Johnson papers, notes on Servis patent, 1, 296ff. Peter Servos' wife's name was Maria Catrina Seever.

¹¹¹ The results of the research are reported by James Thomas Flexner in Flexner, Mohawk Baronet, 232.

John Johnson – not Sir John Johnson, but another man with the same name.¹¹² Elizabeth Servos married John Johnson about 1749. Some Servos genealogists have suggested that the John Johnson who married Elizabeth Servos was a nephew of Sir William Johnson and brother to Guy Johnson, and others have claimed that this John Johnson was the same Colonel John Johnson who was killed at the capture of Fort Niagara in 1759. The former relationship has not been confirmed, and the latter contention is doubtful as the John Johnson who married Elizabeth Servos came to New York from Boston and England, joined the Indian Department in 1755, became a captain in the Indian Department in 1764, and eventually died in Quebec in 1786. Elizabeth's husband may have been a relative of Sir William Johnson but the exact relationship has not been determined.¹¹³

Whether or not there was a Johnson-Servos family relationship, there was economic dependence in the landlord and tenant relationship between Sir William and the Servos family, and they may have been helpful to Johnson in milling or in some other way. The nominal rent paid by the Servos family for their lot 400W farm confirms the family's favourable relationship with Sir William. The five shilling annual rent for the 150 acre farm can be contrasted with the prevailing market rent at the time of about 20 shillings per acre of land in the Kingsborough patent. The rent roll presented by Sir John

¹¹² The name is also spelled variously as "Johnston" or "Johnstone." See the Return of Persons under the description of loyalists in the Indian Department 1 December 1783, in Norman K. Crowder, Early Ontario Settlers, a Source Book (Baltimore, Maryland: Genealogical Publishing Co. Inc., 1993), 23, particularly the reference to Elizabeth Johnston (age 64). Her daughter is referred to as Elizabeth Powell after her first husband. Again, this indicates that there was no connection to the Johnson family.

¹¹³ For the debate on the Sir William Johnson relationship with Elizabeth Servos, Elizabeth Johnson and John Johnson, see Peltier and Jackson, Service Family Compendium, 2-7; Frank H. Severance, An Old Frontier of France (New York: Dodd, Mead and Company, 1917) vol. 2, 298; notes on Elizabeth Servos and Pieter Servies, Servis, Servis From Roberts History of Remsen in B.J. Service, B.J. Service papers, 14, 19 and 32, and letter B. J. Service to Public Records and Archives dated July 28, 1941 in the B.J. Service papers; petition of Elizabeth Servos, Ontario Archives microfilm reel no. C2809 1807 "S" 8/113; and Monroe, Chapters in the History of Delaware County, New York, 6.

Johnson in support of his claims for war losses following the revolutionary war does not indicate any other tenant of the Johnsons receiving such favourable treatment.¹¹⁴

The close relationship with Sir William appears to have been well founded. In one record from 1767, Peter Servos is described as an “overseer” for Sir William.¹¹⁵ On another occasion, one of the Servos brothers was sent by Sir William on an errand to John Wetherhead who reported back to Sir William as follows:

Mr. Servos brought me a Verball [] 100tt broad Iron & 50tt Steel for your Smith, which I according Sent [] return, notwithstanding. He brought no written order from you first I hope [] have not] done wrong – As this same Mr. Servos had an honest Plausibility in [his] Countenance & at the Same Time brought me written order from Mr. [] I did not doubt him but Sent the things, which I hope you [forth] with will receive Safe.¹¹⁶

Other contacts between Sir William and the Servos family in Johnstown have been recorded. A receipt in Sir William’s papers shows that Daniel Servos worked for him in 1770, earning £3.3.0 for seven days ploughing fields.¹¹⁷ On March 27, 1761, Peter and Christopher Servos are recorded as assisting Sir William in his land dealings by joining in a petition to clear title to about 90,000 acres of land known as the Royal Grant given to Sir William by the Oneidas in appreciation of the many things he had done for them. This was the only land grant to come directly from the King.¹¹⁸

¹¹⁴ Fraser, “Sir John Johnson’s Rent Roll of the Kingsborough Patent,” 185-189.

¹¹⁵ Sir William Johnson papers, 7: 987.

¹¹⁶ John Wetherhead to Sir William Johnson dated October 13, 1767 in Sir William Johnson papers, vol. 5, 725-6.

¹¹⁷ See receipt of Daneil Servos (sic) dated May 18, 1770 in Sir William Johnson papers, vol. 7, 680.

¹¹⁸ See Petition of Sir William Johnson, Peter Servis, Christopher Servis, Lucus Veder and others March 27, 1761 to obtain clear title to about 90,000 acres (Royal Grant) under the heading “From the Land Minutes” (March 27, 1761) and “Court Minutes at Fort George” (July 8, 1761) in B.J. Service, B.J. Service papers. The petition was considered in the court minutes at Fort George on July 8, 1761, and was copied out by B.J. Service in his own hand and included in the B.J. Service papers.

In addition, when Christopher and Peter Servos and several others applied for naturalization in New York in 1761, the legislation passed by the State of New York providing for their naturalization as citizens was undoubtedly sponsored by Sir William, and again demonstrates the value of his continuing role as patron. In their petition for naturalization, the petitioners stated that they “being by education & profession Protestants but of foreign birth are desirous of becoming His Majesty’s Leige Subjects in this Colony.”¹¹⁹ In due course, Christopher and Peter Servos were naturalized by a New York statute dated September 11, 1761 pursuant to which they were “intitled to have and Enjoy all the Rights and Liberties, priviledges and advantages, which his majesty’s natural Born Subjects in this Colony have and Enjoy or ought to have and Enjoy as fully to all intents and purposes, whatsoever, as if all and Every of them had been born within this Colony.”¹²⁰ Naturalization provided the Servos brothers with the legal status needed to become land owners if the opportunity should arise for them to do so.

As patron, Sir William expected his tenants to participate in the defense of the Johnstown settlement and in his campaigns against the French, and it appears that the Servos brothers did so. Family sources claim that Christopher Servos and his sons were with Sir William in his victories over the French at Lake George in 1755 and at Fort Niagara in 1759 during the French and Indian War.¹²¹ Marjorie Freeman Campbell in her

¹¹⁹ Petition, Peter Servis and others to the Assembly March 10, 1761, Sir William Johnson papers, vol. 3, 357.

¹²⁰ For a copy of the Act see Sir William Johnson papers, vol. 3, 357; and An Act for naturalizing John De Lisle Frederick Frank, and one hundred and forty-eight others whose names are therein mentioned, Laws of the Colonies of New York vol. 4, 1755-1769 (Albany, New York: James B. Lyon, State Printers, 1894), 546-8. See also “notes on Colonial Laws of New York, vol. 4, page 547, Naturalization after September 11, 1761, Peter Servis, Christopher Servis and others mentioned” in B.J. Service papers.

¹²¹ Gregory James Servos, The Loyalist (Niagara-on-the-Lake: published by the author in the possession of the NHS, n.d.), 3; William Kirby, “Memorials of the Servos Family,” NHS publication no. 8, 3-18; and John R. Servos, “Memoirs of the Servos Family,” 144. See also B.J. Service notes on “Christopher Servos of Neu-Wied arrives in America” in B.J. Service, the B.J. Service papers.

book Niagara, Hinge of the Golden Arc alleges that Daniel Servos, together with John Butler and a 17 year old Joseph Brant, were present at the capture of Fort Niagara.¹²² Several historians report that, following the capture of Fort Niagara, British General Jeffery Amherst granted lands for a portage around Niagara Falls to various settlers, including a grant in 1761 of 1,200 feet of river frontage on the west bank of the Niagara River for a farm and a water-operated grist mill to a “Captain Servos who had rendered valuable services to His Majesty’s cause during the recent unpleasantness.”¹²³ There is no indication that Captain Servos proceeded with the grist mill on the Niagara River at this time. Amherst was criticized for these grants by Sir William Johnson and others because of Indian concerns over encroachments of white settlers onto their lands, and so the next year Amherst “put a stop to any settlements on the carrying places.”¹²⁴

By a 1764 treaty, the British had been granted limited rights by the Senecas for the use of the Indian lands “on the east side of Niagara Straits (of a depth of four miles) to Fort Erie, and of two miles on the west side provided it was solely reserved for the use of the Crown, for ever.”¹²⁵ Thus, it was established by treaty that the lands at Fort Niagara could be used only for government purposes and not for the purpose of extending white settlement, and there was no possibility of using the lands for settlement once Sir William’s objection to the practice was made known to the British authorities.

¹²² Marjorie Freeman Campbell, Niagara, Hinge of the Golden Arc (Toronto: The Ryerson Press, 1958), 79.

¹²³ The parcel was approximately 1 square mile of land. See Donald Braider, The Niagara (New York: Holt, Rinehart and Winton, c1972), 129; Faye Vernet Whitfield, “The Origin of the Settlement of Niagara-on-the-Lake” (M.A. Thesis, McMaster University, June, 1986), 15-16, 37, 43; Robert West Howard, Thundergate, the Forts of Niagara (Englewood Cliffs, New Jersey: Prentice Hall, Inc., 1968), 107.

¹²⁴ See letter dated October 20, 1762 from Jeffrey Amherst to William Sharpe in Edward Bailey O’Callaghan, ed., Documents Relating to the Colonial History of New York (Albany, New York: Weed, Parsons and Company Printers, 1856), vii, 508-10. In his letter Amherst lists the applications for land grants that he had received and the list does not include a grant to Servos.

¹²⁵ The treaty mentioned can be found in Haldimand papers, microfilm reel no. 45, 120.

Christopher's brother, Peter Servos, was listed as a captain in Sir William's militia after January 5, 1758 and he was often called Captain Peter. New York historian Howson Harley states that Christopher was also a captain, but no official record survives to confirm the fact. Christopher was often referred to throughout the Mohawk District as Captain and sometimes as Colonel. Peter Servos' son, Peter Jr., and Christopher Servos' son, Daniel, were appointed second lieutenants in the Third Regiment in the Western Part of Albany County in 1768. The captain of the company in which Daniel served was Sir William's son-in-law, Colonel Guy Johnson, who would subsequently be Daniel Servos' commander in the British Indian Department after 1779.¹²⁶

An additional service demanded by Sir William from his tenants, and sometimes delivered only begrudgingly, was to act as "trustee" on one or more of his land patents. In the usual case Sir William would provide the funding for the purchase of the lands and exert the necessary influence for the procurement of the patent.¹²⁷ In the first half of the eighteenth century, the government limited the size of grants per patentee to 2,000 acres and this was later reduced to 1,000 acres. To circumvent this restriction, Goldsbroow Banyar, deputy secretary of the province of New York, advised Johnson in 1751 to "follow the Custom" of filing a petition for land "in the Names of some Friends in Trust for you and in whom you can confide."¹²⁸ As a result of the acreage limitation, it was a common practice for Sir William Johnson to arrange for a large number of Johnson

¹²⁶ Christopher Servos is referred to in Barnabas Kelley's statement as captain; see Statement of Barnabas Kelly dated June 26, 1778 in George Clinton, George Clinton papers, vol. 3, 504-6. See also B.J. Service's notes in B.J. Service papers, 2, 4; and Howson A. Hartley, A Bicentennial History of the Town of Worcester (Worcester New York: Town of Worcester, 1997), 6.

¹²⁷ Flexner, Mohawk Baronet, 113.

¹²⁸ Sung Bok Kim, Landlord and Tenant in Colonial New York, 136.

tenants or servants to sign the patent applications as “trustees” for Sir William.¹²⁹ Following the issuance of the patent, Sir William would then arrange for the “trustees” to sign their rights over to him.¹³⁰ On a certain day in 1769, Sir William’s overseer invited the “patentees” for three Johnson patents to a “frolic” at Tice’s Tavern in Johnstown, where they were entertained by “a roasted beef & as much punch as they could all drink.” One by one, the trustees went upstairs to sign away their rights to Sir William, a procedure that Sir William’s son, Sir John Johnson, later declared “was usual and necessary for obtaining Patents.”¹³¹ Those who signed the Goldsbroow Banyar patent application for Sir William included Peter and Christopher Servos.

Among the patents signed over to Sir William by his tenants was the Servis (sic) Patent, a large parcel of land to the northwest of Johnstown containing 25,000 acres of land, granted to Peter Servis and 24 associates as patentees on February 2, 1768. The patentees agreed to hold the land in trust for Sir William in return for his payment of fees amounting to “£600 and of other valuable consideration.”¹³² After Sir William’s death, the Servis patent lands were left to Sir John Johnson by the terms of Sir William’s will, and Sir John disposed of the lands before the start of the revolutionary war. None of the transactions were recorded and Sir John buried his title records during the war to prevent their destruction. After the war, Peter Servis decided to take advantage of the missing

¹²⁹ Johnson at first thought that his contributions to the frontier were so great that he should be excused by the government from engaging in the subterfuges of lesser men. His policy changed after the government refused to grant him the Charlotte River lands. See Flexner, *Mohawk Baronet*, 113.

¹³⁰ See Petition March 27, 1761 for a patent signed by Sir William for himself and his associates including Peter and Christopher Servis, in *Sir William Johnson papers*, vol. 10, 250. The signers of the Goldsbroow Patent are listed in *Sir William Johnson papers*, 3, 634. The legality of these patent grants was later questioned since many of the grantees held their interest for a large land speculator, but the validity of the grants was confirmed by the courts. See *Le Roy and others, appellants, v. Servis and others, respondents*, February Term, 1805, Supreme Court of New York, 2 Cai. Cas. 175 and 1 Cai. Cas. III and *The People of the State of New York v. Geo. Clarke*, November Term 1850, Supreme Court, New York 10 Barb. 120.

¹³¹ Edith M. Fox, *Land Speculation in Mohawk County* (Ithaca, New York: Cornell University Press, 1949), 7-8.

¹³² Mark, *Agrarian Conflicts in Colonial New York*, 41-2.

records for the Servis patent lands and he initiated an action for ejectment against Gerrit Boon who was then in possession of the lands. Milliard F. Roberts reports that the court allowed verbal evidence to be given at the trial of the conveyance to Sir William by Peter Servos and others. The only witness was an old black fiddler, who played for the guests at the feast at Tice's Tavern during which the lands were transferred to Sir William. The court accepted the evidence of the witness and the Servis action was defeated.¹³³

When the Servos family arrived at Johnstown, the children of Christopher Servos were reaching the age of maturity, the oldest son, Daniel (born in 1738) being then 20 years of age. On February 21, 1771, Daniel married Catharine Dockstader (1750–1781) at the Dutch Reformed Church in Stone Arabia, and started his own family. Catherine was the daughter of Hendrick J. and Anna Catharine (Weber) Dockstader, Palatine immigrants who had come to America in 1709 in the second phase of German migration to participate in the ill fated naval stores scheme. Later, they were among 92 Palatines named as grantees in the 1725 Burnetsfield Patent near the German Flats. The close relationship between the Servos and Dockstader families was also apparent in the marriage in 1774 of Daniel's sister, Maria Servos, to Catharine's brother, Johannes Dockstader. That relationship, plus the family's close links to the German churches, confirms the Servos family's integration into western New York's Palatine community.

Daniel and Catherine lived on the Servos farm, and they soon had two daughters, Catherine (1772-1850) and Magdalena (1775-1854). Catharine was born in Caughnawaga, New York, and she was baptized in the Dutch Reformed Church there on

¹³³ See Millard F. Roberts, A Narrative History of Remsen New York including parts of adjoining townships of Steuben and Trenton 1789-1898 (Syracuse, New York: Lyman Bros Inc., 1914), 64. Peter Servis died in 1782, so Milliard Roberts must have been referring to Peter Servis Jr. See also LeRoy v. Servis, 1 Caine's Cases iii; 2 Ibid., 175 in Mark, Agrarian Conflicts in Colonial New York, 42.

November 13, 1772. Magdalena was likely born after the Servos family's departure from Johnstown as there is no record of her baptism in Caughnawaga. Catherine and Magdalena Servos, however, are listed among the 45 males and females who attended school at Sir William's free school at Johnstown after it was built in 1769, and Daniel's brothers, Jacob and John, also attended the school.¹³⁴

THE ADAQUATANCIE PATENT

In anticipation of the Fort Stanwix Treaty, signed in November 1768 but not ratified until July 21, 1770, land speculators including Sir William purchased several large tracts of land from the Mohawks for settlement. One such tract constituting 130,000 acres along both sides of the Charlotte River was acquired by Johnson from the Mohawks in 1751 for "£300 and goods" but the British government refused to patent the lands because of the policy that no more than 1,000 acres could be patented to a single individual.¹³⁵ On May 14, 1770, some twenty years later, a portion of this Charlotte River grant containing approximately 54,000 acres was confirmed to Johnson and 25 others by the Adaquatancie patent.¹³⁶ In accepting the grant, Johnson had to waive the balance of the lands west of the Fort Stanwix treaty line, because those lands had become part of the Indian country by virtue of the Fort Stanwix Treaty.¹³⁷

¹³⁴ See List of Scholars at the Free School, Johnstown, in O'Callaghan, Documentary History of the State of New York, vol. 4, 416.

¹³⁵ Flexner, Mohawk Baronet, 112-113.

¹³⁶ The lands were part of a Crown grant of land not exceeding 54,000 acres dated May 8, 1770 made to Sir William Johnson and others, copy in New York State Archives, 12943-78, Book 15, 170-5. A survey of the lands is contained in a map of 26,000 acres of land lying on both sides of a crook or creek called Adagnghteingay in the County of Albany, by Alexander Colden, Surveyor General dated April 12, 1770, New York State Archives, A0272 Book 27, p. 23. The name of the Adagaghtinge River was changed to Charlotte River by Sir William Johnson. B.J. Service suggests that the name was changed by Sir William for his daughter, Charlotte, by an Indian girl (see B.J. Service papers, 2), and F.W. Halsey says that the name was selected to honour the wife of King George III (see Halsey, The Old New York Frontier, 30).

¹³⁷ Hazel Mathews, The Mark of Honour, 14.

Other settlers received large land tracts bordering Sir William's Adaquatancie (or Charlotte River) patent, including the John Harper patent, the Strasburgh patent owned by the Butler family, the Lawrence Kortright patent and the Goldsbrow Banyar patent. The Harpers (John, Joseph, Alexander and William) called their settlement Harpersfield, a name soon applied to a large part of the country lying between the Delaware and Charlotte Rivers. In the records of the period, the Servos family was shown as being from Harpersfield. Over time, the upper valley of the West Branch of the Delaware River was known as the head of the Delaware, and the Kortright and Banyar patents were given the name of Kortright Township. The Harper, Kortright and Banyar patents were opened for settlement in the spring of 1771.¹³⁸

When the Adaquatancie Patent was issued to Sir William for the Charlotte River lands in May 1770, Christopher Servos saw an opportunity for himself and his family. A study of revolutionary era Pennsylvania Germans suggests that rising population densities and the practice of impartible inheritance resulted in increasing numbers of younger sons having to migrate to frontier regions to find less-expensive land and start their own families.¹³⁹ Historian John Weaver adds that "relationships" were the most important factor in dealing with property, since it "underlines the social and political character of property rights."¹⁴⁰ Thus, second sons like Christopher Servos needed to travel further and take more risks to obtain their own farms. To obtain ownership of land in western New York, it was necessary to establish interactions and relationships with Sir William Johnson.

¹³⁸ Ibid. 10-13.

¹³⁹ Anderson, "The Creation of an Ethnic Culture Complex Region: Pennsylvania Germans in Central Ohio, 1790-1850," 144; and Kammen, *Colonial New York - A History*, 179.

¹⁴⁰ Weaver, *The Great Land Rush and the Making of the Modern World, 1650-1900*, 51.

Accordingly, in May 1770, Christopher Servos proposed to Sir William a land transaction whereby his farm on the Cayadutta Creek would be transferred back to Sir William in exchange for a larger farm on the Charlotte River lands that were included in the Adaquatancie patent. On May 16th, 1770, Sir William accepted Christopher's proposal in the following terms:

According to your desire I have taken under consideration the affair you mentioned to me this day and in answer thereto I shall in a few words tell you the result thereof and that on the most equitable manner I could with any justice to my family think of, viz – I will give you 200 pounds in money, and 1,500 hundred acres of land on both sides of the Adagaghtinge Creek, any where between the place where the Germans formerly made Canoes to go to Pennsylvania and the place where John Bartholomew has taken up his land which must be all together, or in one body and not in separate places, for which you will give me your right title and improvements where you now live, together with a crop of wheat of 40 skipplles sowing left on the land, and the fences in proper order, as well as houses etc. If you approve of this proposal, I will stand to it, and if not, there is no harm done to either side – but I can hardly entertain the least doubt of your disliking my proposal when you consider the difference between 1500 acres for your family and that of 150, besides the 200 pounds in cash. I will expect your answer as soon as you can & hope it will be agreeable & short as I can't think of adding more to my proposal.¹⁴¹

In due course, the arrangement was formalized in a Deed of Lease and Release executed by Sir William Johnson and Christopher Servos dated January 2, 1772, and Christopher moved to the Charlotte River with his family. The deed from Sir William was not officially recorded in the property registers and has been lost. However, we must assume that the final details of the transaction resembled Sir William's original proposal. Certainly, the tone of Sir William's offering letter, friendly but firm, did not invite further

¹⁴¹ Letter Sir William Johnson to Christopher Servis dated May 16, 1770, in Sir William Johnson papers, vol. 7, 676-7.

negotiation. The name of the document evidencing the transaction (Deed of Lease and Release) leads one to speculate that the actual registration of the land exchange was deferred until the satisfaction of some condition. The condition might have been the surrender back to Sir William of the Cayadutta Creek farm, or it might have been the completion of construction of specified improvements on the Charlotte River farm such as a homestead, mills, etc. or the cultivation of a specified acreage for farming. Peter Servos apparently remained in Johnstown, as he was still shown as the tenant of a Cayadutta Creek farm in Sir John Johnson's accounts of the Kingsborough tenants filed with the British loss claim commissioners following the revolutionary war.¹⁴²

Many advantages accrued to Sir William in agreeing to a land exchange transaction with Christopher Servos. As patron of the Kingsborough lands, he would be seen as accommodating a tenant, and regaining control of a developed farm with all its contents and crops and perhaps a mill which he could in turn lease to another tenant. At the Charlotte River settlement, Johnson secured the benefit of having a trusted tenant develop a 1,500 acre farm and establish mills there, so that the settlers' wheat could be turned into flour and the corn into meal. This would in turn make it easier for other settlers to locate in the region, and for Johnson to sell them farms. The advantages of establishing such arrangements with his tenants were summarized by historian John Christopher Guzzardo in the following terms:

Their skills as farmers, Indian traders and woodsmen, along with their traditional hostilities, close-knit family units and loyalties, all furthered Johnson's future career as a landlord, political patron, Indian diplomat and forest soldier. This community fostered Johnson's commitment to the entrepreneurial expansion of the western frontier in

¹⁴² See bond of John Servos to John Dease Servos dated October 2, 1826, which refers to the deed, Servos collection, NHS, Box 107, FA 69.3.174.

cooperation with local English garrisons, and to reliance on royal authority in opposition to local provincial oligarchies.¹⁴³

It was important to Sir William as patron that the transition of settlers take place at Kingsborough and at the Charlotte River in an orderly fashion, so that the settlers would in time be self-sufficient and no longer dependent on him for financial support.

CHARLOTTE RIVER FARM

The Servos farm on the Charlotte River was located on the Indian trail leading from the outlet of Otsego Lake where it met the trail that followed the Charlotte River down to its confluence with the Susquehanna River. There were no fortified settlements in the immediate area of the Servos farm, the closest being Cherry Valley about 20 miles to the north. The Charlotte River is a fast running stream and has been called the “water highway between the Schoharie and the Susquehanna.”¹⁴⁴ An early traveler to the region in 1785, with some exaggeration, referred to “the rough and hilly country of Otsego, where there existed not an inhabitant, nor any trace of a road.”¹⁴⁵ The lands along the Charlotte River have been described by one observer as “rolling upland, broken by narrow valleys bordered by gradually sloping hills arable to their summits. Also, it is a land of red rocks and bright red soil formed of soft sandstone alternated with shale and clay.”¹⁴⁶ The portion of the Servos farm on the north side of the Charlotte River was located in modern South Worcester, Otsego County, New York and consisted of rich bottomlands ideal for farming. The Servos lands to the south of the Charlotte River were

¹⁴³ Guzzardo, “Sir William Johnson’s Official Family,” 22-23.

¹⁴⁴ Mathews, Mark of Honour, 15.

¹⁴⁵ Alan Taylor, William Cooper’s Town, power and persuasion on the frontier of the early American Republic (New York: A. A. Knopf, Random House, 1995), 34, 39.

¹⁴⁶ Halsey, Richard Smith, a Tour of Four Great Rivers, 59. See also Taylor, William Cooper’s Town, 31; and Mathews, The Mark of Honour, 14-15, 23.

located in modern Harpersfield Township, Delaware County, New York, and included a line of rolling heavily forested mountains or hills, 1,000 to 2,000 feet above sea level, that provided timber for the settlers and grazing lands for livestock.

The Charlotte River provided the early Palatines with the route by which they migrated to Pennsylvania during the early eighteenth century. Since then, small groups of dispersed settler homesteads began to appear on the most fertile farming lands near the rivers, and by 1775 the region was home for about 900 white settlers, about one third of whom lived in Cherry Valley.¹⁴⁷ The local Indians lived in smaller, decentralized villages along the riverbanks, and they were proficient in agriculture - the women cultivated and harvested the crops while the men were warriors and hunters. From the early seventeenth century, the Indians experienced increasing contact with white explorers, traders, soldiers, missionaries and farmers, and they traded their fur pelts for goods and products that were not otherwise available to the Indians, such as guns, gunpowder, knives, axes, hoes, hatchets, clothing, jewelry, kettles, horses and alcohol.¹⁴⁸

The largest Indian towns on the Susquehanna River were just to the west of the Servos farm, one of them situated at Unadilla about 30 miles to the west of the Servos farm, and another at Onoquaga (or Oquaga) about 20 miles to the south west of Unadilla. Both of the Indian towns were situated within the lands reserved for the Indians by the Fort Stanwix Treaty. In 1778, Oquaga was described by patriot Colonel William Butler as “the finest Indian Town I ever saw ... good houses, square logs, shingles, stone

¹⁴⁷ Roy L. Butterfield, In Old Otsego, a New York County views its past (Cooperstown, New York: The Freeman's Journal Co.), 1959.

¹⁴⁸ Taylor, William Cooper's Town, 34, 39.

chimneys, good floors, glass windows, etc.”¹⁴⁹ The location of the Indian towns so close to the Servos family farm necessitated that they maintain good relations with the Indians as well as with the white settlers who were their immediate neighbours.

On their arrival at the Charlotte River, Christopher Servos and his family began to improve their land to the maximum advantage. The interaction of settlers like the Servos family with the American frontier has intrigued American historians since Frederick Jackson Turner first presented his frontier thesis to a Chicago audience on July 12, 1893. Turner wrote “to the frontier the American intellect owes its striking characteristics. That coarseness and strength combined with acuteness and inquisitiveness, that practical, inventive turn of mind, quick to find expedients; that masterful grasp of material things, lacking in the artistic but powerful to effect great ends; that restless, nervous energy; that dominant individualism working for good and for evil, and withal that buoyancy and exuberance which comes with freedom – these are traits of the frontier.”¹⁵⁰ At its best, the frontier thesis intimated that the availability of land made American society open-ended in a way that European society was not, since it held out to everyone the opportunity to become a landholder. The significance of the thesis was its theme of progress and cultural transformation that took place on the frontier, and the development of a distinct American culture with its emphasis on democracy and equal opportunity.¹⁵¹ Some historians find fault with the frontier thesis because it ignored the “human, environmental, and moral

¹⁴⁹ Marjorie Barnum Hinman, Onaquaga: Hub of the Border Wars of the American Revolution in New York State (Valley Offset Inc., 1975), 16.

¹⁵⁰ Frederick Jackson Turner, “The Significance of the Frontier in American History,” paper delivered to the American Historical Association in Chicago, July 12, 1893, in Frederick Jackson Turner, The Frontier in American History (New York: Henry Holt and Company, Rinehart and Winston, 1948), 37.

¹⁵¹ Turner, “The Significance of the Frontier in American History,” 1-38.

costs of colonial conquest."¹⁵² Nevertheless, the principal tenets of the frontier thesis, the availability of land and the opportunity to exercise there unrestricted individual initiative, have become integral to American historical thought and folklore.

In general, the characteristics associated by Turner with the frontier apply to the western New York frontier of 1772. But Turner's thesis needs to be adapted somewhat for the New York frontier. First of all, the frontier was not characterized by individual land ownership as Turner had come to understand the frontier from his mid-western background. Instead, much of New York was under the control of large land owners like the Johnsons. As a result, the part of inventiveness and need to find expedients on the New York frontier included the ability to exploit patron-client relationships with a large land-owner, ideally one who was an entrepreneur with "the public sector as his sheet anchor," and thereby become self sufficient.¹⁵³ Secondly, the frontier environment did not work on a blank slate, as perhaps Turner assumed at least implicitly, but interacted with values and experiences brought to the frontier by the settlers themselves.

In some ways, Turner only proclaimed in American terms the values espoused by the Palatine immigrants and which they brought to America from their European homelands. Success on the frontier called for a new behaviour, described by A.G. Roeber as the type of skills and hard work that a successful entrepreneur needed.¹⁵⁴ From the beginning, the Palatines had accepted those terms for success in New York. But the early Palatine experiences also demonstrated the futility of improving land if title could not be

¹⁵² Cayton and Teute, Contact Points: American Frontiers from the Mohawk Valley to the Mississippi, 1750-1830, 4. See also Ray Allen Billington, Frederick Jackson Turner, Historian, Scholar, Teacher (New York: Oxford University Press, 1973), 447-451; and Gregory H. Nobles, "Breaking into the Backcountry: New Approaches to the Early American Frontier, 1750-1800," 641-670.

¹⁵³ Canedy, An Entrepreneurial History of New York, 1739-1776, 386.

¹⁵⁴ Roeber, Palatines, Liberty and Property, 64.

obtained. To acquire land for permanent settlement in western New York, capital and official patronage needed to be obtained from the local patron (Sir William Johnson).

ENTERPRISE OF CHRISTOPHER SERVOS

Within six short years after their arrival on the Charlotte River, the Servos family established two farms, one on each side of the river, together with dwelling houses, barns, stables, a blacksmith shop, facilities for weaving, and household and farming furniture, implements and utensils. By 1778, about 90 acres of land were under cultivation, and the family had acquired 12 horses, 21 head of cattle, 25 sheep and 40 hogs for their farm. With land on both sides of the Charlotte River, the Servos family could dam the river and form mill ponds and dams without regard to concerns of neighbours. In due course, the family constructed grist and saw mills operated by water power from the Charlotte River valued at £700, and potash works with three large kettles valued at £120. In addition, the family valued its personal estate on the Charlotte River at £350 at the lowest, including the livestock on the farm, the household furniture, all utensils for farming, the blacksmith's and weaver's tools, and the kettles and utensils for the potash works. In all, the value of the Charlotte River assets, including the 1,500 acres of land, the mills, the potash works and the personal estate was estimated at £3,825 in total.¹⁵⁵ The Servos farm was known locally as The Servoss Farm and the Servoss Settlement on the Charlotte, and was considered by local standards to be "prosperous and widely known. Indeed it was one of the landmarks of the New York frontier."¹⁵⁶ The farm was a prominent feature on

¹⁵⁵ See Alexander Fraser, ed., Ontario Archives, United Empire Loyalists: enquiry into the losses and services in consequence of their loyalty: evidence in the Canadian claims (Toronto: Second Report of the Bureau of Archives for the Province of Ontario, L.K. Cameron, Printer to the King's Most Excellency Majesty, 1905), 959-60. (the "Second Report").

¹⁵⁶ Hartley, A Bicentennial History of the Town of Worcester, 6.

a map of the region made by Captain William Gray during a trip he made there in 1778.¹⁵⁷

On New York's frontier, the Servos family demonstrated what an enterprising family with a variety of pioneer skills and values transferred from their Palatine origins could do once presented with an economic opportunity. They were not part of Sir William's leadership, nor did they defer to his leadership. Rather, they worked within the established system of clientelism, and were entrepreneurial in their approach. Their skill lay in their ability to spot their opportunity and bring it to fruition with Sir William's assistance in the form of land and capital. To this end, the family took advantage of the personal relationship and goodwill established over 15 years of loyal service to Sir William and the expertise in the construction and operation of mills and potash works developed over nearly 50 years in America to acquire first a tenancy on Cayadutta Creek and then ownership of the Charlotte River farm. In a real sense, the Servos family had achieved by 1778 the goal sought by all Palatine immigrants to America.

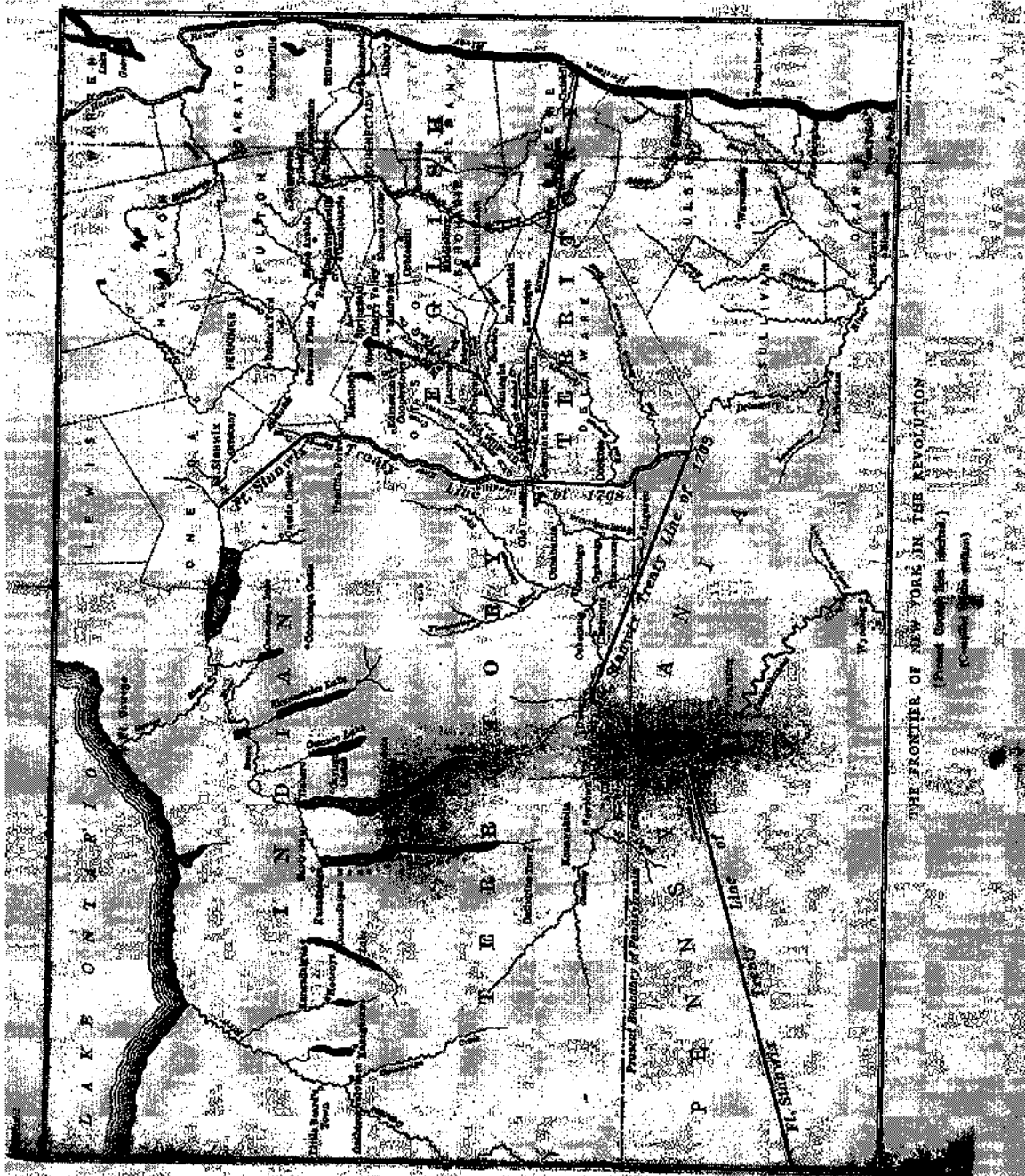
¹⁵⁷ The Captain Gray map is found in Hinman, Onaquaga: Hub of the Border Wars of the American Revolution in New York State, 54-55. See page 82 of this paper

CHAPTER 2 – REVOLUTION AND LOYALISM

The progress of the American Revolution on the New York frontier was at first a slow one, beginning with the first revolutionary committee formed in 1774, but the revolutionary activities increased in intensity after the battles of Lexington and Concord in April 1775 and the Declaration of Independence in July 1776. Military operations commenced in New York after the Declaration of Independence with the British campaign of 1777 and continued with intermittent guerilla warfare from 1778 to 1781.

By virtue of their location on the Charlotte River frontier, the Servos mills represented a food source for both patriot and loyalist forces. During the early years of the war, the family kept a low profile, and was able to avoid outright censure by the patriot authorities because of the proximity of their mills to nearby loyalist bases and because the patriots were fully occupied in establishing a central organization and gradually extending their influence into the frontier regions. Over time, the Servos family's on-going activities in aid of the loyalists increased their visibility in the eyes of frontier patriots, and the family's long association with the Johnsons inevitably linked the family to the loyalist cause.

In the Harpersfield region, the Servos family was regarded by their neighbours throughout the war as loyalists and from time to time family members were incarcerated for their British sympathies. By virtue of their location on the Charlotte River, the Servos mills were vulnerable to patriot attacks whenever there were no loyalist forces in the area. As the patriot forces gained strength during the early part of the revolutionary war, the Servos family would be particularly vulnerable to patriot attacks if the British could not maintain control of the military situation on the frontier.



Map from F. W. Halsey, *The Old New York Frontier* (New York: Charles Scribner's Sons, 1901), facing 1. The map shows the Fort Stanwix Treaty line, the Cayadutta Creek immediately to the west of Johnstown flowing into the Mohawk River, the Charlotte River, Harpersfield, the revolutionary war battle sites (Cobleskill, Schoharie, Cherry Valley, Springfield and Wyoming), and the Indian villages at Oquaga (Oghwaga) and Unadilla.

POLITICS OF REVOLUTION

The death of Sir William Johnson in 1774 created a power vacuum on the New York frontier. The bulk of his estate passed to his son, Sir John Johnson, who tried to continue his father's policies. However, Sir John did not accept his father's office as Superintendent of Indian Affairs, and the position was divided between Sir William's sons-in-law, Colonel Guy Johnson (who became Superintendent of Indian Affairs) and Daniel Claus (who became Deputy Superintendent).¹ Sir William also left behind a "delicate network of relationships" with British officials in Quebec, elements of the Six Nations, influential landowners like John Butler who had prospered through long term affiliations with Sir William, and local settlers (like the Servos family) indebted to the Johnsons as patron.² The task of Sir William's heirs was to exploit the relationships established over many years by Sir William, but those relationships proved to be personal ones and not easily replaced by the fragmented leadership of Johnson's heirs. Their task was made all the more difficult by increasing tensions between settlers and the Six Nations, British mismanagement of colonial affairs, and the onset of the American Revolution. In view of these events, the British government, the Johnsons, the Six Nations and influential western New Yorkers all pursued their own separate interests, leaving settlers like the Servos family to fend for themselves.

When the American Revolution began, the American colonists formed a series of extra-legal committees and measures to voice their opposition to the British Intolerable Acts. The first continental congress met in Philadelphia on September 4, 1774, and during the course of its deliberations congress denounced the British actions as unjust and

¹ Graymont, *The Iroquois in the American Revolution*, 49-50.

² Calhoun, *The Loyalist Perception and Other Essays*, 165.

unconstitutional and the closing of Boston's port as oppressive and arbitrary. The congress adopted an "association" prohibiting the importation of British goods and requiring all colonists to abide by its decisions.³ The congress dissolved on October 26, 1774 but plans were made for a second congress to meet on May 14, 1775.⁴ After the battles of Lexington and Concord in April 1775, the call went out for all persons to sign the "association" pledging their sacred honour "to each other, to risk their lives and spend their fortunes in defense of the rights and liberties of America against the usurpation, unjust claims, and cruel oppression of the British Parliament."⁵ Three weeks later the second continental congress convened at Philadelphia. On May 10, 1775 congress resolved on the one hand to ask King George III for concessions and on the other hand it proceeded to organize the continental army.⁶ The King rejected the colonists' requests for concessions, and the American army invaded Quebec in November 1775. In the spring of 1776, the American army was turned back after some initial successes when the local population in Quebec did not support the invading Americans.⁷ On their return, the patriots forced the British to evacuate Boston on March 17, 1776, and on September 15, 1776 the British relocated their headquarters to New York City.⁸

The patriot message was delivered to the people by means of a series of local committees, the first of which was formed in Massachusetts in 1772. The local

³ Claude Halstead Van Tyne, The Loyalists in the American Revolution (New York: The Macmillan Company, 1902; reprint, Gloucester, Massachusetts: Peter Smith, 1959), 69-78.

⁴ Sullivan History of New York State, vol. 1, 254-5.

⁵ Thomas Jones, ed. Edward Floyd De Lancey, History of New York during the Revolutionary War (New York: New York Historical Society, 1879), 41-2.

⁶ A.C. Flick, The American Revolution in New York, its political, social and economic significance (Albany: New York State Department of Education, Division of Archives and History, 1926), 49.

⁷ The campaign is described in Lanctot, Canada in the American Revolution, 92-148 and 211-26.

⁸ Hinman, Onaquaga: Hub of the Border Wars of the American Revolution in the United States, 116-7; Crary, The Price of Loyalty: Tory Writings from the Revolutionary Era, 70-1; and Flick in The American Revolution in New York, its political, social and economic significance, 149 and 153.

committees were known by various names during the revolution such as vigilance committees, committees of correspondence or committees of safety, and they ultimately became an inter-colonial, radical (ultimately revolutionary) network of patriots. The local committees were supplemented after 1775 by provincial revolutionary bodies known, according to their character and function, as conventions, congresses, and committees (or councils) of safety. In New York, a committee of 13 was formed on January 20, 1774 to correspond with “our sister colonies” and to report to the New York assembly, and on May 16, 1774, a committee of 51 was formed “to correspond with the neighboring colonies on the important crisis” and to enforce the non-importation policies of the continental congress. The committee of 51 was replaced in November 1774 by a committee of 60 to enforce the “association,” particularly the prohibition against importation and use of British goods, and then, after the battles of Lexington and Concord, by a more radical committee of 100 to act “in the present alarming emergency.”⁹ The committee of 100 was reduced to 50 on February 2, 1776.¹⁰

Over time, the provincial committees took over administration in the local regions and became the official colonial government of New York. The loyalist provincial assembly held its last session on April 3, 1775. The local and provincial committees enforced the non-importation agreements, organized militias, gathered and stored supplies, and named representatives to the provincial and continental congresses. The congresses issued general orders and passed comprehensive laws and coordinated matters among the local committees, but the enforcement of the measures was left to local

⁹ Sullivan, History of the State of New York, vol. 4, 1439-42.

¹⁰ Flick, The American Revolution in New York, 261.

committees.¹¹ In effect, the committees provided the means by which the Americans made the transition from monarchical British rule to republican government.¹²

At first, the objective in New York was accommodation with Britain rather than revolution, and criticism was directed at the British parliament rather than at the King.¹³ An early directive of the second continental congress on May 25, 1775 ordered the various colonies to set up some form of provincial government and to train a militia.¹⁴ On April 28, 1775, New York's committee of 100 called for a congress to be held on May 22, 1775, as the "most proper and salutary measure that can be adopted in the present melancholy state of this Continent."¹⁵ On May 26, 1775, the provincial congress voted to have all its members sign the general association and three days later it ordered all persons to sign the association and all local committees to "carry into execution the resolutions of the Continental and this Provincial Congress."¹⁶ The New York congress appointed a committee of safety, representing each section of the province, to act for it during periods of adjournment or lack of a quorum, and various other provincial committees were appointed to carry out specific tasks.¹⁷

On December 6, 1775, Governor Tryon went on board a British ship and he remained behind British lines for the rest of the war.¹⁸ In his absence, those patriots who sought independence gained the upper hand. By the end of May 1776, the New York

¹¹ Brown, The Good Americans, the Loyalists in the American Revolution, 28.

¹² Flick, The American Revolution in New York, 27-46. See also J. Howard Hanson and Samuel Ludlow Frey, Minute Book of the Committee of Safety of Tryon County (New York: Dodd, Mead and Company, 1905), 127.

¹³ Flick, The American Revolution in New York, 46-7, 51 and 59-60.

¹⁴ *Ibid.*, 259.

¹⁵ See the "Provincial Congress called by the New York City Committee" in Flick, The American Revolution in New York, 316-7.

¹⁶ See Flick, The American Revolution in New York, 49-51, and the "Provincial Congress orders all Persons to sign the General Association," May 29, 1775 at 317-8.

¹⁷ *Ibid.*, 51-3, 59 and 77.

¹⁸ *Ibid.*, 56.

Congress resolved that “by the abdication of the late governor” the British government was dissolved, and the exercise of every kind of authority under the British crown “should be totally suppressed” and the government assumed by the people.¹⁹ Even so, New York did not sign the Declaration of Independence on July 4, 1776 because the delegates were not authorized to do so. However, when the New York convention next met on July 9, 1776 its first act was to ratify the Declaration of Independence.²⁰

On July 10, 1776, the New York provincial congress organized a convention to prepare a state constitution, and on August 1, 1776 a special committee was organized to draft the constitution.²¹ In the meantime, the administration of New York’s government was left with the committee of safety, previously appointed.²² New York adopted its own constitution on April 20, 1777, and the convention was dissolved May 13, 1777.²³ By February 6, 1778, the New York legislature had assumed power, and the powers of the provincial and local committees were taken over by the superior state bodies.²⁴

ANTI-LOYALIST MEASURES

Wallace Brown states that no province passed harsher laws against the loyalists than New York.²⁵ During the early part of the revolution, the New York authorities did not take any overt action against the loyalists. The local committees dealt with the loyalists as individual cases, and forwarded only the more difficult cases to the provincial

¹⁹ See “New York Virtually declares independence” in Flick, The American Revolution in New York, 319-20; and Sullivan, History of New York State, vol. 4, 1444.

²⁰ See resolutions dated May 31, 1776 and July 9, 1776 in Flick, The American Revolution in New York, 79-80 and 322-6.

²¹ Sullivan, History of New York State, vol. 4, 1447-50; and Flick, The American Revolution in New York, 77.

²² Flick, Loyalism in New York, 116-7.

²³ See “First State Constitution in Flick,” The American Revolution in New York, 326-339; and Sullivan, History of New York State, vol. 4, 1450.

²⁴ Sullivan, History of New York State, vol. 4, 1460-1.

²⁵ Brown, The King’s Friends, 78.

authorities.²⁶ For example in September 1775, the Albany committee arrested and convicted Lewis Clement, who lived near Butlersbury, of “Misconduct against our American Cause,” and sentenced him to pay £25 or spend three months in gaol (at his own expense).²⁷ Clement had made the mistake of visiting Canada, but he promised not to do so again and signed the association, and he was left alone by the authorities as a result.²⁸ Other arrests of loyalists were planned but most of the suspects succeeded in escaping to Canada.²⁹

In September 1775, the provincial congress declared that any persons found guilty of supplying the “ministerial army or navy” or giving information to the same should be disarmed and fined double the value of the goods supplied, and that they should also be imprisoned for three months after the forfeit was paid. A second offense brought banishment from the colony for seven years. On October 6, 1775, the continental congress ordered all dangerous loyalists arrested.³⁰ In March 1776, congress resolved that the patriot authorities “immediately cause all persons to be disarmed within their respective colonies who are notoriously disaffected to the cause of America, or who have not associated, and refuse to associate, to defend by arms, these United States.”³¹

The continental congress urged New York on June 14, 1776 “to make effectual provision for detecting, restraining and punishing disaffected and dangerous persons in that colony,” and ten days later it declared that all colonists who adhered to or fought for Britain were guilty of treason to be suitably punished by the colonial legislatures.³² To

²⁶ Flick, The American Revolution in New York, 208.

²⁷ Mathews, The Mark of Honour, 35.

²⁸ Venables, “Tryon County, 1775-1783,” 115-6.

²⁹ Mathews, The Mark of Honour, 35.

³⁰ Flick, The American Revolution in New York, 208 and 211.

³¹ Brown, The Good Americans, 35.

³² *Ibid.*, 36.

achieve that end, a “Committee to Detect Conspiracies” was appointed in New York to require suspected loyalists to take oaths of allegiance to the patriot authorities, and, on refusal they were sent within the British lines and the taxes on their land were doubled forever.³³ Those who refused to leave were imprisoned and treated as “open enemies of this state,” and those who failed to appear before the commissioners were considered “as having gone over to the enemy.” The committee was empowered to hunt out and arrest loyalists, and a body of troops was placed at its disposal to enforce its decrees.³⁴

After the Declaration of Independence, a political solution to the revolution was no longer an option for the loyalists.³⁵ Following the Declaration of Independence, it was possible for New York to freely make laws and define citizenship. On July 16, 1776, the state decreed that all persons owed allegiance to its laws and that those who made war on the state were guilty of treason, the penalty for which was death. On September 21, 1776, a new committee of seven was appointed “for detecting and defeating all conspiracies” against the state of New York. On February 11, 1777, the committee was reduced to three, and on March 7th the oath of allegiance to the state was made the supreme test of loyalty.³⁶ After that time, exile was the penalty for the crime of loyalty and the measure was vigorously enforced.³⁷ On February 5th, 1778, commissioners for detecting and defeating conspiracies were appointed, and on April 1st an act was passed enabling

³³ R. Arthur Bowler, “The Curse of Meroz: American Perceptions of the Loyalists,” in United Empire Loyalists Association, United Empire Loyalists (St. Catharines, Ontario: Sixth Annual Niagara Peninsula History Conference Proceedings, Brock University, 1984), 7-11 and Flick, Loyalism in New York, 44, 63.

³⁴ Comptroller’s Office, New York (State), New York in the Revolution as Colony and State (Albany, New York: J.B. Lyon Company, printers, 1904), v.2, 146, 247-8 and 240; articles by Lillian D. Van Dusen, Montgomery County Historian, Tryon Committee of Safety Files nos. 147 and 193, Montgomery County Department of Archives; Flick, Loyalism in New York, 95-115, 120-34 and 169; and Mathews, The Mark of Honour, 32-3 and 41.

³⁵ Stephanie Kermes, “I wish for nothing more ardently upon earth, than to see my friends and country again,” Historical Journal of Massachusetts 30(1) (Winter 2002): 30-31.

³⁶ Flick, The American Revolution in New York, 218-9; idem. Loyalism in New York, 130, 170.

³⁷ Flick, Loyalism in New York, 170.

the government to “remove certain disaffected and dangerous persons and families” from New York. Then on June 30, 1778 a law ordered all loyalists with influence sufficient to do mischief to be removed to any place within the enemy’s lines; their names were recorded and those failing to appear on summons were guilty of “misprision of treason” and their lands were subjected to double taxation.³⁸

Special laws were passed and special agencies were created in New York for the confiscation and sale of the property of loyalists. From September 1, 1775, the property of New York loyalists was subject to seizure. At first the property was held in trust but over time it was subject to confiscation.³⁹ On June 24, 1776, the continental congress declared that the property of those who adhered to the King would be liable to seizure, and on July 9, 1776, commissioners of sequestration were given power to seize the property, real and personal, of “persons gone to the Enemy.” Among the Tryon County commissioners appointed were John and William Harper.⁴⁰ On March 6, 1777, the New York congress ordered the seizure of all personal property of loyalists and the authorities were authorized to sell it at a public sale after 10 days notice.⁴¹ Loyalist families were permitted to retain only their wearing apparel, household furniture and three months’ provisions. The confiscation and sale of loyalist property was authorized on October 22, 1779 by an act of the New York legislature that attainted 59 loyalists and declared their property forfeited.⁴² On March 10, 1780, the sale of forfeited estates was authorized.⁴³

³⁸ Van Tyne, The Loyalists in the American Revolution, 320, 331-2 and 334.

³⁹ Flick, The American Revolution in New York, 220.

⁴⁰ Mathews, The Mark of Honour, 39.

⁴¹ Flick, Loyalism in New York, 139.

⁴² See Flick, The American Revolution in New York, 221 and 348-53; and *idem.* Loyalism in New York, 135-160; and Jones, History of New York during the Revolutionary War, 538.

⁴³ Flick, The American Revolution in New York, 267.

The proceeds of loyalist property sales were transferred to the state treasury, and used to provision the continental army and to provide assistance for the distressed.⁴⁴

TRYON COUNTY LOYALISTS

Revolutionary activity came to Tryon County on August 27, 1774, when a resolution was passed at the home of Adam Loucks at Stone Arabia in the Palatine District to “correspond with the Committees of N. York and Albany.” The committee protested the closing of Boston Harbour, resolving that the “sending of Delegates from the different Colonies to a general Continental Congress is a salutary measure, and absolutely necessary at this alarming Crisis” and that that they would abide by the resolutions passed by Congress.⁴⁵ The Palatine committee met again in May 1775 after the clashes at Lexington and Concord, and on May 24, 1775 representatives of the Districts of Conajoharie, Kingsland and German Flats also attended.⁴⁶ Missing were the representatives of the Mohawk District, the area of the Johnson family influence, but by May 29th representatives “who showed sufficiently credentials of their being appointed committee of the Mohawk district” were also present at the patriot committee meeting.⁴⁷

On the frontier, a committee was established at Cherry Valley to the north of the Servos farm in May of 1775.⁴⁸ The Schoharie area was represented by Albany’s committee, formed in September 1774, and deliberations with Albany took place by correspondence.⁴⁹ Closer to the Servos farm, a committee was established in August 1775

⁴⁴ Comptroller’s Office, New York in the Revolution as Colony and State, supplement, 245.

⁴⁵ Minute Book of the Committee of Safety of Tryon County, xii, 1-4; and see Maryly Penrose, Mohawk Valley in the Revolution, Committee of Safety Papers & Genealogical Compendium (Franklin Park, New Jersey: Liberty Bell Associates, 1978), 1-2.

⁴⁶ Minutes of the Committee of Safety, 4-12.

⁴⁷ Penrose, Mohawk Valley in the Revolution, 7-8.

⁴⁸ Everts & Fariss, History of Otsego County, New York (J.B. Lippincott & Co.: Philadelphia, 1878), 14-5, and Stone, Life of Joseph Brant-Thayendanegea, vol. 1, 534.

⁴⁹ Roscoe, History of Schoharie County, 37, and Flick, The American Revolution in New York, 34.

at John Harper's home to watch the movements of "suspected persons" as well as the Indian bases at Unadilla and Oquaga.⁵⁰ There had been a longstanding alliance of the Indians at Oquaga with the Johnsons; they had supported the British in the French and Indian War, and Joseph Brant maintained a farm at Oquaga.⁵¹

Because of the strong patriot sentiment in Tryon County, the loyalist Court of Quarter Sessions was forced to disband on March 16, 1775. Its last action was a declaration in which the loyalists avowed their opposition to the measures adopted by the continental congress and resolved to bear faithful and true allegiance to their lawful Sovereign King George III.⁵² Once the Court of Quarter Sessions ceased to function, however, the patriot committees gradually assumed the role of local government. On June 6, 1775, the Tryon County committee approved the association, and by the late summer of 1775 it had assumed all authority in civil and military affairs.⁵³ A Tryon County loyalist was usually given the chance to sign the association signifying his agreement to be bound by the decisions of the patriot continental and provincial congresses; once he did so, he was left alone, so long as he did not openly espouse the loyalist cause.⁵⁴ Loyalists in the Harpersfield region who refused to sign the association were "found under Obligation of £100 to appear before the Albany Committee ... for their Tryal."⁵⁵

By mid-1775, the Tryon patriots were meeting on a regular basis, and as early as June 2, 1775, the meetings were attracting up to 42 patriots from all the county districts. Following the June 2nd meeting, the committee sent a letter to Guy Johnson complaining

⁵⁰ Halsey, *The Old New York Frontier*, 149.

⁵¹ Calloway, *The American Revolution in Indian Country*, 114-5.

⁵² A.C. Flick, ed., *History of the State of New York* (The New York State Historical Association, Columbia University Press, 1933), vol. 3 233-4, 438-448.

⁵³ See Mathews, *The Mark of Honour*, 34; and Flick, *History of the State of New York*, 233.

⁵⁴ Venables, "Tryon County," 186.

⁵⁵ Mathews, *The Mark of Honour*, 32-5 and 41. See *Hinman, Onaquaga: Hub of the Border Wars*, 24-26.

of the “oppressive and unconstitutional Acts by the British parliament” and defending the patriots’ “Right to meet, and to obtain all the Intelligence in their power.” The patriots also criticized certain of Guy Johnson’s actions to further British interests such as organizing the Indians and “Stopping and Searching people traveling upon the Kings Highway.”⁵⁶ Forwarding such a direct letter to Guy Johnson indicated the growing patriot strength in western New York at the time.⁵⁷ In his reply to the committee dated June 6, 1775, Johnson assured the committee that he was “happy in this opportunity of assuring the people of a county I regard, that they have nothing to apprehend from my endeavors, but I shall always be glad to promote their true interests.”⁵⁸

In the spring of 1775, Guy Johnson held councils at his home and Oswego to lobby for Indian support for the British.⁵⁹ While at the councils, Johnson learned that he was to be arrested by the patriot authorities, and he, along with John Butler, Joseph Brant, Daniel Claus and a large group of their followers, departed for Montreal.⁶⁰ Once in Quebec, disagreements arose with Sir Guy Carleton (later Lord Dorchester) over the role of the Indians in the military conflicts with the Americans. Carleton wanted to place the Indians under the authority of local military commanders. Johnson, Brant and Claus wanted a more expanded role for the Indians and in November they departed Quebec to argue their case in London.⁶¹ In their absence, John Butler was appointed Deputy Superintendent of Indian Affairs, and he proceeded to Niagara to organize the Butler’s

⁵⁶ Penrose, Mohawk Valley in the Revolution, 10-14.

⁵⁷ Flick, Loyalism in New York, 80-1.

⁵⁸ See William W. Campbell, Annals of Tryon County or The Border Warfare of New York during the Revolution (New York: Baker & Scribner, 1849; reprint New York Dodd, Mead and Company, 1924), 35-39.

⁵⁹ See Stone, Life of Brant, vol. 1, 71-2; Mathews, The Mark of Honour, 32-3; and Graymont, The Iroquois in the American Revolution, 64.

⁶⁰ Thomas, Sir John Johnson, Loyalist Baronet, 14; and Mathews, The Mark of Honour, 33-4.

⁶¹ Sosin, The Revolutionary Frontier, 88.

Rangers as a loyalist force. During the war, the Rangers grew from three companies to ten, and Butler was promoted from major to lieutenant colonel.⁶²

To counteract the British efforts to organize the Indians, the patriots established their own Indian Department in July 1775 and formulated “A Speech to the Six Confederate Nations” that informed them about the King’s oppression of the colonies and the contest to relieve it. The patriots wanted the Six Nations to remain neutral on the grounds that the quarrel with the British was a family squabble of no concern to the Indians.⁶³ The speech was first delivered by the patriot commissioners at a “council fire” held at Albany in August 1775. The council was successful to some extent in that those Indians present agreed to stay out of the conflict. Meanwhile, the Harpersfield patriots sent John Harper and General Herkimer to Oquaga on two occasions (February 27 and June 27, 1777) to seek Indian support for their cause, but they were not successful because of Brant’s influence.⁶⁴ In the end, the Six Nation tribes were divided, with many Mohawks, Senecas, Cayugas and Onondagas sympathetic to the British and the Oneidas and some of the Onondagas remaining neutral or leaning to the patriot side.⁶⁵

General Philip Schuyler was appointed Commander of the Northern Department of the patriot army in June 1775, and on August 26th General Nicholas Herkimer was put in charge of the Tryon County militia. On December 30, 1775, the Continental Congress ordered General Schuyler to disarm Sir John Johnson.⁶⁶ When confronted with Schuyler’s large force, Sir John surrendered all his arms, swore neutrality and agreed to

⁶² Wilson, *Loyal As She Began*, 29 and 32-6; and Flick, *Loyalism in New York*, 49 and 86-7.

⁶³ Christopher Ward, *The War of the Revolution* (New York: The Macmillan Company, 1952), vol. 1, 143.

⁶⁴ Hinman, *Onaquaga, Hub of the Border Wars*, 24-6.

⁶⁵ Graymont, *The Iroquois in the American Revolution*, 65-74, 101, 107-8, 112, 121, 123, 117, 161, 163, 192-3; Flick, *New York in the American Revolution*, 233; and Morgan, *League of the Iroquois*, 28.

⁶⁶ Jones, *History of New York during the Revolutionary War*, 71-3.

encourage his tenants to do the same, and he was released on parole as a result.⁶⁷ To enforce the agreement, Schuyler took six hostages from among Johnson's tenants, including all the MacDonell chieftains, and sent them to Lancaster where the continental army maintained a prisoner of war encampment.⁶⁸ In May 1776, reports circulated again that Sir John was trying to organize the Six Nations and loyalists in favour of the British, and the patriot authorities sent General Schuyler back to Johnstown to arrest him. However, Sir John was alerted in advance, and he fled from New York to Montreal where he arrived on May 19, 1776.⁶⁹ Lady Johnson was taken to Albany and held as a hostage until December when she was allowed to go to British-held New York City.⁷⁰ A month later, Sir John formed the King's Royal Regiment of New York.⁷¹ In July 1776, Guy Johnson and Brant returned to New York from London. Guy Johnson remained in New York, but Brant took part in the British victory at the Battle of Long Island in August and by the fall was back on the New York frontier at Oquaga.⁷²

The flight of the Johnson family leaders emboldened the patriots, and the patriot authorities began to imprison the remaining loyalists in the Mohawk Valley, but the Tryon County committee was "urged to arrest only confirmed Loyalists" by the Albany committee. The sympathizers, who were not considered dangerous by the committee of safety, could avoid imprisonment by providing bail to the committee.⁷³ After the Declaration of Independence was passed in July 1776, however, the New York

⁶⁷ Graymont, *The Iroquois in the American Revolution*, 81-5.

⁶⁸ Douglas M. Scott, "The Water of Life," *The Highlander* (Mar/Apr 1993) 31(2), 5.

⁶⁹ Thomas, *Sir John Johnson, Loyalist Baronet*, 16.

⁷⁰ Scott, "The Water of Life," *The Highlander*, 5.

⁷¹ See Flick, *Loyalism in New York*, 85-115. For a review of revolutionary activities in the early days of the revolution, see Roscoe, *History of Schoharie County*, 156-8; Calhoun, *Loyalist Perception and Other Essays*, introduction and xiii-xvii; and Van Buskirk, *Generous Enemies*, 4 and 7.

⁷² See Wilson, *Loyal As She Began*, 32; and Graymont, *The Iroquois in the American Revolution*, 108-9.

⁷³ Venables, "Tryon County, 1775-1783: A Frontier in Revolution," 141-3.

authorities gradually extended their influence throughout the colony, and by the end of 1776 the patriot Tryon County committee controlled every aspect of civilian and military activity in the county.⁷⁴ In April and May 1777, the committee of safety began to arrest loyalists in the Harpersfield area, incarcerate them, and seize their property.⁷⁵

In Tryon County, the colonists who became patriots had generally lived on the frontier longer than those who became loyalists. The loyalists tended to be directly linked to the British governing authority or to the Johnson family, and most of them came from the Irish, Scottish Highlander and English populations who settled in the Mohawk District. Apart from these centres of loyalist influence, patriot sentiment predominated in Tryon County, particularly to the east of the Johnson controlled lands at Schenectady and to the west at German Flats and patriot influence prevailed in the regions outside the Mohawk District.⁷⁶ Most patriot supporters came from the established German and Dutch populations who owned their own farms, were strongly individualistic and had no particular allegiance to the British establishment either because (in the case of the Dutch they had been in New York before the English) or (in the case of the Germans) they had had to find their own way in New York without any real help from the British. By temperament, the Servos family was like their German forebearers, but they had nevertheless prospered under the prevailing patronage system of western New York.

On the Charlotte River, the Servos neighbours were Scots, who were recruited for immigration to America by the Johnsons and who were known for their on-going loyalty to the Johnson family and Britain; their downstream neighbours were John, Alexander

⁷⁴ Venables, "Tryon County, 1775-1783: A Frontier in Revolution," 170.

⁷⁵ Mathews, *The Mark of Honour*, 34-5 and 41. See Hinman, *Onaquaga: Hub of the Border Wars*, 24-26.

⁷⁶ Sosin, *The Revolutionary Frontier*, 53 and 93; Venables, "Tryon County," 180; and Wilson, *Loyal As she Began*, 13 and 20.

and Roderick Macdonell, and their upstream neighbours were Benjamin, Thomas, Joseph, James and John Bartholomew.⁷⁷ During 1775-1776, the Scots in the area, led by the Macdonells, were able to organize the loyalists, and the Kortright and Banyar patents near the Servos farm soon became a “nest of Scottish Toryism.”⁷⁸ However, also near the Servos farm were the patriots including the Harpers and their Harpersfield settlement. To the north of the Servos farm were the Dutch and German Palatines of the Mohawk Valley (east and west of Johnstown) and the Scotch-Irish settlers of Cherry Valley who would later form “that enthusiastic and efficient body known as the Tryon County Militia by whom was forced backward the rising tide of Tory sentiment, which otherwise might have preserved for the English cause the New York frontier.”⁷⁹

HARPERSFIELD PATRIOTS

For the first part of the revolution, there were no military events of significance in the vicinity of the Servos farm, and as noted in one local history “a temporary feeling of ease and security settled over the people.”⁸⁰ Even the Harpersfield Scots avoided any serious trouble with the patriots, although some of them were forced to sign the association and serve with the militia.⁸¹ In 1776, the Cherry Valley patriots raised a company of rangers, but the rangers were reassigned elsewhere by the patriot authorities on June 3, 1776 because of the lack of military activity in the region, leaving the region without an organized militia.⁸² However, when the settlers there heard rumours that they were in “Eminent danger of being cut off by the Savages, our Enemies, whom we

⁷⁷ See Mathews, *The Mark of Honour*, 15; and Brown, “The American Farmer during the Revolution,” 337.

⁷⁸ Mathews, *The Mark of Honour*, 39.

⁷⁹ Halsey, *Richard Smith, A Tour of Four Great Rivers*, lviii-lix.

⁸⁰ Everts & Fariss, *History of Otsego County*, 15.

⁸¹ Mathews, *The Mark of Honour*, 35.

⁸² Everts & Fariss, *History of Otsego County*, 15-17.

understand are bribed by Sir John Johnson and Colonel Butler,” they warned the central authorities that people from the Old England District and other exposed locations to the west “are daily flying into our settlement.”⁸³ In response, Fort Stanwix and other forts along the Mohawk River were strengthened. But the steps taken were too far away to benefit the Harpersfield patriots, and this led Isaac Patchin, chairman of the Harpersfield committee, to warn the New York council of safety on July 4, 1777 that “except your honors doth afford us immediate protection, we shall be obliged to leave our settlements to save our lives and families.”⁸⁴ Four days later on July 8th, William Harper warned the Albany council of the exposed condition of Cherry Valley to raids from the Indians (Brant) and the loyalists (Butler).⁸⁵

The Schoharie settlers also feared for their safety and they wrote on July 17th to advise the provincial congress that “if your honors do not grant us immediate relief of about 500 men to help defend us, we must either fall a prey to the enemy or take protection also.”⁸⁶ The congress replied on July 22, 1777 that a few worthless Indians, and a set of villains, who have basely deserted their country, are all the enemies you have to fear,” and they “expect much from your public virtue; that it will induce you to apprehend and send to us the disaffected among you; that it will lead you to the most effectual means of securing your property from the depredations of a weak but insidious foe.”⁸⁷ But the congress did not forward any more troops to Schoharie at that time.

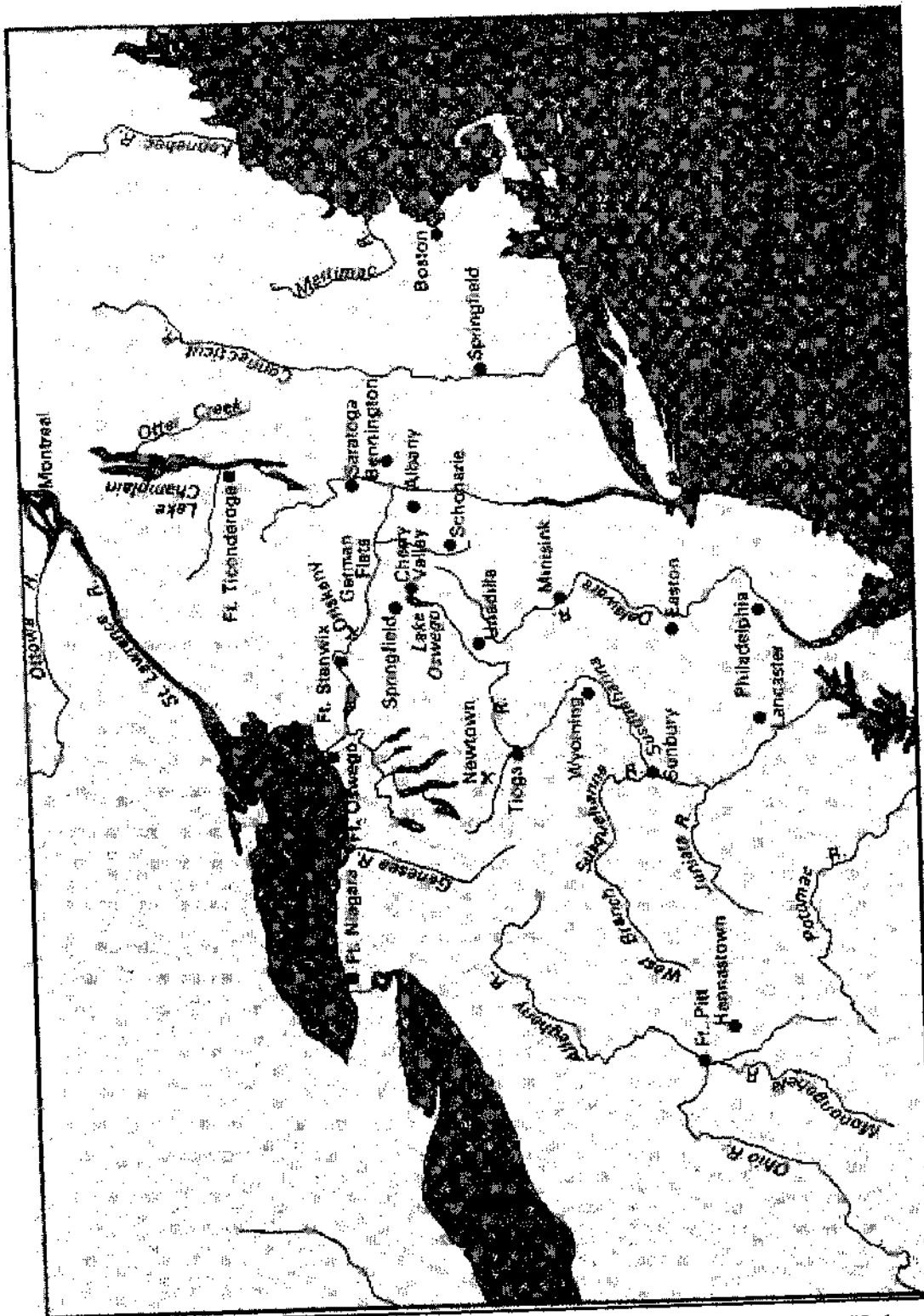
⁸³ Campbell, The Annals of Tryon County, 91-3.

⁸⁴ Letter Patchin to Council of Safety July 4, 1777 in Jephtha Root Simms, The Frontiersmen of New York showing customs of the Indians, vicissitudes of the pioneer white settlers, and border strife in two wars 2 vols. (Albany, N.Y.: Geo. C. Riggs, Publisher, 1882-3), vol. 2, 22.

⁸⁵ Letter William Harper to Albany Council, July 8, 1777 in Simms, The Frontiersmen of New York, 22-23.

⁸⁶ Schoharie committee to Albany council July 17, 1777 in Simms, The Frontiersmen of New York, 23.

⁸⁷ Albany council to Schoharie committee July 22, 1777 Simms, Frontiersmen of New York, 24-25.



The Plan is from Jack M. Sosin, *The Revolutionary Frontier* (New York: Holt, Rinehart and Winston, 1967), 113. The Servos farm was located between Unadilla (where Butler's forces were stationed) and Schoharie where the patriot forts were built in the winter of 1778. Note particularly the references to Cherry Valley, Wyoming, Springfield, German Flats, Oriskany and Saratoga. The plan also shows Forts Niagara, Oswego and Stanwix, and the Mohawk, Susquehanna and Delaware Rivers.

At the same time, New York's council of safety was concerned and exhorted the Albany committee to "put the western frontiers of this state in a situation as respectable as possible," and further that

your committee will not be wanting to support the drooping spirits of the western inhabitants in general, and particularly of those within your county. We have great reason to fear the breaking up of the settlement of Schoharie, unless our exertions be seconded by your efforts. ... Every means should therefore be tried to prevent it.⁸⁸

On July 22, 1777, the Albany committee sent an order to General Schuyler for "one or two companies of continental troops, which are expected here, to be sent that way [i.e. to the frontier]."⁸⁹ Two days later, the Albany committee advised the New York council of safety that "no essential service can be expected from the rangers," and that regular patriot army troops were required.⁹⁰ The council of safety was not sympathetic, and answered on July 27, 1777 "it is highly unreasonable to expect that the militia of other states or additional detachments from the continental army should be sent to Tryon or Schoharie, when their own exertions with the aid already afforded would secure them," failing which "they will merit the distinction to which their want of courage and public spirit will expose them."⁹¹ The Albany committee then authorized the Schoharie committee to raise two companies of rangers to serve on the frontier.⁹² But John Harper's committee was only able to raise one company.⁹³ The inability of the central authorities

⁸⁸ Council of Safety to Albany committee dated July 22, 1777, Simms, Frontiersmen of New York, 24-25.

⁸⁹ Simms, History of Schoharie County, 16.

⁹⁰ Albany Committee to Council of Safety dated July 24, 1777 in Simms, Frontiersmen of New York, 27-8.

⁹¹ Council of Safety to Albany committee July 27, 1777, Simms, Frontiersmen of New York, 29.

⁹² Simms, History of Schoharie County, vol. 2, 23.

⁹³ Mathews, The Mark of Honour, 41.

at Albany to provide adequate security for the Harpersfield frontier patriots led many of them to seek refuge in the settlements at Cherry Valley or at Schoharie.⁹⁴

The local Harpersfield militia mirrored the diffidence of Harpersfield's committee in the early years of the revolution, as many of them were reluctant to leave their families alone to join the militia. Until security could be provided on the frontier, the militia could not represent an effective fighting force for the patriots.⁹⁵ Even registration in a militia unit did not necessarily mean that the members were sympathetic to the patriot cause. New York historian James F. Morrison's research has shown that the turnover of officers and men in the militia was quite remarkable at that time, and reflected the problems of finding suitable men who had the skills, energy and time to devote to the task.⁹⁶

In 1776, Christopher Servos was 55 years old and beyond the age for active military service, but the patriot authorities took pains to enlist his sons to their cause and in due course the Servos brothers were all assigned to various Tryon County militia regiments. In furtherance of an application made by John Harper, the committee of safety resolved on December 18, 1776 that the "Inhabitants of Charlotte River shall be formed into one company, and be commanded by the following officers, as elected by the same vizt – Ludovick Brakeman, Capt., Joseph Bartholomew Lieut., and Daniel Servos Ensign, and that the "McDonalds, Scotch Inhabitants of the said Charlotte River alike shall join the said company and train under said command."⁹⁷ At the start of the war, Daniel and

⁹⁴ Hinman, Onaquaga: Hub of the Border Wars, 34-5; Simms, History of Schoharie County, cpt. 7.

⁹⁵ Simms, History of Schoharie County, cpt. 7; Flick, Loyalism in New York, 93-4; and Halsey, The Old New York Frontier, 177.

⁹⁶ James F. Morrison, "Tryon County Militia Brigade," in Gavin K. Watt and James F. Morrison, The British Campaign of 1777: the St. Leger Expedition (King City, Ontario: Motherwill Printing (1998) Inc., 2001), 157.

⁹⁷ Penrose, Mohawk Valley in the Revolution, 108.

Philip Servos were shown as “enlisted men” in the First Regiment, the Line, New York.⁹⁸ One surviving record suggests that Daniel enlisted in the regiment on October 11, 1777 but deserted from the regiment four days later.⁹⁹ Christian, Philip and John Servos were all shown as enlisted men in the Third Regiment of the Tryon County Militia.¹⁰⁰

In August 1777, a troop of cavalry was sent from Albany to Schoharie to bolster patriot defenses there, and plans were made to construct three forts in the Schoharie Valley. Construction of the forts started in the fall of 1777 and was completed in the spring of 1778. By November 1777, the patriots were strong enough to arrest Schoharie loyalists and seize their property, and a resolution was passed by the Schoharie committee forbidding the sale of “anything to disaffected persons, and especially to such persons as buy and sell it to the Scotch settlements [on the Charlotte and Susquehanna rivers].” By the summer of 1778, another fort was built at Cherry Valley and Colonel Ichabod Alden arrived there to command a regiment of continental soldiers.¹⁰¹ The increase in patriot military activity resulted in a greater exodus of loyalists to Niagara.¹⁰²

BRITISH STRATEGY FOR NEW YORK

In 1777, the British undertook a major military campaign on the New York frontier.¹⁰³ The British plan called for a three-pronged campaign, intended to end the war by capturing the strategic Mohawk and Hudson waterways and separating New England from the southern American colonies. General John Burgoyne would march south from

⁹⁸ See Comptroller Office (New York), New York in the Revolution as Colony and State, second edition, (Albany, New York: Bradow Printing Company, 1898), 26.

⁹⁹ See Berthold Fernow, ed., Documents relating to the Colonial History of the State of New York (Albany, N.Y.: Weed Parsons and Company, 1887), vol. 15, State Archives vol. 1, 175; Watt, The British Campaign of 1777, 166; and Mathews, The Mark of Honour, 48.

¹⁰⁰ Comptroller's Office, New York in the Revolution as Colony and State, 181.

¹⁰¹ Everts & Fariss, History of Otsego County, 16.

¹⁰² Simms, History of Schoharie, cpts. 7 and 8.

¹⁰³ Sosin, The Revolutionary Frontier, 88.

Canada, at the same time as Lt. Col. Barry St. Leger was to move east from Lake Ontario and General William Howe was to march north from New York.

In August 1777, St. Leger, with the support of Sir John Johnson's Royal Greens, Butler's Rangers and Brant's Indians, initiated the frontier campaign with a victory at Oriskany at which patriot General Herkimer was killed. The Fifth Regiment (New York) failed to march against the British at Oriskany, again demonstrating the wavering commitment of the frontier settlers to the patriot cause in the early stages of the war.¹⁰⁴ After the battle at Oriskany, the patriots retaliated by attacking the Indian villages at Canajoharie and Fort Hunter, and St. Leger was forced two weeks later to retreat when his Indian support disappeared. As a result, St. Leger failed in his primary objective of capturing Fort Stanwix.¹⁰⁵ The situation deteriorated further for the British on October 17, 1777 when Burgoyne, again confronted with wavering Indian support, was forced to surrender his entire army to a superior patriot force at Saratoga after Howe failed to march north to combine their two armies.¹⁰⁶ The American successes led to France in 1778 and Spain in 1779 allying themselves with the newly formed United States.¹⁰⁷

The British setbacks in 1777 changed the tenor of the war on the New York frontier. After the events of 1777, the British military initiatives on the frontier were limited to scouting and spying on the patriot forces and periodic guerilla raids on the patriot settlements.¹⁰⁸ It was primarily the area along the Mohawk River and the "Old Treaty Line" established by the Fort Stanwix Treaty that would bear the brunt of the

¹⁰⁴ Morrison, "Tryon County Militia Brigade," Watt and Morrison, The British Campaign of 1777, 157.

¹⁰⁵ Flick, The American Revolution in New York, 155-9.

¹⁰⁶ *Ibid.*, 160-167.

¹⁰⁷ W.J. Eccles, "The French Alliance and the American Victory," in John Ferling ed., The World Turned Upside Down, the American Victory in the War of Independence (New York: Greenwood Press, 1988), 152-6.

¹⁰⁸ Allen, His Majesty's Indian Allies, 54.

frontier conflict for the rest of the war. The loyalist raids were carried out by a combination of forces such as Sir John Johnson's regiment, Butler's Rangers and Brant's Indian allies.¹⁰⁹ Some historians have questioned the wisdom of Britain's decision to use Indian support in its raids on the patriot settlements. Robert M. Calhoon contends that the British decision was a "dangerous and radical gamble run by the British" that eventually presented the loyalists with "a war of retribution and moral vengeance."¹¹⁰ The decision was all the more questionable because of allegations that the Indian contribution to the war effort was sporadic, unpredictable and often accompanied with undue brutality against white patriot settlers.¹¹¹ As noted by Robert Venables, "the British decision to use the Indians, synonymous to Tryon County residents with indiscriminate attack and massacre, gained more support for the Patriots than they could ever have won with idealistic appeals for liberty and justice."¹¹² For frontier loyalists, the Indian alliance was both a military asset and a source of insecurity, and that insecurity added to their vulnerability since it attracted the attention of the patriot militia to the frontier.¹¹³

Before the 1778 military campaign started, Colonel John Butler established a base for his Rangers at Unadilla on the Susquehanna River to gather recruits and provisions for the coming offensive. From their bases at Oquaga and Unadilla, Brant and Butler led a series of loyalist raids that skirmished with the patriot forces at Cobleskill in May 1778, and at Wyoming, Pennsylvania and Springfield, New York in June and July 1778. The

¹⁰⁹ Graymont, Iroquois in the American Revolution, 3-4 and 156-61; Mathews, The Mark of Honour, 48-9; and letter from George Washington to brigadier General Edward Hand, Fredericksburg, 16 November 1778, in Robert S. Allen, A History of the British Indian Department in North America (Ottawa, Ontario: National Historic Sites Service, December 1971), 40. See also Wilson, Loyal As She Began, 25-48 for a description of the revolutionary campaigns in New York.

¹¹⁰ Calhoon, The Loyalist Perception and other Essays, xvii.

¹¹¹ Sosin, The Revolutionary Frontier, 105.

¹¹² Venables, "Tryon County, 1775-1783: A Frontier in Revolution," 213.

¹¹³ Calhoon, The Loyalist Perception and other Essays, xiii.

results of the raids were encouraging to the loyalists. For example, at Wyoming eight patriot forts were destroyed, 1,000 dwelling houses were burned, all the mills were destroyed, and a thousand head of horned cattle, sheep and hogs were driven off.¹¹⁴

SERVOS FAMILY IN REVOLUTION

The mixture of loyalists and patriots in the neighbourhood of the Servos farm encouraged loyalist families (like the Servos) to keep a relatively low profile until forced by circumstances to outwardly espouse the loyalist side in the revolution. Even in frontier regions controlled by the patriots, the potential strength of the loyalists and the possibility of loyalist raids in the region ensured that the patriots would be restrained in their actions, and the initial administrative weakness of the patriot authorities made it easier for ordinary loyalists (like the Servos) to survive the first few years of the war. But the Charlotte River and the Indian path that ran alongside the river constituted major transportation routes used by both loyalists and patriots. On the frontier, there was often only a fine line for settlers between collaboration and accommodation, and the favouring of one side would inevitably lead to attack by the other side. In a long war such as the revolutionary war, it was only a matter of time before the Servos family would be forced to commit to one side or the other. Also, the loyalist raids conducted in the Harpersfield area made it inevitable that the patriot authorities would take action to protect the local settlers. When that occurred, there was no local British authority for loyalists such as the Servos family to turn to for help. The British military at Fort Niagara was far away, the Johnsons and their allies had departed for Canada, and as the war went on more and more

¹¹⁴ John T. Waugh, "The United Empire Loyalists; With Particular Reference to the Niagara Frontier," The University of Buffalo Series 4(3) (November 1925) its Monograph in History no. 3 (1926): 101.

of the Harpersfield loyalists fled to Canada. At the same time the patriot forces grew stronger day by day.¹¹⁵

By the summer of 1778, the Schoharie authorities began to suspect Christopher Servos of “clandestinely” affording assistance to the loyalists.¹¹⁶ Schoharie County historian Jephtha R. Simms, who wrote extensively about the New York frontier in the mid nineteenth century, reports that from the start of the border difficulties, Servos had “greatly aided the enemies of his country, by sheltering and victualing them, in numerous instances.”¹¹⁷ By this time, according to New York historian Howson Hartley, who had done much research on the Servos family and who lived himself on part of their former Charlotte River farm, the Servos farm was considered to be

an important Tory outpost during the intermittent frontier battles. It became a place for rest and supplies to Loyalist forces and their Iroquois allies under the famous Mohawk leader, Chief Joseph Brant. ... The Servos family was a severe thorn in the side of the Patriot committees in the Schoharie Valley, preventing the spread of revolutionary influence in the Charlotte region.”¹¹⁸

During the early stages of the revolution, several attempts were made to take Christopher Servos before the patriot authorities in Schoharie as a result of his loyalist sympathies.¹¹⁹ As early as March 4, 1778, Christopher Servos was ordered to appear on “the first Munday of April Next” before the Tryon County Committee of Safety to

¹¹⁵ For Service family in the revolutionary war, see Halsey, The Old New York Frontier, 212 and 230-1; Simms, History of Schoharie County, 286-90; Roscoe, History of Schoharie County, 157; Mathews, The Mark of Honour, 40-1 and 54-5; and Van Tyne, The Loyalists in the American Revolution, 231-2. See also “List of British Prisoners of War” in Comptroller’s Office, New York, New York in the Revolution as Colony and State v. 2, 240; Alexander Fraser, ed., Ontario Archives Second Report, ” 957; and the B.J. Service notes on the Christopher Servos’ participation in the war in B.J. Service papers, 2-6. See also Monroe, Chapters in the History of Delaware County, New York, 69.

¹¹⁶ Simms, History of Schoharie County 286.

¹¹⁷ *Ibid.*, 287.

¹¹⁸ Hartley, A Bicentennial History of the Town of Worcester, 16.

¹¹⁹ Simms, History of Schoharie County, 287.

explain the family's loyalties to the committee.¹²⁰ In June 1778, a patriot informer reported to the authorities that he had seen Joseph Brant with about 200 Indians and loyalists near the Servos farm. On June 16th, 1778, a scout from Schoharie reported that "nigh to Service's he saw where two canoes had been landed, where he found pieces of leather, by which he judged that the enemy had mended their shoes." "Service told him that last Sunday, eight days [June 7th], Brant was there [i.e. at Servos'] and had sworn him & John Doxtader to be true to George the Third."¹²¹ John Dachstader was the brother of Catherine Dachstader, the wife of Daniel Servos. Later, on June 26th 1778, an informer advised the committee that Christopher Servos supplied the loyalists with "40 or 50 Scipple of Flour" from his mill.¹²² Then, on July 24, 1778, patriot Colonel Peter Vrooman informed his superiors that his scouts "staid last night in sight of one Services, a great Enemy to the Country upon the Susquahanna where they heard frequent yellings of the Savages."¹²³ Other reports given to the patriot authorities claimed that Christopher Servos was a "Noted Villain who had constantly supply'd the Enemy with Necessaries."¹²⁴

Jeptha R. Simms reported that Christopher Servos, a "noted Tory," was present with Brant at the clash between the patriots and the loyalists at Cobleskill, and "acted a conspicuous part in the engagement."¹²⁵ Although there is no evidence that Daniel Servos participated in the battle of Wyoming, he later attested to the courage of John Secord Jr. in returning to the battle site to seize cattle and other provisions needed at Fort Niagara to

¹²⁰ The minutes for the April meeting have not survived. Penrose, Mohawk Valley in the Revolution, 145-6; and Comptroller's Office, New York in the Revolution as Colony and State, 240.

¹²¹ See "Traces of Indians" a narrative made by a scout dated June 16, 1778," in George Clinton, George Clinton papers, vol. 3, no. 1513, 462.

¹²² "Statement of Barnabas Kelly," June 26, 1778, George Clinton papers, v. 3, no. 1549, 504-7.

¹²³ "Colonel Vrooman reports increased activity among the Indians, Schohary," July 24, 1778, in George Clinton papers vol. 3, no. 1607, 583-4.

¹²⁴ "Colonel Butler acts with energy," letter William Butler to Governor Clinton August 13, 1778, George Clinton papers, vol. 3, no. 1650, 630-632.

¹²⁵ Simms, History of Schoharie County, 277.

feed the troops there.¹²⁶ There are no other reports of Christopher Servos or his sons engaging in active hostilities in the early days of the revolution, and even his participation in the Cobleskill raid is discounted by some family accounts. Christopher Servos and his sons were jailed at various times during 1778 at Johnstown, Albany or Kingston.¹²⁷ The name of Christopher Servos is also listed in the surviving records of the revolutionary war as a British Prisoner of War.¹²⁸ Being sentenced to gaol during the revolutionary war was not always the result of an overt act in support of the British. Some loyalists simply talked too freely about the mistakes of congress or the virtues of the British government and were jailed accordingly.¹²⁹

At the beginning of August 1778, patriot Colonel William Butler arrived at the middle Schoharie fort, with a large body of troops including a company of Morgan Riflemen.¹³⁰ Meanwhile, Colonel Ichabod Alden had more than 200 patriot troops at Cherry Valley to supplement the militia in the protection of the frontier.¹³¹ About the same time, Captain Jacob Hager, who commanded the upper Schoharie fort, sent Abraham Becker, Peter Swart, and Frederick Shafer on an undercover scouting expedition into the neighbourhood of the Servos farm to ascertain whether there were any Indians in the vicinity. When they arrived at the Servos homestead, a party of Indians was there, who captured Swart and Shafer and took them as prisoners to Canada. Becker, who had been a neighbour of the Servos family, was relieved of his weapons and allowed to

¹²⁶ John Secord Junior petition in "Petitions for Land Grants 1796-9" in E.A. Cruikshank, "Petitions for Grants of Land in Upper Canada Second Series, 1796-99" *Ontario History* 26 (1930): 309-10.

¹²⁷ See Daniel Servos evidence, Ontario Archives, Second Report, 957.

¹²⁸ Comptroller's Office (New York), New York in the Revolution as Colony and State supplement, 240.

¹²⁹ See van Tyne, The Loyalists in the American Revolution, 232.

¹³⁰ Most accounts indicate William Butler was no relation to Colonel John Butler, but John Waugh in his article "United Empire Loyalists," 76, suggests that they were cousins.

¹³¹ Monroe, Chapters in the History of Delaware County, New York, 70.

return home.¹³² Becker's report to the patriot authorities on the incident and other similar reports that came to the attention of the authorities provided concrete evidence that Christopher Servos was aiding the British and their allies, by sheltering and victualing them when they were in the neighbourhood of the Servos farm.

KILLING OF CHRISTOPHER SERVOS

Soon after his arrival, William Butler sent out a scouting party under the command of Captain Gabriel Long, to "reconnoiter the Country, & to make what discoveries he cou'd of the Enemy."¹³³ Jephtha Simms reports that "one object of the expedition was to arrest Service and take him to the Schoharie forts, or to slay him in case of resistance."¹³⁴ One official dispatch describes Servos as "a noted and Zealous defender of his King's bad Cause."¹³⁵ Included in the scouting party were David Elerson and Timothy Murphy, both noted American patriot frontiersmen. William E. Roscoe, Schoharie County historian, writes that "the first service on which they were sent, was to take, dead or alive, a person strongly suspected of Toryism, living on the Charlotte river, by the name of Service, who was not only Torified in principle, but was an active agent of the British in aiding, victualizing, and secreting the enemies of the Revolution."¹³⁶

On their way to the Servos farm, Captain Long unexpectedly took a prisoner, on whose person he found a letter from loyalist Captain Charles Smith directed to Joseph Brant and Walter Butler (son of Lt. Col. John Butler), which said: "I Shuld be glad to

¹³² Simms, History of Schoharie County, 286-7; and idem, Frontiersmen of New York, 184-5.

¹³³ Col. W. Butler to Governor Clinton dated August 13, 1778, George Clinton papers, vol. 3, no. 1650, 630-2.

¹³⁴ Simms, History of Schoharie County, 288.

¹³⁵ "Death of Service and Smith, The Tories," report of John Tayler to Governor Clinton dated August 9, 1778, George Clinton papers, vol. 3, no. 1639, 616-7.

¹³⁶ See William E. Roscoe, History of Schoharie County, 125. Timothy Murphy later lived in a house constructed on the Christopher Servos farm in South Worcester from 1812 to 1817. The house stands today and a New York State historical marker indicates the location.

receive a Letter from you as I Cum to be Left at Mr. Survises with Orders what to Do.”¹³⁷ William Butler reported that he had “received intelligence from Genl. Stark of one Smith who had raised a Number of Tories and was Marching to Join the Enemy” and that Captain Long’s scouting party found some letters from Smith to Joseph Brant and Walter Butler (son of Colonel John Butler) informing them that “he would meet them at Service’s on Sunday following with a Number of Torys who he had engaged. I [i.e. William Butler] also had intelligence that the intention of the Enemy was to March in a Body to Service’s & there divide one party to attack Cherry Valley & the other this place [i.e. the middle Schoharie fort].”¹³⁸ From his prisoner, Captain Long ascertained the route by which Smith would approach, and Long was thus able to intercept Smith and kill him. Smith’s loyalist party then dispersed.¹³⁹ Captain Long’s scouting party then set off for the Servos homestead, arriving there on August 5, 1778. The official report filed by Colonel William Butler with Governor Clinton following the event states that he “sent out a Subaltern with a small Scout to reconnoiter the country,” which “proceeded about 25 miles to one Service’s, a Noted Villain who has constantly supplied the enemy with necessaries. Service luckily was at home & upon his refusing to Surrender, & making some resistance, one of the Party Shot him.”¹⁴⁰ Captain Long and his men then entered the Servos home, and found there 40 loaves of fresh bread, indicating that some notice had already reached there of Smith’s intended visit.¹⁴¹

¹³⁷ Smith to Brant George Clinton papers, vol. 3, no. 1639, 618.

¹³⁸ Col. William Butler to Gov. Clinton August 13, 1778, George Clinton papers, vol. 3, no. 1650, 630-2.

¹³⁹ Simms, History of Schoharie County, 288.

¹⁴⁰ See official report of Colonel William Butler to Governor Clinton, George Clinton papers, vol.3, no. 1650, 630-2.

¹⁴¹ Simms, History of Schoharie County, 289.

Over time, the official patriot version of the Servos murder has been expanded into a justification for the incident.¹⁴² At its simplest, the patriot version holds that Servos assisted Brant and Butler with provisions from his farm and Smith in recruiting loyalists for the British army and needed to be eliminated. Jeptha Simms, who interviewed some of the participants in the event, states that Murphy was provoked into killing Servos by Servos himself brandishing an axe and referring to Captain Long's troopers as "d---d rebels."¹⁴³ The facts vary in the different accounts of the murder. Some accounts say that the killing took place behind the house, while others have the murder occurring on the front steps, inside the house on the hearth, or even at a distance from the house as Christopher was fleeing from his attackers. The accounts do not agree as to who fired the shot that killed Servos, some naming Murphy, some Elerson and others a trooper named Richard Tuft.¹⁴⁴ All versions agree that the killing of Christopher Servos took place in the presence of his wife, Anna Clara Servos, Catherine Servos (the wife of Daniel Servos), and Catherine and Magdalena Servos (the two daughters of Daniel Servos), although some accounts indicate that only one of the daughters (Magdalena) was present. At the time of the murder, Daniel Servos was imprisoned in Johnstown Gaol, his brother John

¹⁴² For various versions of the facts of Christopher Servos' death, see Simms, Frontiersmen of New York, 184-9; and idem, History of Schoharie County, 156-8, and 286-290; Halsey, The Old New York Frontier, 212; and 231-2; Roscoe, History of Schoharie County, 125-6, 156-7; Stone, Life of Joseph Brant, vol. 1, 356; Kirby, "Memorials of the Servos Family" NHS publication no. 8, 12-3; Monroe, Chapters in the History of Delaware County, New York, 70; Michael J. O'Brien, Timothy Murphy, Hero of the American Revolution (New York: Eire Publishing Company, 1941), 40-2; Mr. Sigsby's 1839 report in Mr. Sigby, Life and Adventures of Timothy Murphy (Schoharie: William H. Gallip, 1839, reprinted by G.W. Bellinger, editor of the Index, 1893), 9; Mathews, The Mark of Honour, 54-7; and Hartley, A Bicentennial History of the Town of Worcester, 16.

¹⁴³ Simms, Frontiersmen of New York, 188.

¹⁴⁴ Simms in the Frontiersmen of New York, 188; and Roscoe, History of Schoharie County, 126 both name Murphy; Halsey in The Old New York Frontier at 231-2 and William Kirby in "Memorials of the Servos Family," 12 both name Elerson; and Tuft and Murphy are both named by Hon. Seymour Brought, "Town of Summet" quoted in B.J. Service papers, 6.

was being held in Albany Gaol and the two other sons were absent.¹⁴⁵ One report indicates that there were servants “white and black” in the Servos household at the time of the murder.¹⁴⁶ Following the murder according to William Kirby, the Servos house was “ransacked and plundered of its money and valuables of every kind” and “the troopers returned in great triumph to their camp with the plunder they had carried off, and boasting of the murder they had perpetrated.”¹⁴⁷ Another version states that Captain Long’s party returned “not a little elated with the scalp of the notorious Service to the forts at Schoharie.”¹⁴⁸

Accounts also differ regarding the final resting place of Christopher Servos. He was first buried in a private plot on the family’s farm near the Charlotte River, and local reports indicate that his grave was visible well into the twentieth century. Afterwards, the site fell into disrepair, the iron fence surrounding it was removed and the spot became part of a cornfield, and as a result the grave’s location is no longer known. However, an article in the Oneonta Star of August 18, 1953 claims that the Servos heirs removed the remains of Christopher Servos to Canada about the winter of 1790, but the article does not contain any further details concerning the reburial.¹⁴⁹

REFLECTIONS ON CHRISTOPHER SERVOS

In September 1778, the deaths of Christopher Service and another person killed by a patriot scouting party by the name of Harmanis Dumon, who was thought to be a loyalist but was actually a patriot, and the confiscation and sale of cattle and other property from loyalist settlers, some of which was appropriated by the militia “to their

¹⁴⁵ Mathews, The Mark of Honour, p. 55.

¹⁴⁶ See Kirby, “Memorials of the Servos Family,” 12.

¹⁴⁷ *Ibid.*, 13.

¹⁴⁸ Mr. Sigsby, Life and Adventures of Timothy Murphy, 9.

¹⁴⁹ See Hartley, A Bicentennial History of the Town of Worcester, 195.

own use,” led to charges that patriot Colonel William Butler’s troops were “Plundering the Inhabitants.” An enquiry was ordered by patriot Governor George Clinton.¹⁵⁰ William Butler carried out the investigation and in his report to Governor Clinton admitted that his troops were to a certain extent “blamable,” but he added “at the same time it is my Honorable Opinion the men did their duty as good Soldiers and think those who kill’d Service & Smith equally Blamable.” Captain Long was involved in the Dumon incident as well as the Servos incident and provided a deposition in the enquiry.¹⁵¹

For his part, William Butler concluded that the killings of Servos and Smith and other related events were ultimately beneficial to the patriot cause in that they curtailed the raids by Brant and Walter Butler as a result of “their supplies being cut off by their loss of Service & their reinforcement by the defeat of Smith.” William Butler also felt that the actions by the militia had a beneficial effect on the frontier settlements in swaying the population toward the patriot side: “Since my coming the number of the disaffected People begin to have a proper sense of their Error and are hourly coming in Begging Protection and are desirous of taking the oath of Fidelity to the States.”¹⁵²

The holding of the inquiry naturally upset the patriot troops, but Clinton confirmed to William Butler on September 23, 1778 “I never understood from the Complaints made to me of that Unhappy Affair [referring specifically to Dumon’s death], the least Intention of charging any of our officers with misconduct.”¹⁵³ When another murder of a patriot by a patriot raiding party occurred the next month, namely that of Major Strong, Governor Clinton again called for an investigation. In due course, he

¹⁵⁰ See “Death of Colonel Dumon” in George Clinton papers, vol. 4, no. 1807, 103-5.

¹⁵¹ William Butler to Gov. Clinton September 27, 1778, in George Clinton papers, vol. 4, no. 1807, 103-11.

¹⁵² William Butler to Clinton August 13, 1778, George Clinton papers, vol. 3, no 1650, 630-2,

¹⁵³ “Governor Clinton exonerates Major Posey,” in George Clinton papers, vol. 4, no. 1831, 139-141.

received a report on Strong's murder from Henry Brewster, the investigating officer, confirming that Strong was indeed a patriot and concluding that "Such conduct is truly alarming." In reply, Clinton demanded "a stop to these Outrages in Future."¹⁵⁴

Although there is no stated causal connection, it is relevant to note that Captain Long resigned unexpectedly from Colonel William Butler's troop in October 1778.¹⁵⁵ The reason for his resignation is not known and may not have been related to his participation in the plundering and the murders of suspected loyalists. Nevertheless, the holding of the investigations by Governor Clinton, the admission during the investigation that Dumon and Strong were patriots who should not have been killed, and the timing of the Long resignation leads at least to the possibility that his resignation may have been related to wrongdoing in those incidents.

In addition to the wrongdoing in the deaths of Dumon and Strong, there is some evidence that Servos may have been intentionally murdered by Murphy, perhaps with the complicity of Captain Long. In his history of Delaware County, where part of the Servos farm was located, historian John D. Monroe speculates that "Servoss was shot by Tim Murphy, one of the scout sent out by Butler, and the circumstances, as related by Simms, strongly suggest murder of the part of Murphy, who took time to repulse the pleadings of Mrs. Servoss with a ribald jest."¹⁵⁶ According to Simms:

Elerson, who stood a few feet from his companion (i.e. Murphy), as he assured the author, told Murphy to shoot the d---d rascal. The wife of Service, seeing the determined look of Murphy, caught hold of his arm and besought him

¹⁵⁴ See "Major Nathaniel Strong murdered" report of Henry Brewster to Governor Clinton dated October 7, 1778, and Governor Clinton's reply the next day in George Clinton papers vol. 4, no. 1834-6, 145-149.

¹⁵⁵ See Return of the Detachment of Foot Commanded by Wm. Butler Esqr. Lt. Col. Comm.DT at Schoharry, in George Clinton papers, vol. 4, 229. The resignation of Capt. Long is noted on the report as a footnote with the note "Resigned since last Return."

¹⁵⁶ Monroe, Chapters in the History of Delaware County, New York, 70.

not to fire. He gently pushed her aside, and patting her on the shoulder said “Mother, he never will sleep with you again.” In another instant, the unerring bullet from his rifle had penetrated the Tory’s heart.¹⁵⁷

A possible motive for the theory that Christopher Servos was intentionally murdered by Murphy is hinted at by historian William W. Campbell in his Annals of Tryon County first published in 1831. Although Servos is not named in Campbell’s account, Campbell explains that a certain Tory whose home was on the Charlotte River had accompanied the Indians in their raid on Cobleskill, and “to obtain revenge for an unsuccessful attempt to arrest him the previous year,” the Tory was “killed by the celebrated Murphy, who was one of a party sent to bring him into the fort.”¹⁵⁸ The possibility that the scouting party intended to kill Servos was accepted by William E. Roscoe, who concluded in 1882, based on Mr. Sigsby’s 1838 account of the event, that “the shooting of Service was but a cool murder, which in this day and age is condemned, and not considered as adding heroism to our acts.”¹⁵⁹

A second enquiry brought before a New York Commission following the murder of Christopher Servos was that of John Servos, one of the Servos sons. During their deliberation, the commissioners wrote to Colonel William Butler requesting that he furnish the commission with the crimes wherein John Servos and others stand charged as soon as possible. It was ordered that John Servos and others be removed to the hospital on account of their being sick, and a sentry be placed at the door. Colonel Butler replied on September 15, 1778 asking for release from confinement of John Servos “on account of the helpless situation of his mother, the widow Service.” In consequence of Butler’s

¹⁵⁷ Simms, History of Schoharie County, 289.

¹⁵⁸ Campbell, The Annals of Tryon County, 141.

¹⁵⁹ Roscoe, History of Schoharie County, New York, 157.

letter, John Servos was brought before the commissioners, and after being examined he was discharged from prison on his entering into recognizance with a sufficient security of £100 for his future good behaviour.¹⁶⁰ Certainly, John Servos would not have been released by the patriot authorities if they had perceived him as a loyalist threat.

Christopher Servos will be remembered differently in Canada and the United States. William Kirby, whose 1883 account must be taken to represent the Servos family or loyalist view of the killing of Christopher Servos, describes the murder as follows:

Long, Murphy and Ellerson (sic), with several of their men, dismounted and went into the house, and with much irritating language proceeded rudely to arrest Servos, and ordered him to accompany them as their prisoner in Albany. He refused, and when Murphy laid hands on him, he broke away and took up an axe that lay near and lifted it to defend himself, when he was instantly shot by the rifle of Ellerson (sic) and fell dead upon his hearth-stone.¹⁶¹

Patriot historians do not accept that Christopher Servos acted only in self-defence. Instead, they portray him as a loyalist aiding the British military forces, and defend his murder as a necessary act in the context of the revolution. In his historical novel America or the Sacrifice, A Romance of the American Revolution written in 1924, Robert W. Chambers saw Servos as part of “a spider’s web of Tory intrigue connecting Guy Park [i.e. Colonel Guy Johnson’s residence], Butlersburg [home to Colonel John Butler], Fort Johnson [residence of Sir John Johnson], with Colonel Service’s residence – who was kinsman of Sir John – and from thence across to Ashley court in the Southern wilderness

¹⁶⁰ New York State Commission for Detecting and Defeating Conspiracies, Victor Hugo Paltsits, ed., Minutes of the Commissioners for detecting and defeating Conspiracies in the State of New York Albany County Sessions, 1778-1781 (Albany, New York: J.B. Lyon Company, State Printers, 1909-1910), vol. 1, 213-4, 234..

¹⁶¹ William Kirby, “Memorials of the Servos Family,” 12.

of Schoharie [Ashley being a Schoharie loyalist].”¹⁶² Chambers, writing in the first person, expressed the thoughts of the patriot leader who carried out the murder:

There, on the headwaters of the Charlotte, was the residence of Colonel Service, kinsman to the great landed families of Tryon; a known royalist and a powerful one. Why should his mansion not turn out to be the hidden rendezvous and supply station of these war parties that were harassing Schoharie? He had a fine estate under cultivation. He had mills, shops, barracks, cattle, stores. Because he lived in a remote region was no reason why he was not both willing and able to do us harm. Colonel Service was a gentleman, - a near relative of Sir John. But when I thought that this man might have afforded aid and encouragement to the outlaws and savages who were burning and slaying throughout the entire frontier, my anger and disgust knew no bounds.¹⁶³

Such a view may be taken as the patriot rationalization for the killing of Christopher Servos. Servos is presented as a royalist farmer, wealthier than his neighbours and deservedly attracting the envy and resentment of his neighbours. Chambers’ presentation may indicate that the suspicions of Servos had a local dimension, i.e. Servos was killed by those who envied/resented the family’s success. A similar view was put forward in 1864 by Lorenzo Sabine, ironically considered one of the first American historians to try to deal with the American loyalists objectively:

He lived in the vicinity of Schoharie (sic), and his house was a place of resort for Indians and Tories, and a depot of supplies. His attachment to the King and his measures were well known; and in 1778 a party of Whigs determined to seize him and carry him off, but on being informed that he must accompany them, he seized an axe and attempted to cut down one of the Whig officers; whereupon another officer shot him dead. This party, while on their way, had dispersed a company of Tories who intended to reach the dwelling of Service and pass the night there.¹⁶⁴

¹⁶² Robert W. Chambers, *America or the Sacrifice* (New York: Grosset & Dunlap, 1924), 247.

¹⁶³ *Ibid.*, 309.

¹⁶⁴ Sabine, *Biographical Sketches of Loyalists of the American Revolution*, vol. 2, 275.

In the mid nineteenth century, Jephtha Simms, who explained that he “has taken considerable pains to inform himself on this point, and finds proof most satisfactory to his own mind,” concluded that Servos was “a very dangerous man to the cause of liberty,” a man who had “lived and died a Tory, as he meant to.” According to Simms: “had not Servos made an attempt on the life of Murphy, he would probably have been confined until the war closed, and then liberated, as was the case with several wealthy royalists.”¹⁶⁵

It may not be possible to reconcile the contrasting patriot and loyalist views of the murder of Christopher Servos. If this could be done, Christopher Servos might prove to be one of the proverbial “wrong men in the wrong place at the wrong time,” perhaps one of those men whom W.H. Nelson calls “The Tory Rank and File.” For Nelson, the rank and file were simply those who were not Tory leaders, but “hardly the gentry pictured in legend; rather they were “conscious minorities, people who felt weak and threatened” and who “had interests that they felt needed protection from an American majority.”¹⁶⁶

Robert M. Calhoun adds that “the people that Nelson calls the “Tory Rank and File” were clusters of ‘cultural minorities’ scattered throughout the geographical and social periphery of American life: religious pacifists, pro-British Indian traders, backcountry southern farmers, unassimilated ethnic minorities, as well as isolated individuals everywhere impelled by custom, instinct, greed, accident, resentment, or bad luck to oppose independence.”¹⁶⁷ Presumably, the Servos family was in the latter category. For Calhoun, the war and the creation of state governments widened the scope of the conflict

¹⁶⁵ Simms, *The Frontiersmen of New York*, 188.

¹⁶⁶ Nelson, *The American Tory*, 86, 91. See chapter 5 (the Tory Rank and File).

¹⁶⁷ See Calhoun, “The Loyalist Perception,” in Calhoun, *The Loyalist Perception and Other Essays*, 11.

and caught thousands of previously obscure men in the machinery of internal security. Once the war was under way, the Tory rank and file “expressed their opposition to the Revolution in more elemental ways than did their counterparts in the pre-Revolutionary controversy.”¹⁶⁸ The Servos family managed to escape the ire of the patriots for the first three years of revolution, but by August 1778 their luck had run out.

The death of Christopher Servos resulted in the disruption of the family for the duration of the war.¹⁶⁹ At the time of his father’s death, Daniel Servos was in Johnstown gaol, and on his release, he “to avoid death or imprisonment was forced to leave the aforesaid effects [i.e. the Servos farm] and escape to Niagara.” The Niagara to which Daniel Servos escaped was Fort Niagara, the British fort situated on the east side of the Niagara River at its junction with Lake Ontario. Jacob Servos accompanied his brother Daniel to Fort Niagara, and the rest of the Servos family remained in Tryon County.

BRITISH INDIAN DEPARTMENT

Daniel and Jacob Servos arrived at Fort Niagara sometime during the fall or winter of 1778-1779. They went onto the Indian Department payroll on April 25, 1779 at six shillings per day New York currency.¹⁷⁰ A study by historian Hazel Mathews discloses that, besides the Servos brothers, only John Chisholm, John McMicking and Daniel Rose from Daniel’s neighbourhood of Kortright, New Stamford and the head of the Delaware, joined either the Indian Department or Butler’s Rangers during the revolution.¹⁷¹ The British Indian Department headquarters moved around during the war,

¹⁶⁸ Ibid.

¹⁶⁹ See Cary, *The Price of Loyalty*, 241.

¹⁷⁰ See pay list of officials of the Indian Department – Daniel Servos was paid for the period April 25, 1779 to September 24, 1779 – 153 days at 6/ ny currency per day or £43.18.8 in total for the period, *Haldimand papers*, microfilm reel no. 48, 101.

¹⁷¹ Mathews, *The Mark of Honour*, Appendix A, 171-4.

but for the latter stages it was located at Fort Niagara and a small Six Nations' sub-department under Lt. Col. Daniel Claus was based at Lachine, Quebec. Fort Niagara was garrisoned by a detachment of British regulars, who saw no action and acted only as a caretaker garrison during the war. Both the Indian Department and Butler's Rangers were technically under the command of the fort's British military commander. The British army also controlled all aspects of civilian life at Niagara.

On his return from England, Guy Johnson was trapped in New York City, but by October 1779 he managed to travel to Fort Niagara by way of Canada to take command of the Indian Department.¹⁷² On June 26, 1778, General Frederick Haldimand replaced Carleton as commander of the British troops in America. Undoubtedly, Guy Johnson's presence at Fort Niagara helped the Servos brothers with their transition to military life. Others at Fort Niagara known to the Servos brothers were Captain John Johnson, the husband of Elizabeth Johnson and sister of Christopher Servos, and their son, Captain William Johnson. The Johnsons lived near the Servos family on the Butternuts near present day Gilbertsville, New York. Captain John Powell was also a son of Elizabeth Johnson by her first husband who had died before 1749. Catherine Servos' brother, John Dachstader, who married Daniel's sister, Maria, was also at Fort Niagara.¹⁷³

Soon after his arrival at Fort Niagara, Guy Johnson concluded that the Indian Department was disorganized, and he found "the duties performed by two or three persons, they not at all acquainted with them and considered as less capable of learning in them, and the whole number inadequate to that of the Indians, and the then requisite calls

¹⁷² Guy Johnson retained his post as Superintendent of Indian Affairs until 1782 when he was implicated in a scandal regarding Indian Department accounts. He was then replaced as Superintendent by Sir John Johnson at the instance of General Haldimand.

¹⁷³ See Peltier and Jackson, *Servos Family Compendium*, 4.

of the service and that it was necessary after relieving the present wants of the Indians, to keep their minds occupied by constant military employment.”¹⁷⁴ Johnson then proceeded to reorganize the Indian Department to cope with the increased activity brought on by the war. Seven companies were formed amongst the Six Nations at Niagara, and captains were assigned to head each company for administrative purposes. Joseph Brant was named captain for the Mohawks and Oneidas (and likely the Tuscaroras). The rest of the captains were white officers. Gilbert Tice (of Tice’s tavern) was assigned to the Onondagas, Henry Nelles to the Delawares, William Johnson to the Upper (Genesee) Senecas, John Powell to the Lower (Alleghany) Senecas, and Robert Lottridge to the Cayugas. John Johnson was not allocated to any particular tribe. In addition to the captains, there were also 14 lieutenants in the Indian Department at Fort Niagara.¹⁷⁵

The Indian Department officers were expected to detect any troubles among the Indians, encourage the Indians to assist the British, keep an accurate census of the Indians, and supervise the distribution of clothing, farming equipment and other necessities among the Indians. The officers were not expected to be full-time resident administrators, as they were often away on raids with the tribes to which they were assigned.¹⁷⁶ Following his reorganization of the Indian Department, Guy Johnson reported that the Indians were employed in “constant parties along the frontier from Fort Stanwix to Fort Pitt and so harassed the back settlements as finally to drive numbers of them from their plantations, destroying their houses, mills, granaries to and frequently

¹⁷⁴ Col. Guy Johnson, “Review of Colonel Johnson’s Transactions” dated March 24, 1782, in Haldimand papers, microfilm reel no. 48, 13-16.

¹⁷⁵ List of officers prepared by Col. John Johnson December 4, 1783, in Haldimand papers, microfilm reel no. 52, 218.

¹⁷⁶ Graymont, The Iroquois in the American Revolution, 244.

defeating their scouting parties killing and capturing many of their peoples amounting in the whole to near 900 and all this with few or no instances of savage cruelty.”¹⁷⁷

In 1776, the nearest Indian camps to Fort Niagara were 80 miles away. After the revolutionary war started, the number of Indians at Fort Niagara increased slowly. In December 1777, there were 2,300 Indians living near the fort, and a year later there were 1,581 Indians and 1,042 Indians had departed, resulting in a total of 2,623 Indians that could be accounted for at that time.¹⁷⁸ In the fall of 1778, patriot Colonel William Butler raided the Indian villages at Oquaga and Unadilla. Then, in the summer of 1779 patriot Generals John Sullivan and James Clinton destroyed the Indian power base at their three castles (i.e. fortified towns) on the Mohawk River and the Indian villages at Oquaga and Unadilla for the second time.¹⁷⁹ The destruction of the Indian bases forced the Indians to consolidate their forces with the British at Fort Niagara. As a result of the Sullivan Expedition, 4,000 Indians came to Fort Niagara, expecting “everything that government could do” for them, and the Indian Department in turn became proportionally more important to the British military. A September 21, 1779 census disclosed that there were 5,036 Indians at Fort Niagara.¹⁸⁰ The large number of Indians overstretched the fort’s facilities, and made it incumbent upon the Indian Department to resettle the Indians elsewhere, and to this end about 3,500 Indians were resettled before May 1781. After that, the number of Indians present at the fort fell off, but the number remained above

¹⁷⁷ See A review of Colonel Johnson’s transactions dated March 24, 1782, Haldimand papers, microfilm reel no. 48, 13-16.

¹⁷⁸ Whitfield, “The Origin of the Settlement of Niagara-on-the-Lake,” 114-5.

¹⁷⁹ Wilson, “The Struggle for Wealth and Power at Fort Niagara 1775-1783,” 137-139; Hinman, Oquaga, Hub of the Border Wars, 67-85; and Graymont, The Iroquois in the American Revolution, 192-222.

¹⁸⁰ Whitfield, “The Origin of the Settlement of Niagara-on-the-Lake,” 116; Graymont, The Iroquois in the American Revolution, 220; Wilson, Loyal As She Began, 79; and Lt. Col. William A. Smy, “The Settlement of Butler’s Rangers in Niagara,” United Empire Loyalists Association, United Empire Loyalists in the Niagara Peninsula, 17.

3,500 until the end of the war. Haldimand was surprised to discover that the cost of provisioning the Indians at the three major upper forts (Niagara, Detroit and Michilimackinac) exceeded the cost of the whole military establishment in Canada exclusive of provisions.¹⁸¹

Jack Sosin has called the Sullivan expedition a “practical failure.”¹⁸² The expedition succeeded in “chastising the Indians but not in subduing them” and the patriots failed in their objective of seizing Fort Niagara.¹⁸³ The patriot raids forced the Indians out of their homes on the New York frontier and into Fort Niagara, but this still left them free to cooperate with the loyalists. In fact, the loyalist raids on the patriot settlements by Butler’s Rangers and Sir John Johnson’s regiment increased after the 1779 Sullivan expedition. During 1780, Sir John Johnson led two British raiding parties against the patriots on the New York frontier, the first against the Johnstown area in May and the second in the Schoharie Valley in the fall.¹⁸⁴ On one of the raids, that of April 5th 1780, Harpersfield was destroyed.¹⁸⁵ The result was that patriot troops that would have otherwise been available in the main struggle against the British were required to protect the New York frontier against the loyalist raiders.¹⁸⁶

¹⁸¹ Graymont, The Iroquois in the American Revolution, 220-2; and Wilson, “The Struggle for Wealth and Power at Fort Niagara,” 139.

¹⁸² Sosin, The Revolutionary Frontier, 122.

¹⁸³ Graymont, The Iroquois in the American Revolution, 222.

¹⁸⁴ Thomas, Sir John Johnson, Loyalist Baronet, 85-100.

¹⁸⁵ See Whitfield, The Origin of the Settlement of Niagara-on-the-Lake, 114-127 for a discussion of the expenses of operating the Indian Department; and Wilson, Loyal As She Began, 25-48 and 79 for conduct of the war at Fort Niagara. General Sullivan’s expedition is described in Graymont, The Iroquois in the American Revolution, 192-222; Flick, The American Revolution in New York, 171; and Christopher Ward, The War of the Revolution (New York: The Macmillan Company, 1952), v.2, 638-45. In her analysis, Whitfield divides Indian Department expenses into two parts, first the expenses of feeding and providing the Indians and their families, and second the expense of buying Indian loyalty. According to Whitfield the second category was by far the larger of the two.

¹⁸⁶ See James H. O’Donnell III, “Frontier Warfare and the American Victory,” in Ferling, The World Turned Upside Down, the American Victory in the War of Independence, 124-5.

During the war, the Indian Department was aligned with Butler's Rangers but it was not as well regarded by the British government and its officers were not as well paid. On April 9, 1779, Fort Niagara's commander tried to upgrade the status of the Indian Department officials by suggesting to General Haldimand that he honour them with commissions; otherwise "they are certain of being treated with cruelty if ever they fall into the hands of the enemy."¹⁸⁷ Haldimand agreed, and began to grant more commissions to Indian Department personnel.¹⁸⁸ Daniel Servos was an immediate beneficiary of this change in policy, as he received a commission as lieutenant on December 24, 1779, and his pay was increased to eight shillings per day.¹⁸⁹ Daniel's commission was granted pursuant to the recommendation of Guy Johnson as Superintendent in charge at Niagara.¹⁹⁰ An entry in Daniel's journal in September 1779 indicates that he bought some materials and clothes for an officer's uniform, including one waist coat and breeches of buff colour, for £27.10.0.¹⁹¹ The uniform was kept by the family and is today part of the Servos collection in the Niagara museum. Jacob Servos became a lieutenant on November 8, 1780, and both Servos brothers retained their positions for the duration of the war. The Indian Department officers continued during the war with their efforts to upgrade the status of the Indian Department. On March 29,

¹⁸⁷ Bolton to Haldimand dated April 9, 1779, in Haldimand papers, microfilm reel no. 39, 78.

¹⁸⁸ Gen. Haldimand to Guy Johnson dated August 30, 1779, in National Archives, Report of the Canadian Archives by Douglas Brymner, Archivist, 1887, being an Appendix to Report of the Minister of Agriculture (Ottawa: Maclean, Roger & Co. 1888), 143, Haldimand papers, B107, B.M., 21767, 92.

¹⁸⁹ See Indian Department pay list for the period December 24, 1779 to March 24, 1780 (92 days) at 8/ per day or £36.16 in total for the period, in Haldimand papers, microfilm reel no. 48, 101; Janet Carnochan, "Palatine Hill," in NHS, (Niagara, Ontario: Niagara Historical Society publication no. 5, Times Print, 1914), 20; and the Servos Commission in NHS, Servos collection, box FA69.3.152.

¹⁹⁰ See Servos commission, NHS FA69.3.152.

¹⁹¹ See Servos Personal Account Book, NHS, 1779-1803 FA69.3.108.

1782, the Indian Department officers petitioned General Haldimand for equivalent treatment to the “generous allowances of the same to the Rangers.”¹⁹²

SERVOS WAR SERVICE

As members of the Indian Department, Daniel and Jacob Servos served with one or another of the Indian tribes at Fort Niagara or in their villages or in the field and assisted them with their scouting, spying and raiding duties on the patriot countryside. Daniel Servos later described his duties to the war loss commissioners by reporting that he “led a company of men as Lieut. in the Indian Department during the war.”¹⁹³ The names of the Servos brothers periodically surface in reports of the Indian Department personnel. In July and August 1779, Daniel was present with Brant in conducting raids with a large party in the German Flats.¹⁹⁴ In the fall of 1780, Jacob Servos led Joseph Brant, Sir John Johnson and a strong force of about 800 combatants up the Charlotte River route, harassed by Colonel Harper and a small body of men, to a camp at Summit Lake. From there, they launched raids on the patriot forts in the Schoharie Valley.¹⁹⁵ On March 9, 1781, one of the Servos brothers, likely Daniel, marched with a band of 46 Kagshawidos (Senecas) at Bowman’s Creek.¹⁹⁶ On April 12, 1781, Daniel was at Carleton Island reporting on Brant’s movements to Daniel Claus.¹⁹⁷ Claus incorporated

¹⁹² See petition by Indian Department officers (John Dease, John Powell, Robert Lottridge, Joseph Clement and Dan Servos) dated March 29, 1782, in Haldimand papers, microfilm reel no. 48, 33.

¹⁹³ Ontario Archives, AO 13, B1180, claim 1877 v. 109 282, UCLP microfilm reel no. C2806 v. 448 “S” Bundle 1, #120, 1794, Ontario Archives AO 12/28 (memorial and evidence) microfilm reel no. B1162.

¹⁹⁴ Cruikshank, The Story of Butler’s Rangers and the Settlement of Niagara; and letter from Colonel John Butler to Lt. Col. Bolton dated August 3, 1779, Haldimand papers, microfilm reel no. 42, no 21,759.

¹⁹⁵ Hartley, A Bicentennial History of the Town of Worcester, 17. B.J. Servos claims that Joseph Brant went after the massacre at Wyoming on July 3, 1778 “with the Mohawks and a number of Rangers under the command of Jacob and Daniel Servos to Schoharie to destroy the Forts erected there and to bring in a number of the families of the loyalists who had come to Niagara” - see B.J. Service papers, 18.

¹⁹⁶ April 1, 1781: Return of Indian War Parties of Colonel Guy Johnson’s department on service, Haldimand papers, microfilm reel no. 48, 116.

¹⁹⁷ See letter Daniel Servos to Colonel Claus dated April 12, 1781, in Maryly B. Penrose, Indian Affairs Papers, American Revolution (Franklin Park, New Jersey: Liberty Bell Associates, 1981), 272.

Daniel's report into a larger report that he sent along to General Haldimand on April 19, 1781.¹⁹⁸ On June 13, 1782, Jacob Servos reported on patriot dispositions at Canawaganas.¹⁹⁹ Daniel provided evidence on August 26, 1782 to an enquiry investigating Colonel Guy Johnson's conduct of the Indian Department affairs, supporting Colonel Johnson with confirmation that his pay as an officer of the Indian Department was duly paid and up to date.²⁰⁰ In 1783, Daniel Servos, then embedded with Captain Henry Nelles and the Canawagaras, reported to Colonel John Butler on patriot movements near Tioga.²⁰¹ On July 2, 1783, Jacob Servos attended an Indian Council with Colonel Butler and other members of the Indian Department to consider complaints from the Onondagas about their treatment.²⁰²

John Servos, who had remained in New York after Daniel and Jacob joined the Indian Department, enlisted in the patriot army in April 1778. There is no record whether he did this because he wanted to or because he had no other choice. John served as a private and sergeant in the Tryon County militia under Captains David McMaster, Solomon Woodworth and Garret Putnam in the regiments of Colonel Frederick Fisher and Marinus Willett. In the summer of 1779, John served as a substitute for his younger brother Christian when Christian became ill. In any event, in the autumn of 1780, John was "captured" by the British. Following his capture, John enlisted in British Major John Ross' battalion stationed at Carleton Island (the King's Royal Regiment of New York), which also included at various times during the war Philip Servos and Peter Servos' son,

¹⁹⁸ See Claus Papers MG19, Ontario Archives, microfilm reel no. C1478, vol. 3, 15.

¹⁹⁹ Jacob Servos to John Butler dated June 13, 1782, Haldimand Papers, microfilm reel no. 43.

²⁰⁰ Proceeding of a board of officers ordered to make enquiry into the account of the officers in general of the Indian Department, Haldimand papers, microfilm reel no. 43, 138-142.

²⁰¹ Return of the Indian Department commanded by Col. G. Johnson sole agent and superintendent of Indian Affairs 3 Sept 1782, Haldimand papers microfilm reel no. 49, p. 101; and letter Daniel Servos to Col. Butler dated January 20, 1783, Haldimand papers, microfilm reel no. 46, 312.

²⁰² Report of Indian Council meeting dated July 2, 1783, Haldimand papers, microfilm reel no. 44, 171-2.

Peter Servos Jr. In the spring of 1781, Major Ross instructed John Servos to give himself up to the patriots as a deserter. John did so, and was then taken to Albany and questioned by Governor George Clinton and the members of his Executive Council who were meeting in Albany at that time. During his questioning, John Servos gave the Americans an inaccurate report prepared by Ross on the Carleton Island defences.

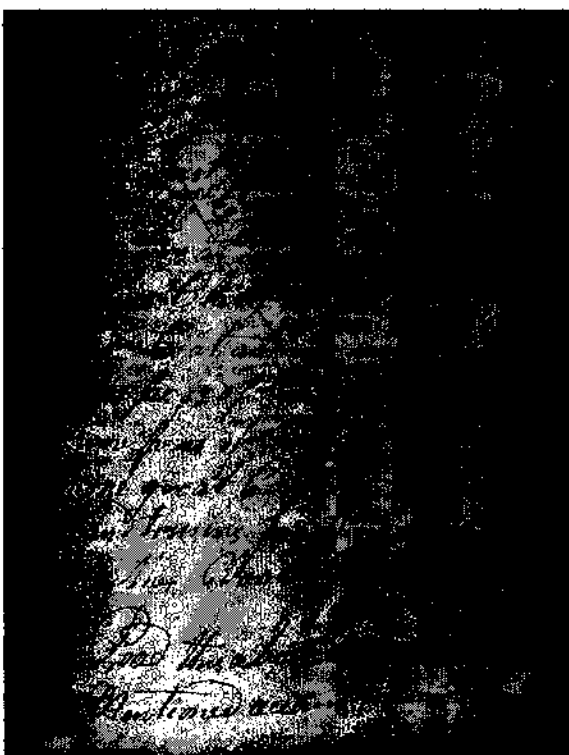
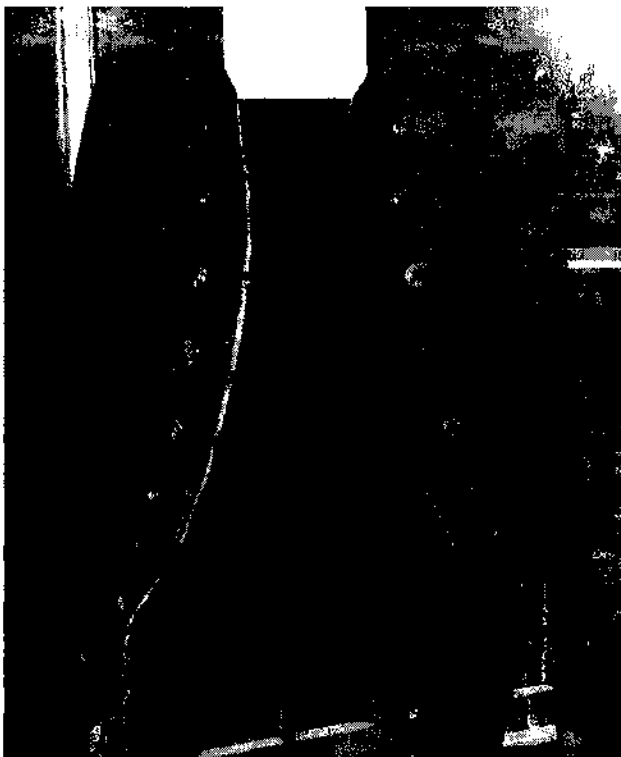
In August 1781, John rejoined the British, bringing back six recruits, and Ross filed the following report:

I was lucky in my choice. He had been in every fort on the Mohawk river, one excepted, and brought in detail of the strength of the whole. After fulfilling everything requisite he obtained a pass to go to the Jerseys, but returned to join his regiment a few days ago with six young recruits for Sir John Johnson's 2nd Battalion. He says the inhabitants are in expectation of a visit from Sir John, and in some places are secreting Provisions for him.

Ross sent John Servos to Montreal to be examined again, and Haldimand awarded him with a gratuity of \$20 in return for his valuable services.²⁰³ On October 25, 1781, John Servos joined his brothers Daniel and Jacob as a volunteer with the Indian Department, and by September 25, 1781 he was added onto the Indian Department payroll. John Servos was one of the witnesses at the enquiry held into Colonel Guy Johnson's conduct at the Indian Department on September 25, 1783.²⁰⁴

²⁰³ Mary Beacock Fryer, King's Men, The Soldier Founders of Ontario (Dundurn Press, Toronto and Charlottetown, 1980), 123.

²⁰⁴ See Haldimand papers, Return of Officers of the Indian Department dated October 25, 1781, microfilm reel no. 43, 205; List of Officers etc. of the Indian Department drawing Provisions at Niagara August 6, 1783, microfilm reel no. 44, 224; and microfilm reel no. 49, pay list Indian Department, 3, August 3, 1782 account from Eliz Fitzgerald for Wm. Fitzgerald for John Servos lodging, 85, account June 24 1780 to September 24, 1781 for John Servos lodging, 122, and board of enquiry at which John Servos was a witness dated September 25, 1783.



The first image is Daniel Servos' field coat, officer's rank, Indian Department, which he wore during the American revolution, from the collection of the Niagara Historical Society, no 972.901. The coat has red, long lapels, 10 buttons on each side, false pockets on each side of hips with four buttons on each, open at back, 2 buttons on each side of open back, tails folded back, pinned. There was no official Indian Department uniform at the time, but officers wore red coats so that they would be easily identified as such by the Indians. Governor Simcoe, understood that the officers of the Niagara militia desired uniforms, and was "pleased to direct" on July 26, 1794 that they provide themselves at their convenience with a scarlet coat with plain gilt buttons, blue facings, and white waistcoat. As captain, and later major, Daniel Servos used his coat from his days at the Indian Department for his duties in the militia, and the coat has been preserved by the family to this day. See Hazel Mathews, Mark of Honour, p. 137. The second image is a list of materials for Daniel Servos' uniform, Niagara Historical Society, Personal Account Book, 1779-1803 FA 69.3.108.

PEACE TREATY

By 1781, the British had enjoyed substantial success in the frontier war in New York, but that success was not matched elsewhere in the war. In his study of the contributions of New York loyalists to the revolutionary war, including military service, propaganda, intelligence work, supply of British troops, withholding supplies from the patriots, and the deranging of patriot finances, Robert A. Curry concludes that if “the British lost the war, it was in spite of their New York adherents.”²⁰⁵ In 1883 William Kirby, always supportive of the Servos family, wrote that the Servos brothers were “conspicuous for their military services throughout the Revolutionary War” and that they were present at “Oriskany, Wyoming, and other engagements on the frontiers of New York and Pennsylvania.”²⁰⁶ Bruce Wilson credits the loyalist regiments such as Butler’s Rangers and the Indian Department with:

an impressive battle record; they served, for the most part, not as auxiliaries of the regular army but as guerillas, loosely organized in small bands, highly mobile and adept at living off the land. Moving swiftly through hostile territory, they swept down in devastating raids upon the northern and western colonial frontiers. They, not the rebels who lived in terror of them, were the most successful frontiersmen of the Revolutionary War.²⁰⁷

In the end, Wilson concluded that “despite the steadfast service of northern Loyalists and their almost unbroken string of victories, the war had not gone well for the British.”²⁰⁸ Meanwhile, the war against the American colonists was an increasingly unpopular one in Britain, and on the European continent several countries who had been

²⁰⁵ Robert A Curry, “New York Loyalists and the American Revolution” (M.A. Thesis, University of Buffalo, 1955), 224.

²⁰⁶ See Kirby, “Memorials of the Servos Family,” 13.

²⁰⁷ Wilson, Loyal As She Began, 26-27; and Kirby, “Memorials of the Servos Family,” NiHS publication no. 8, 13.

²⁰⁸ Wilson, Loyal As She Began, 48.

enemies of the British in the European wars, including Spain, France and Holland, assisted the patriot cause financially and in some cases militarily. Overall, the British war effort was disjointed; the British use of the loyalists was counterproductive and the British military campaigns were uncoordinated.²⁰⁹ The frontier war ended in New York with the loyalist defeat at Johnstown on October 30, 1781 where Walter Butler, Colonel John Butler's son, was killed. On October 19, 1781 the surrender of British General Cornwallis' entire army at Yorktown, Virginia finally convinced the British government that the time for accommodation with the Americans had arrived. The British army may have been capable of winning a military struggle, but it could not win a political war.²¹⁰ Britain chose not to fight an all-out war in the American colonies, and the British were not able to convince the American colonists that they were better off with the British constitution, a reformed British Empire and revitalized colonial institutions than they were with the patriot goals of individual freedom, liberty and control of their own internal affairs.²¹¹

Peace negotiations commenced in 1782, and a provisional peace treaty was executed on November 30, 1782. The news of the peace reached Fort Niagara on April 26, 1783, and the revolutionary war formally ended with the signing of the definitive Treaty of Paris on September 3, 1783.²¹² The Niagara River was selected as the border in the Niagara region leaving the United States on the east bank of the Niagara River and the Province of Quebec on the river's west bank. The area lying between Georgian Bay,

²⁰⁹ Paul H. Smith, Loyalists and Redcoats, A Study in British Revolutionary Policy (Chapel Hill, North Carolina: University of Carolina Press, 1964), 168-174.

²¹⁰ Sylvia R. Frey, "British Armed Forces and the American Victory," in Ferling, The World Turned Upside Down, 183.

²¹¹ Potter, The Liberty We Seek: Loyalist Ideology in Colonial New York and Massachusetts, 154.

²¹² Letter from Haldimand to Maclean dated April 26, 1783, Haldimand papers, microfilm reel no. 45, 364.

Lake Huron and Lake Erie formed the westerly portion of Quebec until it became the Province of Upper Canada in 1791. Fort Niagara was retained by the British until it was surrendered to the United States in 1796 by the terms of Jay's Treaty.

In two respects, the peace treaty was deficient. First, the treaty did not contain any protection for the interests of the Six Nations or their lands in the American colonies. The British plan was to relocate the Indians to locations on the Grand River and the Bay of Quinte in the western part of Quebec on lands that had been purchased for them by the British government from the local Indian tribes. The Indian Department officials were expected to assist the British in encouraging the Indians to go along with the plan of relocation. The second defect of the peace treaty was that it did not contain any provision for the compensation of loyalists for the loss of their property in the former American colonies. However, soon after the peace treaty was announced, the British announced their intention to compensate the American loyalists for their war losses.²¹³

INDIAN DEPARTMENT REDUCTION

When peace arrived in 1783, Indian Department records show that on August 6, 1783, there were 103 officers of the Indian Department and their dependents drawing provisions at Niagara, including Daniel and Jacob Servos (who was shown as being in Indian country at the time of the return).²¹⁴ As the prospect of peace neared, General Haldimand attempted to lower his administrative costs by reducing the number of officers and officials in the Indian Department, and at the same time he discontinued all public

²¹³ George M. Wrong, Canada and the American Revolution. The Disruption of the First British Empire (Toronto: The Macmillan Company of Canada Limited, 1935), 464-9.

²¹⁴ See List of Officers etc. of the Indian Department drawing Provisions at Niagara 6th August 1783, Haldimand papers, microfilm reel no. 44, 224.

works then underway.²¹⁵ The cost cutting, insofar as it affected Indian Department personnel, necessarily had to be carried out on a gradual basis because of the need to retain the loyalty of the Indians. On April 7, 1783, Sir John Johnson produced a plan to reduce the department by four captains, eight lieutenants, four volunteers and 43 foresters by the end of the year 1783.²¹⁶ The plan was approved by General Haldimand on December 3, 1783 and he ordered that only those Indian Department officials who were “absolutely necessary are to be continued” after December 24, 1783.²¹⁷

Daniel Servos was not included in the first reductions of the Indian Department which took place at the end of 1783, and his responsibilities in the department were correspondingly increased. Daniel Servos was one of the representatives of the Indian Department at a council of Indians held on March 6, 1784 to review Indian concerns about the provisions of the peace treaty with them and to explain their options to them.²¹⁸

The reduction of the Indian Department and the British decision to compensate loyalists for their war losses presented Daniel Servos with decisions to make. He had two courses of action open to him. As the eldest son of Christopher Servos, he was the heir at law of his father’s property. As a result, he could return to Tryon County, and seek to recover the family’s lands or compensation for them from New York State. Daniel could also submit a claim to the British government for compensation for the family’s war losses in accordance with the policies announced by the British government to that end. Or, he could pursue both objectives.

²¹⁵ Haldimand papers, microfilm film no. 52, 214, letter from Haldimand to Johnson dated December 3, 1783.

²¹⁶ Plan for a reform in the general department of Indian affairs prepared by Sir John Johnson, Haldimand papers, microfilm reel no. 52, 102.

²¹⁷ Letter Haldimand to John Johnson dated December 1783, Haldimand papers, microfilm reel no. 52, 214.

²¹⁸ See Minutes of Indian Council March 6, 1784 in E.A. Cruikshank, Records of Niagara, 1784-7, 4-5.

On November 8, 1783, while he was still with the Indian Department at Fort Niagara, Daniel submitted a formal claim for his war losses to the British war loss commissioners in the amount of £3,825 representing his estimate of the value of the family's Charlotte River property, and it was duly sent off to England by his superiors at Fort Niagara. To support his claim, Daniel Servos indicated on a December 1, 1783 "Return of persons under the description of Loyalists in the Indian Department" at Fort Niagara that he needed one ration for himself but he expected to be joined in Niagara by Glory Servos (54 years old, perhaps his mother) and his daughters Catherine and Magdalena (aged 9 and 7) who were at that time "in the colonies." Also listed in the 1783 Return were Elizabeth Johnson and Elizabeth Powell (1749-1821), the aunt and cousin of Daniel Servos.²¹⁹ No action was taken by the British government on Daniel's claim for reimbursement of war losses before he left the Indian Department and he became a "reduced officer on March 24, 1784" of the Indian Department.

As noted by one observer, Indian Department officers had historically been in a disadvantageous position on becoming reduced officers, since:

from the peculiar nature of their services which have drawn on them the odium and inveterate resentment of the American colonists, they entertain small hopes of ever being permitted to return to their former establishments, and from the change in government that has unfortunately succeeded in the country few are inclined to do so.²²⁰

After the French and Indian War, British government policy as set forth in the 1763 Royal Proclamation was to grant rewards in land to reduced officers of the army

²¹⁹ See 1783 Niagara Return of Persons under the Description of Loyalists, Specifying the Number, Ages and Sexes and Number of Rations drawn by Families in the Indian Department at Niagara 1 December 1783, in Crowder, *Early Ontario Settlers, a Source Book*, 23.

²²⁰ Memorial of Officers of the Six Nations Indian Department to Sir John Johnson, *Haldimand papers*, microfilm reel no. 110, 42-3.

and navy and to disbanded men of the British forces who served in North America. But the policy was not extended to Indian Department officers. In 1783, the policy was re-instituted for reduced men of the regular and loyalist regiments, but once again Indian Department officers were excluded.²²¹

On July 30, 1783, the Indian Department officers wrote to Sir John Johnson pointing out that “the King has already graciously provided for many whose services were subsequent to theirs, and not more painful or constant,” and requesting that Sir John “apply in their behalf to the Commander in Chief in such a manner as may induce His Excellency to recommend them to His Majesty’s gracious notice, and to relieve them from the present anxious state of uncertainty, by procuring for them with such provision as their different services shall appear to deserve.”²²² A like application was submitted on September 10, 1783 to Colonel Guy Johnson, who was described in the application as “the gentleman who first formed us,” requesting that the Indian Department officers be considered for locations or grants of land.²²³ General Haldimand assured Sir John Johnson that he would “not fail in the general distribution of His Majesty’s Bounty on this occasion to do every justice to the officers of the department of the Six Nations.”²²⁴

On December 4, 1783, Sir John Johnson wrote again to General Haldimand providing him with a list of the officers of the Indian Department that he thought were “deserving of attention as loyalists with such remarks as I am able from my knowledge of

²²¹ Lillian F. Gates, Land Policies of Upper Canada (Toronto: Canadian Studies in History and Government, University of Toronto Press, 1968), vol. 9, 6 - 7; and Ontario Archives, Third Report of the Bureau of Archives for the Province of Ontario (Toronto: Queens Printer, 1906), 368-9.

²²² See letter Indian Department officers dated July 30, 1783 to Sir John Johnson, Haldimand papers, microfilm reel no. 110, 42-43.

²²³ Letter from Indian Department officers to Guy Johnson dated September 10, 1783, Haldimand papers, microfilm reel no. 110, 50.

²²⁴ See letter Haldimand to John Johnson dated October 2, 1783, Haldimand papers, microfilm reel no. 48, 202.

them and their former situation,” and requesting that they receive equal attention with the provincial or other regiments.” The situation of Daniel Servos is described in this document as “served since 1779 property of the family valued at 3825yc.”²²⁵ In 1784 Sir John again provided General Haldimand with a list of Indian Department officers that he thought were “deserving of attention as loyalists” and requested that they be entitled to receive half pay. Daniel Servos’ service is described in the latter document as “lieutenant, 6 years Albany County, a farmers son left the colonies in 1779 served until 24 March 1784.”²²⁶ In the end, General Haldimand supported the petitions of the Indian Department officials, and in due course the officers were eligible for land grants and half pay with the other loyalists who had fought for the British cause.

POSTWAR IN TRYON COUNTY

Following his discharge from the Indian Department on March 24, 1784, Daniel Servos “went on horseback through the wilderness” to Tryon County to see what opportunities were open to him there.²²⁷ The county’s name was changed that year to Montgomery County to eliminate any reference to the former British Royal Governor and to honour instead General Montgomery, the American patriot military commander who was killed on December 31, 1775 during the patriot invasion of Quebec.

In the latter part of the war, Daniel’s wife (Catherine) died in Tryon County. Her death must have occurred after February 4, 1781 when she and Daniel were sponsors at

²²⁵ Letter John Johnson to Haldimand December 4, 1783, Haldimand papers, microfilm reel no. 52, 216-218 and microfilm reel no. 85, 319. See also Penrose, Indian Affairs Papers American Revolution, 305.

²²⁶ See Return of officers of the Indian Department recommended for half pay, Haldimand papers, microfilm reel no. 85, 353.

²²⁷ William Kirby, Memorials of the Servos Family,” NHS publication no. 8, 17.

the baptism of the daughter of her sister, Annatje Reese.²²⁸ Peter Servos died in Johnstown on August 11, 1782. In Tryon County, Daniel was reunited with his two daughters, his mother and his siblings, all of whom had survived the war. Although information about the effects of the war on Daniel's family is limited, they apparently relocated to the Johnstown area after they were evicted from the Charlotte River farm, perhaps to their former farm on the Cayadutta Creek.

The peace treaty provided loyalists returning to the American colonies with a small measure of hope. Its stated goal was "to forget all past Misunderstandings and Differences" and restore a "beneficial and satisfactory Intercourse" between the two countries. The treaty's fifth article required the American Congress to "earnestly recommend" to the state legislatures that they restore the confiscated property and rights of "real British subjects" and of those people who were within the British lines in America but had not borne arms against the United States. Others, i.e. those Americans who had fought for the British side during the war, were free to return to the United States for a twelve month period unmolested while they tried "to obtain the Restitution of such of their Estates, Rights, and Properties as may have been confiscated." Congress also agreed to "earnestly recommend" to the states that they reconsider and revise their legislation to make it "perfectly consistent, not only with justice and equity, but with that spirit of conciliation, which on the return of the blessings of peace, should universally prevail." Loyalists' property and rights were to be restored to them on the basis that they would refund to any person in possession of the property the *bona fide* price which such person may have paid on purchasing the property after confiscation. Congress forwarded

²²⁸ Peltier and Jackson, Servos Family Compendium, 1, and Rooney, Doris Dockstader, Descendants of Georg Dachstatter Palatine Emigrant of 1709 who settled in the Mohawk Valley of New York, published privately, vol. 1, 63 and 68.

the recommendations to the states, but had no power to enforce them. The treaty's sixth article prohibited any future confiscations of property or persecution of loyalists, and provided that imprisoned loyalists were to be released.²²⁹

The revolutionary war resulted in the evacuation of almost all settlers from the Charlotte River. Howson Hartley states that "at the close of the Revolution, the entire upper Susquehanna region was desolate, with virtually no inhabitants."²³⁰ Following the war, a new generation of settlers came to the New York frontier and rebuilt the economy there. They were mainly of European origin, Protestant faith and commercial ambition, and their struggles have been celebrated by American historians with a new tradition, called the "myth of the second creation." The new tradition did not, however, accommodate former New York loyalists who wished to return to their former homes.²³¹ Instead, the loyalists were treated as followers of a corrupt antiquated British regime and misguided adversaries of the American vision of democracy, freedom and liberty, all of whom deserved to be banished from the United States for their crimes.²³²

The animosity towards returning loyalists could not have been unexpected. As early as February 9, 1775, a Tory was defined as "a thing whose head is in England, and its body in America, and its neck ought to be stretched."²³³ Governor Clinton of New York declared that he would "rather roast in hell for all eternity than show mercy to a damned Tory." John Adams recommended that the patriot "executive officers" overcome their "timidity" and "fine, imprison, and hang all inimical to the cause, without

²²⁹ A copy of the Treaty is found on The Patriot Resource website, <http://www.patriotresource.com/documents/treaty.html>.

²³⁰ Hartley, *Bicentennial History of the Town of Worcester*, 17.

²³¹ Taylor, *William Cooper's Town*, 33.

²³² See United Empire Loyalists Association, *United Empire Loyalists*, 28-29.

²³³ Flick, *The American Revolution in New York*, 257.

favour or affection,” and he insisted that “I would have hanged my own brother had he taken part with our enemy in the contest.” Not to be outdone by his colleagues, George Washington said of loyalists at the beginning of the revolution that “the day is not far off when they will meet with imprisonment or a worse fate, if there is not a considerable reformation in their conduct,” and later in the war, referring to loyalists, Washington said that “by all accounts there never existed a more miserable set of beings, than these wretched creatures now are,” and he suggested that “one or two have done, what a great many ought to have done long ago, committed suicide.”²³⁴

In New York, the patriots moved quickly to ensure that returning loyalists would face “renewed virulence from their recent enemies” and many loyalists who chose to return anyway faced ignominious treatment such as being “tarred and feathered” or even worse, and many loyalists were forcibly expelled from the state.²³⁵ One such story involves John Servos who returned to Tryon County following the war to see his sister who had married Peter Warren Young. When Young saw John Servos, he picked up his musket, and said: “I am going to the barn to thrash, in an hour I shall come back and if I find you here I will shoot you down.”²³⁶ One later chronicler of this event suggests that “The suffering and loss of life and property among the frontier patriots at the hands of their Tory neighbors, relatives and friends could not be forgotten.”²³⁷

²³⁴ David V.J. Bell, “The Loyalists: The First American Expatriots,” University of Windsor Review 2 (1972), 64-5; James W. Thompson, “Anti Loyalist Legislation during the American Revolution,” Illinois Law Review 3 (1908-9), 84; and letter George Washington to John A Washington dated March 31, 1776, reprinted in Morton and Penny Borden, eds. The American Tory (Englewood Cliffs, New Jersey: Prentice-Hall, 1972), 74.

²³⁵ Wilson, Loyal As She Began, 51.

²³⁶ Dr. Daniel S. Young and John J. Van Der Veer, A Genealogy of this Branch of the Young Family in America from 1727 to 1912 (Amsterdam, New York: Evening Recorder Print, 1912), 6.

²³⁷ The passage is found in Dorothy Hadlock, Young and Servoss Families – Misc. Records and Papers of Mohawk Valley, New York (LDS Family History Centres, copy in the possession of the Montgomery

Additional hostility was reserved for those loyalists, like Daniel Servos, who had fought with the Indians or were associated with the British Indian Department. A contemporary view was expressed by W.L. Stone, writing in 1838, that the returning loyalists, “who had taken arms in company with the Indians, were far more revengeful and bloody than were the Indians themselves. It is no marvel, therefore, that a feeling of peculiar bitterness against them existed in the bosoms of those who had suffered so keenly at their hands.”²³⁸ The provisions of the peace treaty did not ameliorate the “spirit of persecution and violence” that prevailed in New York.²³⁹ Allan Maclean, commander at Fort Niagara, reported in May 1783 that those who had served with him “would rather go to Japan than go among the Americans where they could never live in peace.”²⁴⁰

On May 9, 1783, the principal inhabitants of the Mohawk District passed the following resolution:

Therefore, *Resolved unanimously*, that all those who have gone off to the enemy, or have been banished by any law of this state, or those who we shall find tarried as spies or tools of the enemy, and encouraged and harbored those who went away, shall not live in this district on any pretence whatever; and as for those who have washed their faces from Indian paint, and their hands from the innocent blood of our dear ones, and have returned either openly or covertly, we hereby warn them to leave this district before the 20th of June next, or they may expect to feel the just resentment of an injured and determined people.

We likewise unanimously desire our brethren in the other districts in this county to join with us, to instruct our representatives not to consent to the repealing any laws made for the safety of the state, against treason or

County Department of History and Archives in Fonda, New York). On his visit John is reported to have left his bugle which now forms part of the Montgomery County Department of History and Archives exhibits.

²³⁸ Stone, *Life of Joseph Brant*, v. 2, 236; and Taylor, *William Cooper's Town*, 52-3.

²³⁹ Brown, *The King's Friends*, 80; and Flick, *Loyalism in New York*, 159-63.

²⁴⁰ General Maclean to Haldimand, May 3, 1783, in E.A. Cruikshank, *Records of Niagara 1778-1783* (Niagara: NHS publication no. 38, 1927), 49-50.

confiscation of traitors' estates; or to passing any new acts for the return or restitution of Tories.²⁴¹

On June 7, 1783, the inhabitants of Harpersfield, Kortright, Cherry Valley and other settlements in the Canajoharie District met at Fort Plain and passed several similar resolutions, leaving no doubt that loyalists would not be welcomed back in the region. Patriot hostility to returning loyalists ensured that New York took no steps as a result of the peace treaty to restore loyalist lands to them or to provide the loyalists with the status of American citizens. To the contrary, an Act of May 12, 1784 disenfranchised all voters proved guilty of bearing arms against the patriot cause, and denied to them any prospect of holding public office. In addition, the provisions of the Confiscation Act, which had been passed by the New York Legislature in 1779 but not fully enforced by the New York authorities against loyalists not specifically named in the legislation, were put into full force and effect. The state governor appointed commissioners of forfeiture for each district of New York State who were authorized to sell all lands and houses confiscated and to grant deeds which were held to be valid against all claims, and buyers were protected in every way against the claims of dispossessed loyalists.²⁴²

For forfeiture of a loyalist's estate to occur, the grand jury of any county preferred a bill of indictment against any person (alive or dead) who had adhered to the enemies of the state and owned any real or personal estate within the state. Sales were made in the county where the lands were located. Upon the indictment being found, the sheriff of such county gave notice thereof in one of the state's public papers for four weeks, and called upon the person so indicted to appear and answer, and upon his default judgment

²⁴¹ Stone, *Life of Joseph Brant-Thayendanegea*: vol. 2, Appendix V.

²⁴² Flick, *Loyalism in New York*, 147-63.

was awarded against him and his estate forfeited.²⁴³ The legislation discouraged sales of lots over 500 acres and gave tenants the first choice to purchase the land they had cultivated at an appraised price.²⁴⁴

Pursuant to the Confiscation Act, Christopher and Clara Servos and their sons were all attainted of the offence of adhering to the enemies of New York State on July 14 and 15, 1783, and their lands in Caughnawaga and Harpersfield were confiscated by the New York authorities.²⁴⁵ When Daniel Servos returned to Tryon County in 1784, he learned that the family homestead had been burnt by the patriots during the war and confiscated by the state afterwards, and that none of the Servos family was in possession of any part of their former estate.²⁴⁶ Part of the farm had already been sold by New York pursuant to the Confiscation Act, and the remainder of the property was advertised for sale.²⁴⁷ Daniel's aunt (Elizabeth Johnson) was also convicted of adhering to the enemies of the State of New York on July 15, 1783, likely because her husband had joined the British Indian Department, and their property was also confiscated.²⁴⁸

Daniel Servos spent the winter of 1784-1785 with his family in Tryon County, assessing his options. It appears that Daniel married his cousin Elizabeth Powell while in

²⁴³ Jones, History of New York during the Revolutionary War vol.2, 248, 494; Flick, Loyalism in New York, 162-3; and Schaubert v. Jackson, ex dem. Bogert and others, 1828, 2 Wend. 13, Lock. Rev. Cas. 17.

²⁴⁴ Sosin, The Revolutionary Frontier, 152.

²⁴⁵ See Comptroller's Office, New York in the Revolution as Colony and State, supplement, 271 and 275; Paul J. Bunnell, The New Loyalist Index (Bowie, Maryland: Heritage Books, Inc., 1989), vol. 1 - the entries are listed alphabetically; and John Thomas Reilly, "The Confiscation and Sale of the Loyalist Estates and Its Effect upon the Democratization of Landholding in New York State, 1799-1800" (Ph.D. diss., Fordham University, 1974) Appendix I, 371 and 375, and Appendix II, 426.

²⁴⁶ See Reilly, "The Confiscation and Sale of the Loyalist Estates," Appendix II, 371 and 375. 500 acres of Christopher Servos lands on the Charlotte River were sold by the Commissioners of Forfeiture to Andrew Lotta on August 23, 1783. Later 100 acres of Christopher Servos lands in the Kayadersosseras patent were sold to John Dockstadter on October 18, 1796 for £501.0.0.

²⁴⁷ See Ontario Archives Second Report, 957.

²⁴⁸ See reference to Elizabeth Johnson in Bunnell A.G.U.E., The New Loyalist Index.

Tryon County.²⁴⁹ He also tried to recover his family's property and some debts owing to the family, but he was ultimately unsuccessful. The terms of the treaty notwithstanding, Daniel had little chance of recovering his lands, because the State of New York had passed new legislation effectively preventing any loyalist claims from being prosecuted in state courts. Neither could he bring suit in state courts against his debtors.²⁵⁰

By the spring of 1785, Daniel Servos had remained in Tryon County for the 12 month period contemplated by the Treaty of Paris' fifth article, and he was then obliged to return to Niagara. Accordingly, Daniel and his family "returned home by way of Oswego coasting in an open boat along the south shore of Lake Ontario from Oswego."²⁵¹ The postwar difficulties of life as a loyalist had made it impossible for him to remain in Tryon County beyond the one year period permitted by the peace treaty, and he had no alternative other than to join the loyalist migration to Upper Canada.

POLITICAL CHOICES

The motivations of the Servos family for taking the British side during the revolution cannot be explained solely by any one of the motives generally attributed to the loyalists in the loyalist studies. The Servos family was not influenced by the availability of land grants or economic opportunity in making their decision to migrate to Upper Canada, as they first sought to reestablish themselves in New York following the war. Nor was there any sign that their decision to migrate was influenced by ethnic or religious beliefs.

²⁴⁹ There is no surviving evidence of the marriage but their first son, John Dease Servos, was born in October 1785.

²⁵⁰ Hartley, *A Bicentennial History of the Town of Worcester*, 18.

²⁵¹ William Kirby, "Memorials of the Servos Family," *NHS publication no. 8*, 18.

There is also no evidence that the Servos family was motivated by loyalty to their New York patrons, the Johnson family. Many New Yorkers simply followed the Johnsons to Montreal at the start of the revolution or to eastern Upper Canada after the war. At least 149 (or nearly 15%) of the loyalist claimants from New York whose residences are known were former settlers on Johnson lands who had come to America between 1740 and 1775. Of the 149 claimants who seem to have been Johnson tenants, 20 were American born, three English, seven Irish, 92 Scottish, 23 German, and four unknown. In total, at least one-third of the total German claimants were likely Johnson tenants.²⁵² Many of the remaining Tryon County claimants may also have been Johnson tenants; certainly many of them served in the army under Sir John Johnson. However, the relationship with the Johnson family does not appear to have been a deciding factor in influencing the Servos family towards the British side. Sir William had died in 1774, and Sir John had fled to Canada in 1776 with the bulk of his supporters. Perhaps the relocation of the Servos family to the Charlotte River and the flight of Sir John to Montreal had effectively removed the Johnson influence for the Servos family.

Historian Gregory Nobles questions the prominence and power of the large landowners on the New York frontier, and concludes that they did not compose a dominant class able to secure deference from the other settlers. The lack of deference did not mean defiance, however. Smaller farmers (like the Servos) were occasionally disrespectful toward the local gentry on the frontier but for the most part they accepted the leadership of the gentry whose social and economic aspirations they shared.²⁵³ In the

²⁵² Brown, *The King's Friends*, 105.

²⁵³ Nobles, "Breaking into the Backcountry: New Approaches to the Early American Frontier, 1750-1800," 658.

case of the Servos family, this adherence to the Johnsons did not extend to joining them on their flight to Canada.

The uncertainty of life on the frontier made it difficult for the ordinary loyalists to explain their political motives after the war, and their loyalty was often expressed in their submissions to the war loss commissioners in non-political terms. For many property owning families like the Servos family, the political system was a matter of indifference. Their behaviour by necessity had to be consistent with the objectives of the governing authority, and they interacted with the governing authority to the extent necessary to further their economic interests, particularly when the title to land was an issue.

Like many other loyalists, Daniel Servos expressed his case for compensation to the war loss commissioners based on the family's loyalty to Britain. In his statement to the commissioners, Daniel said that, when faced with the revolution, Christopher Servos and his sons all "declared in fav'r of the British," and "took occasions of testifying their loyalty to the Sovereign," for which they were taken prisoners, and for which they were "all imprisoned at different times" and after some time were permitted to return home but were "esteemed as suspicious persons among them."²⁵⁴ It seems that Daniel Servos may have stretched the truth in his statement, as there is no evidence that the Servos family declared in favour of the British and took all occasions to declare it. The most accurate part of Daniel's statement seems to be that the Servos family was esteemed suspicious by local patriots and that they were jailed. Nevertheless, according to the political conditions of the time, they were loyalists. They did not advocate "revolutionary principles" or join the patriots in the revolution. By provisioning the loyalist raiding parties from their mills,

²⁵⁴ Ontario Archives, Ontario Archives Second Report, 957.

their respect for established “legally organized bodies,” and, their long term experience with the Johnsons as patrons, the Servos family supported the governing authority (i.e. the British) to the extent possible in the circumstances through their behaviour.

In his statement to the war loss commissioners, Daniel Servos added that Christopher Servos “was killed by a party of the Rebels at the time he was endeavouring to collect a party to come off in the summer of 1778.” The evidence from local patriots and the Servos family themselves confirms that the Servos family assisted loyalists who were fleeing to Canada and British raiders with food and shelter during the early part of the war. Even so, the family remained on their farm, and did not flee to Canada or join the British forces themselves for the first three years of the war, and there is no evidence that they were intending to do so in August 1778 when Christopher Servos was killed. The four sons of Christopher Servos were not even present when their father was killed, much less making preparations for a flight to Canada. As for himself, Daniel’s statement indicated that “he to avoid death or imprisonment was forced to leave the aforesaid effects and escape to Niagara where he joined the King’s forces as a lieutenant in the Indian Department.” It follows therefore that he felt he had no alternative, following his father’s death, other than to seek refuge behind the British lines.²⁵⁵

William E. Roscoe interviewed many of the participants in the killing of Christopher Servos. His view was that when the hostilities commenced, Christopher Servos adopted a position of “neutrality” and refused to take sides in the contest, fearing he would lose his lands like thousands of others if he chose the patriot cause. Situated as he was upon the busy Indian trail along the Charlotte River, Servos could not, or would not dare to refuse to provision the King’s subjects whom Roscoe referred to as “Indians

²⁵⁵ Ontario Archives microfilm B2445, Group Audit Office 13, Daniel Servos evidence August 22, 1787.

and Tories.” Roscoe speculates that there was no doubt that Christopher Servos was well paid for every “morsel of eatables, as the British government was lavish with its gold where it would cast a shade of loyalty.” Meanwhile, because of the location of the Servos farm on the Charlotte River transportation routes, both the patriots and the loyalists pressured Servos to adopt a position favouring one side or the other. Roscoe postulates that each faction was “delicate to a fault and he, who by a single act or word, however trivial, displayed the least favor to their enemies, was at once condemned, and scarcely any after act could atone for so doing.”²⁵⁶

In the end, Roscoe speculates that the patriots took action first and the result was the death of Christopher Servos at their hands. If, as Roscoe suggests, there was reluctance in the loyalty of Christopher Servos, there was even less certainty about the intentions of Daniel Servos. At best, Daniel must be classified as an “expedient loyalist” or even as a “loyalist of convenience.” He joined the British cause for the duration of the war only when forced to do so by his father’s murder. After the war, Daniel returned to New York to try to recover his family and property, and it was only in 1785, when the family farm had been confiscated and his attempt to return to Tryon County had been rejected by the patriots, that Daniel finally determined to become a “loyalist” and migrate to Upper Canada. Thus, Daniel’s migration was the result of postwar difficulties experienced on his return to New York, and his decision to do so was concluded only when that decision was the only viable alternative left to him.²⁵⁷

²⁵⁶ Roscoe, *History of Schoharie County, New York*, 156-158.

²⁵⁷ *Ontario Archives* AO 13 Bundle 15, B2188 327 and *Ontario Archives* microfilm reel no. B-1162 (v.28, 5). See List of Estates Forfeited in Fernow, *New York in the Revolution*, 232, which includes the names of Christopher Service, Christian Service and Clara Service as loyalists whose estates were forfeited.

The political choice for each loyalist in the revolution was an individual one, and depended upon the kind of person he was, his state of mind, his experience throughout life, and his circumstances when confronted by the revolution. Thus, J.J. Talman simply concluded that the great majority of the loyalists went to Canada “because their actions or words had made it impossible for them to remain in, or return to, their pre-revolutionary homes.”²⁵⁸ Christopher and Daniel Servos may have been among those colonists identified by Leonard W. Labaree as “moderates who preferred to remain neutral and who in many cases were driven into active loyalism only by the hostility of their uncomprehending and impatient fellow colonists.” For them, “a firmly loyalist position was often a matter of slow development.”²⁵⁹

²⁵⁸ Talman, Loyalist Narratives, xxvii; and idem. “The United Empire Loyalists,” in Firth, Profiles of a Province, 4. Also see Brown, The King’s Friends, 86-7; Wilson, Loyal As She Began, 13-18; and Flick, Loyalism in New York, 35.

²⁵⁹ Leonard W. Labaree, “The Nature of American Loyalism,” American Antiquarian Society Proceedings N.S. 54 (1944): 37, 41 and 46.

CHAPTER 3 – LOYALIST ENTREPRENEUR

It was the challenge for Daniel Servos in Upper Canada to match his father's success on the American frontier. When he arrived there in 1785, the governing authority was a royal governor resident in Quebec and represented in Niagara by the British military commander at Fort Niagara. Then in 1792, Lieutenant Governor John Graves Simcoe arrived to form Upper Canada's first civil administration. Both administrations were regimental and authoritarian. New policies were required to accommodate the new settlement on the west bank of the Niagara River where none had existed before, and while these were being developed opportunities opened up for settlers with initiative. Upon his arrival at Niagara on April 24, 1785, Daniel was appointed by Colonel A.S. DePeyster, commander of Fort Niagara as operator of the King's Mills in the new settlement on the west bank of the Niagara River across from Fort Niagara.¹ Within a dozen years of his arrival in Niagara, Daniel demonstrated practical skills and values in constructing his own mills and reestablishing his family to their former middling status as mill owners on a large tract of land located near the King's Mills. To achieve this result, Daniel Servos exploited the administrative policies of Upper Canada's new government (or lack thereof), and he also took advantage of the opportunities available to him as a loyalist and as a participant in Niagara's emerging capitalist economy.

SETTLEMENT ON THE WEST BANK

There is no record of what help, if any, David Servos received from those in authority in obtaining the mill operator appointment. His previous expertise in operating the family's mills on the Charlotte River would no doubt have been of assistance to him in securing the mill position in Niagara. Also, it may be that John Dease, a cousin of Sir

¹ Ontario Archives, MS 626, 1 RG 1 – A-1-1, 74 – Letters received no. 1 Oct 1792 to Dec 1793.

John Johnson, who also served as Deputy Superintendent of Indian Affairs at Fort Niagara after 1784, helped Servos to obtain the appointment.² Daniel would have known Dease when he lived at Johnstown, New York during Sir William Johnson's lifetime, and also during the years when he was stationed at Fort Niagara during the revolutionary war.³ Dease was once described by the commanding officer at Fort Niagara as "a good natured man, but very fond of entertainments."⁴ Servos named his eldest son, born about that time, after John Dease, but there is no other indication that Dease may have been of assistance to him, and the conclusion must be that Daniel received the appointment as mill operator because of the high regard that the British military had for him following six years of military service and his previous experience as a millwright in New York.

The settlement that awaited Daniel Servos in Niagara was initiated in the summer of 1778 by General Frederick Haldimand to alleviate overcrowding at Fort Niagara and to reduce "the great expense and difficulty attending the Transport of Provisions to the upper Posts." The location of the new community at Niagara, situated on a plain surrounded on three sides by the waters of Lake Ontario, the Niagara River and Lake Erie with good soil drainage and topography, was favourable for settlement.⁵ The local Indian populations were at peace, and the garrison at Fort Niagara provided a ready market for surplus crops. The physical conditions were therefore suitable for white settlement.⁶

On October 7, 1778, Haldimand suggested to General Bolton, the then Fort Niagara commander, that the refugees might be usefully employed "to cultivate as much

² John Dease was at Fort Niagara when Daniel Servos returned from Tryon County. See letters from John Dease to Sir John Johnson in E.A. Cruikshank, Records of Niagara 1784-9 (Niagara, Ontario: Niagara Historical Society publication no. 40, 1929), 3-11.

³ Section on John Dease, Dictionary of Canadian Biography, vol. 5, 228-30.

⁴ Allan Maclean to Capt. Mathews dated May 17, 1783, Haldimand papers, microfilm reel 44, 114-6.

⁵ R. Louis Gentilcore, "The Beginnings of Settlement in the Niagara Peninsula (1782-1792)" Canadian Geographer 7(2) (1963): 73.

⁶ Upton, The United Empire Loyalists: Men and Myths, 85.

land next year as possible about the Fort; at least to lay a foundation of by degrees, supplying entirely the Post with bread; - And the rearing of Cattle is likewise possible, I should imagine to bring about in time.”⁷ In December 1778, Col. John Butler moved his rangers to barracks constructed on the west bank of the Niagara River.⁸ In March 1779, Haldimand again urged Bolton to proceed with settlement on a small scale by encouraging a few families to undertake the farming of land on the west bank.⁹

In undertaking the new settlement, Colonel Bolton urged caution because he feared that the settlement “might be displeasing to our allies the six nations,” and in any event Bolton expected that it would take six or seven years before the scheme could become “serviceable to Government & individuals that may be induced to undertake it.”¹⁰ In July 1780, however, Haldimand once again pressed Bolton to move ahead with the settlement of the west bank and to “give such orders & assistance as you will judge most expedient for promoting with the utmost dispatch & vigour an undertaking so apparently Beneficial to government as well as to the ease and comfort of the Troops.”¹¹ This time Bolton agreed and, by virtue of his command of the rangers, who were by then barracked on the west bank of the Niagara River, Colonel John Butler was put in charge of the west bank settlement.¹²

LOYALIST SETTLEMENT SCHEMES

To further settlement, Bolton was instructed to divide the land into lots and distribute them on a rent free basis “to such Loyalists who are capable of improving them

⁷ Haldimand to Bolton October 7, 1778, Cruikshank, Records of Niagara, 1778-1783, 8.

⁸ Cruikshank, Butler's Rangers in the Revolutionary Period, 58-9.

⁹ See comments of Cruikshank, Records of Niagara, 1778-1783, 11.

¹⁰ Bolton to Haldimand March 4, 1779, Cruikshank, Records of Niagara, 1778-1783, 9-10.

¹¹ Haldimand to Bolton, July 13, 1780, Cruikshank, Records of Niagara, 1778-1783, 20-21.

¹² Faye Vernet Whitfield, “The Origins of the Settlement of Niagara on the Lake, 1778-1784,” 41-2.

and desirous of procuring by industry a comfortable maintenance for their families until such times as by peace they shall be restored to their respective homes should they be inclined to quit the situation at Niagara.” The settlers were to hold the lots from year to year, but were not “to consider that they have the smallest right to any part thereof, the produce alone being their property.” Any surplus crops were to be turned over to the Fort Niagara commander for disposition to the troops. Bolton was also instructed to provide the settlers with a reasonable amount of provisions for a one year period including “Steel Mills Ploughs and other implements of Husbandry,” and “every assistance Whether of horses or otherwise as shall be in your power to those whose Sobriety, Industry and good conduct may entitle to such indulgence.”¹³

The first west bank settler was Private Peter Secord, Senior, a Butler’s Ranger who moved to Niagara on August 4, 1780.¹⁴ Lands were cleared, and it was hoped that planting would start in the fall of 1780, but the seed wheat did not arrive in time and so the farming of crops began the next year when the supplies arrived.¹⁵ By December 1780, Colonel Butler was able to report that there were “four or five families who have begun and built themselves homes.”¹⁶ On May 20th, 1781, Butler reported that only one settler family was drawing supplies, “the rest have been able to help themselves.”¹⁷ And by December 1781, Butler reported “I flatter myself that in a short time the Farmers will be

¹³ Haldimand to Bolton July 7, 1780, in Cruikshank, Records of Niagara, 1778-1783, 18-9.

¹⁴ Lt. Col. W.A. Smy, “The Settlement of Butler’s Rangers in Niagara,” United Empire Loyalists in the Niagara Peninsula, 19; “The Petition of Peter Secord,” in “Petitions for Grants of Land, 1792-6,” introduction and notes by E.A. Cruikshank, “Petitions for Grants of Land, 1792-6,” Ontario History Society Papers and Records 24 (1927): 119-20. A second candidate for first settler was Michael Showers, reported by Butler to build a house on May 30, 1781 - see Talman, Loyalist Narratives from Upper Canada, xl.

¹⁵ Haldimand to Gen. Watson Powell April 11, 1781, and Mathews to Butler April 12, 1781, in Cruikshank, Records of Niagara, 1778-1783, 28.

¹⁶ Butler to Mathews December 7, 1780, Cruikshank, Records of Niagara, 1778-1783, 28; and Alun Hughes, “John Butler and Early Settlement on the West Bank of the Niagara River,” The Butler Bicentenary Commemorating the 200th Anniversary of the Death of Colonel John Butler (St. Catharines, Ontario: United Empire Loyalists Association, 1997), 65.

¹⁷ Cruikshank, The Story of Butler’s Rangers and the Settlement of Niagara, 104.

found to be of essential use to this Post – they have maintained themselves since Sept last and were only allowed half rations from the beginning.”¹⁸

In proceeding with their settlement, the British were restricted by a 1764 treaty with the Seneca that required them to use the lands around Fort Niagara only for official purposes, i.e. not simply for white settlement. To further complicate matters, the Mississauga had moved into Niagara since the treaty was signed, and they also wanted to be included in the treaty.¹⁹ In July 1780, Haldimand decided to seek permission from the Mississauga for settlement, and this was obtained by Butler at a conference in October 1780.²⁰ Then, on May 9, 1781, the problem was solved once and for all when the British purchased from the local Indians outright ownership of a strip of land on the west side of the Niagara River, four miles wide, and running between Lakes Ontario and Erie.²¹ In 1784, the lands between that parcel and Burlington Bay to the east were acquired.²² The new settlement grew rapidly, and Butler’s August 25, 1782 report shows that there were then 84 settlers on the west bank who had cleared a total of 236 acres and produced 206 bushels of wheat, 926 of corn, 46 of oats and 630 of potatoes.²³

In June 1783, Surveyor General Samuel Holland was ordered by General Haldimand to survey “the North Shore of Lake Ontario all the way to Niagara,” and the allocation of the surveyed land for the “Settlement of our said Loyal Subjects, the non Commissioned Officers & private Men of our Forces which may be reduced in our said

¹⁸ Butler to Mathews December 1, 1781, Cruikshank, Records of Niagara, 1778-1783, 34.

¹⁹ See comments of Cruikshank, Records of Niagara, 1778-1783, 21. In Niagara, the name is often spelt “Mississagua.”

²⁰ See Haldimand to Bolton July 7, 1780, Cruikshank, Records of Niagara, 1778-1783, 18-19; and Council with the Six Nations, October 29, 1780, Cruikshank, Records of Niagara, 1778-1783, 25-6.

²¹ See Deed of Land from the Chippewas and Mississaugas dated May 9, 1781, Cruikshank, Records of Niagara, 1778—1783, 30-2.

²² Jackson and others, The Mighty Niagara, 92.

²³ A copy of the survey of the settlement of Niagara 25th August 1782 is found in Talman, Loyalist Narratives, xlii.

Province” was officially underway.²⁴ On July 16 and August 7, 1783, Haldimand received Royal Instructions from London, which confirmed his decision to divide the Niagara land on the west bank into lots and distribute them to the loyalists.²⁵ To receive a land grant, a settler must acknowledge “His Majesty in Parliament to be the supreme legislature of the Province.”²⁶ The land tenure system for Niagara was based on the prevailing *seigneurial* system in use for Quebec, which in effect contemplated that the settlers would be lessees of the land. For those settlers who left their farms for any reason, the government agreed to compensate them for their improvements.²⁷ On May 8, 1784, Butler reported to Haldimand that about 80 of his Butler’s Rangers had commenced farming at Niagara and that 46 allotments of land had been made to other settlers who had cleared about 740 acres of land.²⁸ At the same time, General DePeyster reported that there were some 258 men who had applied to settle and cultivate the lands at Niagara, and with their families the population added up to 620 people.²⁹

On July 29, 1784, the first survey line at Niagara was run from the Niagara River above Navy Hall to Four Mile Creek. The Four Mile Creek was one of a number of streams running roughly parallel to one another from the Niagara Escarpment to Lake Ontario, and was so named because it flowed into Lake Ontario four miles west of the point at which the Niagara River entered the lake.

²⁴ E.A. Cruikshank, The Settlement of the United Empire Loyalists on the Upper St. Lawrence and the Bay of Quinte in 1784 (Toronto: Ontario Historical Society, 1934), 1-3 and 34.

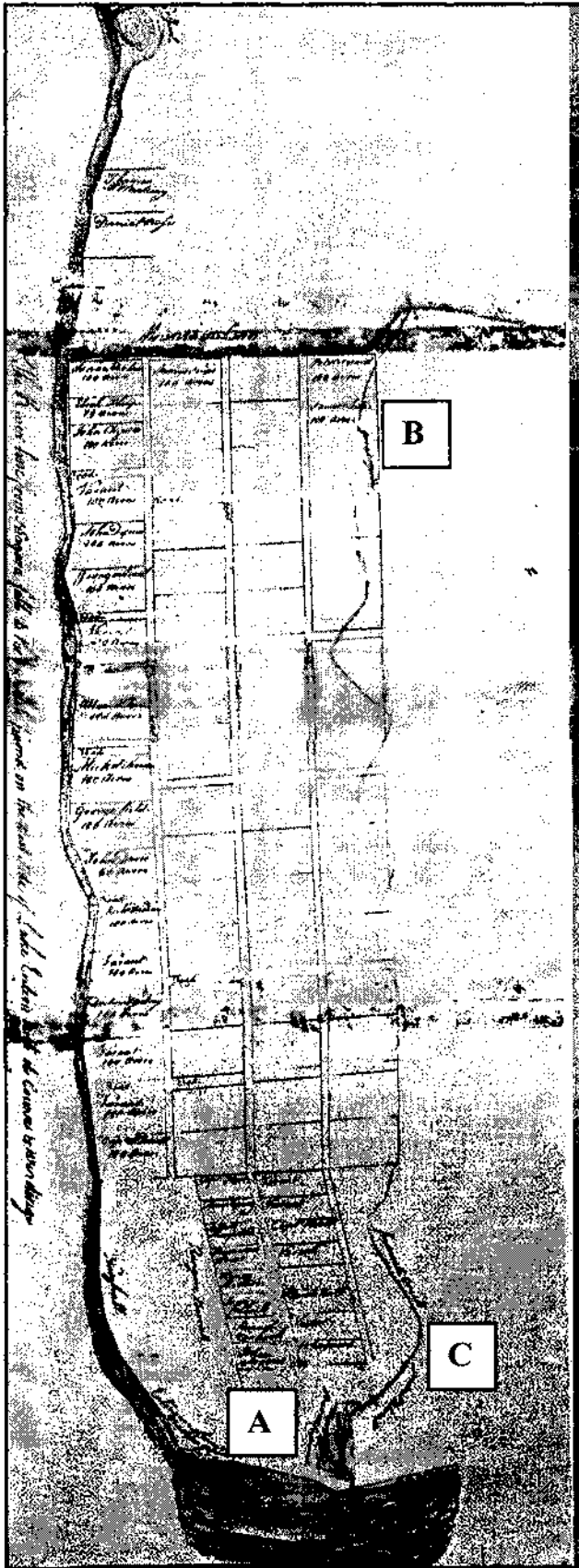
²⁵ See report of Haldimand to Executive Council, Journal of the Privy Council of the Province of Quebec, April 14, 1784, Cruikshank, Records of Niagara, 1784-7, 22-3.

²⁶ Lord North to Governor of Quebec July 24, 1783, in Cruikshank, Records of Niagara, 1778-1783, 59-60.

²⁷ For information on the settlement of Niagara, see Smy, “The Settlement of Butler’s Rangers in Niagara,” in United Empire Loyalists Association, United Empire Loyalists of the Niagara Peninsula, 15-21, 25; Wilson, Loyal As She Began, 79-119; and idem “The Struggle for Wealth and Power at Fort Niagara,” 143-4; and Mathews, Mark of Honour, 91-2.

²⁸ Butler to Mathews May 8, 1784, in Cruikshank, Records of Niagara, 1784-7, 19-21.

²⁹ A list of Persons who have subscribed their names in order to settle and cultivate the Crown Lands Opposite to Niagara, July 20, 1784, in letter from DePeyster to Haldimand July 21, 1784 in Cruikshank, Records of Niagara, 1784-7, 41-4.



The New Niagara Settlement, Haldimand papers, 85, 71-2, probably c.1783, (British Library), copied in Richard Merritt, Nancy Butler and Michael Power, eds., The Capital Years, Niagara-on-the-Lake, 1792-1796 (Toronto and Oxford: Dundurn Press, 1991), 19. Note particularly the proposed location of the grist and saw mills on the west side of the Four Mile Creek [See A on map] and the proposed site of the Second Mills [see B on map]. The King's Mill was built on the east side of the creek by 1784 [See A on map]. The construction of the King's Mills proved to be defective and they were destroyed in 1790 by a freschet. Daniel Servos then replaced the mill on the west side of the creek in the site which was originally proposed. [See C on map.]

The source of the Four Mile Creek is the underground Whirlpool-St. David's buried gorge and reservoir, which channels water from the Niagara River at the Whirlpool to feed the headwaters of the creek's three branches near St. David's. Its course from the Niagara Escarpment to Lake Ontario is about 12.5 kilometers long and the basin from which the creek draws its water is the size of a large lake, about 32.3 square kilometers in area, creating a steady flow of water in Four Mile Creek.

In colonial times, the Four Mile Creek was a fast moving stream, and its waters were full of trout, reflecting the cold waters emerging from the creek's underground sources. As the creek nears Lake Ontario, it becomes more stable and small scale disturbances are virtually eliminated. At its junction with the lake, the creek widens to a pond, separated from the lake by a barrier beach that provides a convenient camping place and facilitates navigation inland. The creek was the closest manageable source of water power to the new colony at Niagara, and it was ideal for the operation of mills.³⁰

Government policy dictated that the lands between the first survey line and the Lake Ontario shore, one to two miles wide, were "Lands Reserved for the Crown," and decreed "entirely for the Use of the Crown in order that [they] may be fortified whenever it shall be necessary." In addition to military uses, the earliest plans show that the reserve lands were to be used for water powered saw and grist mills for the new settlement, but the government took no steps to construct those facilities. Notwithstanding the reservation of the lands for government use, the bulk of the reserved lands were granted in very irregular large lots to a few favoured settlers, many of whom were Butler's

³⁰ Steve Aichele, 4-Mile Creek (unpublished manuscript Dec. 02, 2003, copy at the NHS); Joseph William Winthrop Spencer, The Falls of Niagara, Their Evolution and Relations to the Great Lakes; Characteristics of the Power and the Effects of its Diversion (Ottawa: S.E. Dawson, the King's Printer, 1907), 131; and R. Louis Gentilcore, "The Beginnings of Settlement in the Niagara Peninsula (1782-1792)," Canadian Geographer 7(2) (1963), 78.

Rangers. South of the survey line, lots were laid out in a grid pattern fronting on the Niagara River, and made available to the loyalists for settlement.³¹

NIAGARA'S FIRST MILLS

At first, Haldimand permitted the settlers to store their wheat at Fort Niagara and “to draw some flour from the King’s store until such time as they have means for grinding their Wheat.”³² The initiative for the construction of Upper Canada’s first mills came from two enterprising settlers, Peter and James Secord, former Butlers Rangers and farmers from New Jersey whose farms were located near the Niagara Escarpment on the headwaters of Four Mile Creek.³³ The Secords knew how to build the mills, but they needed government assistance to bring the mill stones and metal components for the mills by bateaux from eastern Quebec. On June 12, 1782, Colonel Butler wrote on their behalf to Captain Robert Mathews, Secretary to General Haldimand, advising him that the Secords were “about building a saw and grist mill, which I think will be a great acquisition to this post. They mean to purchase the stones & iron work in Canada but beg his Excellency’s assistance in permitting them to be sent up in the King’s Bateaux.” The Secords’ proposal followed the usual practice of building first a saw mill and then a grist mill, allowing the settlers to saw logs into boards which could then be used to build the grist mill, but the boards could also be used for the construction of new buildings.³⁴

Haldimand answered July 9, 1782: “With respect to the mill proposed to be built by the Secords, His Excellency will not permit anything of the kind as private property.

³¹ R. Louis Gentilcore, “Lines on the Land, Crown Surveys and Settlement in Upper Canada” Ontario History, 61 (1969-70): 62.

³² Haldimand to Maclean dated October 31, 1782, Cruikshank, Records of Niagara, 1778-1783, 44.

³³ For construction of the King’s Mills see Whitfield, “The Origins of the Settlement of Niagara on the Lake,” 47-9.

³⁴ See Butler to Mathews June 12, 1782, Cruikshank, Records of Niagara, 1778-1783, 38-9.

It must be undertaken entirely upon the same footing as the farms. Some estimate of the expence must be sent down by the most intelligent of these men. The general will provide and send up the materials, they will be paid for building the mills and allowed a reasonable profit for working them. The sooner Seacord is sent down the better and he should be furnished with remarks in writing respecting the situation of the intended mills, the materials wanted, what parts of them can be procured above, etc.”³⁵ During the summer, the Seacords were busy on their farms and could not make the journey to Quebec. Butler replied on September 2, 1782: “I received your favor of the 9th July as to the mills that were proposed to be built by the Seacords was never intended for private property but for the benefit of the garrison and the whole settlement. Brigedr. Genl. Powell as well as myself thought it would be rather a hardship to send one of the farmers to Head Quarters at this season of the year, as it would lose much time in gathering their grain etc, and supposed an estimate (which is sent) would answer every purpose.”³⁶

The estimate was prepared by Lt. David Brass, a millwright from Somerset County East, New Jersey, and a six year veteran with Butler’s Rangers. Brass was once described by Major John Ross, British commander at Cataraqui, as “a remarkable genius, perhaps as any in America, an exceeding good millwright and a most useful man in colonization. He was some time in garrison at Oswego on my first arrival there, and I was much obliged to him for his advice and assistance in many things. Should his Excellency think proper to encourage him I think from his universal knowledge and good character His Majesties service here would reap the greatest advantage.”³⁷ Brass estimated that the expense for “cutting and hauling boards and timber, building, digging and filling in both

³⁵ Mathews to Butler July 9, 1782, Cruikshank, Records of Niagara, 1778-1783, 40-1.

³⁶ Butler to Mathews September 2, 1782, Cruikshank, Records of Niagara, 1778-1783, 38-43.

³⁷ Ross to Mathews August 7, 1783, Haldimand papers, microfilm reel no. 57, 20-1.

dams, nails, iron, stones, bolting cloth and saw excepted,” for the mills at the Secord farm would be £500 New York currency. This estimate was about £50 more than the cost of building the mills further down the creek closer to Lake Ontario, but according to Colonel Butler there was a better supply of water at the “head” of the creek.³⁸

In the meantime, construction of the mills started. The Secord farm location was discarded in favour of a nine acre parcel of the government reserve lands on the east side of Four Mile Creek near the point where it enters Lake Ontario. The reasons for this decision have not been recorded. It may have been due to the government’s decision to have public works on the reserve lands as provided on the early settler’s plans, or the lower construction cost involved in having the mill site closer to Lake Ontario. At that location, an old Indian trail ran along the shoreline, connecting the King’s Mill site with the Town of Niagara to the east and with Burlington Bay to the west. A second Indian trail ran south from Lake Ontario beside Four Mile Creek to the Niagara Escarpment seven miles away, where the Iroquois Trail and the Mohawk Trail, long standing Indian trails, formed the main east-west transportation routes in the Niagara region.³⁹

In due course, the construction of the King’s Mills proceeded under the direction of David Brass rather than the Secords. Brass agreed to complete the mills for the sum of £500 York Currency; or to be allowed so much a day as pay during the time he was employed. Brass was to be the principal workman himself, and his assistants included the two Secords as “millwrights” and about six others including squarers hired at the rate of

³⁸ See Butler memorandum (undated) in Cruikshank, Records of Niagara, 1778-1783, 45.

³⁹ Alun Hughes, “John Butler and Early Settlement on the West Bank of the Niagara River,” in United Empire Loyalists Association, The Butler Bicentenary Commemorating the 200th Anniversary of the Death of Colonel John Butler, 68-9.

six shillings a day.⁴⁰ For his part, General Maclean agreed and remarked to Haldimand: “It’s a maxim I find that has long been adopted in this part of the world, that whatever can be got from Government, is well got, where no censure can ensue.”⁴¹ In particular, Maclean declined to consult with Colonel Butler about the construction of the mills, because “it is a hard matter for the best men to divest themselves of prejudice or partiality, in a matter wherein they are interested in One of the Parties.”⁴²

In accordance with government policy, everything required for the construction of the mills, such as the mill stones for the grist mill and the machinery necessarily made of forged iron, would be provided by the government from Sorel, Quebec and shipped by bateaux directly to the mill site.⁴³ There were no plans for the original King’s Mills, and the King’s Engineers at Sorel, Quebec simply made iron parts and mill stones that would suffice for a basic design in keeping with the necessity for ease of construction in a pioneer community. The first mills were described as “a saw mill with two single saws and a grist mill with one pair of stones, with a spare spindle and horns both to be single geared.”⁴⁴ Even with a simple design, construction of the mills took over two years to complete. On April 26, 1783, General Haldimand stopped construction on all public works because of the initiation of the peace talks, and the uncertain effect on the Niagara settlement of the forthcoming Treaty of Paris.⁴⁵ The uncertainty was not resolved until

⁴⁰ Maclean to Haldimand December 24, 1782 and February 2, 1783, Cruikshank, Records of Niagara, 1778-1783, publication no. 38, 47.

⁴¹ Maclean to Haldimand March 29, 1783, Cruikshank, Records of Niagara, 1778-1783, 48.

⁴² Ibid.

⁴³ Felicity L. Leung, Grist and Flour Mills in Ontario: From Millstones to Rollers, 1780s-1880s (Ottawa: National Historic Parks and Sites Branch, Parks Canada, Environment Canada, 1981), 13; Cruikshank, Records of Niagara, 1778-1783, 44-47; and Mathews, Mark of Honour, 89.

⁴⁴ List of the Iron Work made at Sorell for a Saw Mill with two single saws & a Grist Mill with one pair of stones, with a spar spindle & Horns, both to be single geared, Haldimand papers, microfilm reel no. 76, 404.

⁴⁵ Haldimand to Maclean April 26, 1783, Haldimand papers, microfilm reel no. 45, 364.

the late summer of 1783 when the peace treaty was signed and construction of the mills again went full speed ahead. Delays were then occasioned in delivery of the mill components, and because of construction problems incurred in erecting the mills. Also, David Brass divided his efforts between the Niagara mills and the construction of a second set of mills for the Cataraqui settlement that proceeded at the same time.

The mill components for the King's Mills finally arrived in Niagara in September 1783, and the mills were completed and ready for operation in the spring of 1784.⁴⁶ Once the mills were in working order, Brass presented his bill for expenses incurred in constructing the mills to Colonel DePeyster in the amount of £463, and he then departed for Cataraqui in July 1784 to continue the mill construction there. The bill was within Brass' original estimate and payment was duly made on September 29, 1784.⁴⁷

At first, the King's Mills were owned by the government and operated for the public benefit. The concept was outlined to Major Ross by Captain Mathews (General Haldimand's secretary), who declared that the "chief object of the saw mill is for the accommodation of the loyalists. He leaves it to your discretion to employ it for the present in such manner as you shall think the most conducive to the general good of the settlement without favour or affection to any individual, taking a preference of course of whatever boards etc. may be wanted for the use of the crown." Major Ross estimated that the Cataraqui "saw mill was able to cut 3000 feet of boards in 24 hours which could be sold for £1.10.0. In winter it was an easy matter to supply the mills with logs and to lay in

⁴⁶ See letters, Colonel John Butler, Generals H. Watson Powell and Allan Maclean (commanders at Fort Niagara), General Haldimand, and Captain William Twiss (Royal Engineers) in Cruikshank, NHS publication no. 38, 46-66; and idem., The Settlement of the United Empire Loyalists on the Upper St. Lawrence and the Bay of Quinte in 1784, 127; and Leung, Grist and Flour Mills in Ontario, 13.

⁴⁷ DePeyster to Haldimand July 15, 1784, Cruikshank, Records of Niagara, 1784-7, 40-1; Haldimand to DePeyster September 4, 1784, Cruikshank, Records of Niagara, 1784-7, 46-7; and DePeyster to Haldimand, September 29, 1784, Cruikshank, Records of Niagara, 1784-7, 46-7.

a quantity when the snow falls. At present it takes two teams of horses. Should the boards sell as I expect and the labourers and drivers taken from the troops, I have presumed to venture the whole calculation in my own mind not to exceed 17 shillings per 1000 feet.” In return, the government would provide mill saws, files and other tools to work the mill and also all iron work required for its operation. The mill operator would operate the mill, keep the same in repair and work it at the rate of seven shillings per thousand feet of boards, and he would also be obliged to provide artificers rations for four men.⁴⁸

NIAGARA TOWNSHIP

In the early years of the Niagara settlement, the Four Mile Creek mills benefited from the proximity of Fort Niagara and the Town of Niagara, and by virtue of its location on the American border Niagara also benefited from the continuous immigration from the United States. By the time Daniel Servos arrived in Niagara in 1785, the population had increased to a total of approximately 770 people.⁴⁹ The bulk of the early settlers who came to Upper Canada were American loyalists, and later immigrants (known as the late loyalists) came from the United States because of the ready availability of land in Upper Canada. Niagara’s relative importance in Upper Canada increased after Lieutenant Governor Simcoe’s arrival on July 26, 1792. Simcoe changed the name of Niagara to Newark and made it the capital of Upper Canada. Newark was to remain the capital until 1796 when Simcoe relocated the capital to York (now Toronto), and the name was then changed back to Niagara.⁵⁰ Simcoe’s administration replaced the rule of the British military in Upper Canada and brought the seat of government closer to the settlement on

⁴⁸ Ross to Mathews dated September 2, 1784, Haldimand papers, microfilm reel no. 57, 113.

⁴⁹ See “United Empire Loyalists,” in NHS publication no. 37 (Niagara: Advance Print, 1925), 13.

⁵⁰ For history of Niagara Township, see Rennie, Niagara Township Centennial History, 9-45; and Edwin C. Guillet, Early Life in Upper Canada (Toronto: University of Toronto Press, 1963), 504-9.

the west bank of the Niagara River. In the early years, Simcoe's administration was characterized by an organizational weakness described by Bruce Wilson as "the colony's most striking characteristic."⁵¹ According to Wilson, "the provincial administration was provincial in name only: handicapped by the distances between the far-flung districts under its nominal jurisdiction and its own limited administrative machinery, it pushed its influence out beyond its own neighbourhood slowly."⁵²

A contemporary 1792 account described the Town of Niagara as "a poor wretched straggling village, with a few scattered cottages erected here and there as chance, convenience, or caprice dictated."⁵³ Two years later, John C. Ogden saw Niagara as "a pleasantly situated town extending along the Lake about a mile. The land about the town, though not so good as the land further back, is well inhabited each way upwards of fifty miles around."⁵⁴ In 1797, Isaac Weld described the growth of the town in the following terms: "The Town of Niagara contains about seventy houses, a court house, gaol, and a building intended for the accommodation of the legislative bodies. The houses, with a few exceptions, are built of wood; those next the lake are rather poor, but at the upper end of the town there are several very excellent dwellings, inhabited by the principal officers of government."⁵⁵

The region around the Town of Niagara, known as Niagara Township, was largely settled by 1790. By then, some 3,000 people lived there in a fair degree of comfort, in

⁵¹ Wilson, The Enterprises of Robert Hamilton, 178.

⁵² Ibid.

⁵³ See Author Unknown, "A traveller's Impressions in 1792-93," Gerald M. Craig, Early Travellers in the Canadas 1791-1867 (Toronto: The Macmillan Company of Canada Limited, 1955), 3-13 at 7.

⁵⁴ See W.P. Mustard, "Upper Canada in 1794, A synopsis of John C. Ogden's Tour" Ontario Historical Society Papers and Records 21 (1924): 211.

⁵⁵ Isaac Weld, Jr., Travels Through the States of North America and the Provinces of Upper and Lower Canada during the years 1795, 1796 and 1797 second edition, (London: printed for John Stockdale, Piccadilly, 1799), v. 2, 89-90.

spite of two seasons of scarcity, which brought some of them perilously near starvation. A large amount of land had been brought under cultivation, roads had opened, mills built, and a town was laid out.⁵⁶ In Niagara Township, small settlements were started at Queenstown (now Queenston) with Robert Hamilton (1753-1809) as its most prestigious citizen and at St. Davids with the Secord mills (finally built on the Secord farm in 1789) forming the commercial centre. The beginnings of settlement were also evident in the outlying areas of Niagara Township with the few settlers who had gathered at the crossroads where the Black Swamp Road crossed the Four Mile Creek (now Virgil) and at Homer on the way to Shipman's Corners (now St. Catharines).

Robert Hamilton was called by his biographer as Niagara's "most prominent citizen." His early power and influence derived largely from his association with the fur trade and the supply of the British army. His later success was based on the exclusive right that he obtained to portage goods south from the lower Niagara River at Queenston to the upper Niagara River at Chippewa. He also established at Queenston and Chippewa large mercantile networks from which he provisioned and supplied the military and the fur trade. Hamilton was one of the original justices of the peace at Niagara, a member of the land board of the Nassau District, a judge of the District Court of Common Pleas, and a member of the Legislative Council of Upper Canada.⁵⁷

The main activity in Niagara Township was agriculture, and the main crops were wheat and corn. A glance at any early settler's map shows that Niagara was divided into large farms. The roads were notoriously bad, and Mrs. Simcoe's diary records a road

⁵⁶ E.A. Cruikshank, Ten Years of the Colony of Niagara, 1780-1790 (Welland, Ontario: NHS publication no. 17, Tribune Print, 1908), 40.

⁵⁷ See Bruce Wilson's biography of Robert Hamilton, Dictionary of Canadian Biography (Toronto, Buffalo, London: University of Toronto Press, 1983), vol. 5, 402-6.

from Niagara to Peter Russell's house at Two Mile Creek and Pond, two miles from the mouth of the Niagara River on the way to the Servos mills, as "horribly bad," and in another diary entry made in 1796, she refers to the road around Niagara as "a most terrible road below, full of swamps, fallen trees, etc."⁵⁸ The road to Queenston was described as "good but for the stumps of trees on each side, which it requires attention to avoid."⁵⁹ Mrs. Simcoe once described the Niagara-Burlington road as "that terrible kind of road where the horses' feet are entangled among the logs amid water and swamp."⁶⁰

At the beginning of the Niagara settlement, it was necessary to import food for the Niagara settlers, but the economy quickly became self-sufficient. Based on his study of local economies in Upper Canada, Douglas McCalla determined that "three years were required for a farmer to become "self sufficient" and given normal rates of land clearing, ten years for his farm to be relatively well-developed."⁶¹ Unlike other pioneer economies, McCalla notes that in Upper Canada the early farms established by the loyalists did not prosper because of capital produced by the export of one or more stable resource products. Rather, McCalla suggests that the "fructifying influence of British government largesse" was an important factor in the development of Upper Canada, thereby emphasizing the importance of patronage to the Upper Canadian settlement.⁶² According to McCalla, the government largesse was wisely used by the first settlers by investing in their farms, with the result that they were no longer dependent on government rations and by 1786 Upper Canada's economy was marked by:

⁵⁸ J. Ross Robertson, The Diary of Mrs. John Graves Simcoe, wife of the first Lieutenant-Governor of the Province of Upper Canada, 1792-6 (Toronto: The Ontario Publishing Co., Limited, 1934), 226 and 319.

⁵⁹ Robertson, The Diary of Mrs. John Graves Simcoe, 176.

⁶⁰ Ibid. 319-20.

⁶¹ Douglas McCalla, "The "Loyalist" Economy of Upper Canada, 1784-1806," Histoire Sociale/Social History vol. 16 no. 32 (1983): 280.

⁶² McCalla, "The Loyalist Economy of Upper Canada," 281.

dynamic growth, net immigration, and the ability to survive harvest and market downturns, capacity to build up and hold appropriate stocks of relevant commodities and responsiveness to changing market conditions. The components of the economy were part of an overall commercial network, in which external commercial credit, immigrant investment, British government expenditures and export earnings were the financial links to the outside world. These, with domestic exchange and investment and household production, were all parts of the process that gave momentum to provincial development. The development of Upper Canada was produced locally by those who actually came there, invested their time and resources there, and gradually built an economy where none had existed before. Given their apparently modest incomes, there is much to be said for the view that their key objective must have been less to earn income than to build wealth.⁶³

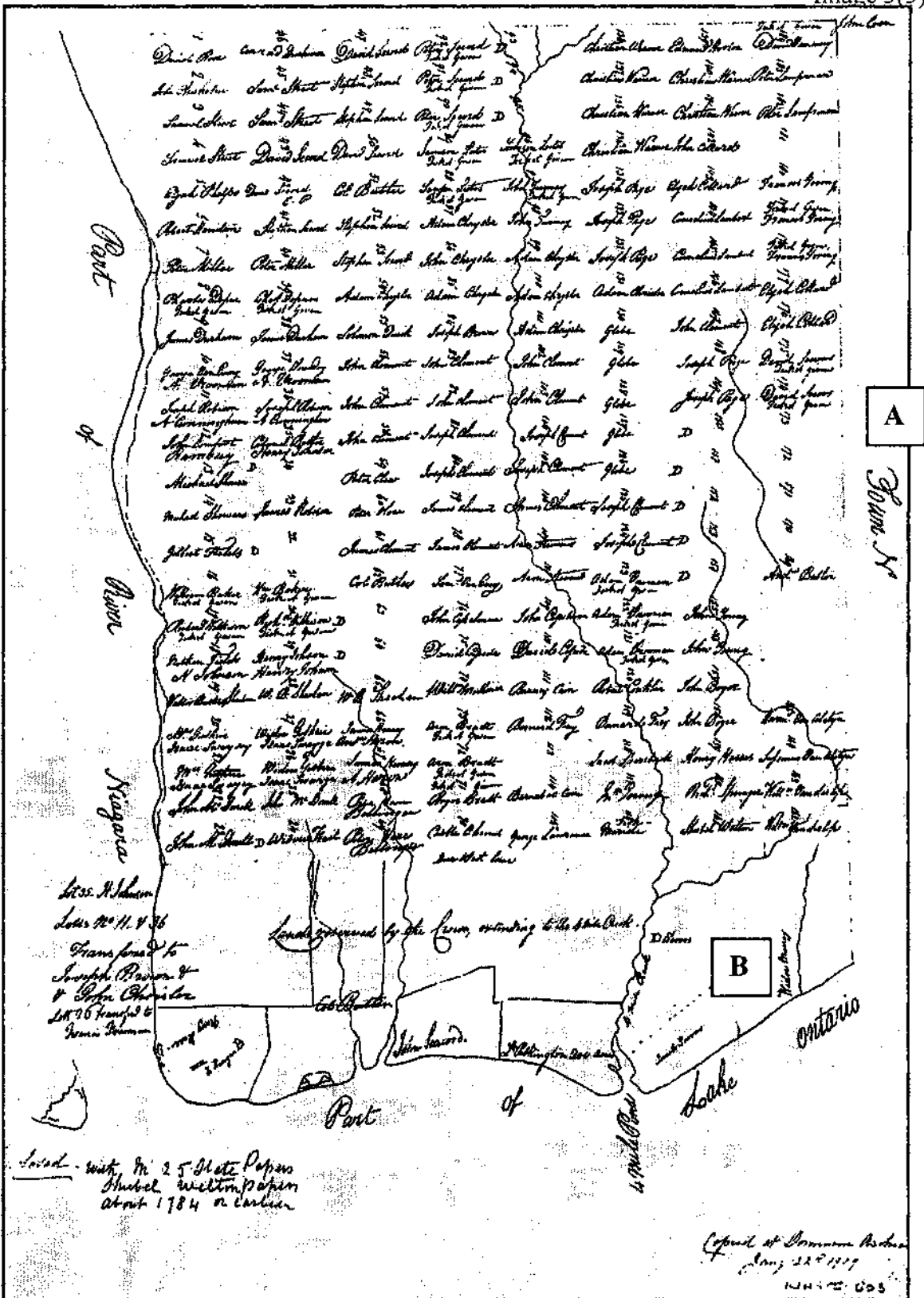
The focus of the early settlers in building wealth rather than earning income led to the establishment of farms and enterprises that were the “chief accomplishment of Upper Canada’s early economy.”⁶⁴ Besides the factors identified by McCall, there were other circumstances at work that encouraged the development of Upper Canada. The frontier experience and the disarray emanating from the aftermath of revolution and migration rewarded individualism and those who could fend for themselves away from organized society. The changes in commercial practices accompanying the rise of capitalism led to opportunities for settlers with initiative that were otherwise unavailable to pioneer settlers in more established communities. These factors operated in a more unrestricted manner in Upper Canada because of the organizational weakness of its administration, the geographical dispersal of its settlers, and the backward modes of transportation and communication between settlements.

⁶³ Douglas McCalla, *Planting the Province: The Economic History of Upper Canada 1784-1870* (Toronto: University of Toronto Press, 1993), 13-29, especially the quote on 29; and idem, “The Loyalist Economy of Upper Canada, 1784-1806,” 279-304.

⁶⁴ McCalla, *Planting the Province*, 243.



This plan is in the custody of the Niagara Historical Society, Box 150. The plan shows the lands patented to Daniel Servos in 1797. To the west are the lands of Jacob Servos and the Murray farm (to become the lands of John Whitmore). Also to the east are the lands of the Ball family.



Plan of Niagara, c. 1784, hand copied from the Shubbal Walton Papers in the National Archives on 22 January 1909 by J. Simpson. The plan shows Daniel Servos lots 173, 174 [See A on the map] and 194 [See B on the map]. A copy of the plan is in the Niagara Historical Society 986.003.

ARRIVAL IN NIAGARA

We do not know who operated the King's Mill after David Brass departed for Cataraqui in July 1784. It may have been the Secords or another designee of the British military who briefly operated the King's Mills. In any event, Daniel Servos took over the operation of the mills in the spring of 1785, likely under terms of appointment similar to those prescribed by Major Ross for his Cataraqui mills.⁶⁵

On his arrival at Four Mile Creek, Daniel Servos reported that the mills were "much out of repair," and at considerable expense he proceeded to "put them in condition to be of some service to the few inhabitants who had settled in the neighbourhood," and he soon built a house for himself and his family near the King's Mills.⁶⁶ Daniel was accompanied by his wife Elizabeth, his two daughters, Catherine and Magdalena, his brother Philip, and perhaps his brother John. Jacob Servos moved onto a 200 acre farm to the west of the King's Mills lands. It appears that Daniel's mother-in-law, Elizabeth Johnson, joined the Servos family at the King's Mills after the death of her husband in 1786. At an early date, John and Philip left Niagara and relocated to Matilda Township in Upper Canada, and eventually, perhaps by 1797, both of them returned to New York to join their brother, Christian Servos, and their mother, Clara Servos.⁶⁷ Clara Servos died in Montgomery County on July 13, 1800.

Daniel Servos also brought John Whitmore (1775-1853) with him to Niagara. The Servos family had become acquainted with the Whitmores when the two families were neighbours in New Jersey. The Servos family moved to New York in 1758, and in 1776

⁶⁵ Upton, *The Empire Loyalists: Men and Myths*, 89.

⁶⁶ *Ontario Archives*, D. Servos to D.W. Smith dated January 21, 1793, MS 636, microfilm reel no. 1, 74-5, and April 1, 1794, MS 626 no. 2, 383; Wilson, "The Struggle for Wealth and Power at Fort Niagara," 147.

⁶⁷ See Peltier and Jackson, *Servos Family Compendium*, 6, 11-14.

the Whitmores moved to Pennsylvania just as the revolution was getting underway. Three years later, when John Whitmore was four years old, a raiding party of Delaware killed his father, his mother and two of his siblings during an early skirmish in the war, and took him and his four other siblings into captivity. The surviving Whitmores were brought up by the Indians during the war and when the war ended Daniel Servos located John Whitmore living with the Indian tribe that had adopted him, and brought him to Niagara. From that time, John Whitmore was raised as part of the Servos family.⁶⁸

After 1785, the census takers of Niagara Township provide us with some idea of those occupying the Servos household at the King's Mills. A census made that year includes Daniel's name, and indicates that his household at the time included one man (Daniel), one woman (his wife Elizabeth), two boys over 10 (perhaps John Whitmore and Daniel's brother, Philip), one girl over 10 (probably Catherine), and one girl under 10 (probably Magdalena), for a total of six.⁶⁹ A December 14, 1786 list of those receiving loyalist victuals in Niagara indicated that Daniel had been joined by two women (Elizabeth and Catherine), one male and one female over ten (John Whitmore and Magdalena), and one male under ten (probably John Dease Servos), for a total of six, and that they were being allocated 5½ rations per day.⁷⁰ Finally, a September 17, 1787 return of disbanded troops and loyalists settled in the district of Niagara west from the Mill

⁶⁸ John Whitmore was reunited with two of his sisters following the war. His tale is set out in Kirby's "Memoir of the Whitmore Family of Niagara," NHS publication no. 8, 19-24.

⁶⁹ See "Settlers between the Four Mile Creek and the Head of Lake Ontario 1785 Muster Roll 18" and a "Return of the Loyalists Settlers at and in the Dependencies of Niagara who have taken the Oaths of Allegiance etc. to His Majesty with the number of their families from 25 Novr 1784 to 25 June 1785" in Crowder, Early Ontario Settlers, 116 and 135. Likely Elizabeth Johnson had not yet joined the Servos family. Note also in a 1794 letter, Daniel indicates that his brother Philip was with him when he first arrived in Niagara. See letter Daniel Servos to David Smith April 1, 1794, Ontario Archives, MS 626 no 2, 383.

⁷⁰ See Loyalist Victualing List at Niagara of Murray's District 14 on Decr 1786 in Crowder, Early Ontario Settlers, 182. Note John Johnson died in 1786, but it appears that Elizabeth Johnson had not yet joined the Servos family.

Creek made by Robert Hamilton to Lord Dorchester shows Daniel's household with five people, one woman (Elizabeth), two boys under 10 (John Dease and William Street), and one girl (Catherine or Magdalena). Daniel's other daughter may have been a border with another family or at school when the census was taken. At that time, there were 156 households in the Niagara community included in the census with a total of 410 people, including 156 men, 77 women, 24 boys over ten, 56 boys under ten, and 97 unmarried girls.⁷¹ The various census figures show some mobility in the Servos household, at least at the time when the census takers visited the home, and that the size of the Servos household was not unusual for those settlers with children.

THE KING'S MILLS

At the King's Mills, Daniel concentrated his efforts on sawing lumber and grist milling for the neighbouring farmers. The work at the mills was at first carried out by Daniel Servos, but as his sons and John Whitmore became older, they joined him in the mills. The accounts of only about 20 customers are entered in the surviving records for 1785, the first year of operation for Servos at the King's Mills.⁷² The mills' customers accessed the mills by paths or trails on foot or by horseback, and used teams of horses or oxen to carry large loads. It was not until the 1790s that the old Indian paths along the shores of Lake Ontario and Four Mile Creek were superseded by pioneer roadways, facilitating transportation to and from the mills. By the fall of 1787, Daniel Servos commenced farming on the west side of Four Mile Creek, opposite to the King's Mills,

⁷¹ See List of Settlers dated September 17, 1787, in E.A. Cruikshank, Records of Niagara 1784-7, 121-8.

⁷² The information on the mills is found in the Servos account books, 1785-1795 sales ledger, NHS FA69.3.203, 1797 sales ledger store, FA 69.3.113, 1798-1816 ledger book FA 69.3.114, 1799-1801 account book, 988.5.473, 1824-1831 day book FA69.3.106, personal account book 1779-1803, FA69.3.108, all at NHS. The accounts have been microfilmed by the Niagara Historical Resource Centre (the "NHRC"), microfilm reel no. 196.

although he had not been officially allocated the lands and had no apparent legal right to do so. The 1787 census shows that he had already cleared 50 acres on the west side of the creek, producing 25 bushels of wheat. At that time, a total of 1,288 acres of land had been cleared in the Niagara settlement, and wheat sown in the new community added up to 721 bushels. Thus, Daniel Servos accounted for about 3.9% of the cleared land and 3.5% of the wheat crop. Only five other settlers produced a greater amount of wheat.⁷³ Unlike the other settlers, however, Servos would have been able to provide flour to other settlers by grinding his wheat, as well as theirs, in the King's Mills.

A review of the surviving account books left by the Servos family indicates that, although the main activity of the mills was to produce flour and lumber for the mill customers, efforts were continuously underway to broaden the scope of operations at the mills as much as possible so that a wider range of products and services could be offered to the mill customers. Other trades available at or near the Servos mills included weavers, brewers, blacksmiths, wheelwrights, wagon makers, harness makers, tanners, shoemakers and coopers. Goods were also acquired from the mill's customers, who would often pay their accounts by bartering services or products produced on their local farms. In addition to acquiring goods and services from third parties, the Servos family worked at many of these crafts themselves. Finally, extra revenue was earned by the Servos family from time to time, when flour from the mill was sold to the garrison at Fort Niagara or flour or potash was sold to local merchants who exported the same. It appears, however, that such

⁷³ List of Settlers dated September 17, 1787, in E.A. Cruikshank, Records of Niagara, 1784-7, NHS publication no. 39, 121-8.

sales were more in the nature of isolated incidents for the Servos mills, rather than a part of their ongoing regular business.⁷⁴

From the beginning, a store was an adjunct of the mill operation. Like other pioneer merchants, the Servos store sold everything from pins and cloth to foodstuffs and rum. Servos obtained the goods sold in his store from various sources. Some goods were acquired in the wholesale market, and other goods were made by his family or acquired from the mill customers on barter. Popular barter items received by the Servos family in their trade were shoes and furs such as elk, “bair,” “cubbs,” “martins,” beaver, and “dear skins.” Daniel also operated a blacksmith shop on his lands. There were charges in the accounts for “two slays and a plough,” and for sharpening five harrow teeth and “shewing a hors.” Occasionally, Daniel rented teams of oxen and horses to his customers who needed to transport heavy loads to the mills, and at times he rented acreage to neighbours who would use the same to farm or on shares or to pasture their livestock. For ancillary services, an additional charge was always made to the customer’s account.⁷⁵ The adaptability of the Servos enterprises to the needs of the local settlers ensured their success in the early Niagara economy. As stated by Douglas McCalla, the strength of Upper Canada’s early economy was dependent on such enterprises.⁷⁶

⁷⁴ See for example, transactions involving Fort Niagara or the garrison on the west bank of the Niagara River, e.g. the sales to Andrew Herrin March 23, 1792 and to John Young September 19, 1792 which appear to involve Fort Niagara, and the sales to Thomas Wilson on February 14, 1801 and to George Forsythe & Co. on June 5-6, 1801, prominent Niagara merchants involved in the export trade, 1785-1795 sales ledger, FA69.3.203, NHS, and 1798-1816 ledger book FA69.3.114, NHS. Daniel Servos placed an advertisement in the Niagara Herald on February 14, 1801 assisting Thomas Wilson’s trade.

⁷⁵ Andrew F. Burghardt, “The Origin and Development of the Road Network of the Niagara Peninsula, Ontario, 1770-1851” Annals of the Association of American Geographers 59(3) (September 1969): 426; Carol Priamo, Mills of Canada (Toronto: McGraw-Hill Ryerson, 1976), 29; Sidney Thomas Fisher, The Merchant Millers of the Humber Valley (Toronto: NC Press Limited, 1985), xiii-xxiii and 69-70; and Servos account book, Sales ledger ca 1786-1793, NHS 69.3.203.

⁷⁶ McCalla, Planting the Province, 28-29; and idem. “The Loyalist Economy of Upper Canada, 1784-1890,” 245-6.

SERVOS ACCOUNTS

Accounts at the King's Mills were usually expressed in New York currency (also called York currency) at so many pounds, shillings or pence per unit.⁷⁷ The accounts indicate that Servos provided settlers with ground grain or corn or sawn lumber for a stated amount which was charged to the customer. To this extent, the Servos mills differed from many other mills of the period where the miller simply took a percentage of the finished flour or corn meal as his fee for performing the milling service. Typical charges made by Servos for the saw mill in 1785 included sawing whiteboard timber at ten shillings each, pine boards at 12 shillings each, logs at five shillings each, pine slabs at two pence each, and pine logs into planks for four shillings each. Grinding in the grist mill was so much per weight or quantity of corn or grain. Thus, bushels of corn were 12 shillings each, bran four shillings, and wheat 20 shillings. Flour was sold at 30 shillings per pound, and bags for transportation of flour were nine pence per bag.

The accounts were simple accounts based on single entry bookkeeping. Transactions were listed by date, setting forth the products purchased or the services rendered and the charge for each of them. All customers were charged the same amounts for the same product or service. The Servos account books contain pages for each customer; debits (or charges to the customer) were listed on the left side of the page in the account books, and credits (or payments by the customer) were listed on the right side of the page. Payments of accounts were seldom recorded in the Servos accounts except

⁷⁷ For example, 10 shillings were expressed 10/, and 8 pence were expressed at /8d. At the time, there were eight York shillings of 12.5 cents each to the Spanish dollar, and two and one half Spanish dollars to one pound New York currency. The Spanish dollar was rated at 4 shillings and 6 pence sterling. Where the amount of the order was large enough for one pound, the account would be expressed in pounds, shillings and pence as follows: for example an order of one pound, 10 shillings and 8 pence would be written £1.10.8. See McCalla, *Planting the Province*, 245-6.

where partial payments were made on account or where a difficult account was paid in full, with the result that in most cases we do not know when or how or even whether a particular account was paid. Also, we do not know whether all daily transactions were recorded in the surviving account books, or only those transactions that were not completed in full on the day of the transaction. The accounts also contain entries for ancillary transactions related to the mill operation, such as the hiring of a labourer where Servos recorded the period of employment and the wage rate, or the rental rate and charges for the rental of a house, farm lot or pasture.

The outstanding account balances for customers were usually carried by Daniel Servos on his books for years. Periodically, the charges were added up so that Servos was able to ascertain the total amount owing by any particular customer. In the usual case, this was done only when the customer was asked to acknowledge or pay the account balance or when he moved from the region or died. Where the account balance owing was large and outstanding over a long period of time, the accounts would be copied out on a separate page and presented to the customer, rather than relying on the several pages in the Servos account book on which the individual transactions forming the account were recorded. Daniel Servos did not prepare financial statements for the entire operation, or total the individual transactions so as to provide a summary of the overall performance of his enterprises. Collection of mill accounts from the customers was always a problem for the Servos mills from the commencement of business. Many accounts were paid only after a long period of time. For example, Henry Young bought 50 lbs of flour in 1785 for £1.13.0, but did not pay the account until five years later on July 2nd, 1790. Cristian McDonnell paid only 16 shillings on account of an order of

£1.16.0 for 60 lbs of flour on April 30, 1789, but did not pay the rest of the account until May 14, 1799 when the balance of £1.0.0 was paid together with interest of £0.10.6 for 10 years calculated at six percent per annum. The charging of interest on the McDonnell account was a rare occurrence for the Servos enterprises, and appears to have been done in this case because of the long period of time that the account was outstanding.

The method of payment of the Servos accounts confirms the absence of currency in the Niagara region. Only rarely were payments made in cash or currency. Instead, payments were made in traditional forms of payment for a pioneer economy – barter, personal notes and account book credit. Also, many accounts were paid by the customer working in the Servos mills or farms, where they were credited on their accounts with four shillings to six shillings per day for their labours. In other cases, mill accounts were paid by the customer providing Servos with flour, and to this extent the Servos mill became more like the traditional custom mill where the miller exacted a toll of a portion of the grain in exchange for grinding the farmer's grain. For example, Philip Frey engaged Servos to grind wheat in 1787 and 1788 for total accounts of £5.10.0, and the amount of £1.8.0 was paid on account by Frey providing Servos with 7½ bushels of wheat and £1.16.0 of the account was paid by Frey bartering six tea spoons at six shillings each for total credits of £3.4.0.

BORDERLANDS ECONOMY

The early economy of Niagara was a borderlands economy and the movements of the Servos family back and forth across the border demonstrate how fluid the border was in the early days of Upper Canadian settlement. The Servos' regard for Americans was recorded by Mrs. William Jarvis following a visit to the Servos homestead:

We have received more attention than could be expected from them. As soon as Mrs. Servos understood that I was an American she sent me lard, sausages, pumpkins, Indian meal, squashes, carrots, etc. I have been to see them and they seemed highly pleased and said: 'we shall come and see you because you are not particular.' I had them here to dinner on the 27th. Capt. McKay lives in their house and seems much pleased with his situation. You cannot think how much it seems to please them when we go and see them. I soon found that their eyes were fixed on me as an American to know whether I was proud or not.⁷⁸

After arriving at Four Mile Creek, Jacob and Daniel Servos encouraged their New York friends and family to join them in Upper Canada. In 1794, Jacob Servos petitioned Upper Canada's government for sufficient acreage for a township settlement of 70 families to accommodate "a number of his relations and friends now resident in the states, who suffered much by the Revolution are desirous of removing to the province provided they can be accommodated with land to improve upon." At that time, John and Christian Servos were living in New York. In making the petition, Jacob made it clear that he had "no further object in view than to serve the people who solicited him in this business, most of whom are farmers and entire strangers to the arts and deceptions generally practiced by men who are under the description of land jobbers." With the petition was a letter from John Servos, who confirmed that "these families that I mentioned to you in my last letter will sell their property and would already if you had come at the time you was expected or had been assured of the encouragement you gave them at that time, however the season being far spent to move this fall I expect you here still this winter if you can get a grant of a township. I will for my part assure you thirty families besides what brother Christian expects." When the petition was heard in Upper

⁷⁸ Mary Agnes Fitzgibbon, "The Jarvis Papers," in NHS publication no 8 (St. Catharines: Peninsula Press, 1919), 34.

Canada's Executive Council, Jacob was not granted the township but was assured that any settlers who came to Upper Canada as a result of his efforts would be granted lands.⁷⁹

On February 2, 1793, Jacob applied for a lot of land with Peter Smith to build a mill near Toronto (present day Port Hope).⁸⁰ The application was granted. In 1792, Surveyor General D.W. Smith's report on mills notes that a mill seat had been chosen "on a creek called Smith's Creek, north shore of Lake Ontario, in the Township of Hope, lot no. 6, in front, at the head of a small pond." Peter Smith established a trading post there in 1778. In 1793, the first settlers arrived, and in the following year the government offered Elias Smith, possibly a relative of Peter Smith, a large land grant on the shores of the creek if he built saw and grist mills and additional lands were to be granted if Smith could establish a township of at least 40 American immigrants. Work started on the mills in the spring of 1795 and was completed some time in 1798. Beyond the initial application, the extent of Jacob's participation in the venture is unclear, but whatever participation he had in the early stages had ended by 1798 when the mills were completed.⁸¹ In 1799, Jacob Servos married Mary Comfort of Gainsborough Township, sold his farm in Niagara Township to Robert Addison for £350, and departed for Gainsborough where he became a farmer and remained for the rest of his life.⁸²

In some American states such as Massachusetts, attitudes towards the loyalists were ameliorating by 1784. The loyalists who chose to return to Massachusetts were able

⁷⁹ See Petition of Jacob Servos, 28-11-1794: Ontario Archives microfilm no. C2806, 1794 v. 448 "S" bundle 1, 124.

⁸⁰ Jacob Servos petition, R.G. 1, L3 v. 448: S1, Petition 48 on Ontario Archives microfilm reel no. C2805.

⁸¹ Edwin C. Guillet, Pioneer Arts and Crafts (Toronto: University of Toronto Press, 1963), 224-5; Statement of Mills in the District of Nassau in E.A. Cruikshank, Notes on the History of the District of Niagara 1791-1793 (Welland: NHS publication no. 26, Tribune Print, 1914), 49-51; and deliberations of the Land Board in E.A. Cruikshank, Records of Niagara 1784-9 (Niagara: NHS publication no. 40, 1929), 55, 56 and 89.

⁸² Jacob Servos sold lots 190 and 191 to Robert Addison on November 29, 1799—see instrument no. 5226 in the land registry office.

to recover lost property and a few were able to collect debts, and they soon became “so completely integrated in post-Revolutionary society that when they died, they were not remembered as Tories, but as educated, esteemed, benevolent and patriotic citizens.”⁸³ Things did not proceed as quickly in states like New York, which had suffered greatly during the war. It was considered one of the two states passing the hardest measures against the loyalists.⁸⁴ By 1788, however, New York had repealed their anti-loyalist legislation.⁸⁵ And by 1795 Daniel Servos was able to return to New York and commence actions in New York to recover debts owed to him.⁸⁶

Based on their actions following their arrival in Upper Canada, it would be difficult to find any evidence of anti-Americanism in the Servos family. Their cross border ties and the high regard they expressed for Americans would indicate, in line with the general consensus in Niagara, that they had no animosity to Americans *per se*, and that they continued with their American associations as if the border did not exist.

FOUR MILE CREEK MILLS

In the summer of 1790, disaster struck the King’s Mills, when the dam for the mill pond burst and the resulting torrent of creek water put the mills out of commission. Servos was unable to repair the mills, and they were abandoned and left to go into disrepair. By the time the mills discontinued operation, Servos had assisted about 100 farmers with grinding their grain and sawing their timber according to the surviving account books. Following closure of the mills, the Servos’ accounts for these activities

⁸³ See Stephanie Kernes, “‘I wish for nothing more ardently upon earth, than to see my friends and country again’: The return of Massachusetts Loyalists,” 30-49.

⁸⁴ Brown, The Good Americans, 128-9. South Carolina was the other state.

⁸⁵ Brown, The Good Americans, 179.

⁸⁶ Daniel Servos claimed £140 from Frederick H Dockstader on July 24, 1795. The suit was instituted through attorneys, being in this case George Metcalfe, supported by bonds from his brothers John and Christian See documents in the Service file in the Department of History & Archives, Fonda, New York.

were added up and settled with the mill customers, and for the rest of the year 1790 Servos concentrated on his other activities of blacksmithing, weaving, clothes making, farming, etc. For his own milling requirements after destruction of the King's Mills, Daniel Servos carried his grain to the Secord mills at St. David's or to the Merritt mills at Twelve Mile Creek for milling.⁸⁷

Soon after the destruction of the King's Mills, Servos built a replacement grist mill for his customers near the site of the King's Mill but further up and on the other (or west) side of the creek. These were the lands which Daniel had been farming since his arrival in Niagara in 1785. Daniel Servos did not proceed with the construction of a saw mill at this time, perhaps indicating that he could not obtain metal components for the saw mill or that the forest was already depleted in the area of the Servos farm or even that the operation of a saw mill was not as rewarding as the grist mill at Four Mile Creek. The lack of saw mills in the Niagara community was a common complaint in the early days of the settlement, and the loss of the saw mill at the King's Mills only added to the problem. The construction of the new grist mill began about mid-May 1790, and continued until the early spring of 1791 when the new mill began to grind settlers' grains.⁸⁸ It appears that a new saw mill was in operation at Four Mile Creek by 1793.⁸⁹

The improvements made by Daniel Servos for construction of the new mill were extensive, and they were carried out without regard to land ownership or the impact on the environment. The lands on the west side of Four Mile Creek were owned by the

⁸⁷ Servos account book, Sales ledger ca 1786-1793, NHS 69.3.203, and letter from Servos to David Smith dated January 21, 1793, Ontario Archives MS 626, microfilm reel no. 1 RG 1 - A-1-1, pp. 74-5, Letters received no 1, Oct 1792 to Dec 1793..

⁸⁸ See Jacob Vanalstine, Christian Savage, Jonathan Lain, Jeffereness Vanalstine, Benajah Williams and Christian Savits accounts, Servos account book, sales ledger ca 1786-1793, NHS 69.3.203, 100-8.

⁸⁹ See Doctor Gamble account September 11, 1793, sawing whiteboard 10/, pineboard 12/, logs 5/, pine slabs 2d, pine logs into planks 4/.

government although technically not part of the government reserve. The lands on which the new mill was constructed had not been officially allocated to Daniel Servos or indeed to any other settler; and it was not clear whether he occupied these lands in his own right or in his capacity as mill operator or whether he occupied them because no one else was in the area. For the construction of the new mill, Servos dammed the Four Mile Creek, and channeled the water to a low lying area on the west side of the creek, where a new mill pond was formed to store the water needed for the mill operation.

In addition to lands on the west side of the creek, Servos needed two parcels of land on the east side of the creek for the dams and mill pond to operate his new mill. One of the parcels on the east side of the creek was a 37 acre parcel in the government reserve lands that was still owned and occupied by the government, and the other was a 28 acre parcel to the south that was also part of the government reserve but had been allocated for the use of an early settler, John Snow. Snow appears to have operated a blacksmith shop on his lands. He was described by a judge on one occasion as being “at times insane.”⁹⁰

In any event, John Snow did not object when Daniel Servos built a dam across a portion of his land, and flooded an additional part for the mill pond. Servos then cut another channel or mill race to divert the water from the mill pond to the new Servos mill, and from there a second channel, called a tail race, was dug to direct the water back to the creek after it had flowed through the new mill. Since the creek meandered in the area of the mills, it was feasible to construct a channel from a bend in the creek to the mill site, and then from the mill site to another bend in the creek further downstream. With this system of ponds, dams and channels, Daniel Servos remedied the defect that

⁹⁰ Jacob Ball esq. v. John Snow, October 12, 1790, Court of Common Pleas Nassau District, 1778-1794, NCRC p. 275. See petition of Daniel Servos dated June 25, 1799, Ontario Archives microfilm reel no. C2805, v. 44 “S” Bundle misc. no. 14.

David Brass had made in constructing the original King's Mills, and he was able to regulate the flow of water to his mills and avoid the possibility that a second freschet could damage the new mill. The new mill ponds were also available for watering the Servos livestock or for irrigation. The proof of the successful implementation of Daniel Servos' innovations is that the system successfully served him and later generations of his family for the next 120 years. But in thus rearranging the flow of the creek for his new mill, Servos had redirected the creek away from the original King's Mill location, thereby making any return to operation of the King's Mills more problematic.⁹¹

In due course, perhaps by 1792, Daniel Servos moved from his King's Mills house to a new house that he built near the new Servos grist mill on the west side of Four Mile Creek. According to Servos family sources, the nucleus of the house was built from lumber salvaged from the first mill. For the first few years of operating the mills on the west side of Four Mile Creek, the Servos family concentrated on the grist and saw mills, the tannery, the store, the weaving facility and the blacksmith shop. At a later date, the family added a potash works to the Four Mile Creek enterprises, and by 1799 a second potash works was started by Daniel Servos on Fifteen Mile Creek about 11 miles to the west. Finally, a cider mill was added to the Four Mile Creek businesses.⁹²

For the expanded operation, additional labour was often required in addition to the members of the Servos family. This was particularly true for the potash works at Fifteen Mile Creek. Contract labourers were scarce in the early Niagara settlement, and

⁹¹ See Jears Thomes and Colin McNabb accounts, Servos account book, Sales ledger ca 1786-1793, NHS FA69.3.203 from which we can date the construction of the new mill. See also John T. Cumbler, Reasonable Use: the People, the Environment and the State, New England, 1790-1930 (Oxford and New York: Oxford University Press, 2001), introduction and chapter 1, for environmental concerns.

⁹² The potash works on Fifteen Mile Creek were on lots 9 and 10 in the 8th Concession, Louth Township, Assignment dated October 1796 from Thomas, Andrew and Johnson Butler to John Gordon assigned to Daniel Servos dated August 9, 1799, NHS 2002 044 004B. See Edwin C. Guillet, Pioneer Arts and Crafts (Toronto: University of Toronto Press, 1968), 15.

those who were available were paid at the rate credited by Servos in barter transactions, six to eight shillings a day depending on their level of skill. For the Servos family, the problem of finding help was alleviated by their ability to barter labour for milling services. In some cases, employment of individuals lasted for months, as was the case when Servos built his own mill in 1790. The employment of labourers was not always successful. In 1799, Servos placed an advertisement in the Canada Constellation to the effect that “William Cuff, a black man and an articed servant, left his house in debt, on the night of the 11th instant, gentlemen are requested not to employ him.” The hired labourers would either live at the Servos farm or journey there for a days’ work. On occasion, Servos used an additional homestead on the property, perhaps the old King’s Mills site home that he had built in 1785, to accommodate a helper who would assist him in the Servos enterprises. At times, the workers lived rent free and at other times a house on the property was rented to one or more of them for a stipulated monthly sum.⁹³

MERCHANT NETWORK - W&J CROOKS

The operation of the store at Four Mile Creek became an increasingly more important component of the family’s enterprises after their move to the west side of the Four Mile Creek. At that time, local merchants like Daniel Servos in the outlying areas of Niagara would place orders with a local wholesale concern based in the Town of Niagara that had ties to the large wholesale merchant houses in Montreal and London. To stock their stores and fill orders from local customers, local merchants needed to allow for the long delay in shipping from Montreal or London. They also experienced delays in

⁹³ Upper Canada Gazette, February 8, 1797, p. 2, c. 1 and Fetruary 15, 1797, and Canada Constellation, August 16, 1799, p. 3, c.4.

receiving payments from their customers. Local storekeepers therefore needed to establish a line of credit with a local wholesale supplier.

The wholesale firm utilized by Daniel Servos was W&J Crooks, prominent merchants with a large store in Niagara and with commercial links in Montreal. The concern's partners, William and James Crooks, came from Scotland before 1792 to join their brother Francis in Niagara. W&J Crooks imported goods that were in demand by the growing Niagara economy, and sent their own bateaux down the lake loaded with furs from the western posts and later filled with grain, flour and potash from the Niagara farms. Francis Crooks is credited with being the first to build a merchant vessel on Lake Ontario – the vessel “York” built in 1792 to the east of Fort Niagara. The Montreal merchant house used by W&J Crooks for the supply of goods to Niagara was Auldjo, Maitland & Co., a partnership of Alexander Auldjo and William Maitland that had links to the large merchant houses in London through one of Auldjo's relations. The Auldjo firm imported a wide variety of manufactured goods, which it sold to Upper Canada wholesalers and storekeepers (like W&J Crooks) in return for flour and ashes. The Crooks family transacted other kinds of business with Auldjo, including for example the transfer of Town of Niagara lot number one to Auldjo sometime before 1800.⁹⁴

The Crooks family became customers of Daniel Servos in November 1791, when an account was opened for Francis Crooks, and a separate account was opened soon afterwards for transactions with W&J Crooks. At first, W&J Crooks brought grist mill products such as Indian corn meal, buckwheat, bran, oats, corn and rye, but there were also sales of peas, butter and beef. The quantities were substantial, and the goods may

⁹⁴ See Alexander Auldjo biography in *Dictionary of Canadian Biography*, vol. 6, 18-20. The mercantile practice is described by McCall in *Planting the Province*, 141-5.

have been intended for export or for the garrison at Fort Niagara.⁹⁵ Servos purchased goods from W&J Crooks in Niagara and resold them to his store customers at Four Mile Creek. In due course, a partnership was formed by Servos with W&J Crooks for the operation of the potash works. The Servos family would collect the ashes from the local farmers, process them into potash at their potash works at Four and Fifteen Mile Creeks, and deliver the potash in barrels to Niagara. The barrels would then be loaded onto the bateaux of W&J Crooks and shipped to Montreal and London. Separate accounts were maintained for the potash works so that W&J Crooks' share could be easily calculated. The potash works were profitable, and large quantities of potash were processed.⁹⁶

Servos charged each customer for the items sold, but his customers seldom paid him for the goods ordered right away, and the customer's account would simply reflect the amount owing to Servos. Interest was not usually charged by Servos on customers' accounts, but W&J Crooks always charged Servos interest on his account balance at prevailing rates. The credit arrangement with W&J Crooks premised that Servos could recover from his customers enough to pay interest and keep the outstanding balance with W&J Crooks within reasonable limits. In fact, however, Daniel Servos did not make payments on the W&J Crooks account, and he used the credit extended by W&J Crooks instead to finance the expansion of his many other enterprises. The credit accommodation from W&J Crooks was not unique to Daniel Servos. A similar arrangement was made by W& J Crooks with Thomas Cummings, a Chippewa merchant.⁹⁷

⁹⁵ H. V. Nelles, "Loyalism and Local Power, The District of Niagara 1792-1837," Ontario Historical Society 58(2) (June 1966): 99. See Francis Crooks account in Servos accounts NHS FA 69.3.203, 130.

⁹⁶ For example, on October 24, 1799, seven barrels of potash were shipped by the partnership to Montreal containing 2,494 bushels of potash. Servos account book, 1779-1803, NHS FA69.3.108.

⁹⁷ See E.A. Cruikshank, "A Country Merchant in Upper Canada, 1800-1812" Ontario Historical Society Papers and Records 25 (1929): 145-190, especially 152.

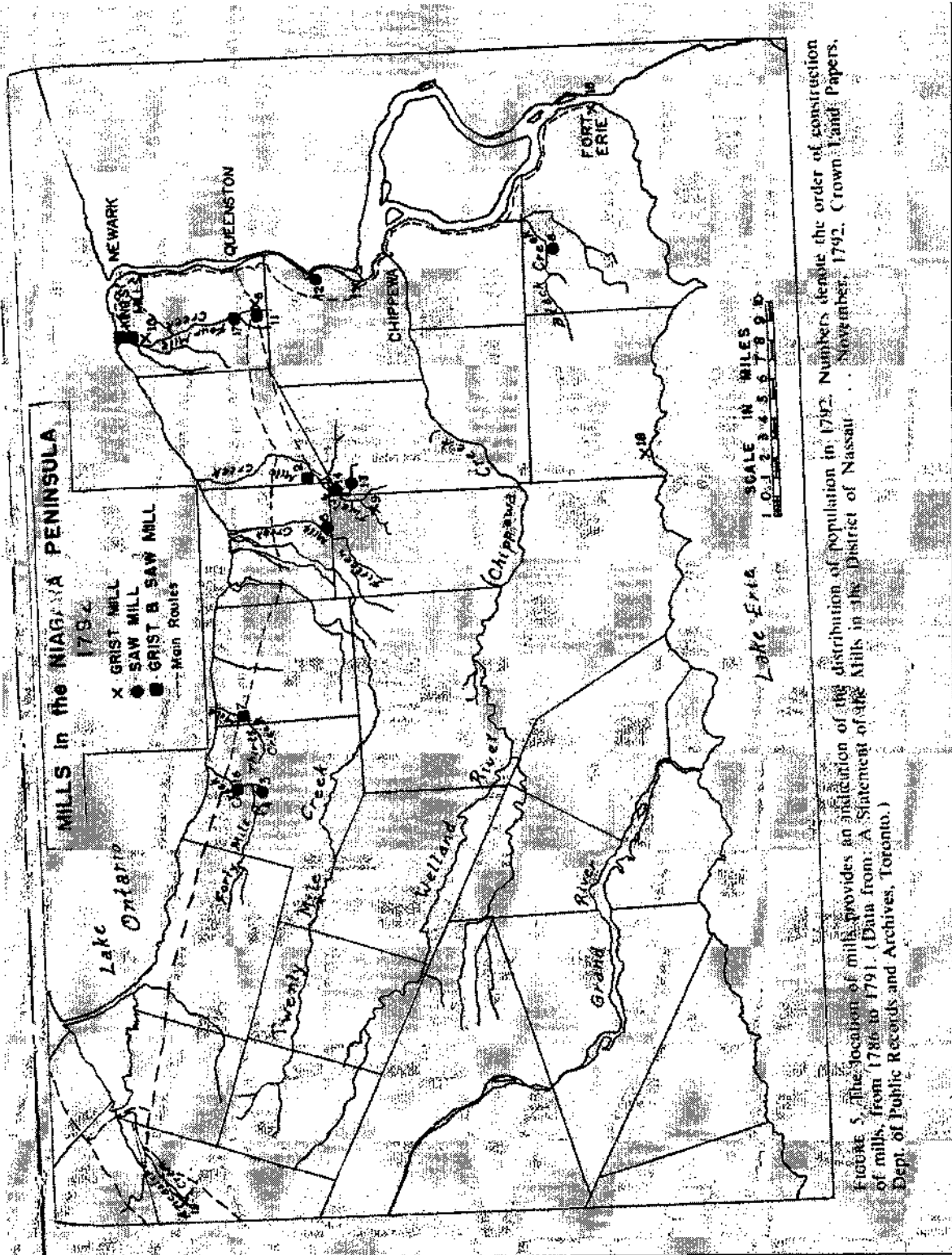
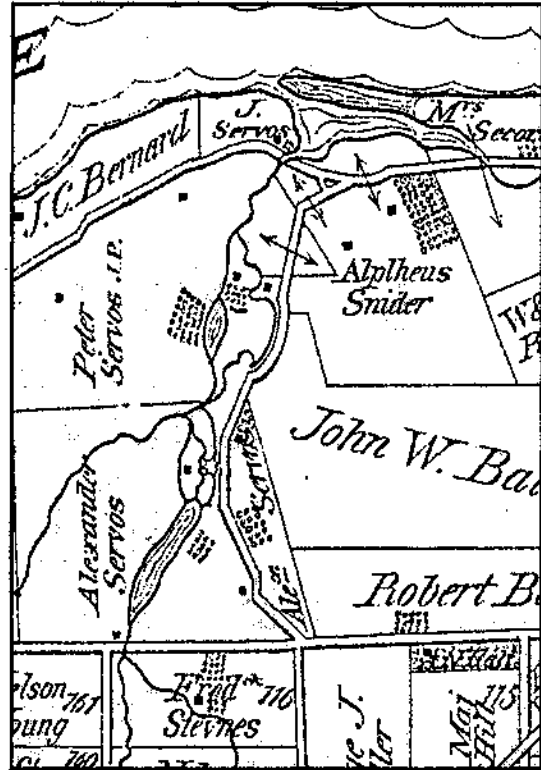
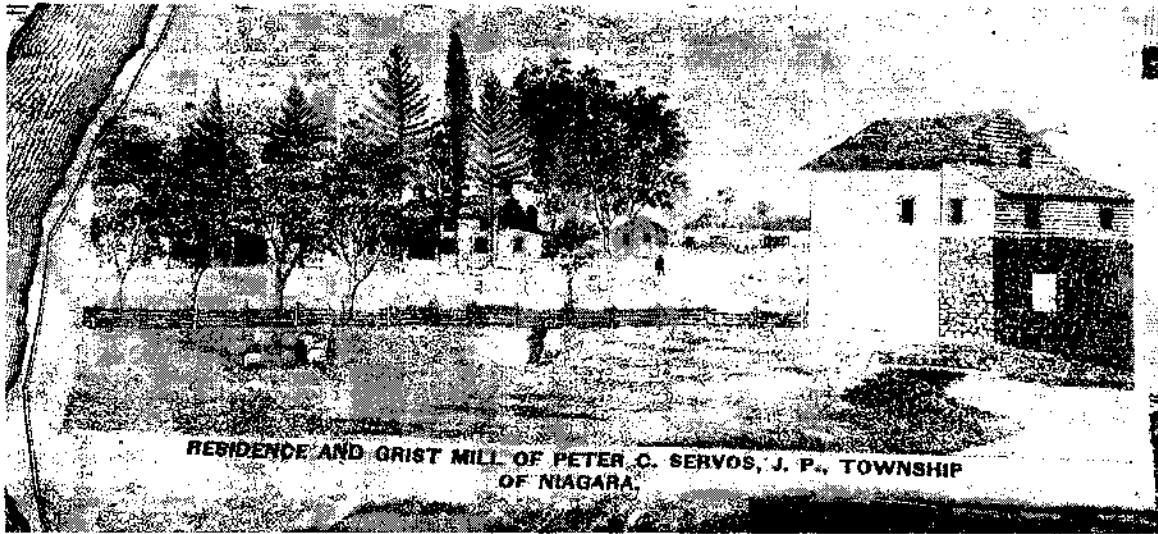
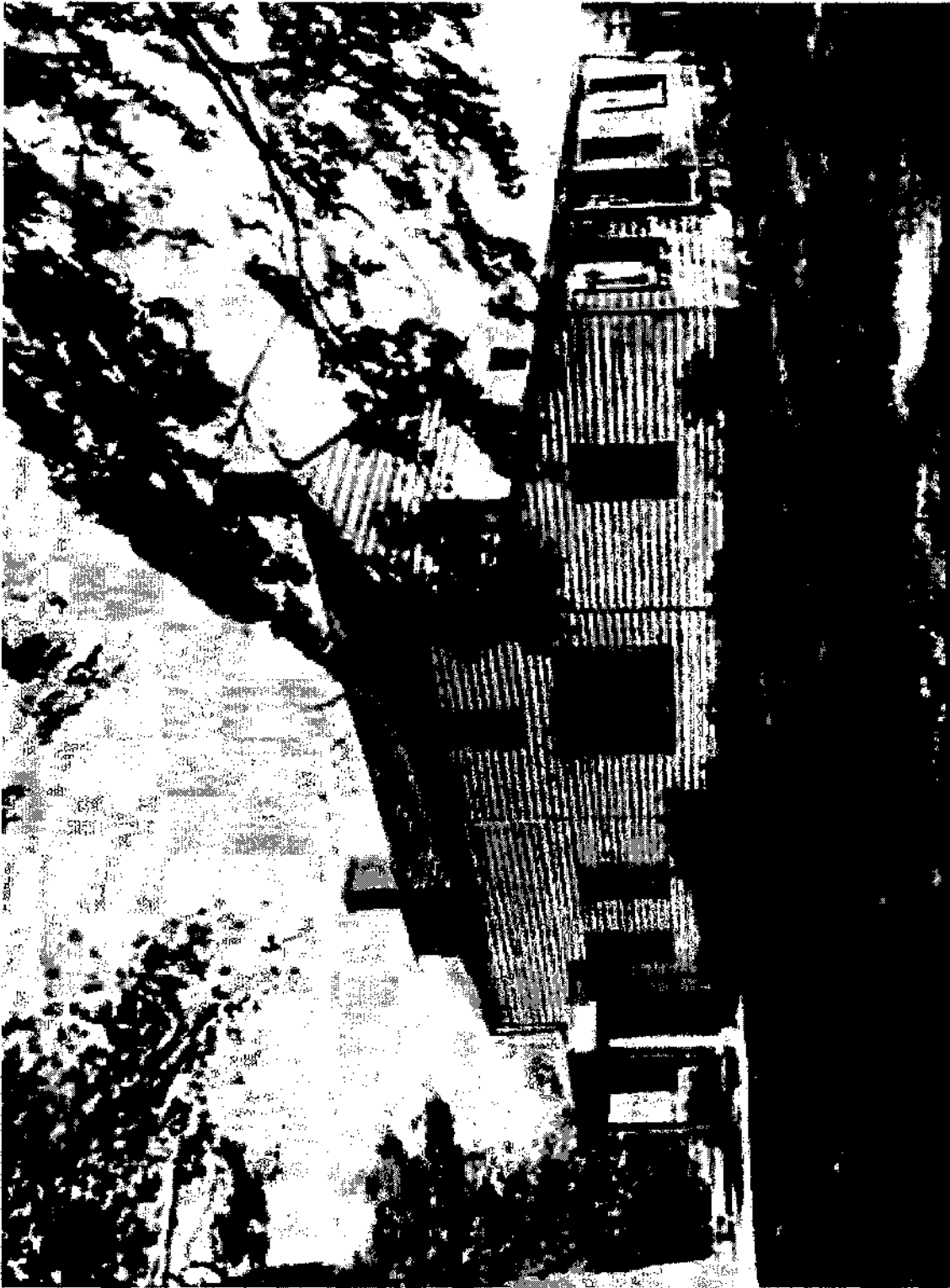


FIGURE 5. The location of mills provides an indication of the distribution of population in 1792. Numbers denote the order of construction of mills, from 1786 to 1791. (Data from: A Statement of the Mills in the District of Nassau . . . November, 1792. Crown Land Papers, Dept. of Public Records and Archives, Toronto.)

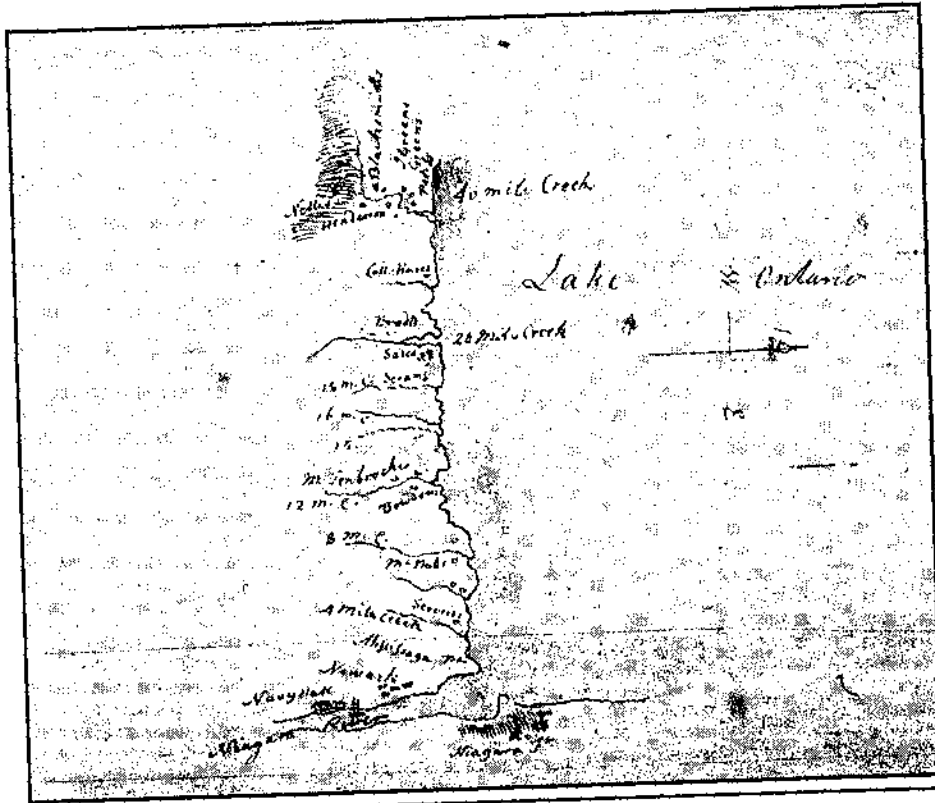
The plan is from R. Louis Gentilcore, "The Beginnings of Settlement in the Niagara Peninsula," *Canadian Geographer*, VII(2) (1963): 79. It shows the mills constructed in Nassau as noted by D.W. Smith in his 1792 report. The King's Mills are shown on the plan and the replacement Servos mill is no. 10.



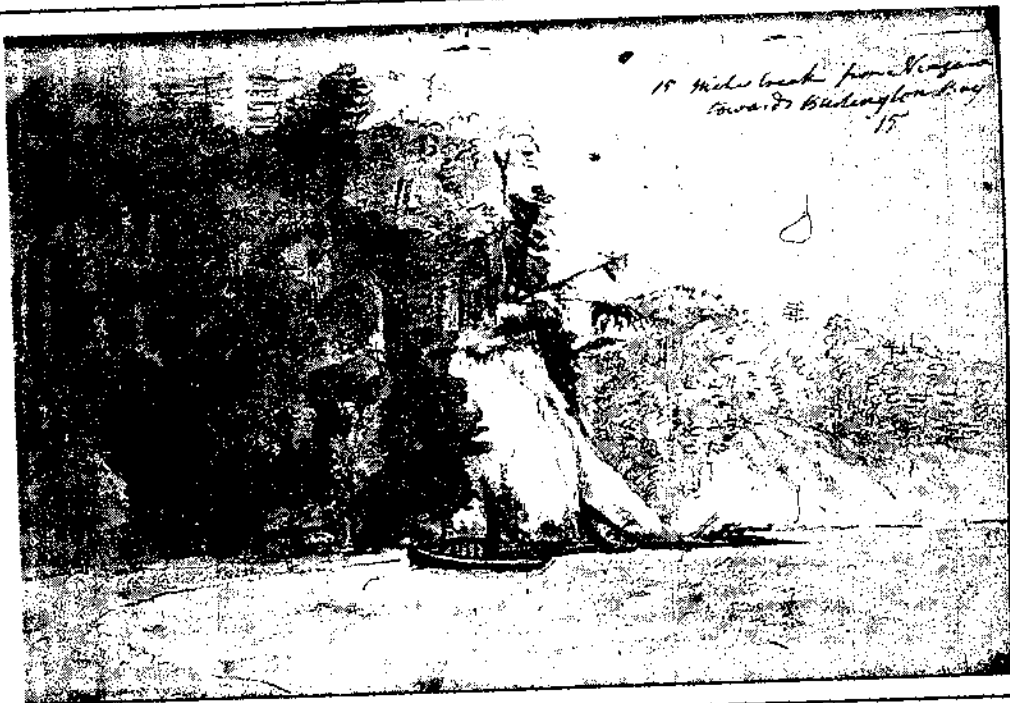
Peter Claus Servos Mills and Residence shown on the 1862 Tremaine Map of Lincoln and Welland Counties. The map on the lower left is also from the Tremaine Map, and the map on the lower right is from the Page Atlas of 1876. Both maps show the intricate layout of the mills and the Four Mile Creek.



The Servos homestead built by Daniel Servos on the west side of Four Mile Creek as it appeared in 1927, NHS X989.347.3.



Drawing by Mrs. Simcoe of the Lakeshore from Niagara to Burlington Bay. Note the reference to the Services on Four Mile Creek. [Ontario Archives F47-8-0-13](#).



Mrs. Simcoe's Drawing of Fifteen Mile Creek drawn on her trip from Niagara to Burlington Bay, [Ontario Archives 1210 F47-8-0-5](#). Daniel Servos had a potash works at Fifteen Mile Creek.

Dorchester

GUY LORD DORCHESTER,
*Captain-General and Governor in Chief of the Colonies of Quebec, Nova-
 Scotia, and New-Brunswick, and their dependencies, Vice-admiral of the
 same, General and Commander in Chief of all His Majesty's Forces in
 the said Colonies, and in the Island of Newfoundland, &c. &c. &c.*

To Daniel Servos Esq^r

WE POSSESS Confidence in Your Loyalty, Courage and good Conduct, I do by these presents constitute and
 appoint You to be **Captain** of a company in the **First** of Militia of
the District of Nassau during Pleasure.

You are therefore carefully and diligently to discharge the duty of **Captain** by exercising
 and well disciplining both the inferior Officers and Men of the said company:

And I do hereby command them to obey You as their **Captain** And You are to observe and follow all such
 Orders and Directions as You shall from time to time receive from Me or any other Your Superior Officer in regard to the
 King's service, pursuant to the Treat hereby repeated in You.

*Given under my hand and seal at arms, at the Castle of Saint Louis at Quebec, the twenty-seventh day of October
 in the twenty-seventh year of His Majesty's Reign, and in the year of our Lord, one thousand seven hundred and
 eighty-eight.*

By His Excellency's COMMAND,
John J. ...

Daniel Servos Commission as Captain in the First Battalion of the Militia of the District of Nassau, NHS Box 109, FA 69.3.154.



The three graves in the wall are those of Daniel Servos, Elizabeth Servos and Elizabeth Johnson, and the large monument to the left is that of John Dease Servos, Niagara Historical Society photograph.

By not making payments on his account with W&J Crooks, however, it was inevitable over time that the balance owing by Servos to W&J Crooks would exceed limits that were acceptable to the Crooks family. At the end of the year 1800, the total amount owing by Servos to the Crooks concern was the considerable sum of £446.19.7, and this debt increased by an additional £402.14.6 by August 26, 1801.⁹⁸ On July 24, 1802, the total amount owed to W&J Crooks amounted to £846.13.0, an amount which was sufficiently large to cause the Crooks family to demand mortgage security for the debt. In 1802, Daniel Servos signed a mortgage secured on the Servos farm for the amounts owing to W&J Crooks. The mortgage was actually made in favor of Auldjo, Maitland & Co., but the arrangement between W&J Crooks and Auldjo, Maitland & Co. appears to be that the sum secured by the mortgage was treated as security for both the debt due by Daniel Servos to W&J Crooks and the debt due by W&J Crooks to Auldjo, Maitland & Co. for the goods supplied to the Servos family. W&J Crooks represented the interest of Auldjo, Maitland & Co. in the mortgage in all dealings with Servos. By its terms, the mortgage was supposed to be repaid in two installments due in 1803 and 1804, but repayment was delayed by Daniel's death which occurred in 1803.⁹⁹

THE SERVOS FAMILY

The Servos' mill enterprises ensured the prominence of Daniel Servos in Niagara Township. All three sons of Daniel Servos were named after influential contemporaries of Daniel Servos who may have assisted him in establishing himself in Niagara, reflecting the family's desire to be associated with prominent members of the

⁹⁸ See W&J Crooks account to August 26, 1801, NHS 2002 044 079.

⁹⁹ Mortgage in the principal amount of £846.13.0 bearing interest at the rate of six percent per annum, dated July 24, 1802 and registered July 31, 1802 in Book B folio 426 as nos. 421 and 422 in the Registry Office. See entry for payment made on May 31, 1809 of £200.0.0 on mortgage and £68.13.11 on promissory note of William and James Crooks, account of July 29, 1809, in the Servos accounts NHS 2002 044 116.

community. John Dease Servos (1785-1847) was of course named after John Dease, who Daniel had known previously at Johnstown and in the Indian Department. William Street Servos (1787-1857) was named after the Street family. Daniel Servos would have known Samuel Street at Johnstown, when Street was a cordwainer. During the revolutionary war, Samuel Street had been a storekeeper at Fort Niagara, and after the war Street became a mill owner and merchant with large facilities further up the Niagara River at Chippewa. John Dease Servos and William Street Servos married members of the Ball family, a prominent loyalist family who lived near the Servos family.

Robert Kerr, after whom Daniel Kerr Servos (1792-1857) was named, was during the war first a surgeon's mate at Machiche (the main loyalist camp in eastern Quebec) and then a surgeon to the second battalion of the King's Regiment of New York. After the war, Kerr was the surgeon to the Indian Department. Kerr married Elizabeth, a daughter of Sir William Johnson and Molly Brant, and the Kerrs settled in Niagara in 1789. Kerr was a judge of the Surrogate Court at Niagara, a grand master of the Provincial Grand Lodge (Masons), and a member of the Land Board. He was a long standing customer of the Servos enterprises on Four Mile Creek, and may have assisted Daniel Servos with his land transactions. Daniel Kerr Servos moved to Barton (Hamilton) following the War of 1812, and married Catherine Rousseau, the daughter of a well known Indian trader and interpreter, Jean-Baptiste Rousseau.

Daniel's oldest daughter, Catherine Servos, married Humphrey Waters (d1850), a black loyalist who may have served with Butlers Rangers during the revolutionary war and who came to Niagara following the war. Humphrey Waters became successful in Niagara as a farmer and later as a property owner, and subsequent generations of the

Waters family likewise were prominent Niagara citizens until they moved away in the early 1900s. It is not clear what the Servos family thought about Catherine's marriage to a black man. Daniel Servos himself does not seem to have had any prejudice, and there were black workers in the Servos household from time to time, either free or former slave. One of these workers was Robert Jupiter who later fought in the War of 1812 with Humphrey Waters on the British side in Runchey's Coloured Corps. We can only assume that it was the influence of the Servos family that encouraged Jupiter to fight for the British in the War of 1812.¹⁰⁰ Not all Servos family members thought about blacks in the same way. William Kirby, the family's biographer, ignores Catherine completely in his memoirs of the Servos family - she is not even mentioned.

Daniel's youngest daughter, Magdalena, married John Whitmore (1769-1853), who was brought to Niagara by Daniel Servos in 1785 and raised as part of the Servos family. Magdalena and John Whitmore named their first son after Daniel Servos. It was their daughter, Eliza Magdalene Whitmore, who would marry William Kirby in 1847.

The Servos family participated in many of the early social and religious organizations formed in Niagara in the community's early days. The Servos homestead was reputed to be a meeting place for worship before any church was built in the area, and it is said that services were held there at intervals by clergyman Robert Addison who lived nearby. Addison was rector of the Niagara Anglican ministry from his arrival in Niagara in 1791 until his death in 1829, and provided services throughout Niagara District before St. Mark's Church was built in 1804-1810.¹⁰¹ In 1794, Daniel Servos joined the congregation of St. Andrew's Presbyterian Church. He was a member of the

¹⁰⁰ Michael Power and Nancy Butler, *Slavery and Freedom in Niagara* (Niagara-on-the-Lake: Niagara Historical Society, September 1993), 20.

¹⁰¹ *Niagara Advance*, June 18, 1942, 1 and February 24, 1944, p. 5, c. 1-5.

building committee for construction of the original church, and he contributed the sum of £5.0.0 toward the construction costs of the church on September 23, 1794. Daniel became an initial trustee for the church once services were underway, and shared a pew with Robert Kerr (no. 9).¹⁰² At some point, the Servos family joined the Anglican Church.¹⁰³ In 1829, a petition to appoint Reverend T. Creen as rector at St. Mark's Church after Robert Addison's death was signed, *inter alia*, by John Dease and Elizabeth Servos.¹⁰⁴

An early association with Francis Goring (1755-1842) sparked an interest in education for Daniel Servos. Goring was at Fort Niagara during the revolutionary war, and afterwards formed an association with Robert Hamilton. However, when he first arrived in Niagara after the war, Goring lived near the Servos family at Three Mile Creek and ran a small school from his home. In March 1790, Goring moved three miles further west to Six Mile Creek, and Daniel Servos assisted him in building a school house with a contribution of nails, lath and doors. The Servos children are recorded as students in Goring's school from May 10, 1790 to January 24, 1791, and according to the custom of the time the education was paid for by products of the Servos mills, particularly flour, rum and potatoes. In 1791, Goring relocated to St. Davids, but the Servos children continued to attend other schools whenever possible, either as borders with a teacher or on a day-school basis, so that in the end at least the boys were literate.¹⁰⁵ Daniel Servos was literate, but it appears that Elizabeth and Catharine Servos were not. In a bond signed

¹⁰² See "Subscribers to St. Andrew's Church, 23rd September, 1794" in Janet Carnochan, Names only But Much More (Niagara: NHS publication no. 27, 1915), 29.

¹⁰³ The Presbyterian Church was burned down on August 24, 1813 by the Americans during their occupation of Niagara in the War of 1812, and was not rebuilt until 30 years later

¹⁰⁴ See Carnochan, Names only but much more, 31-33.

¹⁰⁵ Daniel Kerr Servos was recorded as boarding with Mrs. Frey August 13, 1801, and in 1803 separate tutors are mentioned, namely Mr. Muirhead, who married one of John Butler's daughters, on July 24, 1803 and Captain Frey on November 21st and May 1st, 1804. See Francis Goring's Account of House Expenses and Memorandum begun June 2, 1790, NHS, X993.5.375, and Daniel Servos' Personal Account Book, NHS, F69.3.108.

by Daniel and Elizabeth on July 3, 1800, Elizabeth signed with her mark. She helped with the work on the farm, and was involved in the family's weaving operation. Catherine Servos made her mark on her will rather than executing the same.¹⁰⁶

Daniel Servos was an original proprietor of the Niagara library, the first such library in Upper Canada, when it was formed on June 8, 1800.¹⁰⁷ He was also a member of the Agricultural Society of Niagara which had Lieutenant Governor Simcoe as president. William Kirby speculates from the discovery of a copy of a letter dated October 20, 1792 from George Washington to Sir John Sinclair (founder of the Scottish Board of Agriculture) discovered in Daniel Servos' desk that Servos was in contact with Simcoe on the subject of agriculture.¹⁰⁸ Servos became a Past Masters Mason on May 7, 1784 during his tenure at Fort Niagara.¹⁰⁹ A Masonic Lodge (St. John's Lodge no. 19), was operating in Niagara, possibly by October 23, 1787 but certainly prior to 1791, and Robert Kerr was a grand master of the Masons at Niagara 1797-99 and 1802.

Although there is no evidence that Daniel Servos was involved in the politics of Niagara, he was one of those who signed the congratulatory address given by Robert Hamilton and other respected Niagara citizens to John Graves Simcoe on his appointment as Lieutenant Governor in 1792.¹¹⁰ According to William Kirby, Daniel was present at the opening of the first Parliament of Upper Canada on September 17th of that year, and the family later displayed from time to time several chairs that were supposed to have

¹⁰⁶ See Bond Daniel and Elizabeth Servos to Johnson Butler July 3, 1800, NHS 2002 044 040, Servos account where Elizabeth accepts the return of one loom and utensils lent by her to Jno Fox, and NHS FA 69.3.114, 88, Catherine Waters will, Surrogate Wills Index G.S.2 #90 Lincoln County copy book.

¹⁰⁷ See "Niagara Library 1800-1820" in Janet Carnochan, NHS publication no. 6 (Niagara: Niagara Times Press, 1900), 7; and Carnochan Names only but much more, 19.

¹⁰⁸ Toronto Daily Star, May 23, 1901, 15, c.1, article by William Kirby.

¹⁰⁹ In the mid-eighteenth century, the Grand Lodge of England (moderns) began the practice of granting traveling warrants for Masonic Lodges to military units, and the first of these in Niagara went in 1773 to the 8th own King's Regiment of Foot, Lodge No. 156 at Fort Niagara.

¹¹⁰ Cruikshank, Notes on the History of the District of Niagara 1791-93, 27.

been used at the first parliament.¹¹¹ Daniel held minor positions within Niagara Township, such as Fence Viewer, Overseer of Highway, and Town/Church Warden in 1794, 1795 and 1798. These were the sorts of positions held by local citizens resident in outlying areas, who looked after civic duties that had to be carried out by local residents. Daniel did not, unlike many other loyalists, seek the patronage of paid government appointments or office.¹¹²

The Servos family occasionally was host to notable visitors from the Town of Niagara at their home on Four Mile Creek. Joseph Brant was entertained there on many occasions, and a bowl in the family's possession was said to be a gift from Brant.¹¹³

William Jarvis, Provincial Secretary of Upper Canada, and Mrs. Jarvis lived in the Town of Niagara, but were customers of the store at Four Mile Creek until their departure for York. After visiting the Servos family in January 1793, Mrs. Jarvis described the Servos mills as follows:

A place called the Four Mile Creek on this side of the lake, was it in England, would be a place worthy of the King's notice. It (the creek) meanders in a manner superior to any stream I ever saw. There is a great mill upon it, and the family that it belongs to are Dutch.¹¹⁴

In those days, many people of German origin were described as "Dutch" as that word was similar to the German word for German "Deutsch." The Servos mills are mentioned at least three times in the diary maintained by Mrs. Simcoe during her sojourn at Niagara. On July 15, 1794, Mrs. Simcoe "rowed in a boat towards the Four Mile

¹¹¹ There was a notable gathering at the opening of the first parliament including, in addition to Daniel and Jacob Servos, Sir John Johnson, Colonel Claus, Guy Johnson, Colonel Butler and his Rangers, Major Rogers, Colonel McKee from Detroit, Samuel Street, and Thomas Clark – Waugh, "The United Empire Loyalists," 74-123; and Niagara Historical Society, "Memorial to the United Empire Loyalists" in Niagara Historical Society publication nos. 2 and 4 (Niagara, Ontario: Times Book and Job Print, 1917), 27.

¹¹² See municipal records of the Town of Niagara and Township of Niagara, NHRC microfilm reel no .001.

¹¹³ Niagara Advance, February 24, 1944, p. 5, c. 1-5.

¹¹⁴ Fitzgibbon, "The Jarvis Letters" in NHS publication no. 8, 34.

Creek. Mrs. Smith and Mrs. Mason went with me.” Then on July 26th, the Simcoes traveled by boat to the head of Lake Ontario (now Hamilton) and back. They were unable to land at the Four Mile Creek because of weather conditions, but during her trip Mrs. Simcoe made a sketch of Fifteen Mile Creek where the Servos potash work was located.¹¹⁵ On the trip, she also drew a map of the south shore of Lake Ontario, which shows the location of the Servos mills at Four Mile Creek, reflecting the prominence of the mills in the early Niagara economy. The final mention of the mills was on September 24, 1795, when the Simcoes rode to the Servos mills. On that occasion, Governor Simcoe was described as very ill with a “billious fever.”¹¹⁶

Soon after moving to the west bank of the Niagara River, Colonel John Butler organized a militia to assist in the settlement’s defense. Every settler was considered as a militia-man between the ages of 16 and 50. Only public functionaries were exempt from military service. By the spring of 1791, there were three militia battalions with 835 men, and four years later the militia had grown to 9,000 men. On October 27, 1788, Daniel Servos was appointed a captain in the first regiment of Militia in Nassau District (i.e. Niagara) by Lord Dorchester, and he raised a militia company. Daniel was promoted to major on June 25, 1802 shortly before his death. His company was filled with neighbours and the return on August 24, 1794 included his brother Philip Servos.¹¹⁷

Daniel Servos died at the age of 65 on March 26, 1803 and was buried in the Servos family burial ground at Four Mile Creek about 1,500 feet northwest of the

¹¹⁵ Mrs. Simcoe Drawing of the Lakeshore from Niagara to Burlington Bay, Ontario Archives, F47-8-0-13.

¹¹⁶ Robertson, The Diary of Mrs. John Graves Simcoe, 229, 230 and 294.

¹¹⁷ In 1788, the western part of the Province of Quebec was divided into the Districts of Nassau (which included Niagara), Luneburg, Mechlenburg and Hesse. See la Rochefoucault-Liancourt’s Travels in Canada 1795, in Ontario Archives, Thirteenth Report (Toronto, King’s Printer, 1917), 41, NHS FA 69.3.155 and FA 69.3.162 (Rolls of Daniel Servos’ Company of Lincoln Militia); and Mathews, Mark of Honour, 137.

homestead. The inscription on his gravestone reads: “To the memory of Daniel Servos Esquire who died the 26th day of March 1803 aged 65 years.” Daniel did not leave a will, and as a consequence his property, including the Servos farm, was inherited according to the laws of the time by his eldest son and heir at law, John Dease Servos, who was then 18 years of age. Daniel’s wife Elizabeth died on February 20, 1821 and her gravestone reads: “Sacred to the memory of Elisabeth Servos who died on the 20th Feb. 1821 aged 72 years.”¹¹⁸ Elizabeth Servos’ mother died at the age of 103 years 6 months on November 8, 1811 and she too is buried in the family graveyard; her gravestone reads: “Sacred to the memory of Elizabeth Johnston who died 8 Nov 1811 aged 101 years.” The similarity of the inscriptions on the three grave stones indicates that they were made at the same time at a later date subsequent to their deaths, perhaps by John Dease Servos.

The graveyard was also used for the burial of some of the Servos neighbours. The wife of Colin McNab was buried in the Servos Family graveyard in 1813, and John Whitmore is buried there with Magdalena. It is also said that many Indians are buried near the Servos family graveyard as well as Robert Jupiter, the black ex-slave family servant of the Servos family for many years who died in 1824.¹¹⁹

ENTERPRISE OF DANIEL SERVOS

The story of Daniel Servos is testimony to the entrepreneurial abilities of the Palatine American pioneers of the late eighteenth century. In proceeding with the mill construction, Daniel Servos did not wait for the government to initiate proposals. Rather, he constructed his mills on unpatented government land and neighbouring lands and he

¹¹⁸ Ontario Genealogical Society, *Cemetery Studies (Servos)*, no. 3354.

¹¹⁹ Janet Carmochan, *Inscriptions and Graves in the Niagara Peninsula* (Niagara, Ontario: the Times, Niagara Historical Society, NHS publication no. 19, 1902), 5-7; *Niagara Advance* dated February 24, 1944; family bible of Daniel Kerr Servos, *NHS*, X988.5.429 a&b; and Jessee T. Ruley, “Along the Four Mile Creek” *Ontario History* 48(3) (1956), 111-115.

manipulated water courses and property boundaries, all without regard to the ownership of land, government regulations or the adverse consequences of his actions on the King's Mills located downstream. Nevertheless, these indiscretions were overlooked or perhaps even encouraged by the governing authority in the administrative vacuum of post war Niagara, because of Daniel's status as a loyalist and the importance of mills to the new settlement. To finance his enterprises, Daniel Servos engaged successfully in the emerging capitalist economy developing in Niagara and entered into mutually beneficial commercial arrangements with W&J Crooks that provided him with the funds to expand his operations. By the time of his death in 1803, Daniel Servos had re-established the family in Niagara's economy and society, possibly even to a greater extent than they had enjoyed in pre-revolutionary New York.

CHAPTER 4 – LOYALIST ADVANTAGES

The war service and loyalist status of Daniel Servos made him and his family eligible for compensation from Britain following the revolution. The Servos family experience demonstrated the inadequacy of administrative policies in Niagara in the early years, which left room for enterprising loyalists like Daniel Servos to establish themselves in the community. Daniel did not wait for the government compensation programmes to appear. Rather his goal was to reconstruct his family's lives in Niagara and establish his family to the middling status they had enjoyed in the American colonies before the revolution.

Once the government programmes were in place, Daniel Servos showed that he could work with the governing authority to his family's benefit. By 1797, some 12 years after his arrival in Niagara, Daniel was able to acquire legal title to the mills he constructed on Four Mile Creek. In addition, he benefited from many (but not all) of the compensation claims available to him as a loyalist. In Daniel's time, the New York authorities were hostile to returning loyalists, but the New York policies were relaxed over time. Although Daniel chose not to pursue all his loyalist entitlements, his family did so both in Niagara and in New York and their efforts continued long after his death.

PATRONAGE

Historian S.J.R. Noel has investigated the political culture in Upper Canada and the question of whether the British government created a colonial elite there through its patronage programme, particularly following the arrival in 1792 of Lieutenant Governor John Graves Simcoe. Noel's conclusion was that by then all power and authority rested in the hands of leaders who combined government office and pensions with important

social, administrative and judicial functions, and who had in effect become local patrons for the settlers.¹ In his study of local power in the Niagara District, H.V. Nelles similarly concluded that there was in Niagara “a tightly knit oligarchy that supplied the community with military, religious, social, economic and political leadership,” linked by “rank, marriage, friendship, prominence and preferment.” According to Nelles, the officer classes who had served in the revolutionary war held three advantages over the rank and file in the civilian settlement that followed the war. They received larger land grants, remained on a half-pay basis, and obtained the additional income and power of appointment to the petty offices of local power. And Nelles included the “Servos brothers” with their mills on Four Mile Creek as part of the oligarchy that formed in the “outlying areas” of the Niagara frontier.²

While the existence of a colonial elite or oligarchy in Niagara after the war may be an accurate assessment of the situation there, the rationale for including Daniel and Jacob Servos in such an oligarchy in the outlying area of Niagara Township is not as apparent. In 1785, the Servos brothers were not on half pay, and any land grants and financial compensation were well in the future for them. The appointment as mill operator was an important advantage, but Daniel Servos was not the first person to hold that position. Others had preceded him as mill operator, and his appointment reflected the government’s lack of success with the mill operation to date. In his collective biography of 283 “prominent Upper Canadians,” J.K. Johnson does not include Daniel Servos, since Johnson’s criteria for prominence in Upper Canada required a person to be a member of

¹ Noel, *Patrons, Clients, Brokers, Ontario Society and Politics, 1791-1896*, 21-60.

² Nelles, “Loyalism and Local Power, The District of Niagara 1792-1837,” 100-1 and 103.

the provincial assembly, a magistrate and a militia officer.³ It was also helpful if one was a loyalist. Daniel was of course a loyalist and militia officer in command of the local militia at his location on Four Mile Creek, but he did not become a member of the legislative assembly or a magistrate.

Although Jacob Servos petitioned the government to establish mills and townships following his arrival in Upper Canada, he never progressed beyond being a farmer, and did not participate in the Niagara community even to the extent that Daniel had done. The only oligarchy that included Daniel and Jacob Servos and entitled them to favourable treatment from the British government was their classification as loyalists, resulting from their service in the Indian Department, even though joining the loyalist migration may not have been their first choice.

For Daniel Servos, patronage would have a different meaning than it had for his father. Patronage was distributed to Christopher Servos by Sir William Johnson on an individual basis in return for services performed or anticipated. Political scientist Carl H. Landé argues that almost by definition, a good tenant on the frontier was “one who behaves like a good client. He makes himself personally amenable to his superior, and is entitled to personal consideration and loyalty in return.”⁴ Distribution of patronage was to a high degree “face to face” and founded on “direct personal contact.”⁵

A major feature of patron and client relationships noted by S. N. Eisenstadt and L. Roniger in their study of clientelism was the “creation of several paradoxical contradictions,” the most important of which were:

³ J.K. Johnson, Becoming Prominent: Regional Leadership in Upper Canada, 1791-1841 (Kingston and Montreal: McGill-Queen's University Press, 1989), 3-10.

⁴ Carl H. Landé, “The Dyadic Basis of Clientelism” in Steffen W. Schmidt, Friends, Followers, and Factions: a Reader in Political Clientelism (Berkeley: University of California Press, 1977), xxii.

⁵ Landé, “The Dyadic Basis of Clientelism,” xxix.

first, a rather peculiar combination of inequality and asymmetry in power with seeming mutual solidarity expressed in terms of personal identity and interpersonal sentiments and obligations; second, a combination of potential coercion and exploitation with voluntary relations and mutual obligations; third, a combination of emphasis on such mutual obligations and solidarity or reciprocity between patrons and clients with the somewhat illegal or semi-legal aspect of these relations.⁶

Landé recognized that there was a “continuing and unavoidable strain between the institutional requirements of impersonality and impartiality and the addendum’s prescription of favored treatment of clients,” and he argues that the distribution of patronage could lead to results that were “harsh and impersonal.”⁷ Consequently, it was necessary for the patron to “place clear limits upon the degree to which personal favoritism can be tolerated.”⁸ Similarly, it was incumbent upon the client to ensure that the paradoxical contradictions did not work to his disadvantage.

In the family’s experiences in New York, Daniel Servos had proven that he was willing to engage in a kind of clientelism. However, there is no evidence of him engaging with the local administrative elite in Niagara who might serve as personal patrons except in a limited sense his merchant connections (W&J Crooks). But perhaps in the absence of that personal connection, Daniel was just that much more willing than Christopher Servos to take risks and create opportunities. His willingness to effectively squat on property in Upper Canada, suggests a willingness to challenge (or at least ignore) authorities and official policies, just as the early Palatines had done.

⁶ S.N. Eisenstadt and L. Roniger, *Patrons, Clients and Friends, Interpersonal Relations and the Structure of Trust in Society* (Cambridge: Cambridge University Press, 1984), 49.

⁷ Landé, “The Dyadic Basis of Clientelism,” xiii and xxii.

⁸ *Ibid.*

In Upper Canada, the patron was the British government and patronage was distributed according to established government programs that contemplated awards for war losses, monetary payments in the form of half pay, and land grants. Although the tests varied for different programs, in general to qualify for compensation, applicants needed to demonstrate loyalty or military service to Britain during the war or adherence to the British cause and migration to Upper Canada after the war.⁹ The establishment of administrative guidelines for compensation took time and while they were being formulated, opportunities were created for enterprising settlers like Daniel Servos.

WAR LOSS CLAIMS

At the end of the war, King George III asked Parliament that “generous attention should be shown to” the loyalists.¹⁰ Further to the King’s direction, the British parliament passed legislation “For Appointing Commissioners to enquire into the Circumstances and former Fortunes of such Persons as are reduced to Distress by the late unhappy Dissentions in America.” Under the Act, five appointed commissioners would classify the “losses and services of those who had suffered in their rights, properties and professions on account of their loyalty.” When the commissioners began their enquiry in October 1783, they hoped that all loyalist claims would be in their hands by March 25, 1784, but procedural delays led to periodic extensions of the filing deadlines. It soon became evident that to do justice to the loyalists, commissioners must be sent to America to investigate the substance of the claims. Consequently, in 1785 Jeremy Pemberton, Robert Mackenzie and Colonel Thomas Dundas were sent to Nova Scotia and Canada, and John Anstey, a London barrister, was sent to New York State to investigate the

⁹ See Talman, *Loyalist Narratives*, xxviii-x.

¹⁰ Waugh, “The United Empire Loyalists,” 88.

claims. The North American commissioners had the same powers as the British commissioners. Their work in North America began on November 17, 1785 and lasted until 1789. One or the other of the commissioners sat at Halifax, Shelburne, St. John, Quebec, Montreal and Niagara. When all the claims had been reviewed, the commissioners submitted their final report to the British House of Commons on June 10, 1789.¹¹

The loyalist claims are found in the Audit Office Papers, Series 12 and 13. The first series, in 146 volumes, contains the claims for compensation for property lost during the revolution; and the second, in 141 volumes, contains the evidence submitted by loyalists to support their claims. The evidence includes valuations of property for which compensation was sought, transcripts of their claims to the commissioners, and testimonies of witnesses corroborating the claimants' pleas. In their deliberations, the commissioners looked at the loyalty and service of the claimants, the extent of their losses, and fixed the awards accordingly. A loyalist as defined by the commissioners had to be an American by birth or living in the colonies in 1775 at the outbreak of the revolution; and he must have rendered substantial service to the British cause in the course of the war and left the American colonies during the war or shortly thereafter.¹²

Ultimately, 3,225 claims were put forward to the commissioners by British North American loyalists, of which 934 were disallowed, withdrawn or not prosecuted. The total claims submitted were £10,358,413, the claims examined were £8,216,126, and the

¹¹ See Wrong, Canada and the American Revolution, 464-9; and John Eardley-Wilmot, Historical View of the Commission for Enquiring into the Losses, Services, and Claims of the American Loyalists at the Close of the War between Great Britain and Her Colonies in 1783 (London: J. Nichols, Son and Bentley, Red Lion Passage, Fleet Street, London, 1815), 55-8.

¹² Wilson, Loyal As She Began, 102.

amount allowed £3,033,091 - about one third of the amounts claimed.¹³ Of the claims submitted, 1,385 were submitted by British North America residents, of which 1,235 were allowed and 150 rejected. The total amount claimed by British North Americans was £1,064,040, and the amount awarded £336,753, again about one-third. The average claim was £862 and the average amount awarded was £273. This can be contrasted with the largest claim made by a loyalist, namely that made by Sir John Johnson in the amount of £103,162. In 1788, the British parliament approved the payment of the loyalist claims with interest accruing from July 5, 1788. The awards were paid out in the form of interest bearing debentures, redeemable over seven years, but saleable on the open market, and thus, as the chairman of the commission later noted “nearly equal to a money payment.”¹⁴

The picture of the average loyalist from New York (outside New York City) which emerges from the war loss claims is of a farmer of moderate means, living in the Hudson or Mohawk Valley, equally likely to be native or foreign born (if the latter, probably from the British Isles, but possibly from Germany).¹⁵ The average land claim was not large, only 191 acres leased or owned, but 42 of the 1,106 New York claimants had less than ten acres cleared. The preponderance of small farmers is reflected by the fact that the largest claim category (64% of the whole) was for amounts of £500 or less, and over 77% of the claims were for £1,000 or less. But the 72 claimants who claimed £5,000 or more, and the 39 persons who claimed £10,000 or more, show that the very

¹³ Hugh Edward Egerton, ed., Daniel Parker Coke, 1745-1825, The Royal Commission on the losses and services of American loyalists, 1783 to 1785, being the notes of Mr. Daniel Parker Coke, M.P., one of the commissioners during that period (Oxford, printed for presentation to the members of the Roxburghe club [by H. Hart, at the University press] 1915), xl.

¹⁴ Temperley, “Frontierism, Capital, and the American Loyalists in Canada,” 14-15.

¹⁵ Brown, The King's Friends, 77-107.

wealthy, if a small minority of the claimants, were nevertheless substantially represented among the loyalist ranks. Most of the wealthy claimants came from New York City.¹⁶

As farmers from Tryon County with German origins, the Servos family was typical of the group of New York loyalists who filed war loss claims. Although the Servos farm was large in acreage (1,500 acres), only 90 acres were cultivated at the start of the revolution – less than the average acreage filed by New York claimants (100 acres). The Servos claim (£3,825) was larger than the average claim of £500 reflecting the commercial nature of the enterprises constructed by the Servos family on their farm, but the Servos claim was far from the largest category of war loss claims.

Daniel Servos submitted a relatively straightforward claim to the war loss commissioners in 1783, which left open only the amount of compensation to be determined once the program was under way.¹⁷ Christopher Servos had died without leaving a will and Daniel as the oldest son and heir at law was the one with the legal right to submit the family's claim according to the laws of the time. In the war, Christopher had lost "a personal estate consisting of 12 horses, 21 Head [of] cattle, 25 Sheep, 40 Hogs, furniture, Utensils for farming, Blacksmith & Weaver's tools, 3 large Kettles, utensils for Potash work... These Utensils were left on the Premises when they went away & [were] sold by the Rebels. The Potash House & Works & all the Buildings were burnt by the Rebels." Later, the family's farm had been confiscated and sold by the State of New York, and Daniel's mother had been unable at war's end to collect anything from New York for her dower rights. When Christopher Servos died, there were no debts on his estate. Daniel's application was supported by sworn evidence from Adam Crysler and

¹⁶ Brown, *The King's Friends*, 86.

¹⁷ See Claim of Dan^l. Servos, late of New York in Ontario Archives, *Second Report of the Bureau of Archives for the Province of Ontario 1904* (Toronto: King's Printer, 1905), 957.

Adam Brown, both prominent loyalists who came to Niagara following the war and who substantiated his statements regarding the Servos family property and its value.¹⁸

When nothing was heard from the British government regarding his claim, Daniel submitted a second claim on April 16, 1786 to the North American commissioners who had by then arrived in Canada.¹⁹ The second claim was also for £3,825 in New York currency, and this time Daniel's application was supported by Colonel John Butler who confirmed to the commissioners that "Daniel Servos late lieut in the Six Nations Indian Department has served His Majesty faithfully and as a deserving officer from the year 1778 to the end of the late war." The Servos family claim (£3,825) was somewhat larger than the average loyalist claim of £862, but otherwise was typical of those submitted by New York loyalists. The second claim of Daniel Servos was tabled with the commissioners on June 26, 1786, and he appeared personally before one of the commissioners, Jeremy Pemberton, on August 22, 1787 at Niagara to substantiate his claim.²⁰ By then, commissioner John Anstey had completed his review of New York loyalists and the name of Daniel Servos was also included in Anstey's list as a New York loyalist. After discussions with the commissioners, the claim of Daniel Servos was finally settled with them at £2,151.11 sterling.²¹ In their deliberations on Daniel's claim, the commissioners confirmed that the claim was "just."²²

¹⁸ Ontario Archives AO13, microfilm reel no. B1180, claim 1877, v. 109, 282; UCLP microfilm reel no. C2806 v.448, "S" Bundle 1, #120 1794, AO 12/28 (memorial & evidences) Ontario Archives microfilm reel no. B1162. Daniel Servos also supported Adam Crysler's war loss claim, Ontario Archives Second Report, no. 809 (Daniel Servos), v.2. 957-9 and no. 813 (Adam Crysler, 961-2 and 978). Ontario Archives AO 13/15/327-330; December 4, 1783 letter Sir John Johnson to General Haldimand, Haldimand papers, Ontario Archives microfilm reel no. 52 at 216.

¹⁹ Ontario Archives Audit Office 12/28 microfilm reel no. B1162.

²⁰ Ontario Archives AO 13 v. 28, 5-9 microfilm reel no. B1161, bundle 15, B2188, 327, bundle 79 B2445.

²¹ Ontario Archives AO Bundle 15, 327-9, microfilm reel no. B2188.

²² See Peter Wilson Coldham, American Migrations 1765-1799 (Baltimore, Maryland: Genealogical Publishing Co., Inc., 2000), 336.

Upon Memorialists behalf of himself and family, the 14th
 day of April 1786, will be pleased to take his case into your Honours
 consideration and that you will be pleased to grant him such
 relief as may appear reasonable and your Memorialists shall
 forever pray &c.

A list of the Effects lost by Daniel Servos late of Charlotte River
 and Tappan County and Province of New York, at the time he made
 his escape to the British Army in the Year 1778.

4500 Acres Land, Sawmills, Houses, Mills, Barns,
 Stocks, Potash Houses, Household Furniture, Farming
 Utensils &c. } £3825.0.0
 N.Y. Currency

I do hereby solemnly swear that I have by the above Effect
 suffered to the full amount of three thousand eight hundred and
 twenty five pounds New York Currency

Witness my hand and seal
 this 16 day of April 1786.
 Daniel Servos J.P.

Daniel Servos Loss Claim submitted to the British Loss Claim Commissioners
 for the family's losses in the amount of £3,825.0.0. Ontario Archives
 microfilm reel no. B2188.

In due course, the commissioners awarded the sum of £533.0.0 sterling to Daniel Servos as compensation for his war losses, then a substantial sum but representing a little less than one-third of his claim of £2,151.11.²³ The amount awarded to Daniel (£533.0.0) was about twice the average amount of £273.0.0 awarded to residents of British North America. The commissioners' reasons for reducing Daniel's entire claim have not survived. When Daniel Servos appeared before the commissioners, he admitted that the deed to his Charlotte River farm was "lost" and at the hearing he was asked by the commissioners to produce "certificates of sale" to evidence the confiscation and sale of the Servos farm. At that time, he was heavily engaged in building his new life in Niagara, and as he was unwelcome in Tryon County, he may have experienced difficulty in obtaining documentary evidence regarding his father's ownership of the farm and the terms of its confiscation and sale by the State of New York.

As noted previously, there was also a question as to whether the Servos family owned the farm on the Charlotte River or only leased it from Sir William Johnson, and it may be that the family's claim was reduced by the British commissioners as a result. The fact that Christopher Servos retained an interest in land in Caughnawaga that required confiscation by New York provided another indication that the family had only a leasehold or conditional interest in the Charlotte River farm.²⁴ In his later transactions involving land, it was evident that Daniel Servos was not overly concerned with title to land, and he may not have even known the extent of his family's ownership of the Charlotte River farm, especially if, as he stated to the commissioners, the legal papers

²³ *Ontario Archives* AO13, microfilm reel no. B1180, claim 1877, v. 109, 282.

²⁴ The Caughnawaga land is not mentioned in Daniel Servos' war loss claim, perhaps indicating that the family did not retain a beneficial interest.

outlining the transaction with Sir William Johnson could not be located.²⁵ It also appears that other descendants of Christopher Servos may have claimed rights to parts of the Charlotte River acreage before various other tribunals, and if so that would provide yet another reason for discounting the claim of Daniel Servos to the entire value of the land. A petition of Daniel's brother-in-law, John Dachstader, filed on January 27, 1807, stated that Christopher Servos, his father in law by virtue of his marriage to Maria Servos, had devised to Maria Servos, 100 acres of his Charlotte River farm which had been sold by the New York Commissioner of Forfeitures.²⁶ For any of the above reasons, the value of Daniel Servos' claim for war losses could have been decreased by the commissioners and it appears that they did so. In the end result, the amount awarded to Daniel Servos left him with an award of approximately one-third of his claim, meeting more or less the average proportionate amount awarded to all war loss claimants, and the award arrived in time to help him with the construction of his mills on the west bank of Four Mile Creek.

CLAIM FOR HALF PAY

In addition to compensation for war losses, Daniel Servos was eligible for financial compensation in the form of half pay by virtue of his war service. On August 31, 1786, the payment of half pay to 24 officers of the Six Nations Indian Department (including Daniel and Jacob Servos) was recommended by the Treasury after a "full examination" of "their merits and pretensions during the late war having first been fully investigated and ascertained by a board of officers," and payment of the pensions to

²⁵ Eardley-Wilmot, Historical View of the Commission, 69-78 and 85- 89. See Act, 28th of George III, C. 40; and Bunnell, The New Loyalist Index.

²⁶ See the Journal of the Assembly of the State of New York at their 30th session, January 27 and March 20, 1807, 189 and 250-1 respectively quoted in Rooney, Descendants of Georg Dachstatter Palatine Emigrant of 1709 who settled in the Mohawk Valley of New York, vol. 1, 67.

Daniel and Jacob Servos and the other Indian Department officials was duly authorized by Lord Dorchester on August 18, 1787.²⁷

LAND GRANTS

As a loyalist, Daniel was entitled to receive land grants in Upper Canada, and his prospects of obtaining large grants were increased as a result of his military service and loyalist status. S.J.R. Noel argues that the sole subject of patronage in Upper Canada was land, and the sole object of settlement was to bring it to a state of agricultural productivity as soon as possible. According to Noel, for the typical loyalist “loyalism had a focus that could hardly have been less abstract or more specific, concrete, and material. It meant land – and lots of it.”²⁸ In Upper Canada, the distribution of patronage had at least the intended economic effect. According to Noel, the overall record of the loyalists, by any measure, was “one of phenomenal accomplishment: in acreage cleared and planted, in the volume and value of production, in the creation of wealth.”²⁹

The early criteria for land grants in Upper Canada differed from those governing loyalist war claims. At first the policy was to grant land to all whom the term “loyalist” could be stretched to cover, but the government also used land grants to encourage the “speedy settlement of the upper country with profitable subjects.”³⁰ Almost anyone willing to swear an oath of allegiance could obtain a lot of 200 acres. In 1794, the standards were further broadened to allow all persons who followed the Christian religion, whose past lives were respectable and law-abiding and who were capable of performing manual labour to be admitted as settlers.

²⁷ Ontario Archives Colonial Office Secretary of State Correspondence, 42/51, 152, Lord Dorchester letter no. 35 of 18 Aug 1787.

²⁸ Noel, Patrons, Clients, Brokers, 11.

²⁹ Noel, Patrons, Clients, Brokers, 37.

³⁰ Wilson, Loyal As She Began, 102-3.

The quantity of land to be made available to the settlers was first set out in the 1783 Royal Instructions of July and August sent to General Haldimand from London, which provided that heads of loyalist families were to receive 100 acres of land and family members 50 acres each. Single men received 50 acres. Non-commissioned officers received 200 acres and private soldiers 100 acres and members of their families 50 acres. The August Instructions provided for the award of larger parcels to field officers (1,000 acres), captains (700 acres), and subalterns, staff and warrant officers (500 acres). Special provisions applied to the officers and men of the 84th Regiment of Foot in fulfillment of a promise made to that regiment on its formation. The special allotments were field officers (5,000 acres), captains (3,000 acres), subalterns (2,000 acres), non-commissioned officers (200 acres) and privates (50 acres). In 1787, the allotment to non-commissioned officers was increased to 400 acres, with 300 acres to private soldiers.³¹ Then, on June 2, 1787, an extra grant of 200 additional acres (sometimes called “Dorchester’s Bounty”) was conferred on those who had by then improved their lands and who had borne arms or in some other capacity served the British government during the war. Finally, in 1788 other regiments disbanded in Quebec (including reduced Indian Department officers) petitioned that the increase in allotments to the 84th Regiment be extended to them, and the request was granted to them in due course.³²

Following the signing of the Peace Treaty, the implementation of the Royal Instructions began at Niagara, to coincide with the reduction of the troops planned for the

³¹ For the allotment policies, see Paterson, “Land Settlement in Upper Canada, 1783-1840,” in Ontario Archives, *Sixteenth Report*, 22-32.

³² A discussion of Upper Canada land policies is found in Leo A. Johnson, “Land Policy, Population Growth and Social Structure in the Home District, 1793-1851,” in J.K. Johnson, ed. *Historical Essays on Upper Canada* (Ottawa: The Carleton Library no. 82, McClelland and Stewart Limited, 1975), 33-34. See also Wilson, *Loyal As She Began*, 76.

end of 1784.³³ All land grants to loyalists were free of expense except for government fees payable to the officers of the Land Department according to a table, although it was clearly intended that recipients were also expected to occupy and improve the land.³⁴ On July 28, 1788, a land board was set up in each of the districts of the Province of Upper Canada to deal with the allocation of land to the settlers. In furtherance of the foregoing policies, a land board was set up in Niagara, and the Royal Instructions as amended to date were adopted by the land board at Niagara on October 26, 1789.³⁵

The designation of the loyalists as a unique group worthy of special recognition for purposes of the land grants began with the suggestion made by Lord Dorchester to the Executive Council of Upper Canada at Quebec on Monday, November 9, 1789, “that it was his wish to put a Marke of Honor upon the families who had adhered to the Unity of the Empire and joined the Royal Standard in America before the Treaty of Separation in the year 1783.”³⁶ Once a person was designated as a loyalist, he or she was eligible for larger land grants, and the British government developed a fairly precise definition for that purpose. Only those born or living in the American colonies at the outbreak of the revolution, who had rendered substantial service to the royal cause during the war and who left the American colonies by the end of the war or soon thereafter were designated as United Empire Loyalists and eligible for the special loyalist land grants. The official designation of a loyalist as determined by Lord Dorchester for land grants was wider than the standards of the loss claims commissioners since it required only that one had “joined

³³ Haldimand to DePeyster March 29, 1784, Cruikshank, Records of Niagara, 1784-7, 15-17.

³⁴ See Theodore D. Regehr, “Land Ownership in Upper Canada, 1783-1796; A Background to the First Table of Fees,” Ontario History 55(1) (1963), 35-48; and Ontario Archives, Third Report, 364-9; and letter from D.W. Smith to Chewett, Aitken and Iredell, Department of Lands and Forests microfilm reel no. 171 (copy in McMaster University Library), 1680.

³⁵ See “Proceedings of Land Board,” in E.A. Cruikshank, Records of Niagara 1784-9, 96-8

³⁶ See At the Council Chamber at Quebec, Monday 9th November 1789 in Upton, The United Empire Loyalists: Men and Myths, ix.

the Royal Standard” rather than defining acceptable wartime service. Also, it required residence in Canada, but did not establish a cut-off date for residence.³⁷

The Executive Council ordered “that the several Land Boards take course for preserving a Registry of the names of all persons falling under the description aforementioned to the end that their posterity may be discriminated, from future settlers, in the Parish Registers and Rolls of the Militia of their respective Districts, and other Public Remembrancers of the Province, as proper objects, by their persevering in the Fidelity and Conduct so honourable to their ancestors, for distinguishing Benefits and Privileges.” And it was also ordered that “the said Land Boards may in every such case provide not only for the Sons of those Loyalists, as they arrive to full age, but for their Daughters also of that age, or on their marriage, assigning to each a Lot of Two Hundred Acres, more or less, provided nevertheless that they respectively comply with the general Regulations, and that it shall satisfactorily appear that there has been no Default in the due Cultivation and Improvement of the Lands already assigned to the head of the family of which they are members.”³⁸

The land boards did not complete the task assigned to them, and on April 6, 1796, John Graves Simcoe issued a proclamation calling upon the magistrates to do so. By that proclamation, a loyalist must have joined the Royal Standard in America before the treaty of separation in the year 1783. After Simcoe’s departure, a second proclamation dated December 15, 1798 limited loyalist grants to those persons who had been actually resident in Upper Canada on or before July 28, 1798, and a third proclamation on

³⁷ Wilson, *Loyal As She Began*, 102-3.

³⁸ See Minutes of Executive Council at Quebec, 3 Nov’r 1789 in *Ontario Archives, Seventeenth Report of the Department of Public Records and Archives of Ontario* by Alexander Fraser LL.D., 1928 (Toronto: King’s Printer, 1929), 68.

October 31, 1806 added the further condition that claimants must have been resident in the British colonies in America before the start of the revolutionary war.

Pursuant to Simcoe's directives, the local magistrates made up District Loyalist Rolls between 1796 and 1803 that now form the basis of all loyalist rolls for Niagara District. From Lord Dorchester's words, the persons included in the loyalist lists and all their children and their descendants by either sex were to be distinguished by the letters "UE" affixed to their names alluding to their great principle "The Unity of the Empire."³⁹

Daniel Servos was a loyalist according to all official criteria, and his name was included on all the loyalist lists created by the magistrates for the Niagara District.⁴⁰ As a reduced lieutenant of the Indian Department, Daniel Servos was entitled to 2,000 acres in accordance with the foregoing policies, and a list of Indian Department officials prepared by 1792 shows that Daniel and his family were entitled to a total of 2,450 acres.⁴¹

LAND TENURE SYSTEM

When Daniel Servos arrived in Niagara in 1785, there was no satisfactory government system for registration of land titles and land ownership, and such a system was not created until 1795 in the third year of Simcoe's administration. The land regulations in Upper Canada were based on the old *seigneurie* law of Quebec first enacted in 1686 and extended to Upper Canada by the *Quebec Act* of 1774. The principles of the

³⁹ Ontario Archives, Seventeenth Report, 68; and Centennial Committee, The Centennial of the Settlement of Upper Canada by the United Empire Loyalists 1784-1884, 127; and Talman, Loyalist Narratives, xxix.

⁴⁰ See lists: file 7 – Royal Standard in America before 1783 (Servos is no. 6057); files 8 and 9 – roll of October 11, 1796; roll continued of UE Loyalists Home District 31 Oct 1793 filed as record in the Court of King's Bench the 20th Nov 1797 (Servos is no 6588); and file 10 roll of Unity of Empire (Servos is no. 7398); the lists are compiled in Milton Rubincam, The Old United Empire Loyalists List (Baltimore: Genealogical Publishing Co., Inc., 1984), originally published as Centennial of the Settlement of Upper Canada by the United Empire Loyalists, 1784-1884 (Toronto: 1885), 249.

⁴¹ See a "List of Reduced Officers of the Indian Department Settled in the District of Nassau, Specifying the No. of Acres of Land Intitled to, the No. of Acres Received and what Remains due, Including their Family Lands, &c." in United Empire Loyalists Association Men of Nassau (St. Catharines: published by Colonel John Butler (Niagara) Branch, 1997), 14.

seigneurial system were confirmed in the 1783 Royal Instructions given to General Haldimand by the British government. Under this system, grants to loyalists were made in *seigneuries* or *fiefs* vested in the Crown with a ten year remission of all quit-rents and for annual quit-rents thereafter of a half-penny per acre.⁴² With respect to mills, the regulations dictated that the building and ownership of a mill was a right and obligation given first to the *seigneur* (i.e. the land owner) called a *droit de banalité*. Habitants (i.e. settlers) residing in the seigneur's *domaine* (i.e. the land which had been granted to the *seigneur*) were legally bound to help build the mill from materials on the *domaine* and to have their grain milled there and at no other place. For Upper Canada, the regime was varied in that the mill owner and each settler were allocated their own lots. A toll of 1/14th of the grain brought to be milled was paid to the *seigneur*, who then paid his miller a percentage. If the *seigneur* failed to begin a mill within a year after the creation of the *seigneurie*, this *droit de banalité* could be transferred to any petitioner who would erect a mill. Thus, in the loyalist settlements that opened up after the revolutionary war (including Niagara), the first mills were to be owned by His Majesty (who assumed the role of *seigneur*) and would be built by his subjects. To encourage the settlement of loyalists from the United States, the Quebec Gazette in 1783 advertised ten years' free rent, toll free grinding for four years, and free sawing at the *banal* mill of all boards necessary for construction of settlers' dwellings.⁴³

From an early date, the settlers expressed their concerns with the *seigneurial* system, and lobbied the governing authority for more secure titles to their lands. On March 31, 1783, Colonel John Butler wrote to Haldimand advising him that "the farmers

⁴² Regehr, "Land Ownership in Upper Canada, 1783-1796; A Background to the First Table of Fees," 35-8.

⁴³ See Leung, Grist and Flour Mills in Ontario, 12; and Carol Priamo, Mills of Canada (Toronto: McGraw-Hill Ryerson, 1976), 12-14.

settled here are not well satisfied with the uncertain tenure on which they hold their lands & improvements, and would much rather be subject to a small rent if they might have them more effectually secured to them.”⁴⁴ On May 3, 1783, General Maclean of Fort Niagara wrote to General Haldimand forwarding to Haldimand “an address of the farmers here on account of the precarious footing upon which they held their lands.”⁴⁵ Haldimand could only reply to the loyalists that he was willing to “shew them every indulgence in my power,” but he could not grant the settlers’ petitions for greater security for their lands in view of the Royal Instructions that he had received.⁴⁶ A change in the land tenure policy must emanate from the British government in London.

In February 1784, Sir John Johnson reported to Captain Mathews that “evil designing persons” were trying to dissuade settlers from taking land in Quebec by telling them of better terms in the neighboring American states where they were “not prohibited from erecting mills.”⁴⁷ In response, Hugh Finlay, Deputy Postmaster General, submitted a memorandum on November 6, 1784 to the government proclaiming that the settlers “were dissatisfied at being oblig’d to take [lands] on the same footing as the Canadians take lands of their *seigneurs* with respect to paying 8 per cent of the sales of their farms as often as they may be sold and also of being debar’d from building mills etc. on their own estates.”⁴⁸ Then on April 11, 1785 Sir John Johnson and other loyalists delivered a petition to the government in support of freehold tenure of land, which “had considerable

⁴⁴ Butler to Mathews dated March 31, 1783, Haldimand papers, microfilm reel no. 46, 326.

⁴⁵ Letter from General Maclean to General Haldimand dated May 3, 1783, together with Memorial of Farmers (undated), in E.A. Cruikshank, Records of Niagara, 1778-1783, 49-51.

⁴⁶ Butler to Mathews May 3, 1783, and Haldimand to Maclean dated May 25, 1783, in E.A. Cruikshank, Records of Niagara, 1778-1783, 51-2. See also Talman, Loyalist Narratives, 146-7.

⁴⁷ Leung, Grist and Flour Mills in Ontario, 17.

⁴⁸ Memorandum Hugh Finlay November 8, 1784 in Cruikshank, Records of Niagara, 1784-7, 49-50; and Leung, Grist and Flour Mills in Ontario, 17.

influence in bringing about the division of the province, which they proposed and the formation of the Province of Upper Canada.”⁴⁹

On February 14, 1786, the restrictive government regulations for the construction and operation of grist mills were relaxed. The *seigneurs* rights to settlers were extended to 15 years from 10 years. One bateau (properly manned) was to be set aside at His Majesty’s expense, to make one trip to carry up from La Chine the mill stones, etc, for the use of each mill. Mill owners were required to be constantly prepared to grind the grain for settlers, by maintaining the mills in good repair and ensuring that someone was available to work the mills. At the end of the 15 year period, each mill and its right of *banalité* would revert to the King without compensation. The King could resume the rights of *banalité* before the end of the 15 year period if it became expedient to do so, but on payment of a just and equitable compensation determined by arbitration. The first choice of *seigneurial* right would go to the holder of the lot on whose land the mill site had been chosen. The conditions applicable to the mill were to be set out in an agreement to be signed by each mill owner with the commanding officer at the nearest fort, and security was posted by the mill owner with the King to secure his performance.⁵⁰

In 1786, the government selected 15 additional mill sites, at least one in each township. No new mill sites were identified for Four Mile Creek as several mills had already been established there (including the King’s Mills).⁵¹ The government hoped that more mills would be constructed as a result of the new regulations, and in fact three more mills were constructed. The government regulations had largely been ignored in the construction and operation of the King’s Mills, possibly due to the government’s haste in

⁴⁹ See Cruikshank, Records of Niagara, 1784-7, 56-60.

⁵⁰ See mill regulations dated February 14, 1786 in Cruikshank, Records of Niagara, 1784-7, 81-3.

⁵¹ See Places pointed out for Erecting Mills, Cruikshank, Records of Niagara, 1784-7, 84.

building the mills in the first place and because the original mills had been built on government reserve lands where the government was free to dictate its own terms of development and operation. Daniel Servos ignored the mill regulations as well when he built his replacement grist mill on the west side of Four Mile Creek.⁵²

The 1786 mill regulations did not satisfy the settlers. In particular, according to Richard Cartwright, a prominent Kingston merchant, the new regulation requiring that the mills be returned to the Crown after 15 years resulted in “much uneasiness and created much discontent among the inhabitants.”⁵³ Apparently, the only terms acceptable to the settlers were those that had already been given to the people of New Brunswick and Nova Scotia, namely the right to private ownership of mill sites contained in land grants. On December 22, 1786, the Cataraqui magistrates wrote to Sir John Johnson:

The object that first presents itself as of the most importance is the Tenure of the Lands; The Conditions on which they have been granted to the Loyalists in this Province are so different from what they have been used to, and so much more burthensome than those offered to Our fellow sufferers in Nova Scotia and New Brunswick, that they are universally disagreeable. Nothing in our Opinion would conduce so much to the prosperity of these settlements as the putting the Grants of Lands on the same footing they are on in the rest of British America. This would at once give the most universal Satisfaction, Enhance the Value of all the other Benefits that Government have bestowed on the Settlers, and prove the most powerful Spur to Industry of all Kinds.⁵⁴

The Committee of the Privy Council consulted the merchants of Quebec concerning the desire of the settlers for freehold tenure, and the merchants replied on

⁵² See Priamo, *Mills in Canada*, 12-14 and 17-19; and Leung, *Grist and Flour Mills in Canada*, 17-22.

⁵³ Leung, *Grist and Flour Mills in Ontario*, 18.

⁵⁴ Letter from the magistrates at Cataraqui to John Johnson December 22, 1786 in Adam Shortt and Arthur G. Doughty, eds., *Documents Relating to the Constitutional History of Canada, 1759-1791* (Ottawa: King's Printer, 1918), 942-5; and Cruikshank, *Ten Years of the Colony of Niagara 1780-1790*, 17-19.

January 5, 1787 that they were in favour of making the grants of land in the new settlements “in free and common soccage” as the settlers desired.⁵⁵ The settlers in the western part of Quebec (soon to be Upper Canada) also delivered a petition on April 15, 1787 calling for “the blessings of the British constitution” and freehold tenure.⁵⁶ But the government was still reluctant to accede to the desires of the settlers because it believed that many of the settlers requesting the change were Americans who had not supported Britain in the war.⁵⁷ However, Sir John Johnson again petitioned the government for freehold tenure concluding that it “would diffuse a spirit of industry and knowledge in Agriculture, that would prove of infinite benefit to the Colony and nation.”⁵⁸ Then, on October 20, 1787, the King in Council acceded to the colonists’ demands and issued an order by which the Governor General was enabled to grant lands in “free and common soccage” without any payment of quit rent, no grant to exceed 1,000 acres to any person, without royal permission being previously obtained.⁵⁹ The King’s order was confirmed by Lord Sydney in the Quebec Gazette on September 3, 1788.⁶⁰

From this time, argued Richard Cartwright, Lord Sydney’s statement “fully authorized every proprietor of land to avail himself of any advantage it possessed as a proper situation for mills.”⁶¹ The next step taken by the government, however, was one step backwards. On February 17, 1789, new regulations were drawn up at Quebec for the conduct of the Land Office Department, which appeared to place another restriction on

⁵⁵ Cruikshank, Records of Niagara, 1784-7, 97-8.

⁵⁶ See petition of the Western Loyalists to Dorchester dated April 15, 1787, and letter from Dorchester to Sydney dated July 3, 1787 recommending that the petition be granted, Shortt and Doughty, Documents relating to the Constitutional History of Canada, 949-951 and 946-8.

⁵⁷ See extract from the Report of the Committee of Council Relating to the Courts of Justice dated January 11, 1787, Cruikshank, Records of Niagara, 1784-7, 98-100.

⁵⁸ Cruikshank, Records of Niagara, 1784-7, 102-5.

⁵⁹ E.A. Cruikshank, Records of Niagara, 1784-7, NHS publication no. 39, 129-30.

⁶⁰ Leung, Grist and Flour Mills in Ontario, 18.

⁶¹ *Ibid.*, 18.

mill construction. The 1789 regulations stipulated that the surveyors and their agents could grant to settlers only those lands good for “husbandry.” The intent of the new regulations was “to prevent individuals from monopolizing such spots as contain mines, minerals, fossils and conveniences for mills and other advantages of a common public nature to the prejudice of the general interest of the settlers.” All lands that were not good for husbandry as so defined were to be reserved for the Crown. Lands that had been granted containing an unsurveyed mill site had to be reported to the surveyor who would compensate the grantee usually by offering him another grant. If the owner agreed to build a mill, he could do so after making special arrangements through the governor in council in accordance with the applicable government mill regulations.⁶²

In the new regulations, the government had applied to mills seats the more stringent regulations previously applicable only to mines and minerals. By their terms, the 1789 regulations did not apply to existing mill seats, and the settlers who had already received land grants with mill seats on them argued that the regulations did not apply to them or their lands. The confusion created by the new regulations was again clarified by the government when the extract of Lord Sydney’s letter to Lord Dorchester was read in the proceedings of the Council at Quebec on January 20, 1790, which declared the Royal Intentions “That the new Settlers in the Districts, now Upper Canada, shall at all events be placed on the same footing as their brethren of Nova Scotia and New Brunswick.”⁶³

Simcoe appreciated the “public rights” and the “public character” that mills enjoyed in early pioneer economies and used his powers of office to further the

⁶² *Ibid.*, 17-22.

⁶³ Letter J.G. Simcoe to Alured Clarke dated December 10, 1793, in E.A. Cruikshank, ed., The Correspondence of Lieutenant Governor John Graves Simcoe, with Allied Documents Relating to his Administration of the Government of Upper Canada 5 vols. (Toronto: Ontario Historical Society, 1923-1931), (“the Simcoe papers”), vol. 2, 117-8.

development of mills in Upper Canada. From the time of his arrival, Simcoe encouraged the construction of mills, and in the summer of 1792 he visited many of the mills, often dining with the owner and staying overnight. Simcoe once stated that grist mills were “universally necessary & will be a great inducement to speedy settlement of lands in their vicinity,” and he added that saw mills were “indispensable in the necessary erection of publick buildings.”⁶⁴ Simcoe decided at an early date to deal with the issues raised by the mill owners in two steps. First, he would regularize the existing mill seats, and then he proposed to deal with the complaints of the settlers regarding the grant of new mill seats as part of a new overall land tenure policy for Upper Canada.⁶⁵

OWNERSHIP OF MILL

In October 1792, Simcoe ordered Surveyor General, David W. Smith, to report on all the mill seats in the District of Nassau, the political jurisdiction that included the Niagara mills, asking for “copies of the authoritys, from whence they derive their possession.”⁶⁶ Smith’s report was delivered on November 7, 1792, and disclosed that there were 21 mills then in existence in the district including the King’s Mills. Besides the King’s Mills, two new grist mills and two new saw mills had been established on Four Mile Creek. The new grist mills included Daniel Servos’ grist mill which was constructed in 1791, and the Secords’ grist mill at the foot of the Niagara Escarpment in St. Davids constructed in 1789. The Secord mill was constructed by the same Peter Secord who had prompted the government to construct the King’s Mills in 1782. Secord

⁶⁴ Cruikshank, the Simcoe papers, vol. 1, 20; and Leung, Grist and Flour Mills in Ontario, 20-2.

⁶⁵ See Neil S. Forkey, “Damming the Dam: Ecology and Community in Ops Township, Upper Canada” Canadian Historical Review 79 (March 1, 1998): 68-69.

⁶⁶ Nassau District included the region from the Trent River to Long Point, but most mills were located in what may be termed the Niagara District, between the head of Lake Ontario and Port Colborne. See the Statement of the Mills in the District of Nassau, in Cruikshank, The Simcoe papers, vol. 1, 244.

had later decided to proceed with construction of a grist mill on his own farm on the basis of a “verbal promise (or leave) made him by Lord Dorchester at the House of the late Major Tice in the presence of Mr. John Burch & others.” In addition to the grist mills, Smith’s report identified two new saw mills on the Four Mile Creek, one by Peter Secord’s son, David Secord, on lot no. 2 in the fourth concession in the year 1791 and the other by Sampson Lutes on lot 89 in the fourth concession in 1792. By the time of Smith’s report (November 4, 1792), Daniel Servos had not yet constructed a saw mill on Four Mile Creek to replace the one destroyed by the 1790 freshet. The report confirmed that none of the Four Mile Creek mills were constructed in compliance with government regulations and only Peter Secord had even signified to the government his intentions to construct a mill. Smith found that the same situation existed for most of the other mills in the Nassau District, but only Daniel Servos had constructed his mill on lands that were not allocated to him, described by Smith in his report as “ungranted land.”⁶⁷

With respect to the King’s Mills, which were by then dormant, Simcoe ordered the Receiver General to carry out a physical investigation to ascertain the extent of the damage. To this end on July 27th, 1792, Peter Russell inspected the condition of the King’s Mills in the company of a master carpenter also named Russell and the miller (unnamed by Russell, but presumably Daniel Servos), and confirmed to Simcoe that the mill dams had burst and the mill pond had dissipated into the creek. As a result, although the mills were in “tolerable repair,” the saw mill was “idle” for the present and the grist mill was “not always certain of a sufficient supply.” Russell concluded that:

The damage done by the overflowing of the work water
may in my opinion be best repaired by running a dam of 60
yards from rock to rock – the depth being ten feet, and

⁶⁷ Cruikshank, Simcoe papers, vol. 5, 193.

making in that dam a fixed gate to convey the water to both mills and another gate to let off work water when necessary. The saw mill wants new saw gates and some other trifling repairs, the grist mill new cogs, runners and trundle heads and the whole iron work of both will require to be overhauled and put to right. This (but I speak at random before the carpenter furnishes me with an estimate) may cost £100, but this is not all, for the house the miller lives in is scarcely habitable. I would therefore humbly advise thus that it may be converted into a stable for the accommodation of the sleigh horses which bring corn thither in the winter and that another comfortable house may be built in which together may possible cost £100 more. After these repairs are done I should hope that the premises may be let for £100 per annum. The situation is certainly excellent and the flow of water ample for the purposes and the miller reports that the grist mill will grind 70 barrels in the 24 hours and the saw mill saw with the assistance of one hand 1,300 feet in the course of a day.⁶⁸

Russell did not recommend that the government make the repairs. Rather, because of his concern that “a gov’t is seldom dealt justly by, either in her leases or her repairs,” Russell asked Simcoe whether “the sale by auction of the premises with an adequate proportion of land may not be more productive than requiring a thorough repair and afterwards letting them for what they may bring.”⁶⁹ For the reasons set out in the report, the King’s Mills were not repaired, and Daniel Servos continued with the operation of his new grist mill which was not even mentioned by Peter Russell in his report to Simcoe.

To deal with Daniel Servos’ new mills on the west side of the Four Mile Creek on government land without permission, D.W. Smith wrote a peremptory letter to Daniel Servos on December 5, 1792, asking him to explain his conduct in the following terms:

⁶⁸ Russell to Simcoe, 27 July 1792, in Peter Russell, The Correspondence of the Honourable Peter Russell (Toronto: Ontario Historical Society, 1932) (the “Russell papers”). The Russell papers are found on microfilm Ontario Archives MS 75, reel 4.

⁶⁹ Simcoe arrived in Niagara on July 26, 1792. See letter Russell to Simcoe 27 July 1792, in Cruikshank, the Russell papers.

Report having been made to His Excellency the Governor that the King's mill at the four mile creek was originally entrusted to, or let to you, that it is now in bad repair, and the water course turned from it, so as to answer a mill of your own, for the seat of which there does not appear to have been yet any assurance given to you. I request you will be pleased to make me acquainted with all the circumstances relative to the former and present state and condition of the King's Mill, as well as the terms upon which you had it, the change of the water course and the occasion of it, together with the grounds or pretense upon which you have possessed yourself of the site whereon you have erected your own mill that I may lay the same, with others of similar nature before His Excellency the Governor in Council.⁷⁰

Daniel Servos delivered his justification for building his mills to Smith on January 21, 1793, which read in part as follows:

I built a mill $\frac{1}{4}$ of a mile above the King's Mill on the west side of the creek, prompted thereto by the frequent solicitations of my neighbours and the great inconveniences which I labored under in carrying my own grists twenty miles to be ground. And at that time I knew of no restrictions or reserves which government had made relative to mill seats, neither was I informed that any assurances in such cases were necessary. On those principles I built the mill, which I at present occupy, on land which I had early taken and improved upon, never being informed that the line of reserve or government lands extended further westward than the four mile creek.⁷¹

The correspondence between the Surveyor General and Daniel Servos provides a first hand look at the operation of Upper Canada's government in its early stages. One cannot help but notice the bureaucratic tone of D.W. Smith's letter. Also remarkable is the naivety and complete ignorance of government regulations, perhaps deliberately so,

⁷⁰ Smith to Servos, Department of Lands and Forests, Letters Written, Ontario Archives, microfilm reel no. 170, 30.

⁷¹ Servos to Smith dated January 21, 1793, Ontario Archives MS 626, microfilm reel no. 1 RG 1 - A-1-1, pp. 74-5, Letters received no 1, Oct 1792 to Dec 1793.

displayed in the reply of Daniel Servos who had been until recently the principal government employee in charge of the King's Mills.

At its best, the Servos claim to entitlement of the lands on which he had built his mill could only be based on his occupation of those lands and his industry in improving the lands since his arrival in 1785. On the frontier, such a claim had a measure of legitimacy, if not technical legality, but it could not offer the "promise of permanence."⁷² John C. Weaver argues that "squatters' labour or capital, applied to land unlawfully occupied, created equitable interests, because to eject occupants for valid legal reasons could exact hardship and loss."⁷³ The early Palatine Germans had unsuccessfully used the same argument on their arrival in the first phase of German migration in the early eighteenth century to support their claim to ownership of their farms in Livingston Manor on the Hudson River in the New York frontier.

Daniel Servos' Palatine/American frontier background and belief in reward for effort might explain to some degree his casual approach to dealing with the legitimacy of his possession of land on Four Mile Creek. In his response to D.W. Smith, Daniel Servos took the safe course. Servos reminded Smith that mills were needed by the local farmers, and that he was not aware of the need for government permission to build a mill. The implication of his views here must be that the lands on the west side of the creek were a sort of no-man's land available for settlement to anyone with the inclination to usefully occupy them. In his response to Smith, the Servos letter does not attempt to justify his occupation of the two parcels of government reserve lands on the east side of the creek which he had likewise appropriated for the mill dams and ponds.

⁷² Nobles, "Breaking into the Backcountry," 655.

⁷³ Weaver, *The Great Land Rush and the Making of the Modern World, 1650-1900*, 51. See also Nobles, "Breaking into the Backcountry," 655.

By acting without government permission, Daniel Servos and the other mill owners had presented the government with a dilemma. The new settlements needed the services provided by the mill owners, but most of the owners had ignored the official government regulations to a greater or lesser degree. Fortunately for the mill owners, the basis of the mill regulations was the *seigneurial* system which was under attack by many of Upper Canada's settlers for other reasons.

The government had previously stated its intentions on at least two occasions to provide for freehold tenure for settlers' grants. Pending promulgation of the regulations to that end, lands in Upper Canada were held under the provisions of the *Quebec Act* in theory, but in practice the settlers treated the licence to occupy as freehold ownership of the land, and they proceeded to exchange, divide or sell land as though they held freehold title to their lands. It remained for the *Constitutional Act* creating the new Province of Upper Canada, proclaimed in force December 26, 1791, to provide the legal framework for freehold land tenure and the official end of the *seigneurial* land tenure. This, the *Constitutional Act* accomplished in Sections 43 to 45, which read in part as follows:

All lands which shall hereafter be granted within the said province of Upper Canada shall be granted in free and common soccage as in that part of Great Britain called England, and that in every case where Lands shall be granted within the said Province of Lower Canada and where the Grantee thereof shall desire the same to be granted in Free and Common Soccage, the same shall be granted.⁷⁴

Upon his arrival in Quebec, Governor Simcoe published a proclamation on February 7, 1792 confirming the government's intention to grant Crown lands by patent to such persons as were desirous of settling in Upper Canada, on condition that the

⁷⁴ Regehr, "Land Ownership in Upper Canada 1783-1796; A Background to the First Table of Fees," 39.

recipients would take the usual oaths, clear not less than five acres, build a house, and open a road across the front of their lands for a quarter of a mile.⁷⁵ But it still took three more years for the government to establish an administrative framework for the grant of lands to settlers. The delay resulted because of the need to develop a policy for reserve lands to be held for the use of government and the clergy and to develop a “true and legal” table of fees for the various officials involved in the land grants. The first land patent was finally issued August 8, 1795 to Simcoe’s son Francis, and it was one of only two issued in 1795. Land grants then followed to other settlers in the ordinary course.

After the change in land tenure policies, the Simcoe government moved in 1793 to modify the mill regulations to meet the settlers’ concerns. First, Simcoe confirmed with the British government that the clause of the 1789 regulations that reserved all mill-sites to the government was both unnecessary in that water power was plentiful and many otherwise suitable lots were being withheld from settlement. Mill seats had traditionally been regarded as inferior conveniences, and had not been treated with the same degree of vigilance as mines and minerals. Accordingly, the government ordered on May 30, 1793 that all landowners with mill seats were permitted to use them provided navigation was not hindered or the passage of fish blocked. The reasons for the change in regulations were the increased population and the wealth of the province.⁷⁶ The policy encouraging mills was further apparent in the first session of Upper Canada’s legislature, with the passage of an act to regulate the toll taken in flour mills on October 6, 1792, which increased the toll from 1/14 of the grain to 1/12 of the grain brought to be milled, thereby making the operation of mills more profitable for mill owners. The same legislation made

⁷⁵ See Caniff, *History of the Settlement of Upper Canada (Ontario)*, 189.

⁷⁶ See extracts from *Upper Canada Gazette* 1799-1833, found in *NHS* 982.425.

it illegal for millers to take more than one-fifth of the grist as payment for grinding and bolting the grain for the settlers.⁷⁷ With the change in government policies regarding mills and the land tenure system, Daniel Servos was finally in a position where he could petition the government for title to the lands on which he had constructed the mills.

SERVOS LAND PETITIONS

On June 21, 1793 Daniel Servos' rationale for establishing his mill on ungranted land, as expressed in his letter of January 21, 1793, was submitted by D.W. Smith to the Executive Council. Then, presumably at the instance of the Executive Council, it was forwarded to the Land Board for processing on July 3, 1793.⁷⁸ On June 7, 1794, Servos submitted to the government a petition for a mill seat, being "desirous of rendering more convenience to the Inhabitants of Newark by erecting a mill on the Four Mile Creek a small distance above the one he at present occupies."⁷⁹ The petition was the standard device by which a citizen could ask for some grace or favour from the government, and it was used for a great variety of requests. In this case, the petition was used to request the right to operate a mill and for title to the land on which the mill was situated.⁸⁰ In due course, the petition was accepted, but referred to the receiver general for disposition, an action usually intended to ensure that the appropriate government fees were paid.⁸¹

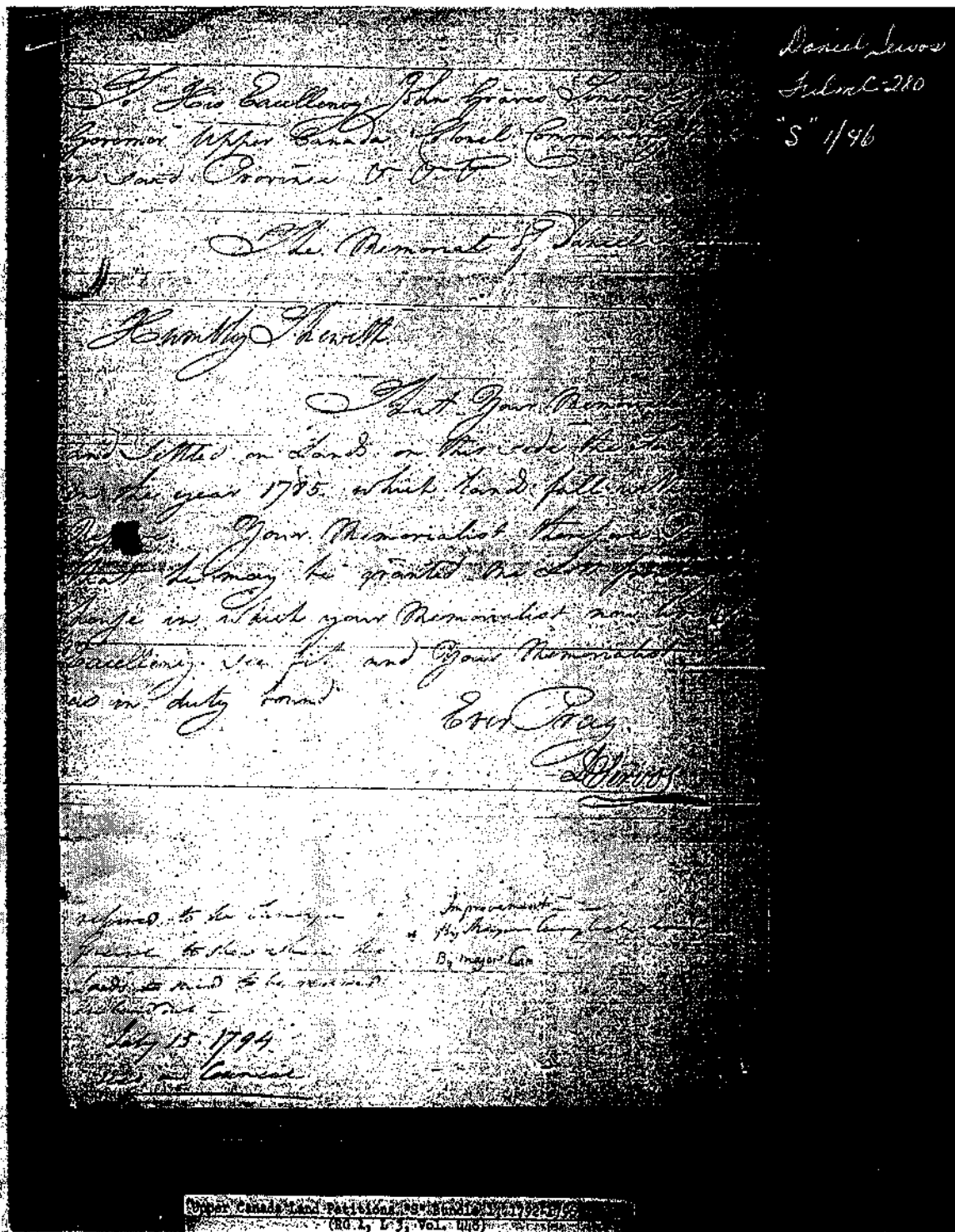
⁷⁷ See Gilbert C. Paterson, Land Settlement in Upper Canada 1783-1840, in Ontario Archives, Sixteenth Report of the Ontario Archives (Toronto: King's Printer, 1921), 45; letter from J.G. Simcoe to Alured Clarke dated December 10, 1793 in the Simcoe papers, ii, 117-8; Leung, Grist and Flour Mills in Ontario, 21-2; and Talman, Loyalist Narratives, iv.

⁷⁸ Letters from D.W. Smith to Executive Council (John Small) dated June 21, 1793, and land board July 3, 1793, Department of Lands and Forests, microfilm reel no 170, 134 and 171, letters written, v. 1, and letters written dated February 14, April 2 and May 17, 1794, from D.W. Smith to Daniel Servos, surveyor field notes, microfilm reel no. 170, 303, 334, 363 and 374. The microfilms are in the McMaster University Library.

⁷⁹ See June 7, 1794 minutes of the Executive Council, Ontario Archives microfilm reel no. C100, p. 148.

⁸⁰ Johnson, "'Claims of Equity and Justice': Petitions and Petitioners in Upper Canada 1815-1840," 219-220.

⁸¹ Ontario Archives microfilm reel no. C2806 UCLP "S" 1/120, v. 448 (1794).



Memorial of Daniel Servos – Petition for Mill Site, July 7, 1794, Upper Canada Land Petitions, Ontario Archives microfilm reel no C-2806 1794 vol. "S" Bundle 1, no. 96.

Daniel Servos
film C-2806
S 1/120

To Her Excellency, Johanna
 Lieutenant Governor and
 Her Majesty's Honor in the
 Province of the Lower
 Canada
 The Petitioner
 Sheweth
 That your Petitioner
 owns a Mill on the Four Mile
 distance above the River
 against your Excellency with
 consideration of the
 the Stiles may be obtained
 will willingly undertake
 says from your hand in
 the expense of his
 say, and your
 June 2 1794

Memorial of Daniel Servos - Petition for Mill, June 2, 1794, Ontario Archives microfilm reel no. C-2806, vol. 448, Bundle 1, no. 120, 1794.

In a second petition made on July 15, 1794, Servos requested that he be “granted one lot fronting the lands in which your memorialist now lives as your Excellency sees fit and your memorialist will as in duty bound ever pray.”⁸² This petition was referred to the Surveyor General to show where the lands to be reserved were to be laid out, a direction that usually meant only that a survey was required to define the exact lands to be conveyed. The Servos lands were surveyed in 1794. On November 15, 1794, further to a third application by Daniel Servos, the 37 acre parcel in the government reserve which he had used for his mill pond and dam was assigned to him by the Surveyor General, D. W. Smith. At that time, the new Servos mill had already been operating for four years, and it seems that these petitions were only intended to validate the existing state of affairs. On November 8, 1794, Daniel Servos was notified that a certificate of location for the mill site in lot 194 had been granted to him, and on April 5, 1797, he received the official Crown patent for the mill site. The grant included 356 acres of land on the west side of the Four Mile Creek including the mill lands and the 37 acre parcel in the government reserve on the east side of the creek needed for the mill pond and dam.⁸³

In obtaining title to the government reserve parcel on the east side of Four Mile Creek, Daniel Servos was more successful than William Pickard, his neighbour to the south, who also constructed improvements on the west side of Four Mile Creek but in doing so had “set himself down on reserved lands of the Crown without authority & being since secured in his improvements.” Pickard’s application for title to the lands on

⁸² Ontario Archives microfilm C2806 UCLP “S” 1/96 v. 448 (1794).

⁸³ See minutes of Upper Canada Executive Council, Ontario Archives microfilm reel no. C100-1, 148, 201 and 236; and Upper Canada Gazette, December 10, 1794, found in Ontario Archives microfilm film no. 31, reel 1. The Servos Crown patent is NHS FA69.3.178.

the east side of the creek was rejected by the government in 1784.⁸⁴ There does not seem to be any policy difference in the two situations, as both land owners (Servos and Pickard) had utilized lands to which they had no legal claim. However, Daniel Servos likely succeeded where Pickard failed because Servos' need for the additional parcel on the east side of the creek for mills was noticed during Simcoe's investigation of mill sites in 1792. The established Servos presence in the community and his willingness to comply with government procedures when questioned also would have been of assistance to the success of the application. However, Pickard's mill was not built until 1800 and so in 1794, when his application for title to lands on the east bank for the Pickard farm was made, he did not have the benefit of Simcoe's support for the mill owners.

ACQUISITION OF EAST BANK LANDS

After the official grant of the mill site, the only lands required by Daniel Servos for the operation of the mill for which he lacked title were the 28 acre Snow parcel and the nine acre parcel of the original King's Mills on the east side of Four Mile Creek. Daniel first attempted to acquire title to the Snow parcel directly from John Snow on August 20, 1794, when he entered into a written agreement with Snow for the purchase of the parcel, described in the agreement as a "table of land" on the east side of the creek. The agreement reflected the sort of arrangement that neighbours would make, and clearly the agreement was made without resort to legal advice.⁸⁵ Servos did not register the agreement and Snow had not received the Crown patent for the parcel in the first place.

To regularize his title, Daniel Servos petitioned the government in 1799 for title to the Snow parcel based on the agreement, but was curtly advised by the government that

⁸⁴ Cruikshank, *Simcoe papers*, v. 5, 210.

⁸⁵ The witnesses to the agreement were Philip Servos and Ebenezer Smith.

he may have purchased “that which that Snow had no right to sell.”⁸⁶ After Daniel’s death, his widow Elizabeth made a second petition for a patent to the Snow parcel dated November 11, 1803.⁸⁷ The petition was heard in the Executive Council Chamber on August 14, 1804, but Council again determined that the Snow agreement was deficient in that it didn’t show the amount of the consideration or state that the consideration had been paid, and these facts could not be determined without confirmation from Snow or his heirs. In responding to Mrs. Servos, the government noted that a policy was needed to deal with similar applications, but it was not possible to deal with any individual application until the policy was in place. Since the Servos version of the situation could not be verified because of Snow’s death and the fact that his heirs could not be located, the government again rejected their application for title to the Snow parcel.⁸⁸

Clergyman Robert Addison, Niagara’s first Anglican clergyman and a Servos neighbour, also wanted to secure title for himself to the Snow parcel, and in 1795 he petitioned the government for a grant of the Snow parcel, which he described as a “certain spot of Land.”⁸⁹ On August 15, 1795 the government advised Addison that it could not recommend that the prayer of the petition should be granted, because of the inability to locate Snow’s heirs. To resolve the matter, Addison resubmitted the petition in June 1796 in an amplified form with the further request that he should be “admitted as Administrator to the Effects of one John Snow,” and that he be granted “any vacant lands that might be between the lands occupied by Danl. Servos and the lands granted to one

⁸⁶ Ontario Archives microfilm reel no. C2805, UCLP 1797-1804, v. 44 “S” Bundle Misc. no. 14.

⁸⁷ Ontario Archives microfilm reel no. C2809, vol. 453 “S” Bundle 7, no. 15.

⁸⁸ See petition Daniel Servos dated June 25, 1799, Ontario Archives microfilm no. C2805, v. 44 “S” Bundle misc. no. 14; and petition of Elizabeth Servos, November 21, 1803 Ontario Archives microfilm reel no. C2809, vol. 453, “S” 7/15 8/113.

⁸⁹ Ontario Archives, Twentieth Report of the Department of Public Records and Archives of Ontario 1931 (Toronto: King’s Printer, 1932), 5.

Cackle (Markle) lying westward of the Four Mile Creek,” “which being near his (i.e. Addison’s) present dwelling place are very valuable & desirable to him.” Further to this petition, on June 30, 1796 the Surveyor General, D.W. Smith, was instructed to assign to Addison, not the Snow parcel, but the original King’s Mills, which were described as “the old mill seat at the four mile creek, with the land connected therewith, and contiguous thereto, consisting of about nine acres.” On September 5, 1796, Smith wrote to Addison “you may have the use for a glebe. His Excellency regrets that it only contains about nine acres. I hope you will meet no difficulty in having the old house made habitable for you by government.”⁹⁰ In 1796, the millstones for the abandoned King’s Mill were transferred by the government to a Mr. Garner for a mill at York, and the original King’s Mill lands were transferred to Robert Addison.⁹¹ In the fullness of time, the Snow parcel was not granted to either Addison or the Servos family, and the government issued a Crown Patent for the parcel to William Chewitt on April 19, 1805.

The Servos family continued to pursue title to both the King’s Mills lands and the Snow parcel, and eventually they were successful. The King’s Mill lands were purchased in 1816 from Robert Addison at a cost of £100, and the Snow parcel was purchased in 1823 for £300 from William Claus, the son of Daniel Claus, Sir William Johnson’s son-in-law who had served with Daniel Servos in the Indian Department and who had become a successor in title to the Snow parcel. The King’s Mills lands and the Snow parcel were then combined with the Servos farm and used in the operation of the Servos mills.⁹²

⁹⁰ Letter E.B. Littlehales to D.W. Smith, June 30, 1796, plus footnote, in Cruikshank, Simcoe papers, vol. iv, 320-1.

⁹¹ See letter from E.B. Littlehales to Robert Hamilton, January 1, 1796, found in Cruikshank, Simcoe papers, v. iv, 168.

⁹² See Bargain and Sale no. 5075 dated December 19, 1816 and registered 7 January 1817 from Robert Addison to W.S. Servos, and Bargain and Sale no. 6318 dated 14 May 1823, and registered 30 June 1823 from Hon. William Claus et ux, to John D. Servos in the Land Registry Office.

ADDITIONAL LAND GRANTS

By 1797, Daniel Servos had obtained title to 800 acres of land, including lot 194 - the large parcel of approximately 400 acres in Niagara Township on which the Servos family had settled and on which their homestead and commercial enterprises were built.⁹³ On January 4, 1797, Daniel made a petition for the “residue that he is entitled to as a reduced officer” with a “wife and five children four of which are above 10 years of age.”⁹⁴ Further to that petition, Daniel was awarded an additional 1,200 acres for himself and his family. In addition to lot 194 in Niagara Township, Daniel’s name was also associated with lots 110 and 138 in the Town of Niagara, lots 173 and 174 in Niagara Township’s Black Swamp, lots 8 and 9 in concession 2 of Blenheim, lots 12, 13 and 14 in concession 6 of Blenheim and lot 15 in Wainfleet Township.⁹⁵

The usual first step for a settler to receive a land grant was to obtain a certificate from the government allocating a specified lot to him. All applicants for land grants were required to take the oath of allegiance, build a house, clear a portion of the land for cultivation, and build a road in front of the lot. When those conditions were satisfied, the settler could apply for a crown patent, which would enable proper title to be registered in his name. In the event that all the conditions of the grant were not fulfilled, the lands would revert to the Crown without ever having been recorded in the initial grantee’s name. The original certificate holder could also transfer away his certificate, and in that case the original grantee would never appear on title himself.

⁹³ Ontario Archives, Nineteenth Report of the Department of Public Records and Archives of Ontario 1930 (Toronto, King’s Printer, 1931), 88.

⁹⁴ Ontario Archives microfilm reel no. C2806, v. 448 “S” Bundle 2, no. 139.

⁹⁵ Ontario Archives microfilm reel no. C2806 UCLP “S” bundle 1/96, 1/63 and 2/139 v. 448 1797, and microfilm reel no. C2806 v. 448 “S” Bundle 1 #63 1795. See Janet Carnochan, Names Only but Much More (Niagara, Niagara Historical Society publication no. 27, [n.d.]); and Clarke, Land Power and Economics on the Frontier of Upper Canada, 420-3.

Daniel Servos Nelson C-2806 S 2/139

To His Honor Peter Russell Esquire Administrator
of the Province of Upper Canada
In Council
The Petition of Lieutenant Daniel Servos
Respectfully Sheweth
That your Petitioner has only received
800 Acres of Land, pray your Honor would be pleased to give
him the residue that he is entitled to as a reward Officer
That your Petitioner has wife and five Children
four of which are above 10 years of age therefore pray
your Honor would be pleased for to grant him such
quantity of land for his family as your Honor may
think them entitled to, and your Petitioner as in duty
bound will ever pray
D. Servos
Niagara the 1st January 1797

Daniel Servos – Land Petition to acquire the balance of the lands due to him as a United Empire Loyalist dated January 1, 1797, Ontario Archives microfilm C-2806, v. 448 “S” Bundle 2 no 139. He was granted an additional 1,200 acres of land as a result of this petition.

Daniel's land dealings indicate that he was anxious to receive compensation and favourable treatment for his war service, but the matter was not important enough for him to take the steps to acquire proper title to the lands awarded to him. Also, Daniel Servos did not maintain proper records of his land transactions. His main concern was with the Four Mile Creek land, and the other lands granted to him appear to have been of interest to him only to the extent that he could use the lands granted to him for furthering his business interests. This was particularly true for the Blenheim lots allocated to Daniel Servos. Those lots were the farthest ones from his home on Four Mile Creek, and there is no evidence that he ever pursued title to any of them. Likely, Daniel either ignored the grants or sold the certificates for the Blenheim lots to a local settler in the area.

Daniel was not even vigilant with the lots awarded to him that were closer to home. The situation with respect to lots 173 and 174 in Niagara Township was typical of Daniel's land transactions. He first received the location certificates for lots 175 and 176 (Niagara Township) in 1792. The Surveyor General, D.W. Smith, noticed that a mistake had been made in the location certificates since the intent was that Servos receive the certificates for lots 174 and 175, not lots 175 and 176. Daniel then signed a waiver of any claim to lot 176, and in due course he received certificates for lots 174 and 175. However, instead of improving lots 174 and 175, Daniel improved lots 173 and 174. On November 2, 1796, he received a description for lots 173 and 174 under the authority of a Land Board Certificate, and the Crown patent for lot 175 was then granted to John Collard. During his life time, Daniel did not even bother to apply for title to lots 173 and 174, and it was only on January 28, 1821, some 18 years after his death that Daniel's son, John Dease Servos, applied to the Heirs and Devisees Commission to have the situation

corrected and title was then duly issued to John Dease Servos.⁹⁶ The same thing happened with respect to Niagara town lot 138, granted to Daniel Servos pursuant to an Order in Council dated June 26, 1795.⁹⁷ Here again, Daniel Servos did not apply for the Crown patent to lot 138, and it was not until January 24, 1816, that William Street Servos, in his capacity as Daniel Servos' son, applied to the Lieutenant Governor for the patent for lot 138, and in due course William Street Servos received title to the same.⁹⁸

Daniel also failed to secure title to the lot awarded to him at the rear of Christian Savitz' property in lot 15 in Wainfleet Township. The Savitz farm was located on a creek near the Sugarloaf Hills, Lake Erie, and Savitz had constructed a grist mill there by 1792. In 1802, Christian Savitz applied to the Heir and Devisee Commission for title to Daniel's lot and his application was approved. The application did not specify why Christian Savitz was entitled to the Crown patent for lands that had been awarded to Daniel Servos, but there had been business dealings between Servos and Savitz relating to the mill and the transfer of lands may have been part of those dealings.⁹⁹ A similar situation emerged with respect to lot 110 granted to Daniel Servos in the Town of Niagara. The title to lot 110 was eventually allowed to Colin McNabb by the Niagara Commission of Heirs and Devisees in 1803. McNabb claimed title to the lot under the

⁹⁶ The application to the Commission was approved on July 16, 1821, and John Dease Servos received a Crown patent for lots 173 and 174 shortly thereafter. Department of Lands and Forest, microfilm reel no. 171 (copy in McMaster University Library), 818-9, 1779, Ontario Archives MS 626, microfilm reel 2, 1417, v.5; Ontario Archives microfilm reel no. C2806 UCLP "S" 1/63 v. 448, 1795 (lot 138); John Dease Servos petition to the Heirs and Devisee Commission UCLP "S" Bundle 11, 1816-1819, RG 1, L3, v. 457 (a), Crown Patent September 28, 1821.

⁹⁷ Daniel Servos made a petition for lot 138 dated May 27, 1795. See Ontario Archives microfilm reel no. C2806 UCLP, v. 448 "S" bundle 1, 63.

⁹⁸ Ontario Archives UCLP William Street Servos, "S" Bundle 10, 1811-1816, RG1, L3, v. 456 (a) and NA microfilm reel no. NA, 1142, v. 48, no. 7.

⁹⁹ The lands at the rear of the Savitz farm were allocated to Daniel Servos by Order in Council of the Upper Canada government on January 27, 1797. Heir and Devisee Commission, Ontario Archives microfilm reel no. NAC1142, v. 48, nos. 68 and 71. See Statement of Mills in the District of Nassau, D.W. Smith, dated November 7, 1792, Simcoe papers, vol. .5, 193.

right of Daniel Servos. Here again, Colin McNabb was a neighbour of the Servos family, and his wife was buried in the Servos graveyard. There were business dealings between Daniel Servos and the McNabbs, and the transfer of the lot to McNabb was likely a part of those arrangements. The land transactions with Savitz and McNabb suggest that while the lands may not have been useful to Daniel Servos as land, they may have provided the basis for conducting other types of business, so to that extent the right to deal with the lands provided to Daniel Servos may be considered a loyalist advantage.

In Upper Canada, family members of loyalists were also eligible for land grants in their own right. In addition to the lands awarded to Daniel, the land boards awarded 800 acres to his wife, Elizabeth, and 600 acres to each of his daughters, Catherine and Magdalena, all in the Township of Blenheim and all awarded by virtue of their relationship to him as a United Empire Loyalist.¹⁰⁰ Like Daniel, Elizabeth was lax in her land dealings, and she did not obtain title to the 600 acres awarded to her as the wife of Daniel Servos for some unknown reason. It may have been that the conditions for acquiring title to the land were not fulfilled or that she transferred away the location certificate. In addition to qualifying for land grants as Daniel Servos' wife, Elizabeth Servos qualified for land grants as the daughter of Elizabeth Johnson, the widow of Captain John Johnson. In 1807 Elizabeth Servos applied for a land grant in her capacity as the daughter of Elizabeth Johnson, a United Empire Loyalist, and was awarded 200 acres, and on a second application she was awarded 200 acres in her own right. Elizabeth Johnson was also able to make claims for land grants in her own right. In one petition for

¹⁰⁰ Feb 8 1801, Daniel Servos to D.W. Smith, RG 1 A 1-6 v3, letters received MS 563 reel 3, and Jan 25 1801 D.W. Smith to Daniel Servos Niagara, p 904, microfilm reel no. 172 Department of Lands and Forests (copy at McMaster University Library); and Ontario Archives microfilm reel C-2806 "S" 2/173. Catherine and Magdalena Servos UCLP, microfilm reel no. C2806 "S" 2/173 v. 449 1796; and Ontario Archives, Nineteenth Report, 88.

relief, she claimed that she “during the war was at very great expense in furnishing parties of the government with provisions and assistance for which no compensation has ever been made and being now blind, old and infirm throws herself upon the bounty of the government to which she has ever been a faithful subject.” The petition was approved. In another petition, Elizabeth Johnson was awarded lot 223 in Newark, and in yet another 400 acres in Niagara Township. Following Daniel Servos’ death, his three sons, John Dease Servos, William Street Servos and Daniel Kerr Servos, also received land grants in their capacity as sons of Daniel Servos, a United Empire Loyalist.¹⁰¹

NEW YORK CLAIMS

The Confiscation Act, passed by the State of New York on October 15, 1779, authorized the State of New York to confiscate the property of loyalists, but following the war, loyalists filed many claims against the State of New York for unlawful confiscation. In these cases, the New York Courts held that the provisions of the Confiscation Act had to be interpreted in light of the provisions of the 1783 Treaty of Paris, and the court decisions went in favour of the loyalists when the confiscations by the state were found to be in conflict with the provisions of the peace treaty. By 1799, there had been so many claims against the State of New York for unlawful confiscation, that the state legislature empowered the Commissioners of the Land Office to extinguish claims against land that had been confiscated and sold by the state. In 1801, these duties were transferred to a commission, constituted of the State Comptroller, Attorney General and Surveyor

¹⁰¹ Ontario Archives Elizabeth Servos dated March 9, 1807, UCLP “S” Bundle 8, 1806-1808, RG1 L3 v. 453(a), Elizabeth Johnson dated May 10, 1797, UCLP microfilm reel no. C2108 1795-1797, and May 27, 1795 microfilm reel no. C2108, 1795, v. 1, J. Bundle 11; John Dease Servos, UCLP “S” Bundle 8, 1806-1808, RG1 L3 v. 453(a); William Street Servos (2 petitions), the first dated March 19, 1811, UCLP “S” Bundle 10, 1811-1816 RG1, L3 v. 456 and the second dated December 2, 1811, UCLP “S” Bundle 10, 1811-1816 RG1, L3 v. 45; and Daniel Kerr Servos dated May 14, 1816 UCLP “S” Bundle 10, 1811-1816 RG 1 L3 v. 456(a), and microfilm reel no. C2108, 1795, v.1, J. Bundle #11, 10-5-1797: UCLP microfilm reel no. C2108, 1795-1797.

General or any two of them acting together. The commissioners examined and settled claims against loyalist lands confiscated and sold by the commissioners of forfeiture. Most claims filed against the commissioners were based on erroneous sales of land not subject to forfeiture or the dower rights of loyalist widows.¹⁰²

In 1796, Clara Servos made a claim against the State of New York for compensation for her dower rights, and she and her son, Christian, submitted a claim against the state for “Losses sustained by the Depredation of the Enemy in the Northern Parts of this State.”¹⁰³ In 1796, Clara Servos was paid the sum of £1,040.14.0 in return for a release of all her claims against the State.¹⁰⁴

In the 1820s, the five children of Daniel Servos participated with two of their uncles, John and Philip Servos, in several suits for the recovery of the Charlotte River farm which had been forfeited by the State of New York on the attainder of Daniel and Christopher Servos in 1783. The multiple suits were necessary because the Servos farm had been subdivided by the State of New York and sold to several different purchasers.

Under the legislation, the commissioners were authorized to settle the suits by payment to those whose lands had been unlawfully confiscated, but it was necessary for the claimants to prove their ownership and entitlement. To establish their right to bring the lawsuits, the five children of Daniel Servos provided their uncles with powers of attorney authorizing the suits and providing evidence that they were the lawful heirs of Daniel Servos.¹⁰⁵ After the revolutionary war ended, the title papers to the Charlotte River farm were located and eventually came into the possession of John Dease Servos.

¹⁰² Van Tyne, *The Loyalists in the American Revolution*, 337-8.

¹⁰³ Comptroller's Office. *New York in the Revolution as Colony and State*, v. II, 182, 257.

¹⁰⁴ See an Act for the Relief of Clara Service and others passed the 11th day of April, 1793, NY 1796 cpt. 59, 19th Legislative Session. For the release, see B.J. Service, *B.J. Service papers*, 9-10.

¹⁰⁵ *NHS*, Servos Collection, 2002.044.137.

The papers were then described as the “deed of lease and release executed by the late Sir William Johnson of Johnson Hall Baronet deceased dated the second day of January 1772 for 1500 acres land situate on the River Charlotte now situate in Otsego County in the said State of New York executed to the late Christopher Serviss.” John Dease agreed to provide his uncles with possession of the title papers for the law suits only on the condition that he would receive one-seventh of the amounts recovered from New York State as a result of the suits and that all costs would be paid by the uncles. Presumably the other six shares went to his two uncles and his four brothers and sisters.¹⁰⁶

The finding of the title papers was a distinct advantage in the suits for ejectment. Many loyalists who left New York at the close of the revolution carried off their title deeds with them in the hope of preventing the confiscation of the property under previous acts or judgments of attainder or for the purpose of obtaining remuneration from the British government for the loss of such property. The original title papers were not required when New York State confiscated the property and Daniel had not produced them to the British commissioners in connection with his claim for war losses. But in a suit for ejectment, possession of the title papers provided the Servos family with a tactical advantage since it removed the necessity for them to prove first, that the family had legal title to the farm in their own right and second that the title document had been duly executed by Sir William Johnson. Title to the Servos farm would have been difficult to prove without the title papers in view of the death of Sir William Johnson and because the family had not registered the title documents in the local property registers.¹⁰⁷

¹⁰⁶ Bond J.D. Servos and John Servos, Oct 2, 1826, NHS FA 69.3.174.

¹⁰⁷ See correspondence Bond J.D. Servos, NHS FA 69.3.174; letter from John Servos to D.K. Servos NHS no. 2002.044.003; and Van Cortlandt and others v. Tozer, Court for the Correction of Errors of New York, 20 Wend. 423, found in Westlaw.

The terms of the peace treaty also assisted loyalists like Daniel Servos in their suits against the State of New York for unlawful confiscation of their family property. New York Courts consistently concluded that a state legislature had been precluded by the Peace Treaty from vesting in itself any loyalist estate that was confiscated subsequent to the passing of the treaty. By the United States constitution, all public treaties were the supreme law of the land, and paramount to all acts of the state legislature.¹⁰⁸ Daniel and Christopher Servos had been convicted of adhering to the enemy on July 14-15, 1783, a date subsequent to the signing of the preliminary treaty of peace between Great Britain and the United States on November 30, 1782. The courts held that no future confiscations could be made after that date, nor could any prosecutions be commenced against any persons on account of the part they had taken in the war. Since the attainder of the Servos family had taken place after the execution of the treaty, the family argued that the confiscation of their property was not effective under applicable law. In addition, the Servos family argued that Christopher Servos had never been adjudicated to be a loyalist or an enemy of the state. He had been shot by patriot soldiers and buried on his farm where his corpse remained for the duration of the war, and thus it could not be said that he had deserted to the British.¹⁰⁹ As a result, the family argued that the conditions that were necessary for a lawful confiscation of the Servos farm were missing in this case.

An act of the New York legislature passed May 12, 1784 required that, where the courts found that a confiscation was illegal, a payment had to be made to the person in possession of the confiscated farm for the value of improvements made to the property

¹⁰⁸ Simeon Catlin, Plaintiff in error, James Jackson, ex dem. Gratz and others, Defendant in error, February & March, 1811, 8 Johns. 520, and George F. Munro v. Elijah Merchant, September 1863, 28 N.Y.9 (cite as 1863 WL 4302 (N.Y.)), both found in Westlaw.

¹⁰⁹ Roscoe, History of Schoharie County, 157.

after the occupant obtained title from the state. Such a provision was permitted by the fifth article of the Treaty of Paris.¹¹⁰ Accordingly, a negotiation with the State of New York and those in possession of the Servos farm was necessary to determine the value of the improvements before the Servos law suits could be concluded.¹¹¹ All of this took time and the Servos suits were finally compromised with New York State and the occupants of the Servos farms in 1827. In the end, the family recovered the sum of \$7,620.37, which they divided among the five children of Daniel Servos and their two uncles who had assisted them in the claim.¹¹²

The payment of compensation by the State of New York likely resulted in a double recovery for war losses for the Servos family as they were compensated by both the British government and the State of New York for the loss of the Charlotte River farm. This result was confirmed by New York historian, Howson A. Hartley, although his calculations differ from those found in the Servos family records. According to Hartley, the confiscated acreage was sold by the New York Commissioners of Forfeiture for \$3,125.00 less \$219.00 paid for claims and \$337.00 paid to Clara Servos for dower rights, and the suits by the Servos heirs resulted in a recovery of \$9,670.57. Thus, Hartley concluded that the unlawful confiscation of the Servos farm cost the New York taxpayers a total of \$7,100.57 for the whole affair.¹¹³ The difference of \$519.80 between the amount said to be recovered by the family (\$7,620.37) and the amount calculated by Hartley (\$7,100.57) may only relate to costs subtracted in one calculation but not in the

¹¹⁰ See Jackson, ex dem. Robinson, v. Joseph Munson. Jackson, ex dem. Robinson, v. Waterman. Jackson, ex dem. Robinson, v. William Munson, May Term 1806, 1 Johns 277, found in Westlaw; and Van Tyne, The Loyalists in the American Revolution, 337-8.

¹¹¹ Roscoe, History of Schoharie County, New York, 157.

¹¹² Letter dated August 11, 1827 from James McKown to J.D. Servos, NHS, no. 2002 044 097, and reply dated September 20, 1827 of J.D. Servos NHS 2002.044 035, box 150. See also Sims, History of Schoharie County and Border Wars of New York, 289.

¹¹³ Harley, A Bicentennial History of the Town of Worcester, 18.

other. For example, the amount paid to Clara Servos was probably not deducted in the family's calculations since that had taken place some 30 years previously, and the family calculation probably included a deduction for legal fees incurred in the course of collecting the amounts from the state. In any event, historian Jephtha R. Simms reports that "the fortune thus obtained, however, was soon dissipated" by the Servos family.¹¹⁴

Daniel Servos himself did not pursue a claim against the State of New York, once he established his family on Four Mile Creek in Upper Canada. It was left to subsequent generations of the Servos family, perhaps more interested in capitalizing on the opportunities provided to them flowing from the loyalism of Christopher and Daniel Servos, to pursue those claims. And changes in New York laws and attitudes toward the loyalists made it possible for them to do so.

MEASURE OF LOYALISM

An inventory of the Servos farm was not made on the death of Daniel Servos. However, an indication of the scale of the Servos enterprises can be obtained from the 1842 assessment of the family's ratable property. It showed that 125 acres were cultivated on lots 173, 174 and 194, and 312 acres were still uncultivated at that time, confirming the dependence of the family on milling in the early nineteenth century. The buildings on the property included one grist mill with one run of stones, one saw mill with one saw, and one house under two stories with one additional fire place. The animals on the property included five horses over three years old, eight oxen, eight cows, and five young cattle under three years old. Other taxable assets included two pleasure wagons, 300 hundred bushels of wheat, 48 bushels of corn and 80 bushels of oats.¹¹⁵

¹¹⁴ Simms, *History of Schoharie County*, 289.

¹¹⁵ NHS Servos accounts, 2003 007 001.

According to the 1853 tax assessment, the value of the Servos farm was £2,432.10.11, and the value of the chattels on the farm was £344.10.0.¹¹⁶

An inventory of the Servos assets was carried out on the death of John Dease Servos in 1847. The principal asset, of course, was the Four Mile Creek farm, and on his death these lands were left by the terms of his will to his second son Peter Claus Servos (1823-1887). Peter Claus was named after William Claus, the son of Daniel Claus and a prominent member of the Niagara community. It was William Claus who had sold the Snow parcel to the Servos family in 1823 and who was the colonel of the regiment in which John Dease Servos served as captain during the War of 1812. In addition, large farms of 200-300 acres each, which had been inherited by John Dease Servos on the death of his father or granted to him as a result of his own war service during the War of 1812, were left or given to the four remaining sons of John Dease Servos either by his will or by grant to them made shortly before his death. In addition to the land holdings, the value of third party accounts owing to John Dease Servos from the Servos enterprises amounted to £2,222.5.8½, and the value of farm stock and utensils on the family farms was £441.10.0.¹¹⁷ There is no question but that the Servos farm was a large and prosperous undertaking.

The large value of John Dease Servos' estate can be usefully compared with the value of the estate left by Jacob Servos who died on October 4, 1829. Jacob's estate was valued at his death at only £398.15.0, and of this amount £325 represented the value of

¹¹⁶ See NHS 2003.007.002, box 144, John Dease Servos account book for the 1853 assessment.

¹¹⁷ Letters Probate of the Will of John Dease Servos dated April 1, 1846 and Codicil dated December 11, 1846 registered in the land registry office as no. 222. Probate of Will and Codicil of John Dease Servos filed in the Surrogate office on Sept 2, 1847, NHS 2002 044 101 and 2002 044 156, box 151.

200 acres of land that he owned and on which he lived at the time of his death.¹¹⁸ Jacob's experiences prior to his arrival in Upper Canada were similar to Daniel's, and as a loyalist Jacob had the same opportunities open to him as Daniel.¹¹⁹ Like Daniel, Jacob received large land grants (2,000 acres) and half pay due to his status as a loyalist.

We can only speculate as to why Daniel had been so successful in his ventures in Upper Canada, and Jacob was not. Daniel was perhaps better situated than Jacob to integrate in Niagara's economy as a result of the position he received as operator of the King's Mills and the business strategy that he utilized in establishing his mills on Four Mile Creek. Also, Daniel was able to invest the funds received from his war loss claim and the credit extended to him from W&J Crooks to finance the capital costs of the Four Mile Creek mills. By doing this, he was building wealth rather than earning income, a trait identified by Douglas McCalla as a characteristic of successful early settlers.

Meanwhile, Jacob disposed of all the lands he received as a loyalist, and his business ventures were not successful.¹²⁰ There is no evidence that Jacob was able to utilize the advantages that had been extended to him as a loyalist to invest in the Niagara economy in any meaningful way. It may be that Jacob was lacking the initiative or pioneering instincts that were necessary for the loyalists to succeed in the early Upper Canadian economy. Jacob seemed to be satisfied with his life as a farmer. In his study of Nova Scotia loyalists, Neil Mackinnon concluded that the principal reason for failure of loyalists was usually due to factors relating to the loyalists themselves. Many loyalists

¹¹⁸ Letters of administration of Jacob Servos Ontario Archives RG 22-235, 1933.

¹¹⁹ Jacob received lots 190 and 191 next to Daniel Servos in Niagara Township.

¹²⁰ Jacob's other land grants (1,800 acres) are found in Ontario Archives UCLP "S" bundle, microfilm no. 2806, 1794 "S" v. 448, Bundle no 1, 110 dated March 16, 1797. Jacob's lands were lot 22, con. 7, lot 21, con. 8, lot 20, 22, 24, con. 9, lot 24, con. 13, lots 21, 23, 24, con. 14, Windham Twp., Norfolk Co., Western District. For the war loss claim, see Ontario Archives microfilm reel no. T-1133, MG 19, E5a, v. 3751, no. 1091.

were simply not suited for pioneering. Also, in addition to the hard work noted by Mackinnon, it was also necessary, as the experience of Daniel Servos had demonstrated, to take chances and enter into the capitalist economy to achieve commercial success.¹²¹

In its essentials, the story of Jacob Servos demonstrates that the loyalist advantages, in the form of land grants and half pay, were not in and of themselves sufficient for commercial success in Niagara. The success of Daniel Servos in Niagara confirms the need for capital, but also the importance of entrepreneurial effort. Nevertheless, Jacob became, as a result of his war service and becoming a loyalist, the owner of a large farm in Gainsborough in his own right. He had therefore achieved the goal of all Palatine immigrants to North America.

The Servos family would likely not have been as well off if they had remained in New York State after the revolutionary war. In contrast to the British, the Americans did not take a benevolent attitude following the revolutionary war towards those who served in the continental army or the local militia. Military pay and bonus certificates, which were issued in lieu of salary to soldiers at the time of their dismissal from service, were not redeemed until the 1790s. Also, bounty lands promised by the American Congress to veterans at the end of the war were not forthcoming for more than a decade, and by then land warrants, like pay and bonus certificates often had been sold to third parties.¹²² The status of American veterans reflected the popular perception of the revolution as a people's war, and of soldiers as a band of the people, but attitudes changed after the War of 1812. While still considered a people's war, soldiers, rather than the populace as a whole, became the spirit of the revolution, and soldiers came to the front lines of

¹²¹ MacKinnon, *This Unfriendly Soil*, 156-7 and 180-3.

¹²² Paul David Nelson, "The American Soldier and the American Victory," in John Ferling, *The World Turned Upside Down*, 35-51 at 51.

esteemed citizens. In 1818, legislation was passed in the United States providing for pensions for revolutionary war veterans who served in the continental army, and by 1832 the benefits were extended to men who served in militia and state regiments. The rationale for the pensions was rationalized by one American commentator at the time in the following terms: “In contrast to a monarchy where preferment was gained through the patronage of an elite, the people and their representatives had willingly paid the nation’s debt of gratitude.”¹²³

After his return to the United States, John Servos (the spy who served on both sides during the war) applied to State of New York for compensation from the State for his war service in the American militia in 1778 and 1779 both in his own right and as a substitute for his brother Christian, and in 1831 following the change in American laws he was awarded a pension for his service in the amount of \$41.61 per year.¹²⁴ His application to the State of New York does not disclose his military service on behalf of the British crown.

Studies have been conducted on the overall economic effects of the revolutionary war on New York’s patriots. The State of New York received the sum of \$8,850,000 from sales of properties confiscated from the loyalists. Much of the property disposed of by the New York authorities belonged to large property owning families like the Johnson family, a situation that appears to have been unique to New York. As a result, some New York historians claimed that at an early date sales of confiscated properties resulted in the

¹²³ See study of the Peterborough veterans, John Resch, Suffering Soldiers, Revolutionary War Veterans, Moral Sentiment, and Political Culture in the Early Republic (Amherst, Massachusetts: University of Massachusetts Press, 1999), 197-201.

¹²⁴ See Penrose, Compendium of Early Mohawk Families, vol. 2, 721. A copy of the pension abstract is in the Servas-Service File in the Department of History & Archives, Fonda, New York. See also Ken D. Johnson, The Bloodied Mohawk (Rockport, Maine: Picton Press, 2000), 552.

weakening of the feudal element in the pre-revolutionary social system of the state through the division and sale of large patents into smaller parcels which could then be acquired by dependents and tenants of former owners. More recently, however, the democratic effects of the revolution have been questioned, and some historians have contended that sales of confiscated lands, at least in the western district, may have profited land speculators and investors more than they assisted the poor farmers.¹²⁵

A study of patriots from six New Jersey towns who remained there throughout the revolutionary war confirms that few patriots who remained in the subject towns had substantially improved their situation by 1797.¹²⁶ All in all, the Servos family appears to have done well by their migration to Upper Canada, and it is doubtful that they would have been as successful in reinstating their economic status if they had remained in New York. Certainly, the process would have been a much slower one.

ASSESSMENT OF THE LOYALIST ADVANTAGES

From the claims made by the Servos family for compensation, we can learn much about entrepreneurialism and the loyalist advantages. In his “Memorials of the Servos Family,” William Kirby makes the statement:

Parliament voted fifteen million dollars by way of partial indemnity for the losses of the loyalists. But as Daniel Servos said: - “It was impossible to pay for the loss of a continent, and the King was the greatest loser of all! None of the Servos family would apply for any share of that indemnity.”¹²⁷

¹²⁵ Catherine Snell Cray, “Forfeited Loyalist Lands in the Western District of New York – Albany and Tryon Counties,” *New York History* 35(3) (July 1954): 239-58. See also Reilly, “The Confiscation and Sale of the Loyalist Estates,” 262-5.

¹²⁶ Dennis P. Ryan, “Landholding, Opportunity and Mobility in Revolutionary New Jersey” *William and Mary Quarterly* 3rd Series 36(4) (October 1979): 571-592.

¹²⁷ Kirby, “Memorials of the Servos Family,” *NHS publication no. 8*, 15.

Clearly Kirby was mistaken in this view, as all the Servos family members who came to Upper Canada profited in some way from the loyalist advantages. When the revolutionary war ended, Daniel Servos proceeded to New York to recover his property and rejoin his family. Then, when it became apparent that he could not recoup his property in the light of post-war conditions in New York, he abandoned this goal and devoted the remainder of his life to establishing his family in Upper Canada. In Upper Canada, Daniel Servos was not a person who felt that the British government “owed” him for his loyalty or who ever expected to return to the United States, two attributes that historian Neil Mackinnon associates with some loyalists. Perhaps the circumstances of his loyalism may have played a role in Daniel’s attitude towards returning to the United States. He had been forced out of the United States after the revolution, and had no illusions about returning there. Similarly, as a refugee to Upper Canada, he did not wait for compensation from the British government in Upper Canada. Rather, using his skills and entrepreneurial abilities and the advantages available to him as a loyalist to the extent he needed them, the Charlotte River farm was soon replaced with equivalent enterprises in Upper Canada.

The comparison of Daniel and Jacob Servos in particular portrays to a certain extent the effects of individual personality and entrepreneurial activity in pursuing the loyalist advantages. Later generations of the family were also proficient at realizing the benefits of the loyalist advantages and even if they were less entrepreneurial and more managerial in their approach, they also benefited from the advantages accruing to them as loyalist descendants, and in addition they successfully recovered the financial equivalent of the New York farm from their suits against New York State for unlawful confiscation.

Consequently, as a purely economic matter, the Servos family probably improved their financial position substantially by becoming loyalists, but the result does not detract in any way from the entrepreneurial success of Daniel and Christopher Servos. In his book Victorious in Defeat, historian Wallace Brown, also quoting William Kirby, says of the loyalists:

Not drooping like poor fugitives they came
In exodus to our Canadian wilds,
But full of heart and hope, with heads erect
And fearless eyes, victorious in defeat.¹²⁸

Although not specifically intended by either Brown or Kirby to describe the Servos family experience in Upper Canada, the words quoted are in fact descriptive of Daniel Servos' success there.

¹²⁸ Wallace Brown, Victorious in Defeat, 211.

CHAPTER 5 – LOYALIST LEGACIES

In 1839, William Kirby arrived in Niagara and became a tenant of the tannery on the Servos farm and a friend of the Servos family. Kirby throughout his life was a zealous supporter of British imperialism and he advocated strong ties between Canada and Great Britain. During the nineteenth century, the Servos family became more managerial than entrepreneurial. The family did not modernize the mills or create new enterprises to replace them. Instead, they concentrated on farming, and they looked to the proceeds of political office, land sales and mortgage financing to cover expenses. With the decline in entrepreneurial spirit, the Servos family pursued the social capital of loyalism (which might in some cases have a financial impact), an initiative that was encouraged by the family's relationship with Kirby. At the same time, the renewed focus of Canadian society on the loyalist tradition, and the social utility of remembering (and in many ways re-creating and re-fashioning) the memory of the loyalists opened doors for the Servos family that would otherwise have remained closed to them. Social and political recognition of the family grew as their loyalist roots became more widely known and appreciated, particularly in Toronto society. However, in the twentieth century, the family was increasingly unable to make ends meet. In its final stage, the Servos family tried to turn the Servos homestead over to government as a heritage property so that it could be preserved for posterity, but the government was not receptive and the homestead was eventually subdivided and sold to third parties.

JOHN DEASE SERVOS

During the early 1800s, the Servos farm was divided into four parts to reflect the partition of the farm among John Dease Servos and his siblings that had in fact occurred

after the death of Daniel Servos. One part of the farm was set aside for each of William Street Servos and Daniel Kerr Servos, and a third part for John Whitmore who was always treated as a family member. Each of William Street Servos and John Whitmore received a 100 acre farm on Lake Ontario on the north side of the old Lake Road that ran from the Town of Niagara to Burlington Bay, and each of them paid £600.0.0 to John Dease Servos for his farm. Daniel Kerr Servos received the southern part of the farm, containing about 80 acres, and paid John Dease Servos the sum of £1,000.0.0 for it. However, Daniel Kerr's portion of the farm was transferred back to John Dease Servos the next year for £300.¹ In 1817, John Whitmore transferred his farm to William Street Servos in exchange for the Murray farm (lots 187 and 188), a 200 acre farm also located on Lake Ontario but on the other side of Jacob Servos' farm. Whitmore remained on the Murray farm and a friend and neighbour of the Servos family until his death in 1853. See Appendix B for a description of the acquisition of Servos farm in stages by the Servos family and the distribution of the farm among the family members.

In 1819, William Street Servos sold a small part (17 acres) of his farm opposite the King's Mills to John Dease Servos for £175, and he then transferred the balance of his own farm and the portion of the farm that he had acquired from Whitmore to a third party (a member of Robert Addison's family) and the farms ceased to be part of the Servos enterprises. In 1818, William Street Servos bought the old Pickard farm (lot 193) immediately south of the Daniel Kerr portion of the Servos farm, and on which the Pickards had constructed a grist mill in 1800. William Street Servos operated the Pickard grist mill on lot 193 until his death in 1857 at which time it was devised to Alexander

¹ See instrument nos. 5048, 5074, 5077, 5079 and 5709 registered in the land registry office.

Servos (1831-1910). Alexander operated the mill until 1893 when the property was sold outside the Servos family.²

John Dease Servos retained for himself the fourth (or middle) part of the farm containing the mills and related enterprises. After the transfer back to him of the 17 acre parcel from William Street Servos and the 80 acre farm from Daniel Kerr Servos, the John Dease Servos farm comprised about 233½ acres, including 159½ acres on the west side of Four Mile Creek (lot 194), and three parcels totaling 74 acres in the military reserve on the east side of Four Mile Creek, being the 37 acre parcel not numbered originally patented to Daniel Servos, the Snow parcel (28 acres), and the King's Mill site (9 acres).

We can learn something about the operation of nineteenth century grist mills from records left by Alexander Servos concerning the Pickard mill, likely similar to the Servos mill due to its construction at about the same time. The wheat was first ground between the mill stones, and the ground wheat was then carried to the top of the mill by the miller in a sack and poured into a cooler, from whence it ran down into the bolt for separating the flour, bran and shorts, there being in those days no elevators for carrying the meal to the top of the mill. The machinery, the wheels and the shafting were all made of wood; there were no iron wheels in the whole mill. The mill was built of very heavy timber, all of the posts and beams as well as the sills were fourteen inches square. The girths, studding and braces were all hewn out; not a piece of timber in the frame was sawn. The

² The story of the Pickard mill is found in Alexander Servos, "History of the old White Grist Mill on the Four Mile Creek on lot 193, Township of Niagara" in Niagara Historical Society, Publication no. 5 (Niagara, Ontario: Times Print, 1914). The mill was sold by the Pickards to Abraham Secord in 1810, and by Secord to Samuel Street in 1815, and by Samuel Street to William Street Servos in 1818.

sills and posts were of white oak, and all the other timber was white wood. The grist mill would grind about 15 bushels of wheat an hour with water power.³

During his lifetime, John Dease Servos continued to operate the Servos farm much as his father had done, interrupted only by his absences during the War of 1812 and the 1837 Rebellion of William Lyon Mackenzie. John Dease Servos collected the mill accounts left unpaid by customers at the time of his father's death, and continued with payments due on the W&J Crooks mortgage. On May 31, 1809, W&J Crooks paid off the interest of Auldjo, Maitland & Co. in the mortgage, and took over the mortgage for their sole account. During the entire period that the W&J Crooks mortgage was outstanding from 1802 to 1833, the business relationship with W&J Crooks continued to function as before, with the Servos family as operator of the enterprises and with W&J Crooks acting as financier and transporter of the exported flour and potash. The mortgage balance increased during times that the Servos family needed money, and decreased when business was good and funds were available for repayment. Profits from the successful potash operation were applied to repayment of the mortgage from time to time. The mortgage was finally paid off and discharged by John Dease Servos in 1833.

All three of Daniel's sons served in the War of 1812 as officers in the First Regiment of Lincoln Militia, and they were engaged in many of the military actions that occurred in the Niagara peninsula during the war.⁴ The regiment saw action at Fort George on May 27, 1813, St. David's on July 19, 1814 and Lundy's Lane on July 25, 1814. The Servos sons carried the same sword during the war of 1812 that their

³ Alexander Servos, NHS publication no. 5, 13-14.

⁴ John Dease Servos was appointed captain of a battalion company on July 2, 1812; William Street Servos lieutenant of a flank company on May 6, 1812; and Daniel Kerr Servos ensign in the incorporated militia on July 2, 1812 and assistant barrack master on January 25, 1814.

grandfather, John Johnson, had used in the revolutionary war, and that Daniel Servos had used thereafter.⁵

On May 27, 1813, John Dease Servos participated in the Battle of Fort George at Niagara, a British defeat which enabled the Americans to capture Fort George. During the battle, many of the Niagara ladies and non-combatants retired to the Servos homestead for safety. Following the battle, British Major General Vincent ordered a retreat before a superior American force, and John Dease Servos lost three quarters of his baggage during the retreat.⁶ Later in the summer, the British hemmed in the Americans at Fort George, with the British headquarters at St. Davids and the left of the British army anchored at the Servos homestead.⁷ The American army held Fort George until December 10, 1813, when the Americans returned to Fort Niagara on the east side of the Niagara River. On their way out of Niagara, the American army burned the Town of Niagara to the ground. Many of the Town's inhabitants again fled to the Servos' mill for shelter when the Town was burned.⁸ In retaliation, the British army crossed the river, seized Fort Niagara, and burned several towns on the American side of the river including Buffalo and Lewiston. John Dease Servos organized the transshipment of the landing bateaux to Fort Niagara, and both he and Daniel Kerr Servos were prominent in the fort's capture on December 19, 1813. A family story recounting the capture has John Dease Servos entering the fort's guard house on the night of December 18-19, 1813. Inside, the guards were playing a game of cards, and when John Dease entered one of the

⁵ The sword is now on exhibit in the Niagara Historical Museum, FA 69.3.18, FA 69.2.376 and FA 69.2.37.

⁶ Peltier and Jackson, Servos Family Compendium, 44-47 (John Dease Servos), 48 (William Street Servos), and 49-50 (Daniel Kerr Servos).

⁷ E.A. Cruikshank The Documentary History of the Campaigns on the Niagara Frontier in 1812-4 (Welland, Ontario: Tribune Office, collected and edited for Lundy's Lane Historical Society, 1895-1908), vol. 6, 208-211.

⁸ Florence B. LeDoux, Sketches of Niagara pamphlet, 1955, 40.

guards said “What’s trump?” to which the answer was given “British bayonets are trump gentlemen.”⁹ Daniel Kerr Servos was wounded in the capture of the fort, but he was commended for his bravery in the reports filed after the battle and he accepted the sword of the fort’s American commander when the fort was surrendered.¹⁰ John Whitmore also served with the militia during the war, and he was present at the taking of Fort Niagara.¹¹ Combativeness was not restricted to the Servos men. Daniel Servos’ widow, Elizabeth Servos, was at home one day in 1813 when an American raiding party searched the family homestead and found John Dease Servos’ red uniform coat, which they cut into pieces. Elizabeth called the Americans cowards, and told them that they would not have been able to cut her son’s coat if her son had been wearing it. As a result of her comment, she was struck and wounded by one of the American soldiers, a wound from which she suffered for the rest of her life.¹² Later in the war, John Dease Servos was badly wounded on December 30, 1813 in the head and hip at Black Rock near present day Buffalo while on active service.¹³ After the war, John Dease Servos was compensated for damage to his property, and he received a small pension for the injuries he received during the war.¹⁴

⁹ M.E.O.J. Servos interview, Leroy E. Fess, 1935 reported in Buffalo Evening News, copy in NHS Servos family files.

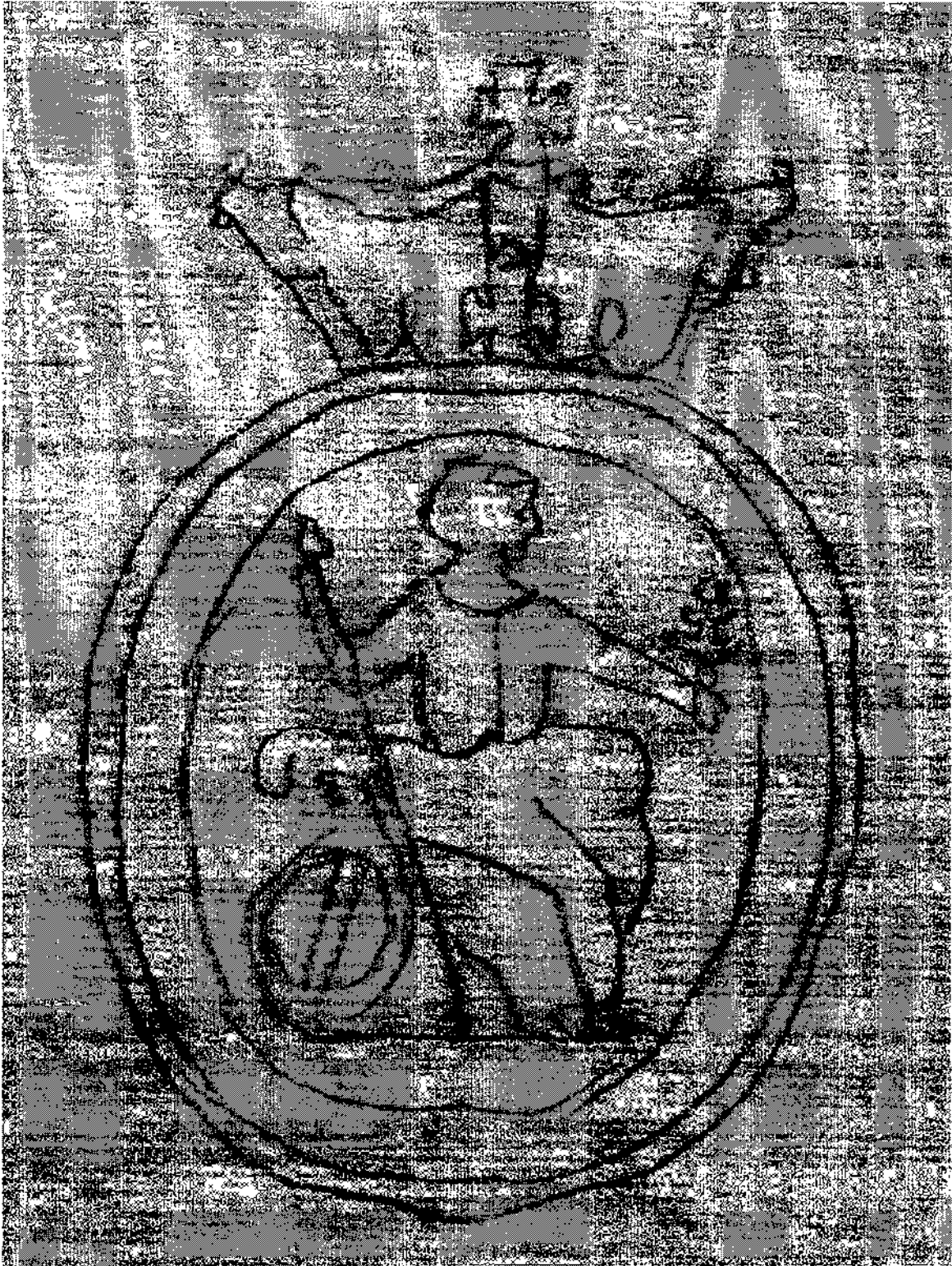
¹⁰ See Return of the killed, wounded and missing of the Troops of the Right Division under the command of Major General Riall, in the Attack on Black Rock and Buffalo on the 30th December 1813, in Cruikshank, The Documentary History of the Campaigns on the Niagara Frontier, vol. 9, 12 (Col. John Murray to Lieut.Gen. Drummond, Fort Niagara, 19 Dec. 1813), and 15 (General Order, Headquarters, Upper Canada December 19, 1813 by J. Harvey, Lieut.-Col., DAG).

¹¹ Major R.L. Rogers, History of the Lincoln and Welland Regiment (Ottawa: published by Lincoln and Welland Regiment, 1954, third printing 1989), 11-12; and John R. Servos, Memoirs of the Servos Family, in United Empire Loyalists Association, Annual Transactions, vol. 8, 140-151.

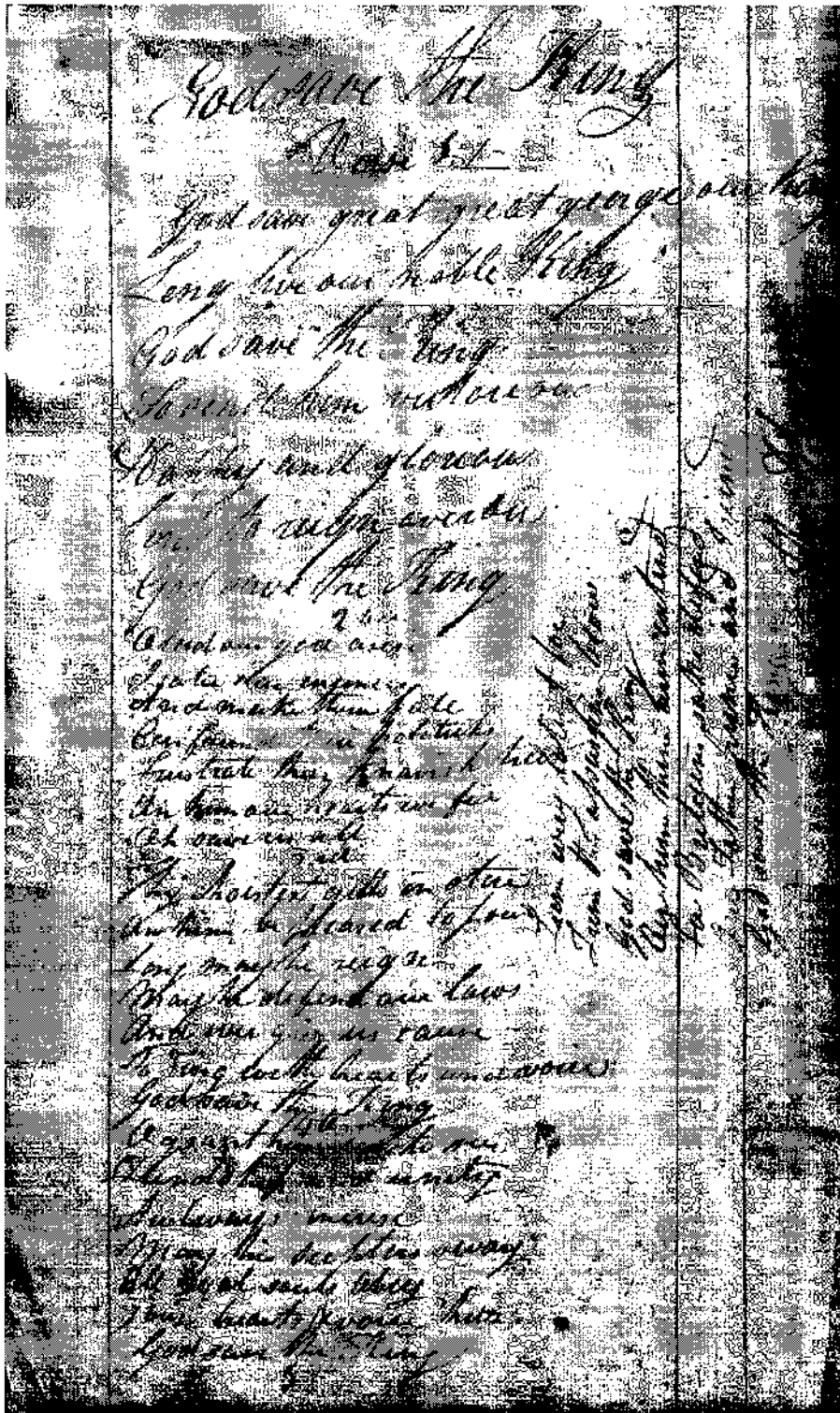
¹² Anne Elizabeth Wilson, “Palatine Hill, the Historic Servos Home,” Canadian Homes and Gardens (August 1927): 63.

¹³ Cruikshank, The Documentary History of the Campaigns on the Niagara Frontier, vol. 9, 73.

¹⁴ References in War of 1812 records are in Cruikshank, The Documentary History of the Campaign on the Niagara Frontier, vol. 4, 211, vol. 5, 150, 241, 261 and 291, vol. 6, 18, 161, 162, 215 and 221, vol. 7, 55, vol. 8, 55, and vol. 9, 12, 15 and 73; and The Niagara Mail, v.xii, Niagara, October 7, 1857 no 26, p.2 col. 4—7. See also supplement to Niagara Spectator, January 1, 1818 - John Dease Servos received a £60.0.0 pension for January 1, 1814 to December 21, 1816, and £20.0.0 for January 1 to December 31, 1817.



John Dease Servos drawing, possibly of Britannia, extracted from John Dease Servos account book, Niagara Historical Society 991.5.130, Box 13



Page from John Dease Servos Ledger Account Book with the lyrics from God Save the King, Niagara Historical Society 1798-1816, FA 69.3.114.

The participation of the Servos family in the War of 1812 suggests two aspects of the family's status in Niagara society. First of all, the military rank of all three sons in the Lincoln and Welland Regiment shows that even in their twenties the sons of Daniel Servos were well situated in society. They were not in the top rung of society but were obviously respected as officers and leaders. Secondly, from the time of the War of 1812, loyalism became increasingly more important to the family. One wonders whether the stories of their participation and bravery in the War of 1812 tell us something about the later construction of the family as loyalists, as much as they do about the family at the time. Following the War of 1812, William Claus, the son of Daniel Claus (Daniel Servos' revolutionary war colleague from the Indian Department), confirmed to the government that John Dease Servos' "Loyalty and that of his brothers have been as conspicuous in the late War, as was that of his father's family during the American Rebellion."¹⁵ It is not hard to see this quote as ironic, given that the loyalty of the Servos family was not necessarily that conspicuous during the revolutionary war at least in its early stages. On the other hand, perhaps this represents the crafting of the family as "loyalist" – projecting behaviour during the War of 1812 back on to the revolutionary war.

The three sons of Daniel Servos returned to military service during William Lyon Mackenzie's Rebellion of 1837-8. John Dease Servos (by then 52 years old and a Colonel) commanded the militia at Chippewa throughout the up-rising to counteract Mackenzie's presence on nearby Navy Island. By the time of Mackenzie's Rebellion, the Servos family was clearly aware of the value to it of the family's loyalist origins. On February 6, 1838 as Mackenzie's Rebellion was winding down, John Dease recorded his loyalist sentiments in the words of "a new song" that he wrote out in his own hand:

¹⁵ William Claus, Certificate of War Claims, October 16, 1820, NIIS 2002 044 124, box 150.

Our flag has braved a thousand years
In breeze and battle too Sir
It has conquered on Trafalgar's wave
And plains of Waterloo Sir
The spirits of our Wolfe and Brock
Doth still around us hover
And still we stand on Queenston Rock
To drive those Yankees over
No slave shall ever breathe our air
No lynch law ere shall bind us
So keep your Yankee mobs at home
For Britons still you'll find us.¹⁶

We do not know whether John Dease Servos created the song on his own or whether he copied someone else's song down in his own hand, but we can assume that the sentiments expressed in the song belonged to him. The song, to the tune of the *Soldier's Return*, expresses the distrust that many Niagara loyalists had for American republicanism and its perceived abuses, such as slavery, and their strong preference for British rule, this notwithstanding the family's American origins and continuing family ties in both countries. The song evidences the way in which the Servos family had become "loyalist" and "conservative" in the nineteenth century.

The loyalist theme also permeated the business dealings of the Servos family at this time. On one occasion, John Dease Servos copied out the lyrics of "God Save the King" in his account book and on another he drew a picture of Britannia in his account book. When a difficult account was paid in full by one of the mill customers, the words "God Save the King" were often added in the account book to confirm the payment.¹⁷

During John Dease Servos' life time, the mills continued to be an integral part of the Niagara economy. The mills were damaged by the Americans in the War of 1812, but were soon rebuilt after the war. On March 30, 1818, the saw mill was accidentally burned

¹⁶ William Kirby, *William Kirby papers*, NHRC, microfilm reel no. 334, E37.

¹⁷ See John Backhouse Account, *NHS Servos ledger book*, 1798-1816, FA 69.3.114.

down, and again was rebuilt.¹⁸ In 1820, the grist mill was destroyed by fire and rebuilt. It appears that John Dease Servos was anxious to keep up with mill technology. In 1839, he provided a testimonial for Joseph W. Dresser's Smut Machine, as being, in his opinion, a machine that was "proficient in cleaning grain," and "one of the best patterns I ever saw, as I have seen them in operation, and I have even purchased one."¹⁹

John Dease Servos served as a magistrate following the war of 1812, and in that capacity he was one of those who signed a declaration of loyalty on February 25, 1819 addressed to His Excellency, Sir Peregrine Maitland, assuring him of the "gratitude, loyalty, and peaceable demeanour of His Majesty's subjects in the district of Niagara."²⁰ John Dease Servos died in 1847 at age 61 and his wife died in 1862 also aged 61, and they were both buried in the Servos family graveyard. Their graves are marked with a large monument, reflecting the need for prominence in the community that was lacking from the simple stones marking the graves of the earlier generations of the family.

With his position as magistrate, and the association with the Anglican Church, the militia and the Niagara commercial community, John Dease Servos had integrated himself and his family firmly into the establishment of Upper Canada. As such, John Dease became the closest of any member of the Servos family to meeting the image of the Tory stereotype and in fact he was known in the region as a "rank Tory."²¹ His legacy was the continuation of the Servos enterprises as viable commercial enterprises throughout unstable and uncertain times in accordance with the highest standards set by

¹⁸ See Niagara Gleaner April 9, 1818 in E.A. Cruikshank, "News of Niagara A Century Ago" Ontario Historical Society Papers and Records 23 (1926): 50.

¹⁹ St. Catharines Journal, November 21, 1839, 3, c. 3.

²⁰ Niagara Gleaner, February 25, 1819; in Cruikshank, "News of Niagara A Century Ago," 57-8.

²¹ See letter John T. Bush to William Lyon Mackenzie. Bush implicated Alexander Macleod in the Caroline incident, and John Dease Servos, along with others all said that Macleod was dining with them at the time of Macleod's alleged participation in the incident. Bush concluded that Macleod's absence from the incident "can only be proven by purgery (sic)." Ontario Archives, microfilm reel MS 516, no. 6, 4326-7.

his father. And as a result of his behaviour during the War of 1812 and Mackenzie's 1837 Rebellion, John Dease Servos also contributed to the "loyalist" image of the family.

LOYALISM OF WILLIAM KIRBY

To fully appreciate the history of the Servos family during the second half of the nineteenth century, it is necessary to understand the influence of William Kirby on the Servos family. From the time of his arrival in Niagara in the late 1830s, Kirby was an enthusiastic supporter of loyalism. For Kirby, "fidelity to the flag and Empire, fear of God and honour of the King, keeping inviolate their oaths of allegiance and their very thoughts free from sedition, privy conspiracy and rebellion – all these things were summed up in the one word, 'Loyalty.'"²² Kirby developed a close relationship with the Servos and Whitmore families and it is to him that we are indebted for much of our knowledge of their family histories. Further, through his association with the family, he demonstrated to them the significance of their loyalist roots and ways in which they could exploit those roots in the political and social climates of the time.

Kirby was born on October 13, 1817 at Hull, Yorkshire, the son of a local tanner. Kirby's parents immigrated to America in 1832, and in due course he made his way to Cincinnati where he received a classical education under Alexander Kinmount, "a well-known Scottish teacher who conducted a Classical and Philosophical Academy of great reputation."²³ In 1839, Kirby came to Upper Canada, allegedly because he preferred to live under British rule. Kirby became the tenant of the Servos farm tannery in September 1839, and from that time John Dease Servos and John Whitmore became his benefactors. Kirby's affection for the Servos and Whitmore families was genuine, and his 1883

²² Lorne Pierce, *William Kirby, the Portrait of a Tory Loyalist* (Toronto: The Macmillan Company of Canada Limited, 1929), 17-18 and 46-56.

²³ William Renwick Riddell, *Makers of Canadian Literature* (Toronto: The Ryerson Press, 1923), 1-4.

biographies of the two families are testimony to the high regard that he had for them.

When Augusta Servos, the 11 year old daughter of John Dease Servos, died prematurely in 1846, Kirby wrote a poem, later published in Canadian Idylls, expressing the sense of loss and grief that he felt for the Servos family.²⁴

Kirby was apparently not a good businessman. In 1846, his tannery went into bankruptcy and he taught school for a year. On March 17, 1842, Kirby signed a promissory note in favour of John Dease Servos for £36.0.0 to be paid in one year. The note was not paid, and after the death of John Dease Servos in 1847, the note was included in the inventory of the estate but the executors described the chances of recovery as "rather doubtful." At that time, the balance owing on the note was £34.2.11.²⁵ The Servos family never pressed for payment, and in time the note became outlawed.²⁶

Kirby married Eliza Magdalene Whitmore (1817-1891), the daughter of John and Magdalena Whitmore, in 1847 and they resided on the Whitmore farm for a year. The Whitmores transferred over to William Kirby in 1849 the farm in the Township of Blenheim that Magdalena had received as the daughter of Daniel Servos (a loyalist).²⁷ With his improved financial status, Kirby moved to the Town of Niagara, and established himself in the newspaper business, becoming editor of the Niagara Mail in 1850. In 1863, he retired from the newspaper, but retained a financial interest until 1871. Kirby next began a career in politics. He became a staunch supporter of the Town of Niagara and

²⁴ William Kirby, Canadian Idylls, second edition, (Welland, Ontario: 1894), 159.

²⁵ See June 3, 1847 inventory of John Dease Servos Estate, NHS, Servos collection, 2002 044 101.

²⁶ Pierce, William Kirby, the Portrait of a Tory Loyalist, 48-9.

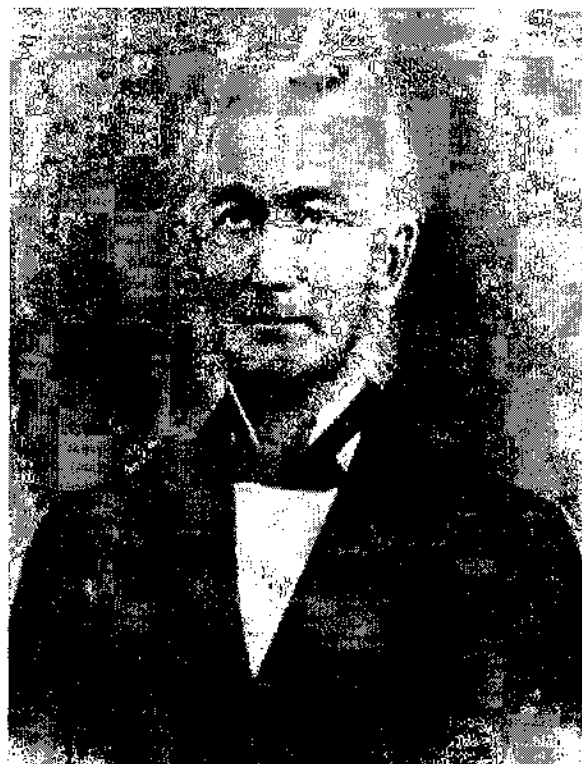
²⁷ The farm was pt. lot 12, con. 9, Township of Blenheim, granted to Magdalena Servos by Crown Patent dated July 15, 1803. Part of the lot (55 acres) was sold for non-payment of taxes in 1833 (no. 27,211), and the balance was transferred to Kirby by John and Magdalen (sic) Whitmore by deed (no. 6375) dated August 3, 1849 and registered June 20, 1853. Kirby mortgaged the farm (no. 6376) for £100 in 1853 following John Whitmore's death, and the land was sold at the same time by no. 11073, dated before 1854 and registered September 13, 1855. The mortgage was discharged on July 3, 1858 (no 18552).

served 11 years on Town Council including seven years as reeve. With other prominent citizens, Kirby tried to maintain the Town's position as the county seat of Lincoln County, but the provincial authorities transferred the county seat to St. Catharines anyway in 1863. Kirby was a patron of the Niagara Library and the Niagara Historical Society, and a Fellow of the literary Royal Society of Canada when it was formed. He was also a friend of John A. Macdonald and a supporter of the Conservative Party. For the rest of his life, he held various public offices such as Collector of Customs, Caretaker of the Military Reserve, and Justice of the Peace. Kirby died at Niagara on June 23, 1906.

Kirby's reputation in Niagara derives from his novels and histories, which deal to a large extent with the traditions of the loyalists and the Niagara frontier. Kirby's histories contain many factual errors and examples of conjecture and poetic licence, but in the main they provide an important contribution to Canadian literature and the history of the Niagara region.²⁸ In all his writings, Kirby was an ardent loyalist, and in his later years he was an advocate of imperial federation for Canada. Kirby's biographer calls him "an Imperialist and a Confederationist," and adds "his associations were numerous, but he gave only to the Loyalist and Tory his full confidence; for were they not the bulwark of British institutions, and synonymous with all that was most worthful in the crown?"²⁹ Kirby's views on loyalism were supplemented by his personal association with Niagara loyalists like the Servos and Whitmore families.

²⁸ Among Kirby's better known works are Counter Manifesto to the Annexationists of Montreal (Niagara: Niagara Mail, 1849); The U.E.; a Tale of Upper Canada (1859); Le Chien d'Or, Légende Canadienne (Montreal: L'Étendre, 1884); The Hungry Year (Toronto: Methodist Book, 1878); Spring (Toronto: W. Briggs, 1880); "Memorials of the Servos and Whitmore Families," NHS, Publications, no. 8; Canadian Idylls (Welland, Ontario: 1894); Annals of Niagara (Toronto: Macmillan Company of Canada Limited, 1927); The U.E.; A Tale of Upper Canada (Niagara: Niagara Mail, 1859); and a large number of monographs and poems.

²⁹ Lorne Pierce, introduction in William Kirby's Annals of Niagara, xvi; William Kirby papers, F1076; and Pierce, William Kirby, The Portrait of a Tory Loyalist, 17-18 and 46-56.



Mary and Peter Claus Servos, and William Kirby, NHS nos. X984.1.553, X972.642, X984.1.316 and X984.1.316 respectively, and M.E.O.J. Servos, Toronto Sunday World, July 3, 1921, 9.

In Kirby's view, the disappearance of the original loyalists did not affect the tradition of the ideology for which they fought. Kirby himself was not a loyalist, but he was accustomed to refer to himself as the "last of the loyalists." His purpose was to preserve the loyalist tradition as he interpreted it and to hold it aloft as an inspiration and moving force to a generation which had no personal experience of "the heroic age." Kirby thought that loyalist virtues were communicable and in fact had already become a tradition in his lifetime. Kirby attributed loyalism to a particular social order, the agrarian life and allegiance to a hierarchical order, the Church of England and the British constitution. The loyalist tradition for Kirby also included the obligation to defend the concept in a military sense.³⁰

Literary historian Dennis Duffy also postulates that for Kirby loyalism led to a sense of reciprocity or even a contractual obligation, which he calls a framework of "covenantal theology," resulting in the maxim "Be but loyal, the pact states and the Lord will safeguard you in the garden granted in the new land," and to its corollary "let the mother country but nourish that garden, and it will repay her with steadfast fidelity."³¹ For his part, Kirby was never reluctant to seek government largesse in return for his expressed loyalty to the British crown.

Another dimension of Kirby's view of loyalism was noted by loyalist historian Carl Berger. Berger concluded that, for Kirby, the enemy of loyalism was the rationalism of the eighteenth century. In his drama, The U.E.; A Tale of Upper Canada, Kirby "glorified nature and contended that conservative social principles were inseparable from

³⁰ See Berger, The Sense of Power, 92-3. Kirby's loyalist views are found in his drama The U.E.; A Tale of Upper Canada (Niagara 1859).

³¹ Dennis Duffy, Gardens, Covenants, Exiles: Loyalism in the Literature of Upper Canada/Ontario (Toronto: The University of Toronto Press, 1982), 42.

the agricultural matrix.” According to Berger, Kirby demonstrated a distrust of sentiment, the economic calculus, the exaltation of machinery over nature and the destruction of agriculture, and Kirby also rejected individualism and industrialism. To Kirby, all of these things that he disliked were inextricably bound together in the ideology of *laissez-faire* liberalism. Berger argues that Kirby was disquieted by these manifestations of modernity, and retreated into an idealized pastoral life in which alone the true social order was represented.³²

Through his association with the Servos family, Kirby supplied them with the ideology by which they could capitalize on their status as loyalists. In so doing, he provided the intellectual rationale and perhaps some practical advice for merging the family’s loyalist origins and rural background with their social and economic aspirations, and he assisted the family in making the transition from entrepreneurial mill owners to agriculturalists and prominent loyalists. Nevertheless, in discouraging *laissez faire* liberalism and individualism, Kirby perhaps unwittingly steered the Servos family away from the entrepreneurialism that had provided them with their capital in the first place.

PETER CLAUS SERVOS

Peter Claus Servos continued with the operation of the Servos mills following the death of his father, John Dease Servos, in 1847. The Servos mills were among the first in Niagara Township, but over time several competitive mills were established along the Four Mile Creek to serve expanding local populations. By the time of the 1842 census, the Niagara District was one of three districts in Upper Canada that had the highest concentration of grist mills. In the 1851 census, the Servos mills were described as one grist mill with one run of stones worth £300 with about 20 horsepower capable of

³² See discussion in Berger, *The Sense of Power*, 178-9.

producing 48 cwt every 24 hours, and one saw mill with one saw worth £200 capable of producing 6,000 feet of lumber every 24 hours. The mills were operated by water power and two men were employed in their operation. There were two houses on the property, the family homestead of 1½ storeys, and another one-storey home that was used by the farm helpers.³³ The one run of stones confirms the small size of the Servos mills, and that they served a purely local market. An extra run of stones would have been required for the production of commercial grades of flour for export.³⁴

By the end of the nineteenth century, a total of 25-30 mills had been built on Four Mile Creek at various times, each of which had a dam, a mill pond and a mill race that affected the flow and direction of the creek. In addition, the development of the lands adjacent to the creek for households and farms both reduced water flow and added to the flow of run-off waters into the creek, thereby destabilizing the creek waters. Farmers no longer specialized on grains alone, and adopted mixed farming practices. The conditions in the Niagara area were particularly favourable for fruit farming. All these factors reduced the market for community mills like the Servos mills.³⁵

In 1851, there were two other grist mills listed on the Niagara Township census with a higher value than the Servos grist mill, one valued at £500 and one at £600. In addition, there were two other saw mills in Niagara Township besides the Servos saw mill; one of them had a greater value (£450) than the Servos saw mill and it was activated with steam power instead of the water power that operated the Servos mills.³⁶ By the time

³³ See 1851 Census, NHRC, microfilm reel no. 39. It is interesting to speculate that the one-storey house was the original house built by Daniel Servos at the King's Mills.

³⁴ Douglas McCalla, *Planting the Province*, 93-4 and 115.

³⁵ Jesse T. Ruley, "Along the Four Mile Creek," *Ontario History* 48(3) 1956: 111-5.

³⁶ See also William Henry Smith, *Canada: Past Present and Future: being a historical, geographical, geological and statistical account of Canada West* (Toronto: T. Maclean, 1851), 215-6.

of the 1861 census, it was noted by the census taker that the Servos mills were “not worked.” No value was attributed to the mills, and it was noted that the second house on the farm reserved for helpers was vacant.³⁷ In the face of competition from the other Niagara mills, the Servos mills did not modernize or expand, and new enterprises were not created to replace them. At the same time as the Servos mills declined in relative importance, Alexander Servos upgraded the neighbouring Pickard mill, demonstrating the entrepreneurialism of another branch of the family. In 1866, the Pickard mill was rebuilt – a second run of stones was added and a flour screen and silk bolt were brought in to replace the sieve used in the early days and in 1872 steam was introduced.³⁸

Bruce Wilson concluded that the growth of local industries such as milling was retarded by “inadequate local communications and limited markets, fluctuating prices and low returns” with the result that most first generation millers “could not rise much above the social level of their agrarian clientele.”³⁹ An authority on Canadian mills marks 1870 as the year of the “Decline of the Community Mills.”⁴⁰ Even so, Peter Servos continued with his milling on a small scale, and there are indications that he was still grinding grains through the winter of 1870.⁴¹ By the time of the 1871 census, however, Peter Servos was listed in the census only as a farmer – the mills are not mentioned.⁴²

An amusing story is told by Lorne Pierce, William Kirby’s biographer, revealing the emerging relationships between Kirby, the Servos family and loyalism. Kirby was always a devotee of the British royal family, and whenever royalty was in the region,

³⁷ 1861 Census, NHRC, microfilm reel no. 40.

³⁸ Alexander Servos article, NHS, Publication no. 5, 13-14.

³⁹ Wilson, The Enterprises of Robert Hamilton, 178.

⁴⁰ Priamo, Mills of Canada, 22.

⁴¹ See Peter Servos daybook, William Kirby papers, NHRC, C-3.

⁴² See the Index to the 1871 Census of Ontario, Lincoln Welland Niagara, Ontario Genealogical Society, Toronto, 1987, 232, but Peter Servos diary entry for February 22, 1870 shows that he was grinding at least as late as that date, NHS 2003007006.

Kirby would not be far away. When Albert Edward, Prince of Wales, visited Niagara in August 1860, the royal party visited the Servos farm at Kirby's suggestion. The guests arrived unannounced, and found Peter Claus Servos in an orchard busy picking peaches then in their prime. Servos, described by Pierce as a good-natured, unassuming man, called out to Kirby to show his friends around and not mind him. The Prince picked a luscious peach, and after taking a bite, exclaimed, "My how I wish my mother [i.e. Queen Victoria] could see and taste such delicious peaches." Peter Servos overheard the remark, but not having been introduced to His Royal Highness, called down through the branches of the peach tree in which he was working: "why the hell didn't you bring the old woman with you!" Pierce reports that the Prince could not conceal his mirth. When Servos was later introduced to the Prince of Wales, he was so angry according to Kirby, that he shunned Kirby's company for a week, and would not speak to him for months!⁴³

It is also reported that Peter Claus Servos was part of the honour guard during the Prince of Wales' visit to Niagara, and that he was one of the gentlemen presented to the Prince at Government House in Toronto on September 8, 1860 during the Prince's visit there.⁴⁴ The Prince's visit and the Kirby friendship gave Peter Claus Servos the opportunity to meet the Prince and further his social aspirations in that regard.

With the decline in the importance of the mills, Peter Claus Servos concentrated more and more on farming. He did much of the work himself, but he also used tenant farmers to increase the portions of the farm that were cultivated. The Toronto Globe reported in 1859 that the Servos farm "made a perfect picture of fertility and

⁴³ Pierce, William Kirby, the Portrait of a Tory Loyalist, 141-2; and Knowles, Inventing the Loyalists, 79. By 1977 the story had taken an additional twist: the Prince of Wales visit was by the Duke and Duchess of York (later King George V), the mother was Queen Alexandra, and the role of Peter Claus Servos was taken by a farm hand – see Niagara Advance historical issue 1977.

⁴⁴ Toronto Daily Star, September 10, 1860, 1.

abundance.”⁴⁵ In the 1850s and early 1860s, the Servos farm was the winner of many prizes at local agricultural fairs, and these awards were duly reported in the local newspapers. In 1862, the Servos farm won ten awards at the Niagara Township agricultural fair, but that was the last year in which the Servos farm was so honoured.⁴⁶

There were signs by 1856 that Peter Claus Servos was tiring of the farm. In that year, he attempted to lease out the bulk of the property to a tenant for a term of years. The property was described in a newspaper advertisement as “well watered, and adapted (sic) for the growth of wheat, and contains 130 acres of cleared land, a portion of which is Fall Ploughed.”⁴⁷ Milling and farming led Peter Servos into side ventures that were intended to assist the development of local industry, and may have reflected attempts on his part to proceed in an entrepreneurial direction at least in areas that were close to his farming operation. In 1858, Peter Servos was one of the organizers of an Association for the Production of Canadian Industry, and in 1870 he was a leading force of a joint stock company formed with the hope of establishing a granary and grain market.⁴⁸

The changes in Niagara’s economy came at the same time that Niagara itself was declining in relative importance in the Niagara Peninsula. Niagara’s decline commenced when the provincial capital was transferred to York in 1796, and accelerated with the burning of the town of Niagara during the War of 1812. The construction of the Erie and Welland Canals in the 1825-1837 period and the subsequent development of an extensive road network and the first railways shortly thereafter drew ship traffic, population and

⁴⁵ The Daily Globe (Toronto), September 29, 1859, p.1, c.8.

⁴⁶ The farm won prizes for cattle (1852 and 1862), horses (1855 and 1856), cows (1857), carrots, cabbages, cauliflowers, beets, melons, potatoes etc. (1859), and vegetables, apples and flowers (1862). See The Niagara Mail, October 13, 1852, p. 3, c. 1-2, October 24, 1855, p. 3 c. 1-2, October 22, 1856, p. 2, c. 8, October 7, 1857, p. 2, c. 4-5; Globe and Mail, September 29, 1859, p.1, c.8, and October 22, 1862, p.1, c. 4-7.

⁴⁷ Niagara Mail, February 27, 1856, p. 3, c. 4.

⁴⁸ Niagara Mail, June 9, 1858, p. 2, col. 6, and St Catharines Journal, February 2, 1870, p.3 c.1.

development toward Buffalo and St. Catharines and away from Niagara. The insolvency of the Niagara Harbour and Dock Company beginning in the 1840s marked the effective end of Niagara's importance as a port and ship building centre. In 1863, the removal of the county seat from Niagara to St. Catharines effectively sealed the fate of Niagara as an administrative centre. A contemporary account of Niagara in 1851 by William Henry Smith highlights the region's discouraging prospects:

It was once a place of considerable business, but since the formation of the Welland Canal, St. Catharines, being more centrally situated, has absorbed its trade and thrown it completely in the shade. The town, however, is airily and healthily situated, and is a pleasant summer residence, and will remain a quiet country town, frequented during the summer season by families having spare time and spare money, by health-seekers and hypochondriacs. Many schemes are projected by parties having property in the town to endeavour to resuscitate it, and bring back the trade of the olden times, but none of them promise sufficiently well to tempt those who must furnish the means to run the risk.⁴⁹

In the 1860s, Peter Claus Servos turned his attentions to local politics and political office. On February 9, 1859, Peter Claus was appointed justice of the peace (magistrate) for Niagara Township, and the proceeds of that office supplemented his income from the mill and farming operations.⁵⁰ The prestigious Tremaine Map of 1862 shows a large picture of the Servos farm titled "Residence and Grist Mill of Peter C. Servos, J.P., Township of Niagara," indicating the large scale and prominence of the farm operation with crops growing and animals grazing everywhere. However, the letters "J.P." following Peter Claus Servos' name indicate the growing importance of his position as

⁴⁹ Smith, Canada: past, present and future: being a historical, geographical, geological and statistical account of Canada West, 196.

⁵⁰ Niagara Mail v. XIII, February 23, 1859, no. 46, p. 3, col. 1. He was listed as a convicting judge on p. 1 of St. Catharines Constitutional September 18, 1862.

Justice of Peace, as well as the movement away from farming and milling. Peter Claus also accepted local positions from Niagara Township as fence viewer in 1860 and overseer of highways in 1865.⁵¹ There is no record that Peter Servos ever ran for elected office. However, he was a member of the organizing committee for a dinner held at the Stephenson House in St. Catharines at which John A. Macdonald, then Prime Minister of Canada, explained “the political questions now before the country.”⁵² In 1874, Peter Claus was mentioned in the local newspaper as chairing an election meeting at Niagara where the candidates for the provincial legislature were giving their views on the issues of the day.⁵³ And in 1884, he chaired the committee for the election of the Honourable J.B. Plumb, the conservative candidate for Member of Parliament in that year’s federal election.⁵⁴ In his political affairs, Peter Claus undoubtedly benefited from his loyalist background and association with William Kirby.

Peter Claus Servos was an “ardent abolitionist,” thereby taking sides in one of the great political debates of the time. One of the black families associated with the Servos family in Peter’s life time was the Berry family. A Berry descendant described the family’s relationship with the Servos family as follows:

A Col. Servos of Niagara-on-the-Lake, an ardent abolitionist (sic), went down to Virginia and helped some slaves to escape. He brought them to his town in Ontario. One of them was a child by the name of Caroline. She was raised in the home of Peter Servos and remained on as “free person and cook.” She died there in the early 1900’s.⁵⁵

⁵¹ Niagara Mail February 22, 1860, p. 2, col. 5, and March 22, 1865, p. 3, col. 1.

⁵² St. Catharines Standard November 24, 1867.

⁵³ St. Catharines Daily Times December 8, 1874, p. 2, c. 2.

⁵⁴ St. Catharines Evening Journal, January 27, 1884, p. 2, c. 4.

⁵⁵ See letter from Reverend Peter Carter, St. Peter’s Church and St. Anthony’s Church, 44 Lake Street, Le Roy, New York 14482 dated February 16, 1985 addressed “Dear Walter” in the possession of the NHS (Blacks in Niagara file).

The Berry family seemed to have been sponsored by the Servos family. Caroline's daughter, Leonora Berry was baptized at St. Mark's Church on April 17, 1878.

Peter Claus was also active in the militia, rising from ensign on September 7, 1847 to Lieutenant Colonel on February 16, 1869.⁵⁶ When the latter appointment was announced, the Niagara Mail editor called Peter Servos "an old and honoured name in the Regiment," and added: "In Lt. Col. Servos the 1st Lincoln will have a good and able commander."⁵⁷ Peter Claus Servos, Alexander Servos, and William Kirby were all with the militia during the Fenian Raids of the 1860s, and Peter Claus was one of 38 soldiers who answered the regiment's muster at the Niagara Town Hall on June 28, 1872.⁵⁸

In the 1870s, Peter Claus Servos encountered financial difficulties, and he resorted to mortgage financing to cover the shortfall. Also, by 1875 marital problems arose between Peter Claus and his wife Mary Servos (1827-1905) resulting from Peter's "alleged adulterous intercourse" with one Mary Canaille.⁵⁹ In that year, Peter Claus placed an advertisement in the local paper to the effect that "All persons are hereby forbid (sic) granting credit to the undersigned without his personal or written order."⁶⁰ Such an advertisement was usually intended to preclude local merchants from extending credit to a wife and then looking to the husband for payment.

The marital problems resulted in a separation, and the Servos farm, being the family's principal asset, was transferred as part of the settlement, through a series of

⁵⁶ See Niagara Mail September 15, 1847, p. 2, col. 4 (ensign), February 15, 1854, p. 2, col. 6 (lieutenant), November 10, 1858, p. 2, col. 4 (lieutenant), February 24, 1869, p. 2, col. 1 (captain). Peter Servos' commissions are in the NHS, ensign September 7, 1847 (FA69.3.170), lieutenant February 13, 1854 (FA69.3.163), captain April 27, 1859 (FA69.3.151), Lieutenant Colonel March 1, 1870 (FA69.3.165).

⁵⁷ Niagara Mail February 24, 1869, p. 2, c. 1.

⁵⁸ See Mrs. E. Ascher, "No. 1 Company" in NHS, Publication no. 27, (Niagara, Ontario: Niagara Historical Society, 1915), 71.

⁵⁹ The Toronto Globe October 25, 1880, p.3, c.3.

⁶⁰ St. Catharines Daily Times May 4, 1875, p. 2, c. 2.

deeds, from Peter Claus to Mary Servos through the intermediary of her lawyer for the purchase price of \$7,500.00. The farm was then mortgaged by Mary Servos to John D. Servos (one of their sons) in trust for the benefit of Peter Claus Servos, for the entire \$7,500.00 purchase price, to secure the payment to Peter Claus of the sum of \$150.00 payable annually on each August 12th and also “the board and lodging and washing and the provisions in the home where he now resides to be provided for Peter C. Servos during the remainder of his lifetime.” To carry out the purchase, Mary Servos used funds inherited from her family for the purchase price, and Peter Claus used the sale price to pay some debts that he had accumulated. The reference in the mortgage to “the home where he now resides” leads to the conclusion that Peter Servos no longer resided in the family homestead. In fact, he no longer appeared in the Niagara Township records after that time, and his name does not appear in the 1881 Niagara Township census. It appears that at the time of the separation, Peter Claus Servos moved to a farm of 200 acres in Mosa Township that he had purchased in 1855. To secure the ownership of the Mosa farm from Mary’s matrimonial rights, Peter Claus arranged for the farm to be transferred from time to time to a trustee (at times his son John D. Servos and at other times a local lawyer) who agreed to hold title on terms that the property would be transferred or mortgaged at the direction of Peter Claus Servos.

After the Servos farm was transferred to Mary Servos, the ability of Peter Claus to earn a living was further impaired. By October 1880, Peter Servos had become once again “pecuniarily embarrassed” and he initiated an action in the Chancery Court against Mary Servos for funds to pay additional debts he had incurred in the amount of \$1,000.00. In connection with his action, Peter also filed a lien against the title to the

Servos farm. The action was unsuccessful and the Court dismissed his claim and ordered the discharge of the lien filed against the Servos farm title.⁶¹ To make ends meet, Peter mortgaged the Mosa property and by 1885 the sum of \$4,800.00 was owing to mortgage creditors.⁶² Peter's mortgage from Mary Servos on the Servos farm title remained outstanding during his lifetime and was discharged on January 23, 1888 after his death.⁶³

Peter Claus Servos died at Alvinston, Ontario of "appoplexy" on December 26, 1887 at the age of 65.⁶⁴ Mary Servos did not permit her husband to be buried in the family graveyard, so Peter Claus was buried in St. Mark's cemetery in the Town of Niagara in a plot owned by another branch of the Servos family. The gravestone has nine names on it. Four names on the front of the gravestone and four on the back are evenly spaced, and the fifth name, that of Peter Claus Servos, is carved at the bottom of the back of the gravestone, obviously an afterthought – even the carving style is different. The part applicable to Peter Claus reads "Peter C. Servos, 1822 – 1887." Peter Claus was the first generation of the Servos family in Canada not to be buried in the family graveyard.

In his will, Peter Claus left the sum of \$400 plus the household furniture and effects to his "housekeeper," Mary Ellen Kanally (sic), likely the same person, although the spelling of the name differs, as the Mary Canille involved in the 1875 "alleged adulterous intercourse." This was a large bequest and the only one made to a non-family member. The will provided that the proceeds of sale of the Mosa property were to be given to the four children of Peter and Mary Servos. However, Peter's executors failed to

⁶¹ The Toronto Globe October 25, 1880, p. 3, c.3.

⁶² The property was lots 6 and 7, concession 9, Township of Mosa, County of Middlesex. The documents referring to Peter Claus Servos ownership were nos. 5229, 5325, 5397, 5406, 6009, 6019, 6440, 6453, 6800, 7581, 7595, 7602, 7671, 7745, 7775, 8204, 8630, 8631 and 10,623 in the land registry office.

⁶³ See instrument no. 1387, 1388 and 1389, all dated August 12, 1879 and registered the next day. The discharge of the mortgage was instrument no. 2340 registered January 23, 1888 in the land registry office.

⁶⁴ Peter Claus Servos death registration, Ontario Archives microfilm reel no G.S. 935, reel 51.

pay the outstanding mortgage on the Mosa property, so the mortgagee eventually sold the property. Title to the property was also defective and between the actions of the mortgage creditor to recover the mortgage debt and the efforts of purchasers of the property to acquire legal title, the ownership of the property was not finally cleared up until 1892. Mary Servos was not included as a beneficiary in the will of Peter Claus Servos.⁶⁵

The departure of Peter Claus marked the effective end of the Servos enterprises on Four Mile Creek. The life of Peter Claus Servos represented the transition in the Servos family from entrepreneurialism to reliance on agriculturalism and government positions, both political and military. In the process, the family became more managerial and dependant on the political implications of loyalism.

MARY SERVOS

Life could not have been easy for Mary Servos after the departure of her husband. She raised the four Servos children and continued with the farm operation, using outside workers and services to perform blacksmith chores, grind the grains, and help with the farm work as necessary. In 1888, Mary, at that time living on the farm with one son and one daughter, described her life in the following terms:

I live on a farm. I manage the farm. My son has no interest in the farm. We do not work the farm on shares. I do not depend on him for my support. I manage my own affairs and live on my own means. I am 60 years of age. I own by my own right the farm I live on. I own all the stock and chattels connected with the farm.⁶⁶

⁶⁵ In his will, Peter left \$100 to each of his sisters (Elizabeth Aiken and Eureka Secord), \$400 and the household furniture and effects to his housekeeper (Mary Ellen Kanally), his gun and his watch to his son (John Dease Servos), and the balance of his estate to be divided among his children, John Dease Servos (1849-1907), Francis William Servos (1849), Margaret Marilla Servos (1854-1905), and Mary Elizabeth Olivia Josephine Servos (1859-1942). Probate of will of Peter Claus Servos, Ontario Archives microfilm reel no GS 2-69, no 1241; Lib C p. 466, p. 612; Ontario Archives microfilm reel no GS 942, reel 3, AtoZ, 1988, origin Index Books RG 8025010.

⁶⁶ Examination of Mary Servos, April 20, 1888, NHS 2002044188.

To raise additional money for her family's needs, Mary Servos sold a small triangular 7¼ acre parcel of the Servos farm to a neighbour (Snyder) in 1883 after the lands were cut off from the main farm by a road widening of Four Mile Creek Road, and she mortgaged the farm in the amount of \$3,000.00 in 1887. The mortgage was paid off and discharged in 1898.⁶⁷ Mary Servos kept meticulous records of her farm and household accounts, ensuring that each bill was in writing and receipted when paid.⁶⁸

In the male dominated Victorian age, Mary stood her ground when necessary. In 1887, she sued Niagara Township for negligence in maintaining a bridge after the horse-drawn carriage she was driving home late one evening slid off the bridge and she was injured.⁶⁹ In 1890, Mary was sued in the courts by a man named Logan whom she had evicted from a house on her farm. Logan sued for wrongful dismissal and trespass and won a judgment of \$100.00. At the time of the eviction, Logan's wife had recently been confined, one of his children was suffering from concussion, and a second child was sick with inflammation of the liver.⁷⁰ Then, when pigs owned by her neighbour, J.G. Bernard, ruined Mary's wheat, she went after him for damages, and when her neighbours to the east, members of the Ball family, possibly relatives of hers, made greater use of Four Mile Creek to water their cows than Mary found acceptable, Mary fenced off the creek and prevented access by the Balls altogether. The Balls sent a threatening letter and sued Mary in 1902, eventually resulting in the removal of the offending fence.⁷¹

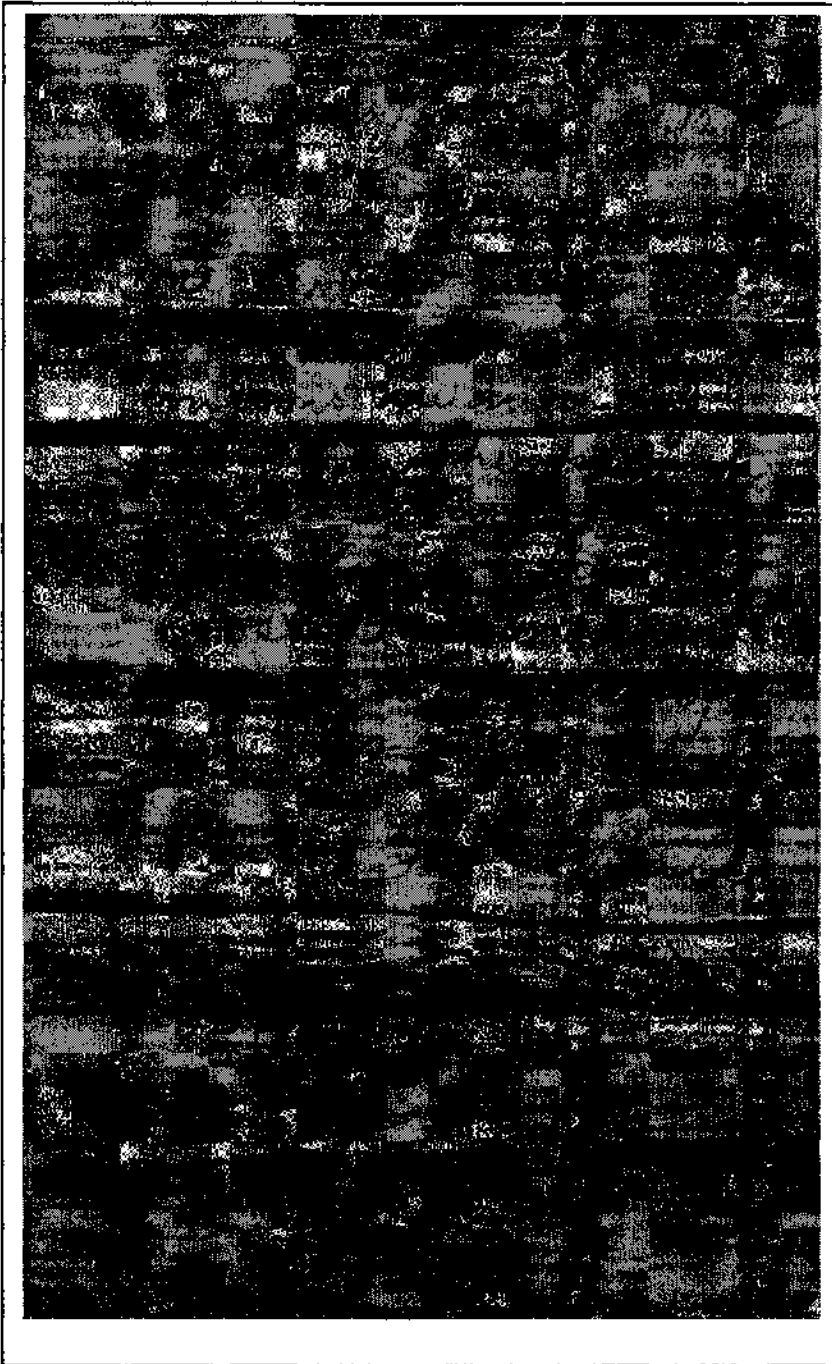
⁶⁷ See no. 2318 in favour of Watts S. Lansing registered in the land registry office on April 28, 1887.

⁶⁸ Mary Servos correspondence in NHS, boxes 144, 148 and 153 and Tin Box.

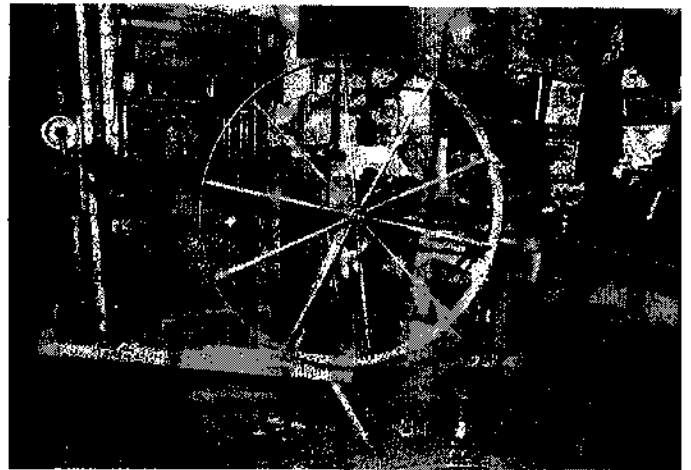
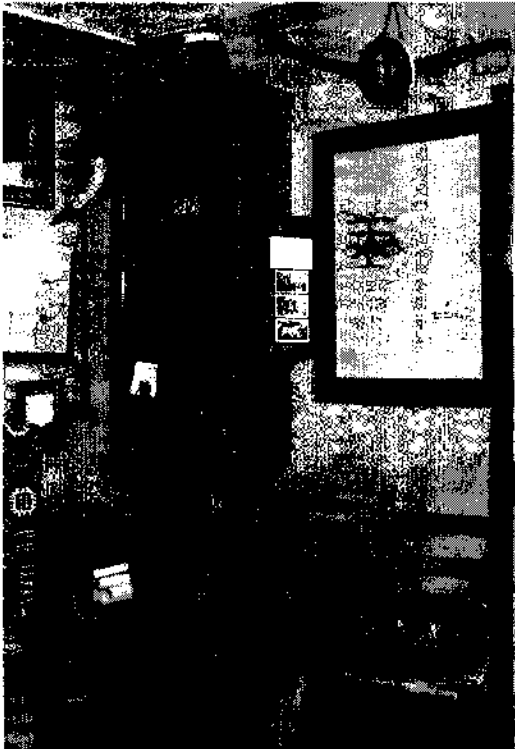
⁶⁹ Examination of Mary Servos dated April 17, 1888, NHS 2002044188.

⁷⁰ Globe and Mail May 8, 1890, p.5, c.1. Mary's first name does not appear in the article. There was one other Servos farm in the area on lot 193, but the likelihood of the person in the article being Mary is high.

⁷¹ NHS, Servos collection, 2003 007 054C.



Letter from Thomas N. Ball to Mary Servos dated May 15, 1902 dealing with the boundary dispute on Four Mile Creek, Niagara Historical Society Servos Collection.



Servos household, showing artifacts, Niagara Historical Society pictures, nos. 2002 044 053, 54, 55, 64 and 68, taken October 17, 1939. The house interior resembles a museum.

In addition to her connection through marriage to the loyalist Servos family, Mary was also a direct descendant of Captain Bernard Frey of Butler's Rangers, another loyalist.⁷² Mary's principal activities (farming and raising her family) did not permit her the luxury of celebrating the history of the Servos or Frey families or even the time to exploit her loyalist background. Nevertheless, several instances of Mary's appreciation of loyalist history have survived. The Kirby biography was of course written during Mary's period of ownership of the Servos homestead.⁷³ Mary was also connected with the Niagara Historical Society through her association with Janet Carnochan, the Society's first curator. In 1899, Carnochan wrote the first of many articles to come on the Servos family and homestead, which appeared in publication no. 5 of the Society's publications.⁷⁴ John D. Servos was involved in the organization of the Niagara Historical Society in 1896, and further evidences the interest of the Servos family in local history.⁷⁵ It was during Mary's ownership of the Servos farm that a small room at the back of the Servos homestead was converted into a museum for display of the documents and artifacts associated with four generations of the Servos family.⁷⁶ On July 16, 1892, Mary attended the centennial celebrations for the founding of Upper Canada as a representative of the "oldest UEL stock." A newspaper account quoted Mary saying that "the occasion was of great joy to them, as they were "the most loyal of the loyal."⁷⁷ William Kirby's influence can be seen in the quote. In 1893, Mary is reported as attending a meeting of the Lundy's Lane Historical Society at which the 79th anniversary of the Battle of

⁷² Mary Servos was the daughter of John Ball and Margaret Frey, both loyalist families.

⁷³ "Memorials of the Servos Family" was first published in the Canadian Methodist magazine in 1883, reprinted by the Lundy's Lane Historical Society, and then by the Niagara Historical Society (1901).

⁷⁴ See Janet Carnochan, "Palatine Hill" in NHS, Publication no. 5 (Niagara, 1899), 18-20.

⁷⁵ The Niagara Times March 5, September 3, and October 22, 1896.

⁷⁶ See letter Ross to Servos, NHS 2003 007 054H, box 153 referring to Mary's "historical room."

⁷⁷ The Toronto World July 18, 1892, 3-4, NHS 2002 044 388, box 152.

Lundy's Lane was commemorated.⁷⁸ Mary Servos became a member of the United Empire Loyalists' Association in 1899, and in April 1904 she hosted a tea at the Servos homestead during a visit that the UEL Association made to Niagara.⁷⁹ Finally, Mary maintained the family's affiliation with St. Mark's Church, and in 1885 she was one of the first women named as being present at a meeting of the St. Mark's Vestry, which had theretofore been a male dominated gathering.⁸⁰

The Servos homestead acquired a name in Mary's time, a name that was not associated with the Servos family. From the time of Daniel Servos, the Servos mills were known as the Four Mile Creek mills, but during the late nineteenth century, the Servos farm became known as "Palatine Hill." The naming of the Servos homestead perhaps reflects the social pretensions of the Servos family at the time. The name (Palatine Hill) that was selected for the Servos farm is often thought to have highlighted the family's German origins and the importance of Palatine values to the family's success. A district of New York State's Tryon County near the family's home on the Cayadutta Creek was known as the Palatine District, and the Servos family had lived in the German Palatinate prior to embarking for North America in 1726. However, the addition of the word "Hill" to the name of the family homestead is intriguing and perhaps shows the influence of a classical scholar such as William Kirby who would have attributed such a word in Roman antiquity to the seat of power of a local person of prominence. The Servos property is not marked with a single hill although there are variations in land levels that one would expect to find with rising banks and land undulations near a creek such as Four Mile

⁷⁸ Thorold Post July 28, 1893, p. 6, c. 5.

⁷⁹ See Toronto Daily Star April 14, 1899, p.5, c.6; and United Empire Loyalists' Association, Annual Transactions, vol. 6, 20.

⁸⁰ Fred Habermehl and Donald L. Combe, St. Mark's, Persons of Hopeful Piety (Niagara-on-the-Lake: St. Mark's Anglican Church, 2000), 86.

Creek. The adoption of a formal name for the homestead probably occurred after 1883, as the name is not mentioned in Kirby's biography published that year.

Mary Servos died in 1905, and was buried in the family graveyard. During her lifetime, Mary managed the Servos farm herself, and was the last family member to do so. She also initiated the family's connection with the various historical organizations such as the UEL Association, the Niagara Historical Society and Lundy's Lane Historical Society, and she began the process of glorifying the family's loyalist origins through the historical societies, her museum and the historical accounts that began to appear from loyalist authors such as William Kirby and Janet Carnochan. Mary's activities thus laid the foundation for other family members to exploit the family's historic roots.

MARGARET MARILLA AIKINS

In her will, Mary Servos divided the 311 acres of the Servos farm then remaining in the family's hands between her two daughters, Mary Elizabeth Olivia Josephine Servos (M.E.O.J. Servos) (1859-1942) and Margaret Marilla Aikins (1854-1905) who had married James Aikins.⁸¹ They would be the last members of the Servos family to obtain ownership of the Servos farm on Four Mile Creek. The portion of the farm containing the mills and the family homestead and adding up to approximately 186 acres was devised to M.E.O.J. Servos. The balance of the farm, consisting of the westerly 111 acres of the farm plus a strip of about 14 acres extending "along the southerly boundary

⁸¹ Probate of Will of Mary Servos dated July 22, 1905 registered in the land registry office as no. 1118. It appears that Mary Servos was predeceased by her two sons, or that they were in a position where they looked after themselves as they were not included in her will.

of my said homestead farm for the privilege of getting water from the creek for farm stock” in connection with the 111 acres, was conveyed to Margaret Marilla Aikins.⁸²

Margaret Marilla Aikins died unexpectedly the next day after her mother’s death, and she was buried in the Aikins family plot in St. Mark’s cemetery. By the terms of her will, her share of the Servos farm went to her heirs, all members of the Aikins family. The Aikins heirs were absentee owners. After acquiring the 125 acre Aikins parcel, they rented the parcel out for farming purposes, and then tried to sell the parcel on the open market. When their efforts to sell were unsuccessful, the lands were mortgaged to The Royal Trust Company for the sum of \$3,000.00. The Aikins family failed to make the payments on the mortgage, and in 1941 the mortgagee foreclosed the mortgaged lands and the lands passed out of the ownership of the Servos (Aikins) families.⁸³

M.E.O.J. SERVOS

M.E.O.J. Servos was the fifth generation to live in the Servos homestead. She received a formal education at the Camage Private School and at Loretta Academy in Niagara Falls, and she was a member of St. Mark’s Church. During her lifetime, M.E.O.J. Servos hired third party farmers to farm the homestead property instead of trying to work the farm herself.⁸⁴ At the same time, she acted as “chatelaine of the remnants of Daniel Servos’ empire,” trying to keep up the family image, entertaining guests, holding an

⁸² Soon afterwards the M.E.O.J. Servos lands were surveyed into three parcels, totaling 192½ acres, one parcel of 49 1/10 acres, one with 134 acres, and the third of 9¼ acres. M.E.O.J. Servos was married to Samuel H. Snider, M.D. on June 30, 1921 in the family homestead. Snider died in 1937 at his son’s home in South Bend Indiana, Niagara Advance November 23, 1937, p.1.

⁸³ See instrument nos. 6268, 6434, 7575, 8543, 9832 and 9974 registered in the land registry office. The heirs of Margaret Marilla Aikins were William Herbert Ball Aikins, Josephine Beatrice Servos Aikins, James Francis Clark Aikens, Arthur Edward Frey Aikens, and James Aikins.

⁸⁴ See agreement dated April 1, 1940 between M.E.O.J. Servos and Charles Caughill providing for two year lease of farm (3 year option to renew) for £175 p.a., supply 5 bushels each of apples, potatoes, fruit to can or preserve for her own use, keep up fences, half of drift and down wood (no trees to be cut down), cut for stove wood, manure and dig flower beds and circle, and lawn at house, cut grass and remove from cemetery, NHS 2002044196.

annual party every June to celebrate her birthday, traveling abroad, and letting the local newspaper know about it.⁸⁵ On June 30, 1921 at the age of 61, she married Dr. Samuel H. Snider of Detroit at the Servos homestead, and after her marriage the traveling became more frequent.⁸⁶ Nevertheless, M.E.O.J. Servos continued to take care of the homestead and to celebrate its history, and she took every opportunity to publicize the Servos family exploits and homestead in the media. At a later date, Dr. Snider returned to Detroit to live with his family, leaving M.E.O.J. Servos more or less alone in the Servos homestead.

On Easter Day in 1911, the Servos mills were knocked down during a storm. In 1914, an article in the Toronto Globe, titled "The Romance of an Old Loyalist Family, the Servoses of Palatine Hill," drew attention to the Servos homestead after the mills fell down and expressed concern that "landmarks of Canada's early history are passing one by one."⁸⁷ M.E.O.J. Servos introduced many visitors to the museum in the Servos homestead, and by 1927 the museum was becoming well known in the historical community. One visitor to the homestead wrote that M.E.O.J. Servos "was very careful to collect and arrange a large number of relics, such as armour, swords, rifles, furniture, etc., which from the historical standpoint are invaluable," and another visitor referred to a "treasure room" where the "most historic and valuable relics of the Servos family have been gathered together for preservation."⁸⁸

⁸⁵ M.E.O.J. Servos was referred to as chatelaine in an article in the Toronto Daily Star July 18, 1935, p. 24, c.6. See also Joy Ormsby, Unpublished manuscript, 1996, NHS, Servos file. See also reports of M.E.O.J. Servos' social activities in Niagara Advance March 13 (p. 4), June 19 (p. 5) and August 14, 1919 (p. 5) and Toronto Daily Star, July 26, 1907, p. 11, June 13, 1908, p. 9, December 17, 1908, p. 14, July 9, 1927, p. 21, April 13, 1934, p. 28, c. 1, 2.

⁸⁶ Local folklore claims that each of M.E.O.J. Servos and Dr. Snider thought that the other of them was financially well-off, and when the truth appeared they separated.

⁸⁷ The Globe May 2, 1914, copy in Ontario Archives RG17-21, Box 2, File G-928-44, Serviss/Servos/Service.

⁸⁸ Wilson, "Palatine Hill, the Historic Servos House," 33 ff; A.E. Combs, History of the Niagara Peninsula and the New Welland Canal (Toronto: Historical Publishers Association, 1930), 57.

M.E.O.J. Servos also took steps to establish the family name in the religious community. She arranged for the construction of a large marble monument, rivaling that of John Dease Servos, to mark her mother's grave which reads "Sacred to the memory of Mary Ball Servos born August 23, 1827, died at Palatine Hill May 9th, 1905. At Rest."⁸⁹ At the foot of Mary's grave on the left side is a footstone with the word "Mother" carved on it, perhaps indicating her intention at a later date to provide for her own burial beside her mother's grave. M.E.O.J. Servos also arranged for two tablets to be installed in the Anglican Church at Virgil, Niagara-on-the-Lake, which read "In Memoriam, Capt. Daniel Servos, of Butler's Rangers, U.E.L., who died March 26, 1803, age 65" and "Col. John D. Servos, born at Niagara, 1784 – Capt. Of the Lincoln Militia, during the war, 1812-1815. Commanded the militia at Chippewa during the Rebellion 1837-1838, died April 24, 1847."⁹⁰

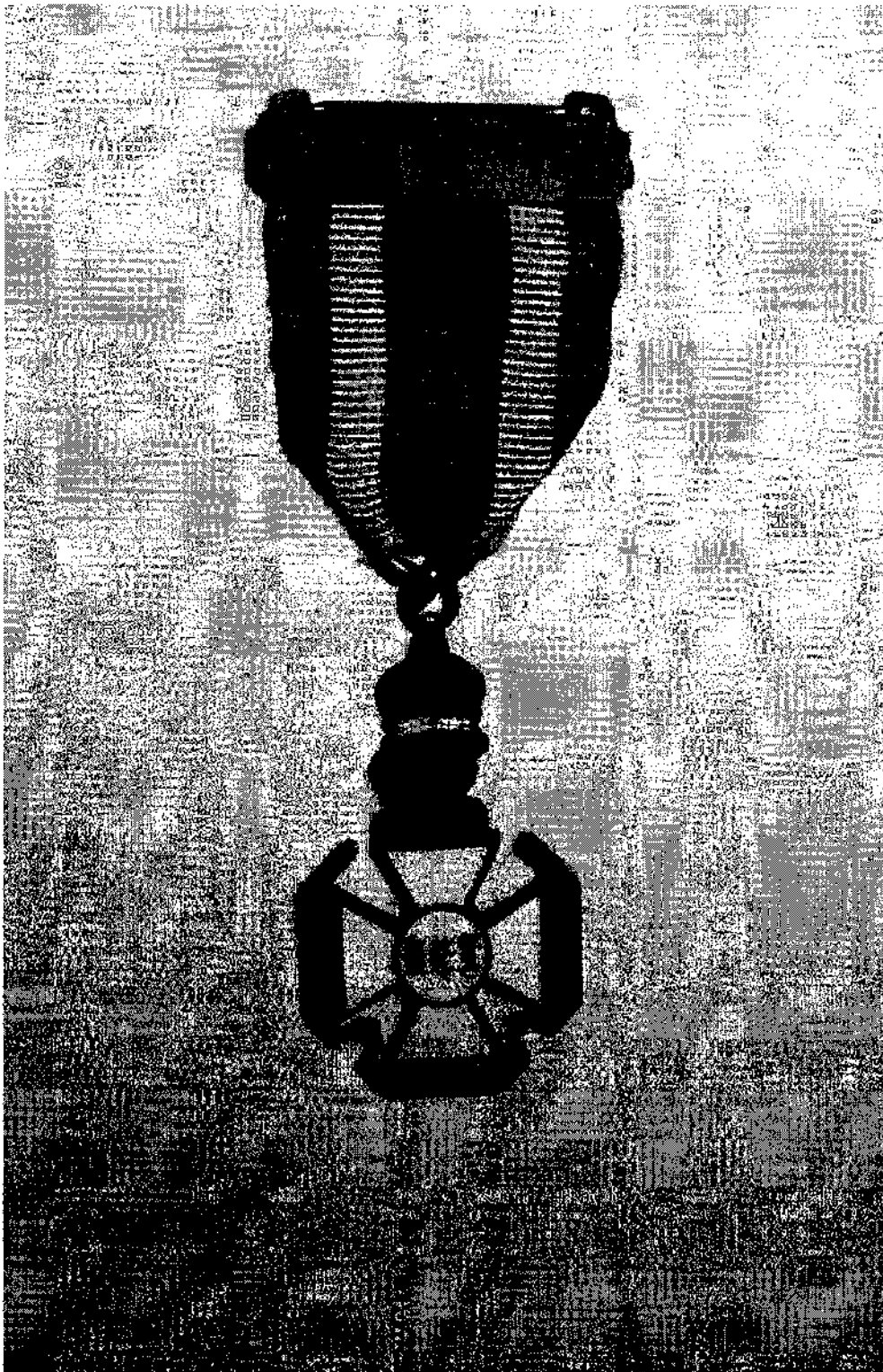
In 1923, M.E.O.J. Servos conveyed the Servos family graveyard, by then known as "God's Acre," to trustees for the operation of the family cemetery. The trustees were members of the Hahn family, then prominent members of the Toronto artistic community.⁹¹ By the time the graveyard was conveyed to the Trustees, four generations of the Servos family had been interred in the cemetery. Then, on May 6, 1928, M.E.O.J. Servos arranged for the graveyard to be consecrated by the Right Reverend Derwyn T. Owen, D.D., L.L.D., the Anglican Bishop of the Diocese of Niagara, and the occasion was duly recorded in the daily newspapers.⁹²

⁸⁹ Ontario Genealogical Society, study of Servos family graveyard no. 3354.

⁹⁰ W.G. Rieve M.D., W.G. Rieve Collection Cemetery Records and Genealogical Notes of the Niagara Area. 3 volumes. Toronto: Ontario Archives, MS 198, 12.

⁹¹ Emmanuel Hahn was a well know sculptor and both Hahns were well know in the music world.

⁹² See "Old Cemetery Consecrated" in St Catharines Standard May 9, 1928, 5, c. 1,2.



United Empire Loyalists medal, in the possession of the Niagara Historical Society, issued to M.E.O.J. Servos by the United Empire Loyalists Association, Toronto Branch, NHS 995.229.

As her mother had done, M.E.O.J. Servos associated herself with organizations interested in historical preservation. In 1917, M.E.O.J. Servos joined the Women's Institute at Niagara, but she did not become actively involved in its activities and by 1925 she ceased to be a member.⁹³ In 1916, she became a non-resident member of the UEL Association at Toronto, and through that association she acquired a whole network of persons interested in the heritage of the Servos family who were willing to assist her in publicizing the Servos homestead and family origins. From the UEL Association, she received and displayed the UEL medal granted to the Servos family in commemoration of its loyalism. The UEL medal is now on display in the Niagara Historical Museum.

In July 1927, M.E.O.J. Servos received a visit at the Servos homestead from the Hamilton, Brantford and Toronto branches of the UEL Association to celebrate the King's birthday. The Toronto contingent, led by Majors M.S. Boehm and V.M. Howard, president and secretary of the UEL Association, went by the ship Northumberland to Port Dalhousie, and then by special car to the Servos homestead.⁹⁴ In July 1927, M.E.O.J. Servos was prominently featured at a United Empire Loyalists gathering at a "gay garden fete" at the Crescent Road (Rosedale) home of General and Mrs. Cawtha Elliott.⁹⁵

On one occasion (November 26, 1927), M.E.O.J. Servos was front page news in the Toronto Daily Star, in an article that reported her family's efforts to recover from the United States the value of a ship seized by the Americans on June 5, 1812 immediately prior to the commencement of the War of 1812. Although not directly involved in the proceeding, M.E.O.J. Servos was widely quoted in the front page article, and her picture

⁹³ See Women's Institute records, NHS box 211, particularly 978.515 (minute book). The Niagara Women's Institute was formed July 3, 1911, NHS, Publication no 37, 32-51.

⁹⁴ Toronto Daily Star January 6, 1932, p. 22, c. 6; Toronto Evening Telegram Monday June 6, 1927 (copy in NHS box 13, X988.5.220); Toronto Daily Star, July 15, 1935, p.9, c.5 and July 18, 1935, p. 24, c. 6.

⁹⁵ Toronto Daily Star, July 9, 1927, p. 21.

appears there together with pictures of the Servos family homestead and one of the chairs in her possession believed to have been in use at Upper Canada's first parliament.⁹⁶ By 1931, the Toronto historical community began to take the first steps toward assisting M.E.O.J. Servos with preservation of the Servos homestead. On November 25, 1931, a resolution was passed at the Women's Institute convention seeking to secure the homestead "as a Canadian landmark and museum."⁹⁷ The Women's Canadian Historical Society devoted the proceeds of a bridge held at the Sherbourne House in February 1932 to "the restoration of the old Servos homestead at Palatine Hill, Niagara-on-the-Lake."⁹⁸

Other Servos family members began in the 1920s to publicize the family's loyalism in different ways. In 1926, John R. Servos, a descendant of Jacob Servos and himself a member of the UEL Association, presented a paper to the UEL Association's December meeting titled "Memoirs of the Servos family." The paper included a summary of the family's loyalist history and pictures of the Servos homestead and its contents including the parliamentarian chair. The paper was published in the Annual Transactions of the UEL Association for the year 1926.⁹⁹

Also in the 1920s, Launcelot Cressy Servos (1879-1969), a descendant of Daniel Servos, wrote a series of one act plays and operas commemorating the history of Canada. Both the content and the themes of the productions reflect the pervasive influence of William Kirby. Chief among the productions were the play "Chien d'Or" named after

⁹⁶ Toronto Daily Star p. 1, November 26, 1927 and February 17, 1930 p. 3. The proceeding involved the seizure of the ship Lord Nelson from W&J Crooks. A grandson of Daniel Servos had married Margaret Crooks, the daughter of James Crooks, and thus brought the Servos family into the proceeding. M.E.O.J. Servos did not participate in the award (\$15,546) because she was not a descendant of the Crooks-Servos branch of the Servos family. The award was paid 118 years after the claim was initially filed.

⁹⁷ Toronto Daily Star November 25, 1931, p. 30, c. 1, 2.

⁹⁸ Toronto Daily Star January 6, 1932, p. 22, c.6.

⁹⁹ John R. Servos, "Memoirs of the Servos Family." in United Empire Loyalists' Association, Annual Transactions, vol. 8, 140-150.

Kirby's most famous novel, the play "They laid the Foundations" set at the time of the 1837 Rebellion, and the grand opera "Builders of an Empire" set in Niagara in 1785.¹⁰⁰

The grand opera (Builders of an Empire) is divided into three acts with approximately 40 musical numbers in rhyming couplets. The opera, billed as "the Outstanding All-Canadian Radio Program of the Season," was first performed by the Robert Simpson Light Opera Quartet and Concert Orchestra on Toronto radio station CKCL on June 19, 1929.¹⁰¹ On their arrival at Four Mile Creek, the Servos family sings:

O happy land; that seeks in scenes like these
The harmless pleasures that uncloying please
Where Peace and Industry, with sober hand
Divide the bounty of the fruitful land
Where Law's broad aegis guards the sacred soil
And Freedom sweetens all the Yeoman's toil
Such Canada, my honored Country thou
My theme, my crown, my choicest wish below
May no strange Gods invade thy happy bowers
And claim the homage due thy native powers
May no base feuds distract thy generous mind
Nor luxury corrupt, nor vice unbind
But sacred keep thy virtues and maintain
Thy Freedom and thy rural reign (p. 7)

The Servos family is then joined by Colonel John Butler, Joseph Brant, and a host of Butler's Rangers and Indians who help Daniel Servos build his house on Four Mile Creek. Colonel Butler welcomes Daniel Servos to Upper Canada in the following terms:

I Ranger John speak as I take your hand
Such is the custom of the Forest Land
A worthy stranger in our woodlands come
To live among us and erect his home . . .
Notch fitting notch, till pleasant in the wood

¹⁰⁰ Note that Ranger John is the main character in Kirby's The U.E.; A Tale of Upper Canada. See Builders of an Empire, no. D-53877 on microfilm reel no. 8, copyright Canadian Dramas Unpublished 1906-1942 (not inclusive) 1918-1920 D50053-54289 10.10-10.29, Mount St. Vincent University, Halifax, Nova Scotia. Newspaper articles regarding the opera are contained in the Launcelot Cressy Servos file in the History Room of Niagara-on-the-Lake's public library.

¹⁰¹ Toronto Daily Star June 18, p. 16.

An ample cabin in the clearing stood (p. 8)

In act two, Daniel Servos offers refuge to Sambo, a runaway slave:

Unhappy man come'st thou then
To find a refuge from that Southern den (p. 14)

Sambo had overheard plans of an impending attack from American rebels scheduled to occur on the following day, and alerts Daniel Servos in the following way:

A dark conspiracy they had in hand
Combined with traitors in your slumbering land
And from their speech I gathered it was their aim
Soon to burst forth Rebellion's sudden flame
Amid the wild confusion, like a flood
To sweep your shores with rapine, fire and blood (p. 17)

In act three, Servos, Butler and Brant, with the Rangers and the Indians, defeat the rebels on the banks of the Niagara River. One traitor (Dogwood) is sent over Niagara Falls in a canoe to his death; Colonel Butler's son (also a traitor) is shot by the rebel leader (Ranslaer); and a third rebel is scalped on stage in an especially gruesome manner. The victorious Rangers and Indians sing:

Such is the fate of every hostile band
That lifts war's banner in the Forest Land (p. 24)

The themes found in Builders of an Empire of rural life, initiative, loyalism, militarism and opposition to slavery would have pleased earlier generations of the Servos family, as well as William Kirby, and in any event reinforced the legacy of the Servos family in an operatic format. With the public exposure from the performance of the opera, Launcelot Servos set about to create a new Canadian Dramatic and Operatic Society for the production and performance of Canadian operas. At first, funding for the society appeared to be available and plans were made to stage the opera in the Royal York Hotel in Toronto with a view to placing it afterwards in a Toronto theatre for a

longer run, and then following it up with other Canadian opera and plays.¹⁰² The plans were, however, ultimately upstaged by the oncoming depression of the 1930s.

The publicity received by the Servos family did not assist them with payment of the maintenance costs of the Servos homestead. In 1911, two parcels of the Servos farm, one of 20 acres (Byssche) and one of 49 acres (Kemp-Welch), were sold by M.E.O.J. Servos to cover expenses.¹⁰³ During the depression years of the 1930s, M.E.O.J. Servos was confronted with a seemingly insurmountable array of financial problems including back taxes, the need for repairs, her own inability to maintain the property due to her advancing years, and the loss of the farming tenant who had been paying a small rent to her. Non payment of taxes could not usually be ignored. However, a Notice of Uncollected Taxes as at January 1, 1936 from Niagara Township showed that total unpaid taxes of \$793.47 for the years 1931 to 1935 could not be collected because there was “nothing to distrain” on the Four Mile Creek property.¹⁰⁴

In 1935, M.E.O.J. Servos was approached by M.V. Morrow of Buffalo, who thought the Canadian government should take over the Servos farm and preserve it for posterity. The Americans had restored Fort Niagara on their side of the border, and Morrow thought that Canadians should do likewise with the Servos homestead and Niagara’s Fort George, the old British fort on the west side of the Niagara River. About the same time, M.E.O.J. Servos received a visit from a representative of the New York State Museum at Albany, New York, who apparently considered purchasing the

¹⁰² Toronto Daily Star October 17, 1929, p.9, c.5, October 26, 1929, p. 7, c. 7, January 25, 1930, p. 9, c. 5.

¹⁰³ See instrument nos. 5372 and 5315 in the Land Registry Office.

¹⁰⁴ Notice of Uncollected Taxes, Municipality of the Township of Niagara, NIIS 2002 044 232.

homestead and relocating it to New York State.¹⁰⁵ These initiatives alerted M.E.O.J. Servos to the possibility of having her property taken over by an organization that would provide her with the means to live out the remainder of her life in the homestead.

On July 17, 1935, a large group of the UEL Association membership visited Palatine Hill, and a group photograph was taken. Following that visit, on July 27, 1935 M.E.O.J. Servos offered the property for sale to Mrs. J.A. Harvey, sometimes called the “leading spirit of the United Empire Loyalists,” who had been successful “several years ago, in raising a sum of money to go towards the preservation of this historic old place (i.e. the Servos homestead).” It may be that M.E.O.J. Servos’ note to Mrs. Harvey was sent at the request of Mrs. Harvey so that she (and the U.E.L. Association) could assist her in marketing the property. In any event, the note outlined the requirements of M.E.O.J. Servos for “\$10,000 plus room and board for the remainder of life: allowed to remain in the house at liberty, have privilege of reserving a few keepsakes, would require at least \$3,000 cash to settle all debts; balance in mortgage.” In the offer, M.E.O.J. Servos proposed that the Servos homestead site be named the “Daniel Servos Memorial Park and Museum,” and that a museum be built to house many of the historical artifacts in her possession.¹⁰⁶

Mrs. Harvey, through the auspices of the UEL Association and using M.E.O.J. Servos’ note as a basis for negotiations, lobbied the Province of Ontario to take over the Servos property. The negotiations involved the office of the Premier of Ontario (Honourable George S. Henry), the Minister of Highways (Honourable T.B. McQuesten),

¹⁰⁵ Buffalo Evening News article 1935, Leroy E. Fess, copy in NHS Servos file. See also Servos file in the Niagara Parks Commission, letter Major Boehm to L.L. Gisborne dated August 27, 1935.

¹⁰⁶ Letter dated 27-7-1935 from Mary Servos to Mrs. Harvey (in the possession of the NHS), and Peltier and Jackson, Servos Family Compendium, 93-4.

officials of the Niagara Falls Park Commission (J.C.M. German, C.E. Kaumeyer, L.L. Gisborne, and John H. Jackson), Louis Blake Duff, Spencer Clark (The Guild of All Arts), George H. Locke (the Public Library of Toronto), and UEL Association officials (Major M. Stanley Boehm and Mrs. J.A. Harvey). The UEL Association argued that only about 16 acres of the Servos property were needed for display and the rest of the land could be sold to a neighbouring farmer for proceeds that would exceed the purchase price, and that annual maintenance expenses would be minimal - after all (the UEL Association pointed out) the homestead “never has been painted in the last 150 years.”¹⁰⁷

On September 4, 1935, M.E.O.J. Servos entered into an option agreement with the Niagara Falls Park Commission, whereby she granted to the Commission an option open for a 60 day period to purchase the property in return for a one time payment of \$3,000.00, the sum of \$75.00 payable monthly to her during her lifetime, and the right to live in the property for the rest of her life. All of this was in accordance with the wishes of M.E.O.J. Servos as expressed in her note to Mrs. Harvey. After signing the option agreement, the Niagara Falls Park Commission carried out a thorough investigation and evaluation of the property. The Commission’s report showed that the property in 1935 contained the following buildings – the parentheses are those of the Niagara Parks Commission: the homestead, a barn (erected in 1803), a shed (64’ x 18’ closed in adjoining the barn on the west side, the whole length), stables, a tool house and drive

¹⁰⁷ Letters November 27, 1931 from James R. Bond to J.H. Jackson; January 30, 1933 from J.H. Jackson to G. S. Henry; January 16, 1933 from J.H. Jackson to Norman Somerville; G. H. Locke to G. S. Henry, June 30, 1933; March 29 and June 19, 1934 from Mrs. Servos Snider to J. H. Jackson; Major Boehm to Louis Blake Duff August 13, 1935; August 14, 1935 Spencer Clark to L.L. Gisborne; August 27, 1935 Major Boehm to L.L. Gisborne; August 30, 1935 L.L. Gisborne to Major Boehm; August 30, 1935 Louis Blake Duff to E.F. Kaumeyer; Option Agreement September 4, 1935 between Niagara Falls Park Commission and Mrs. Servos Snider; September 5, 1935 Major Boehm to C.E. Kaumeyer; September 26, 1935 C.E. Kaumeyer to Hon. T.B. McQuesten; September 30, 1935 J.C.M. German to Hon. T.B. McQuesten; October 8, 1935 T.B. McQuesten to C.E. Kaumeyer, copies in files of the NHS and the Niagara Parks Commission.

shed (standing desk used by William Kirby when editor), an office (stucco building with stone basement – this was the mill office and was in good repair with stone basement, stucco covered), a frame woodshed and drive house, the cottage (an old building in a fair state of repair – it is of interest as the home of William Kirby before his marriage and while he worked for Peter Servos as a tanner), and the mill foundations (erected 1820). At that time, the municipal assessment of the property was \$7,000.00, and the budgeted annual cost to the Commission of holding the property was expected to be approximately \$2,525.00 (\$900.00 salary to M.E.O.J. Servos, caretaker and wife \$1,200.00, fuel light and telephone \$125.00, and \$300.00 for repairs to buildings, roads, fences and general maintenance). The report's conclusion was that: "The land is not extremely cultivated, and the appearance of the buildings, which are approximately 600 feet south of the road, gives one the impression of not being very well kept." On September 30, 1935, the general manager of the Commission recommended not proceeding with the purchase of the Servos property because:

It is too far away from the Park property to logically tie in with it, and the expenses too high in proportion to the value. It seems to me that the property might be taken by the Government or by the United Empire Loyalists or by some Historical Society. I am satisfied the Government Cabinet members would not approve of the Park spending the money and think much expenditure would be open to criticism from the opposition.

This discouraging report led to an appraisal of the property on October 8, 1935 by the Honourable T.B. McQuesten, Minister of Highways, and Dr. Currelly, the Curator of the Ontario Museum. Their report provided six reasons why the transaction should not proceed – again the parentheses are those of the Niagara Parks Commission: (1) the chattels were worth less than \$1,000.00 (the articles for the most part were such as would

be used as a museum's by-gones); (2) the value of the land and buildings based on the assessment would not exceed \$600.00; (3) the property was not on a heavily traveled road and would not be much used by the public unless it were continually advertised; (4) the house was very old and would not stand very heavy use by the public without a considerable amount of repair; the building was of frame construction and liable to damage by fire; all of it was extremely old and would require to be replaced from time to time; they expected that much of it would require to be rebuilt within a few years; (5) it would require a man and a woman living on the premises, probably in a small house; and (6) they were not sure to what extent M.E.O.J. Servos would allow the public to visit. The same six reasons could likely be used as a rationale for not proceeding with the purchase of any pioneer homestead. Following their investigation of the property, the Commission decided at its board meeting on November 15, 1935 not to exercise its option and purchase the property, and M.E.O.J. Servos was advised accordingly.¹⁰⁸

M.E.O.J. Servos continued her efforts to market the property for its historical value on other fronts. On May 14, 1936, she entertained Lord and Lady Tweedsmuir, then Governor General of Canada, at the Servos homestead, hoping that they might interest the Canadian government in taking over the house so that it could be preserved as a historic site, but nothing concrete came of the visit. Lord Tweedsmuir was on a two day tour of the Niagara Peninsula (his first) and took time out from his official duties for a tour of the Servos homestead.¹⁰⁹ Later, on September 14, 1936, M.E.O.J. Servos, in

¹⁰⁸ The proposed transaction was reviewed by the Commission board on September 4 and 27 and November 15, 1935, e-mail from April Petrie, Superintendent Heritage Resources, The Niagara Parks Commission, to J.A. Doyle dated May 3, 2005.

¹⁰⁹ Francis Petrie, "Fleeing loyalists named house after German homeland," Niagara Falls Review November 9, 1974; and Niagara Advance May 14, 1936, p. 8, and May 21, 1936, p. 1.

conjunction with the Niagara Historical Society, hosted a tea at the Servos homestead as part of a joint meeting of the New York and Ontario Historical Societies.¹¹⁰

On November 28, 1937, the Canadian Broadcasting Corporation produced a radio drama called "Palatine Hill, the Servos Homestead, Niagara" as part of its Within these Walls series intended to further interest in Canadian history. The drama opens with the arrival in 1839 of William Kirby who sought to establish a tannery on the Servos farm, and goes on to highlight the accomplishments of Christopher Servos on the Charlotte River and of Daniel and John Dease Servos at their house "Palatine Hill" on Four Mile Creek. One of the characters in the play is Jupiter, a black servant named after one of Daniel Servos' servants. In the play, Kirby remarks to the audience that he came to Upper Canada because of his "temperamental antipathy for republican principals (sic)," and expresses his desire to seek his "temporal home" in Upper Canada because "the Loyalists of Niagara are more my kind of people than the Republicans of Cincinnati." The theme of the play is of course loyalism. In the play's conclusion, Kirby declares that "Loyalty is one of the beautiful words among men" and announces his desire to merit the proud name - "Last of the Loyalists." In its review of the drama, the Niagara Advance reported that the "saga of the United Empire Loyalists was well portrayed."¹¹¹

By the late 1930s, it was evident that the Servos legacy and homestead were of intense interest to historians, but that interest did not translate into a sale of the property or into a government takeover of the property for posterity. The preservation of historic properties was clearly not a priority of the Ontario or Canadian governments in the 1930s. In 1938, the continuing inability of M.E.O.J. Servos to pay the back taxes on the

¹¹⁰ Niagara Advance July 30 and September 17, 1936; and board meeting of NHS September 14, 1936.

¹¹¹ NHRC microfilm reel no. 334, E24, William Kirby papers; and Niagara Advance December 2, 1937, p. 1.

Servos homestead finally led to the decision of Niagara Township, reached on August 6, 1938, to sell the property for non-payment of taxes, which then amounted to \$750.22.¹¹²

With the loss of the property facing her, M.E.O.J. Servos redoubled her efforts to capitalize on the remaining value of her farm. To this end, in 1940 she subdivided and sold six small farms totaling 26 acres from the main property to local farmers, and a 9.2 acre parcel to her nephew John Francis Clark Aikins. Aikins then resold the 9.2 acre parcel outside the family in 1944. After the sales, M.E.O.J. Servos paid the back taxes to Niagara Township, and she was left with ownership of a parcel of 87.56 acres containing the family homestead and the ruins of the mills.¹¹³

With the proceeds of the land sales, M.E.O.J. Servos was able to live out the balance of her life in the Servos homestead, and she died there on June 13, 1942 in her 83rd year. M.E.O.J. Servos was buried in the Servos family graveyard. Her funeral service was conducted by Rev. C.H.E. Smith of St. Mark's Church.¹¹⁴ Likely, M.E.O.J. Servos was buried next to her mother, but no gravestone marks the location of her grave and her name has not been carved on the large monument marking the grave site, possibly due to lack of interest in the executors or the lack of funds in the estate.

By her will, M.E.O.J. Servos left all her property, which she described as "my farm being the original homestead of John D. Servos, a U.E. Loyalist, situate and being part of the Military Reserve in the said Township of Niagara, and also all the household goods and furniture, all curios and personal belongings and effects" to her nephew and niece, William Herbert Ball and Beatrice Aikins, in equal shares, "with these provisos: they [i.e. her executors] must not take down any fruit, forest or ornamental trees, except

¹¹²Township of Niagara to Mrs. M.E.O.J. Snider dated August 6, 1938, NIIS 2002 044 154.

¹¹³Romaine K. Ross to James Aikins dated March 26, 1940, NHS 2002 044 207.

¹¹⁴Niagara Advance June 18, 1942, p. 1, col. 3.

such as are dead or failing; they must not encumber the farm in any way, at any time, but if they so desire they may sell it after ten years from the date of my decease.”¹¹⁵

The period of M.E.O.J. Servos' ownership of the Servos family from 1905 until 1942 was an indication of the social capital of loyalism. The story of the Servos family was of great interest to the historical community and indeed to the public at large to a certain extent. Various members of the Servos family were able to publicize the loyalist roots of the family into public memory by means of newspaper, music, radio, novels, history books and magazines. M.E.O.J. Servos was able to elevate herself into Toronto society through its fascination with the Servos family history. However, the lifetime of M.E.O.J. Servos was apparently not a time in which the image of a historical person or property could achieve a financial return for a loyalist family.

NOSTALGIA

In the early twentieth century, the attention brought to the Servos family by loyalist historians and publicists (including William Kirby) and the Servos family itself resulted in the development of nostalgia in Niagara around Palatine Hill as the family homestead came to be widely known. The on-going deterioration of the property led to local concerns that the Servos homestead could be lost, and the concerns only increased when the mills fell down in a storm on Easter Day in 1911.

In an article titled “Palatine Hill” written in 1899, Janet Carnochan, curator of the Niagara Museum, wrote the following with particular reference to the Servos family:

Stories of pioneer life, of valuable relics, of adventures among the Indians, of escaped slaves, of assemblies at Navy Hall, stories which if not soon gathered up will soon be only a memory ever growing fainter and fainter. It is

¹¹⁵ Probate of will of M.E.O.J. Servos dated 16 January 1943 surrogate court of the county of Lincoln and registered in the land registry office on January 22, 1943 as no. 6263, copy in NHS 2002 044 155 a-e.

hoped that there may not be lacking those who have sufficient love for their country to make continuous efforts to glean while it may yet be done, the tales of our not ignoble past.¹¹⁶

Owen Staples, who has been called the “Painter of Canada’s Past,” painted five pictures of the Servos homestead and mills in 1906. Two of the pictures showed the interior of the homestead and two showed its exterior, while the fifth picture provides a pastoral vista from the homestead.¹¹⁷ In his paintings, Staples captured the aura of nostalgia suggested by the Servos homestead and the abandoned mills.

The homestead was poetically portrayed in a 1914 newspaper article in Toronto’s Globe as a “plain but dignified memorial of colonial days,” which stood “on the crown of the hill, in the shelter of giant oaks, from which position the glimmer of Lake Ontario could be seen through the forest.”¹¹⁸ In 1926, Katherine Hale, in her book on Canadian Houses of Romance, stated that “the Servos house is lovely because it is simple, because it exactly fits its surroundings, because it is an echo of early Ontario, into which such glorious courage went.”¹¹⁹ Another romantic vision of the Servos homestead is found in John M. Elson’s 1925 book The Scarlet Sash, a Romance of the Old Niagara Frontier which takes place in the War of 1812. The sash to which the title refers to was reputed to be one worn by Colonel Peter Servos when he headed the guard of honor for the Prince of Wales on his 1860 visit to Niagara.¹²⁰ At the beginning of the novel, the author describes the road from Newark (Niagara) to Palatine Hill in the following terms:

¹¹⁶ Janet Carnochan, “Palatine Hill,” in NHS, Publication no. 5, 19-22.

¹¹⁷ Rod Staples with Ian Galt, Owen Staples, Painter of Canada’s Past (Hogarth Productions, Scarborough, Ontario, 1994), and Albert Earnest Coombs, History of the Niagara Peninsula and the New Welland Canal (Toronto: Historical Publishing Association, 1930), 57.

¹¹⁸ See “The Romance of an old Loyalist Family,” Toronto Globe May 2, 1914, copy in Ontario Archives RG17-21, Box 2, File G-928-444, Serviss/Servos/Service.

¹¹⁹ Katherine Hale, Canadian Houses of Romance (Toronto: Macmillan Co. of Canada, 1926), 145-6.

¹²⁰ The Evening Telegram June 6, 1927 NHS X988.5.220.

The road from Newark to Palatine Hill was a turf-grown highway with corduroy crossings. Along its borders bushes, vines and weeds grew luxuriantly. It took its course through smiling country, where open fields alternated with those of forest. To the north could be seen the gleam and sparkle of Lake Ontario, reflecting the cloudless sky. ... A brief trot brought him within hearing of the dull monotone of ponderous stones as they ceaselessly ground the grain which silted to them. There was the grist mill, and near it his uncle's house, on the banks of a meandering stream. Over its porch trailed rambling rose bushes. In front of it, tulips, hepaticas and crocuses were blooming with a riot of colours, and at the picket gateway stood two mountain ash trees, like constant sentinels.¹²¹

The stirring climax of the novel takes place in the living room of the Servos homestead when two British army officers cross swords for the hand of the fair Catherine, who was reputed to be a great aunt of M.E.O.J. Servos.¹²²

The nostalgia also surfaced in the newspapers and magazines. For example, on June 6, 1927, an article printed in the Evening Telegram, Toronto, titled "Ancient Home of Loyalists Holds Story of Generation," reported that "Palatine Hill, visited by Toronto society, is rich in historic treasures -- relics of peace and wars of Past."¹²³ Then, a feature illustrated article by Anne Elizabeth Wilson printed in the August 1927 issue of Canadian Homes and Gardens called "Palatine Hill, the Historic Servoss Home" commented on the "fragments of the house's history in every room" and "the most historic and valuable relics of the Servos family" in the small museum at the back of the house.¹²⁴ Wilson concluded that "the house in its entirety is a veritable tracery of early Canadian life."¹²⁵

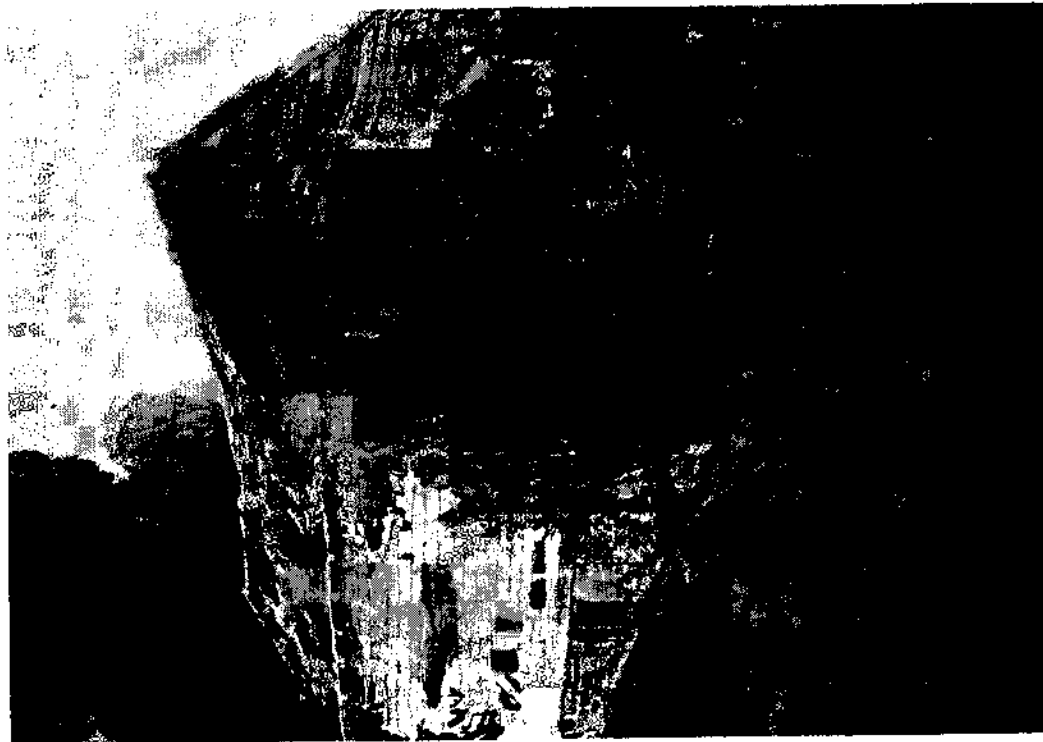
¹²¹ John M. Elson, The Scarlet Sash, a Romance of the Old Niagara Frontier (Toronto & London: J. M. Dent & Sons, Ltd., 1925), 26 and 28.

¹²² Leroy E. Fess, 1935 article in Buffalo Evening News, copy in the NHS Servos files.

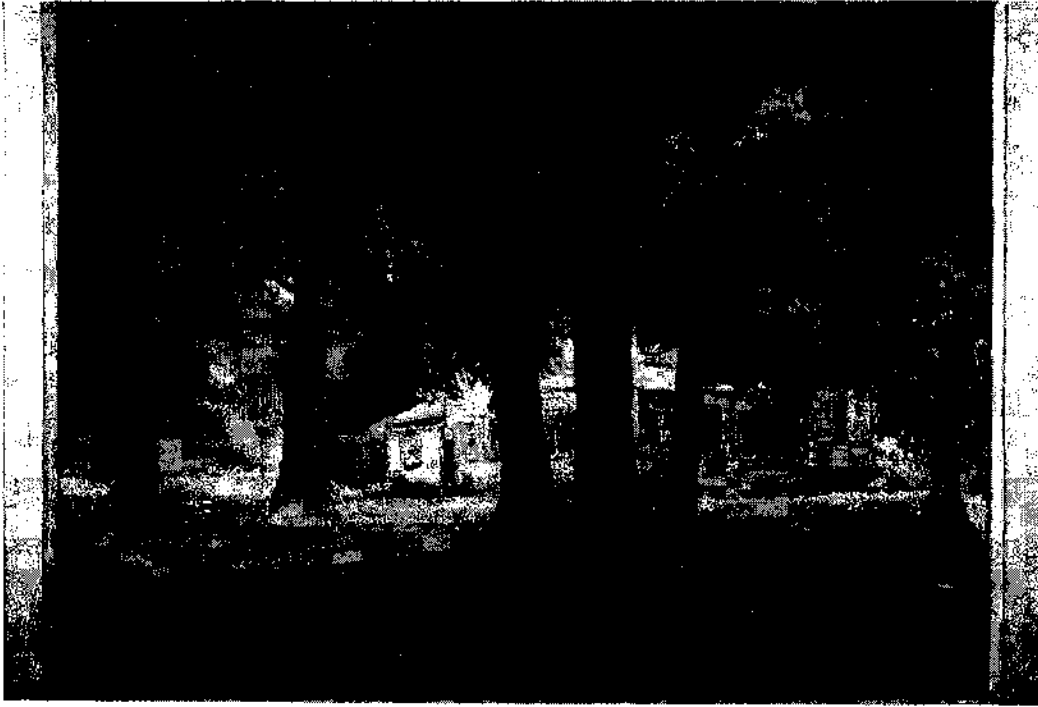
¹²³ Toronto Evening Telegram June 6, 1927, NHS X988.5.220.

¹²⁴ Wilson, "Palatine Hill The Historic Servoss Home," 33f.

¹²⁵ See Canadian Homes and Gardens (August 1927) copy in the NHS Servos files.



Owen Staples drawings of the Servos Mills in 1906, Toronto Public Library, TCP 15279 and 31041.



Owen Staples drawings showing the exterior and the interior of the homestead.
Toronto Public Library, nos. TCP T31067 and T17049.



Owen Staples drawing of the vista from the Servos Homestead and Mills, Toronto Public Library, no. T31066.

DISPOSITION OF SERVOS HOMESTEAD

The executors and beneficiaries of the estate of M.E.O.J. Servos were unmoved by the nostalgia or sense of history that was represented by their inherited portions of the Servos homestead. They were the same members of the Aikins family who had lost the Margaret Marilla Servos portion of the Servos farm to a mortgage creditor, and they followed a similar course of action with respect to the Servos homestead itself. After the death of M.E.O.J. Servos, the executors proceeded with a subdivision of the 87.56 acres then remaining in the farm into five separate parcels, and the parcels were then sold to local farmers in separate transactions. In view of the terms of the will of M.E.O.J. Servos requesting that the farm not be sold for a ten year period, this course of action would have only been pursued if the sales were made to pay debts of the estate.¹²⁶ See Appendix C for a plan showing the disposition of the Servos homestead.

As the intentions of the Servos executors to dispose of the Servos farm became widely known in Niagara, fears arose in the community that the historical value of the property would be lost. An article in the Niagara Advance dated February 24, 1944 raised the concern that "some of the property has already been sold to new Canadians of foreign extraction" and suggested that firm action should be taken to prevent the homestead and cemetery falling into the hands of "new Canadians" who "know little about such historic matters and probably care less about them." The article's conclusion was that "too many historic sites in Canada have been memorialized and Palatine Hill should not be permitted to disappear."¹²⁷

¹²⁶ See instrument nos. 5372, 5315, 7051, 9652, 9654, 9656, 9658, 10503, 11797, 9713, 11799, 11801, 11803, and 11805, registered in the land registry office. See also Niagara Advance and Weekly Fruitman Niagara on the Lake, June 18, 1942, p. 1.

¹²⁷ Niagara Advance February 24, 1944, p. 5, c. 1-5.

A portion of the collection of Servos documents and artifacts was sold by the executors to the Niagara Parks Commission for a sum “not exceeding \$1,000.00,” and the balance of the collection was loaned to the Commission pursuant to the terms of an agreement dated September 20, 1942. By the terms of the agreement, the collection was to be known as the “Servoss Collection loaned by Mr. and Mrs. W.H.B. Aikins.” The purchase and loan were approved by the Niagara Parks Commission board on September 25, 1942, and the Servos collection was then available for display by the Niagara Parks Commission at Fort George and Navy Hall in Niagara.¹²⁸ On February 21, 1969, the Commission transferred Fort George (where the bulk of the Servos artifacts were displayed) to the National and Historic Sites Branch of the Federal Department of Indian Affairs and Northern Development (now Parks Canada), which then had a substantial budget to spend on the historic forts, and in 1971 the Servos collection was also transferred to the Federal government. Then, on June 3, 1979 the Servos collection was transferred by Parks Canada to the Niagara Historical Society because the collection was of local interest and could be more readily displayed in the local museum.¹²⁹

The farmer who purchased the site of the Servos mills re-graded the lands and ploughed under the mill foundations so that today there is no visible trace left of the Servos mills. The Servos homestead was immediately abandoned by the farmer who purchased that site, and the house (then nearly 150 years old) was then used for the storage of hay. In 1951, the owner of the Servos homestead threatened the demolition of the building. This threat led to an emergency board meeting of the Niagara Historical

¹²⁸ The sale and loan of the Servos collection was mentioned in the Niagara Advance on October 8, 1942, and the opening of the Servos collection at Fort George was announced in the October 8, 1948 edition of the Niagara Advance, p. 1.

¹²⁹ E-mail April Petrie, Superintendent, Heritage Properties, The Niagara Parks Commission, to J.A. Doyle dated May 3, 2005.

Society, as a result of which the proposed demolition was brought to the attention of the public through a vigorous letter writing campaign. However, there was so little interest in the matter that it was not even reported in the Niagara Advance. Fortunately for the community, however, the demolition was halted by the owner.¹³⁰

Then, on October 31, 1952, the Servos family homestead was burned to the ground by local youngsters as part of a Halloween prank.¹³¹ The incident was reported in a Niagara Advance article of November 6, 1952 titled "Ontario's Oldest House Burned Down Friday," but the event was overshadowed in the editor's view by a Halloween attack on a citizen in nearby St. David's, resulting in small cuts and bruises. The loss of the Servos homestead caused no sense of community outrage, and the perpetrators were not prosecuted. The Servos graveyard was also abandoned, and in 1975 the Town of Niagara took over maintenance of the graveyard, along with eight other pioneer graveyards, pursuant to a municipal by-law dealing with abandoned graveyards.¹³²

SOCIAL UTILITY OF LOYALISM

In the nineteenth century, the Servos family tried in a variety of ways to focus public opinion and shape public memory about the loyalists so as to further the family's own political, military, social and financial objectives. With the family's designation as United Empire Loyalists and the backing of the commercial enterprises constructed by Daniel Servos on Four Mile Creek, John Dease Servos became a pillar of the Niagara community and a Tory stereotype. Then with the help of William Kirby, Peter Claus Servos attempted to exploit the family's loyalism to obtain the prestige of political office

¹³⁰ NHS board minutes, March 19 and April 5, 1951, Minute Book October 15, 1923-October 13, 1952, NHS 982.368C, box 239.

¹³¹ Niagara Advance, "Ontario's oldest House Burned down Friday," November 6, 1952, p.1:

¹³² By-law No. 619-75, Town of Niagara-on-the-Lake.

and recognition. Also with Kirby's assistance, Mary Servos succeeded in winning for the family appreciation from the historical community as a loyalist family. And M.E.O.J. Servos was able to capitalize on the family's loyalism for social and to a certain extent financial advantage.

After the death of Daniel Servos, calling upon the public to remember and therefore to honour the loyalists became a progressively more important component of the Servos family make-up. However, once the family ceased to be entrepreneurial in the second half of the nineteenth century, the social implications of loyalism were not sufficient without entrepreneurial effort to ensure survival of the Servos family on Four Mile Creek. Even so, the advantages flowing from the loyalism and entrepreneurialism of Christopher and Daniel Servos enabled three more generations of the Servos family to live in relative comfort in the Servos homestead.

CONCLUSION – A LOYALIST FAMILY

In Niagara, the Servos family is remembered as a loyalist family. In his 1883 biography, William Kirby said of the family:

This narrative may be taken as fairly representative of that of thousands of American loyalists, who in the war of Revolution “stood for the King,” and whose brave and self-sacrificing exertions in defence of the unity of the Empire brought ruin upon themselves in their ancient homes, but was the making and glory of Canada by filling this Dominion with men of such chosen virtue.¹

In this statement, Kirby idealizes traditional loyalist virtues, but also the mixture of success and failure inherent in the lives of many loyalists. There is a bittersweet element to the ebb and flow of the loyalist story. As a result of the revolution, the loyalists were dispossessed of their homes and property in the American colonies, and following the war they were forced to flee the newly formed United States to regions under British sovereignty (such as Upper Canada) to reestablish their lives.

According to historian Robert M. Calhoon, a long tradition of loyalist historiography presents the loyalists as a “self-contained category of historical experience: victims of a popular seizure of power, exponents of a coherent philosophy of subordination and obedience, a military force willing to risk life itself in service of the Crown, and exiles who paid in concrete terms part of the human price for the success of the American Revolution.”² Similar sentiments were expressed by David Stouck, who stated that loyalism was “at once a celebration of the loss and recovery of an ideal and a noble tradition of values, and a memorialization of years of struggle, powerlessness, and

¹ William Kirby, “The Servos Family,” NIIS publication no. 8.

² Calhoon, “The Reintegration of the Loyalists and the Disaffected” in The Loyalist Perception and Other Essays, 209.

ultimate dispossession.”³ In the end, Robert Calhoun states that the loyalists were “victims of both American aggression and British incompetence.”⁴

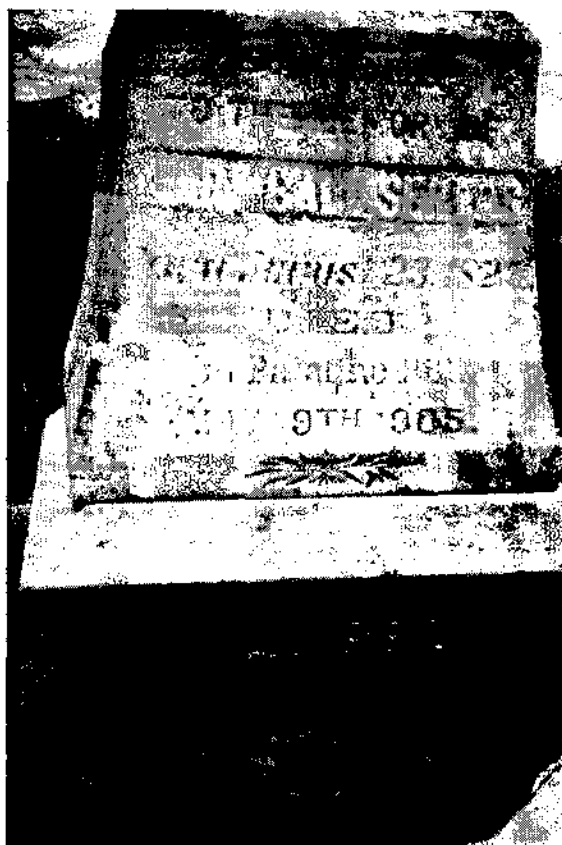
Study of the Servos family helps us see how, at the individual level at which decisions were made, the loyalism of several generations of the family interacted over a long period of time with the facts of migration, pioneer society, revolution, settlement and a succession of patrons in Europe and North America.

Nearly 40 years of military service to the Prince of Wied and the Prince’s support provided Christianus Servos with the means to migrate to America with his family in the early eighteenth century. In America, the Servos family acquired extraordinary skills in the operation of essential pioneer industries. With those skills, their Palatine values, the family’s enterprise and the patronage of Sir William Johnson, the Servos family ultimately developed mills and related enterprises on the frontier of western New York.

During the early part of the revolutionary war, the Servos family members were able to carry on their lives on their farm and avoid confrontation with the patriots. However, the family’s known associations with the Johnsons and the location of the Servos farm near the Indian/loyalist bases at Oquaga and Unadilla and within the range of the loyalist raiding parties operating from Fort Niagara inclined the Servos family to loyalism and inevitably placed them on the British side in the revolution, at least from the point of view of the patriots. In 1778, Christopher Servos lost all his property and his life when his provision of food and assistance to the loyalists became widely known to the patriot authorities and Britain was not able to maintain security on the frontier for loyalist settlers.

³ David Stouck, “The Wardell Family and the Origins of Loyalism,” 82.

⁴ Calhoun, The Loyalist Perception, 11.



Mary Servos gravestone at the Servos Family Graveyard. Pictures taken 2005 and show the disrepair of the graveyard.



Photograph by Robert Miller, Servos ruins, Palatine Hill, Niagara on the Lake taken April 2003. The ruins are thought to be one small room of the old Indian Trading House, stone walls covered in vines, no roof or door. The site is now in part of an existing orchard.

The murder of their father left the Servos sons with no alternative other than to adopt the British cause and the sons served with the British military during the war. When the war ended in 1783, the Servos family returned to New York. However, because of the political choice of loyalism made by Daniel and Christopher Servos during the revolutionary war, a choice that was dictated more by circumstances than by ideology, the Servos family was not welcome to return to their former home in New York after the war. Consequently, they had to rebuild their lives as loyalists in Upper Canada rather than in the United States. The family therefore joined the loyalist migration to Niagara where their former enterprises were successfully replaced on Four Mile Creek through the entrepreneurial energies of Daniel Servos and his entitlement to patronage from the British government as a loyalist. The accomplishments of Daniel Servos in Upper Canada enabled four more generations of the Servos family to live in relative comfort in Niagara, where the family's social status ended up being about the same as in pre-war New York: middling class, neither lower ranks nor elite.

The Servos formula for success was hard work and industry, loyalty to the governing authority, and the ability to seek out and take advantage of situations and relationships with those in authority. The family was indifferent to the political system in power; their success occurred within the clientelism of vastly differing regimes in Europe, colonial America and loyalist Upper Canada. But the Servos family was never part of the elite or the leadership, nor did they resist or fight or unduly defer to the governing authority. Rather, they were pragmatic – they took advantage of the opportunities extended to them and to a certain extent they (particularly Daniel) created their own opportunities. In return for their loyalty, patronage was extended to the family

but for ordinary loyalists (like the Servos family) loyalism could only assist, it could not determine success.

Later generations of the Servos family, relying upon the tradition of Servos family loyalism, submitted to the Upper Canadian and New York governments many of the claims for compensation that Daniel Servos had chosen not to make and, in addition, called upon the community for recognition and support (financial and otherwise) for their loyalism (the social capital of loyalism). However, they were not entrepreneurs and the assistance that was available for them was too little and came too late to preserve the family fortunes. In due course, the Servos farm in Niagara, once a centre of commercial activity, was first disposed of by the Servos family and then transformed by the purchasers into several parcels of ordinary farmland.

There is nothing particularly unique about the decline of the Servos family in and of itself. Many families go “from shirt-sleeves to shirt-sleeves” in three generations. Nevertheless, the disappearance of the Servos family from Four Mile Creek has not resulted in the family name being forgotten and there remain today many visible reminders of the family, principally the collection of artifacts and documents on display at the Niagara museum, but also the family graveyard (now in disrepair) and scattered remnants of the homestead and the mills at Four Mile Creek. The name “Palatine Hill” has been adopted by several local businesses, and the cultural productions created by the family bring to the public mind occasional reminders of the family’s accomplishments. The themes of loyalism, patronage, accomplishment and enterprise associated with the Servos family are enduring, and the surviving vestiges of the family’s heritage provide a

great deal of information about a family that would otherwise have disappeared without a trace.

The loyalist saga, at once a story of noble traditions and one of ultimate dispossession and melancholy, is an apt one for the Servos family, and the sense of nostalgia and feeling of loss following their disappearance from Four Mile Creek only add to their image as a loyalist family. But Christopher and Daniel Servos would not have viewed themselves in a nostalgic or historical manner, and it is ironic that they are remembered more for their loyalty to the British crown than for the remarkable enterprises they built on the frontiers of British North America. Even so, it is a testimony to their enterprise that the Servos name will remain a part of Niagara's history.

APPENDIX A

TIMELINE

(For Four Mile Creek land transactions see Appendices B, C and D)

1664: Christianus Servos born

1721: Christopher Servos born

1726: Christianus Servos embarks for America

1738: Christopher Servos marries Anna Clara Crief and Daniel Servos is born

1745: Christianus Servos dies

1758: Christopher Servos relocates to Johnstown, New York and settles on Lot 400W as a tenant of Sir William Johnson

September 11, 1761: Christopher Servos naturalized

May 16, 1770: Sir William Johnson accepts Christopher Servos' proposal for a land exchange

February 21, 1771: Daniel Servos marries Catherine Dockstader

1772: Catherine, daughter of Daniel and Catherine Servos, is born

January 2, 1772: Deed of Lease and Release between Sir William Johnson and Christopher Servos providing for land exchange for Charlotte River lands in Harpersfield

1775: Magdalena, daughter of Daniel and Catherine Servos, is born

1775-1783: American revolutionary war

December 18, 1776: Daniel Servos appointed ensign of Charlotte River militia

October 11, 1777: Daniel enlists in First Regiment, the Line, New York, and deserts four days later

March 4, 1778: Christopher Servos ordered to appear before the Tryon County Committee of Safety

June 16, 1778: An informer sees two canoes of Indians near the Servos farm and about that time another informer sees Brant and 200 Indians near the Servos farm

June 26, 1778: Christopher Servos observed supplying loyalists with flour

July 24, 1778: Christopher Servos seen in the company of “Savages”

August 5, 1778: Christopher Servos is killed by a patriot scouting party, and Daniel and Jacob Servos depart for Fort Niagara to join the British Indian Department

August 1779: Daniel Servos with Brant in a raid at German Flats

December 24, 1779: Daniel Servos appointed lieutenant in Indian Department

January 7, 1781: Daniel and Catherine attend christening of a niece in Tryon County

March 9, 1781, Daniel Servos at Bowman’s Creek

April 12, 1781: Daniel Servos at Carleton Island reporting on Brant’s movements

1781: Catherine Servos, Daniel Servos wife dies

September 24, 1781: Daniel Servos back at Fort Niagara

August 26, 1782: Daniel Servos provides evidence in Colonel Guy Johnson enquiry

1783: Daniel Servos embedded with Canawagaras Indians

July 14 and 15, 1783: The Servos family property in Johnstown and Harpersfield is confiscated by the State of New York

November 8, 1783: Daniel Servos submits first claim for war losses to British officials

December 1, 1783: Daniel Servos indicates on return that he expects to be joined in Niagara by Glory Servos and his daughters

March 6, 1784: Daniel Servos attends Council of Indians to explain peace treaty

March 24, 1784: Daniel Servos discharged from the Indian Department and returns to Tryon County

May 7, 1784: Daniel Servos becomes a Master Mason

1785: Daniel Servos marries his cousin Elizabeth Powell and returns to Niagara with his family

April 24, 1785: Daniel Servos is appointed operator of the King’s Mills on the east side of Four Mile Creek in Niagara

1785: John Dease Servos is born

1786: Daniel Servos included on Loyalist Victualing List – 1 man, 2 women, 1 male child over 10 years, no female children under 10 years, no servants, total of six and 5½ rations

April 16, 1786: Daniel Servos submits second claim for compensation for war losses (£2,151.11 sterling)

1787: William Street Servos is born

August 18, 1787: Daniel Servos awarded half pay pension

August 22, 1787: Daniel Servos appears before British war loss commissioners, and ultimately is awarded £533.0.0

September 17, 1787: Daniel Servos included on Robert Hamilton's census – 1 man, 1 woman, 2 boys under 10, 1 girl under 10, 50 acres of land cleared, 25 acres of wheat sown, total 5 persons

October 27, 1788: Daniel Servos appointed captain of militia by Lord Dorchester

Summer 1790: King's Mills destroyed by a freschet

Spring 1791: Daniel Servos builds a replacement mill on the west side of Four Mile Creek

1792: Daniel Kerr Servos is born

February 30, 1792: Daniel Servos signs congratulatory address to Lt. Gov. John Graves Simcoe

July 27, 1792: Peter Russell report on King's Mills recommends that they be sold not repaired

November 7, 1792: Surveyor General report discloses that Servos mill is built on ungranted land without authorization

December 5, 1792: Daniel Servos called upon by Surveyor General to explain his construction of mill on government lands

January 21, 1793: Daniel Servos responds that he didn't know permission was required to build mills

July 21, 1793: Daniel Servos land ownership issue dealt with in Executive Council

- July 3, 1793: Daniel Servos land ownership considered by Land Board
- November 5, 1793: Daniel Servos commission as captain of militia confirmed by John Butler under commission from Lieutenant Governor of Upper Canada
- June 2, 1794: Daniel Servos submits petition for mill seat
- July 7, 1794: Daniel Servos submits petition for mill lands
- Summer 1794: Servos lands surveyed
- August 20, 1794: Agreement with John Snow to buy land to which Snow had no title
- November 15, 1794: Servos petition for 37 acres parcel on east side of Four Mile Creek – assigned to him by Surveyor General
- November 8, 1794: Daniel Servos notified that he had been issued a certificate of location for the Four Mile Creek land
- April 11, 1796: Clara Servos compensated by the State of New York for her dower rights - £1.040.14.0
- January 4, 1797: Daniel Servos petition for balance of the lands to which he is entitled as a reduced officer (a total of 2,000 acres granted)
- April 5, 1797: Daniel Servos receives letters patent for 393 acres of land on Four Mile Creek
- March 5, 1798: Daniel Servos appointed to local office (Assessor of Highway and Fence Viewer)
- June 25, 1799: Daniel Servos petitions for title to the Snow parcel (rejected)
- August 9, 1799: Daniel Servos acquires rights to the potash mill on Fifteen Mile Creek
- June 25, 1802: Daniel Servos appointed major of militia
- July 24, 1802: Daniel Servos signs mortgage in favour of W&J Crooks in the amount of £846.13.0
- March 26, 1803: Daniel Servos dies
- November 6, 1803: Elizabeth Servos petitions for title to the Snow parcel (rejected)
- War of 1812: Servos mill is damaged and rebuilt

March 30, 1818: Saw mill burns and is rebuilt

February 20, 1821: Elizabeth Servos (Daniel's wife) dies

1827: Servos children compensated by the State of New York for unlawful confiscation of the family farm on the Charlotte River (\$9,670.57)

September 1839: William Kirby arrives at the Servos homestead and leases the tannery

April 1847: John Dease Servos dies and his son Peter Claus Servos takes over the Servos mills

1855: Peter Servos purchases 200 acre farm in Mosa Township

August 12, 1879: Peter Claus and Mary Servos separate and the Servos homestead is transferred to Mary Servos

December 26, 1887: Peter Claus Servos dies

May 9, 1905: Mary Servos dies and Servos farm bequeathed to M.E.O.J. Servos

Easter 1911: Servos mills fall down

June 19, 1929: Servos opera Builders of an Empire performed in Toronto

September 4, 1935: M.E.O.J. Servos enters into option agreement with the Niagara Parks Commission, but the Commission does not exercise the option

May 14, 1936: Lord Tweedsmuir visit to Servos farm

November 28, 1937: CBC radio broadcast, Palatine Hill, the Servos Homestead, Niagara

1940: M.E.O.J. Servos subdivides and sells six small farms off the property to third parties

June 13, 1942: M.E.O.J. Servos dies and leaves the property to her nephew

September 20, 1942: Servos collection donated and sold to Niagara Parks Commission

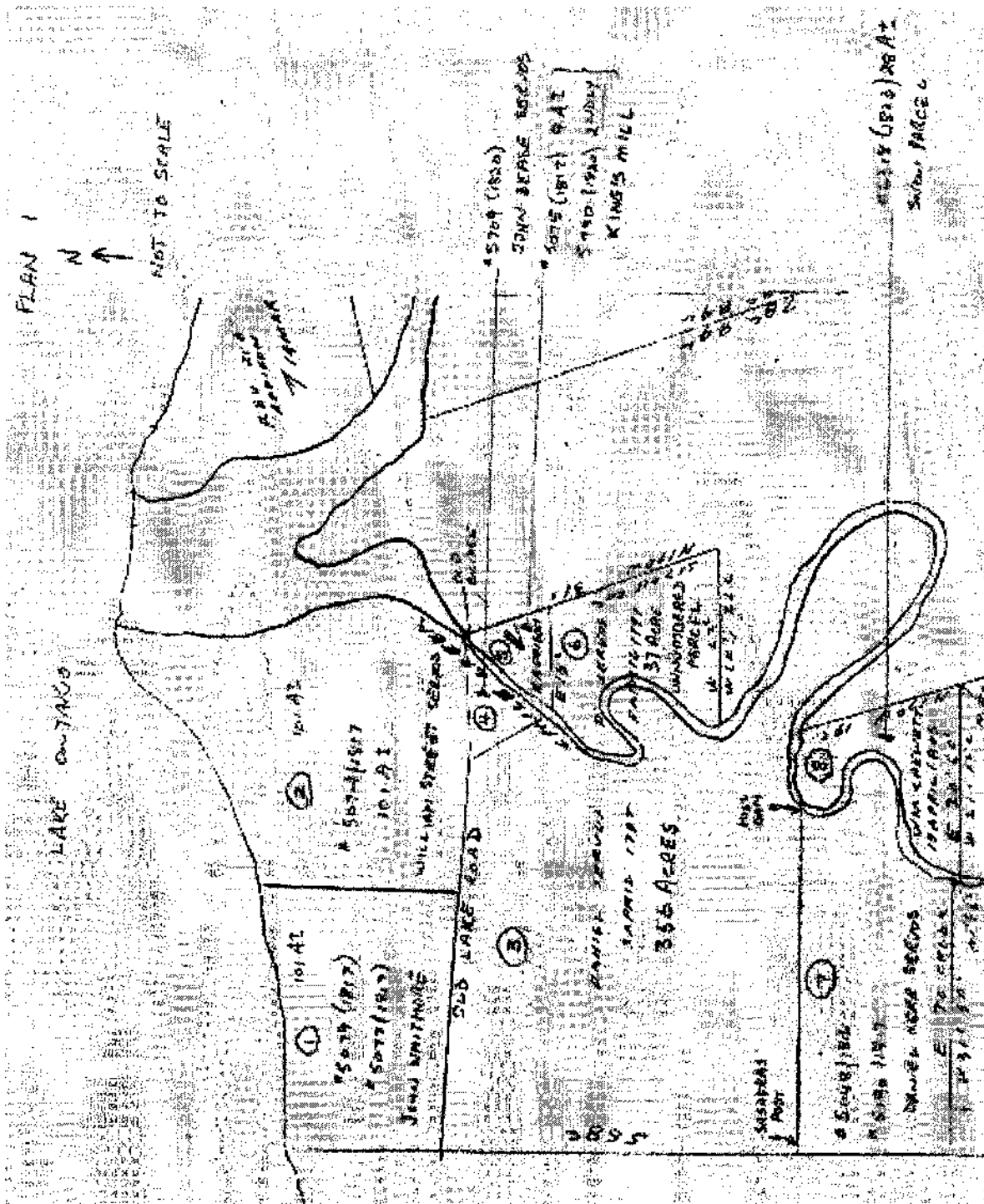
1946: Nephew subdivides the balance of the farm and sells the parts to third parties

October 31, 1952: The Servos homestead is burnt to the ground in a Halloween prank

1975: The Servos graveyard is taken over by the Town of Niagara-on-the-Lake

1979: Niagara Historical Museum acquires the Servos collection

APPENDIX B – PLAN 2 (ACQUISITION OF SERVOS LAND)



Plan 1 shows the acquisition of the Servos land by the Servos family. Parcels 1-4, 6 and 7 were included in the original Crown grant. Parcel 5 is the King's Mill site and Parcel 8 is the Snow parcel. See notes following. Plan prepared with the assistance of E.D. Perry (property searcher), St. Catharines.

APPENDIX D

PLAN 1 - SERVOS FARM/HOMESTEAD – LAND ACQUISITIONS

- April 5, 1797 Crown Patent for 356 acres on the west side of Four Mile Creek (lot 194) and 37 acres on the east side of Four Mile Creek (See parts 1, 2, 3, 4, 6, 7 on Plan 1)
- January 7, 1817 Deed for 9 acres (King's Mill) from Robert Addison (instrument no. 5075) (See part 5 on Plan 1)
- June 30, 1823 Deed for 28 acres (Snow Parcel) from Honourable William Claus (instrument no. 6318) (See part 8 on Plan 1)

Parcel 1 is the John Whitmore farm, Parcels 2 and 4 are the William Street Servos farm. Parcel 7 is the Daniel Kerr Servos farm, later conveyed back to John Dease Servos. Parcels 1 and 2 were conveyed to Stevenson, and Parcel 4 was conveyed back to John Dease Servos. Parcel 5 is the King's Mill site and Parcel 8 is the Snow Parcel.

PLAN 2 - SERVOS FARM/HOMESTEAD – LAND DISPOSITIONS

- May 27, 1819 Deed for 196 acres to John Andrew Stevenson – parcel on Lake Ontario to the north (instrument no. 5614) (See part 1 on Plan 2)
- February 28, 1833 Deed for 7¼ acre triangular parcel on the east side of Four Mile Creek Road to Alpheus Snyder (instrument no. 1810) (See part 5 on Plan 2)
- April 13, 1911 Deed for 49 2/10 acres to Whilemina Louisa Kemp-Welch (instrument no. 5315) (See part 8 on Plan 2)
- October 2, 1911 Deed for 20 acres on the east side of Four Mile Creek to Percy Shelley Byssche (instrument no. 5372) (See part 6 on Plan 2)
- March 21, 1923 Deed for 1 acre Cemetery Parcel to Emanuel and Gustav Hahn (instrument no. 7051) Subsequently, cemetery was abandoned and assumed by Town of Niagara-on-the-Lake by By-law no. 619-75 (See part 9 on Plan 2)
- March 14, 1940 Deeds for a total of 26 acres in four parcels to Peter and Agatha Penner (instrument no. 9652), Peter and Sarah Martens (instrument

no. 9654), Jacob and Nettie Baerg (instrument no. 9658), and Bernard H. and Mary Falk (instrument no. 9656)
(see part 3 on Plan 2)

September 29, 1941 Foreclosure of 125 acre western farm to Lois Hetherington pursuant to mortgage dated May 20, 1918 (instrument nos. 6268 and 9974)
(See part 2 on Plan 2)

January 27, 1944 Deed for 9.2 acres on the east side of Four Mile Creek to Niagara Canning Co. Limited (instrument no. 10654)
(See part 7 on Plan 2)

October 23, 1946 Deeds for a total of 87.56 acres in five parcels to George and Vera Csuka (instrument no. 11,797), Bernard H. and Mary Falk (instrument no. 11,799), Peter J. and Sarah Martens (instrument no. 11,801), Jacob and Nettie Baerg (instrument no. 11,803), and George and Lidya Schmidt (instrument no. 11,805)
(See part 4 on Plan 2)

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