

"Ducit Amor Patriae"

NIAGARA HISTORICAL SOCIETY

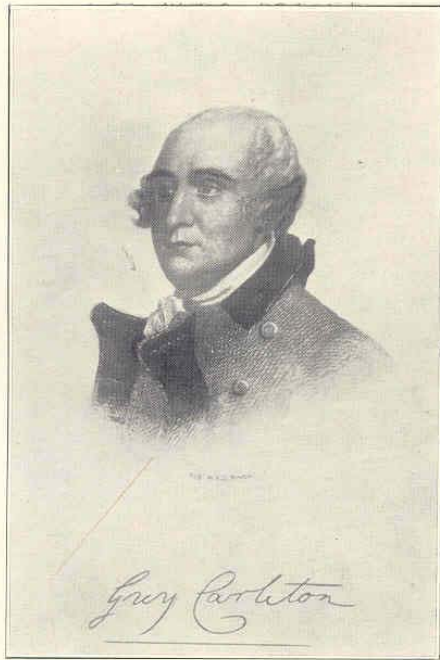
**Niagara-on-the-Lake, Ontario.
No. 40**

**RECORDS OF NIAGARA
1784-9**

Collected and Edited by

BRIG. GENERAL E.A. CRUIKSHANK

Published by the Niagara Historical Society



LORD DORCHESTER



1749 — 1809
born in Boston Scotland
died in Buxton Ontario
Canada

HON. ROBERT HAMILTON

RECORDS OF NIAGARA

1784-9

The following Letters written by John Dease, while he was acting as Deputy Superintendent of Indian Affairs at Niagara in the absence of Colonel Butler, did not come to the attention of the editor in time to be included in their proper chronological order in the last publication of this Society. They are considered of sufficient historical value to warrant their publication now. Dease was a kinsman of Sir John Johnson, whom, it will be observed, he addresses as his cousin, and probably owed his appointment to his influence. When Butler returned, Dease was appointed Commissary of Indian Affairs at Michilimackinac. In July, 1787, a council of the Chiefs of the nations of Indians in the far west was held there, at which he appeared as Sir John Johnson's representative and presented to them a written treaty of peace with each other which they were induced to accept and ratify. But his term of office at that post was short for a number of the leading traders soon after signed a Memorial in which they alleged that "the goods destined as presents to the Indians have been privately traded against our interests, and that the store established for the protection of Commerce, has become itself a trading post entirely opposed to our interest." This complaint was deemed so serious that a Court of Inquiry was held and evidence taken at great length. This evidence and the defence made by Dease and Ainse, his chief interpreter, were referred to the Attorney-General and Solicitor-General for the Province of Quebec, who reported that "Mr. Dease being the superior is the more immediately accountable and responsible, but Mr. Ainse has shown nothing to excuse himself, nor have either discharged themselves in our opinion of the very heavy charges which lay against them." Dease was permitted to retire on a Pension of one hundred pounds per annum.

FROM JOHN DEASE TO SIR JOHN JOHNSON

Carleton Island, August the 10th, 1784

Dear Sir John:

After encountering a Variety of difficulties & those encreased by a Continuance of bad Weather (by which I have almost All my Stores, Cloths &c. Spoil'd) I arrived at Cataraque the 3rd Inst. there was no Vessel there & Majr. Ross informed me that the two Vessells Destin'd for the navigation of Lake Ontario, viz. the Limnade & Caldwell wou'd return to the Island. I came here Yesterday and in the Even'g the Caldwell appeared in sight & arrived. She is now Onloading but not having a Sufficiency of hands to navigate her, She can't Return to Niagara without two in Addition to the three She has on board. As the Commanding Officer tells me I may Remain here perhaps a fortnight if I wait the return of the Limnade for a passage over therefore think it Advisable to hire two men if to be had, I Shall Set out for Niagara by the first fair Wind from whence I Shall Write to You more fully.

I am With Affect'ite. Wishes for Yourself & family,

Dear Cousin, Yours, JOHN DEASE

Sir John Johnson Bart &c. (A.L.S.)

FROM JOHN DEASE TO SIR JOHN JOHNSON

Niagara, August 21st, 1784

Dear Sir John:

Altho' I made as much Dispatch as Wind, Weather and Other Circumstances wou'd permit, I Did Not Arrive here Untill the 18th Inst. Coll. Butler had sail'd from Niagara in the Limnade which we pass'd on the Lake, Consequently Cou'd not present him Your Letter Which By Direction of Coll. Depeyster I Open'd. As he imagined Something Necessary for my information might be contain'd in it. I now send it back to you with the list which accompanied it.

It is Extremely unlucky for me to take the Management Of the Department here in its present Situation, Destitute of Almost All the most necessary Articles with which the Indians are usually Supplied, their Disappointment is the Greater as they were taught to believe that I shou'd Bring up wherewith to Satisfy their present Wants. I can't find that Coll. Butler has left a Single Paper Relative to the Department here. I Applied to Coll. Depeyster, to Mr. Thomas Butler, in Short to every person here on that Subject but without Success, the Great Inconvenience to Which the Subjects me can only be remov'd by Your Being So Good as to order Copies to be made out of Such papers as you Judge necessary for my instruction, it wou'd be a most Difficult Task, curtail'd as the Department here is at present, to procure Exact Returns of the Different Indians dispers'd thro the remote Villages of the Indian Country.

On my Arrival here, I found Kavangwaraghton & family who came Down by invitation to receive some final marks of Coll. Butler's regard, but Seems Extremely hurt & Disappointed that the Coll. Had forgot to bid him Adieu. I Apologized for him & Dismiss'd him pleas'd with Such a Present As Our Circumstances would allow. Kayashota is here & much in the same predicament -- I was much Distress'd at our parting in not being able to furnish them with their belov'd Walking Stick (there not being a Gallon of Rum public or private on the Ground) I therefor by Consent of Coll. Depeyster broach'd a Cask of Port for their use --- I have had frequent Applications for Tea, Sugar, Barley Rice &c. for the Indians who begin to be very Sickly in their Villages. I hope you will Settle with Doctor Constable Some Method of having his place here properly Supplied.

The ruinous Condition in which I found the house & indeed everything belonging to the Department here, induced me to Apply to the Commanding Officer for Assistance to make the house habitable As well as the Forge & Quarters belonging to the Interpreters &c., but that being out of his Power he Advis'd me to employ people for that purpose which I Shall do on the most economical plan -- I must beg leave to remind You that we have no Store here Except the Small Room formerly the Issuing Store - The Damage as well as the risk to which the Indian presents may be Exposed for want of being properly & Securely Stor'd are evident, & I hope will Induce you Give orders on that head -- The Want of Ammunition at this Season when the pigeons are in Great plenty is much Complain'd off by the Indians & there were not wanting evil minded people to insinuate to them that our Distrust of them is the reason why they are not furnish'd as usual with that Article -- Of Several boats that belong'd to the Department not long ago, there is not one remaining.

Coll. Depeyster advised me to Get one made but we can't find materials At present. What with Contrary Winds, uncommon heavy Rains, insufficiency of Oil Cloths &c., I have Suffer'd so much in Both my Cloths & Stores, that I am Confident a Year's Sallary wou'd Scarce Pay the Damages - if no Other Allowance Shou'd be Granted to me I hope You Wou'd not think it unreasonable to order such Stores as Mr. Street has a

memorandum of to be forward'd to me in the Kings Boats -- I'm sensible that it is not consistant with forms to write of Such a Variety of Subjects in One Letter but my present unsettled Situation & my Desire to proffit of this Opportunity will I hope plead my Excuse, may yourself and family Live long and be Happy is the Sincere Wish of Dr. Sr. Johns. Affct. Kinsman,
JOHN DEASE (A.L.S.)
Sir John Johnson Bart.

FROM JOHN DEASE TO SIR JOHN JOHNSON

Niagara, Augst. 21st, 1784

Dear Sir:

Notwithstanding you may be Sufficiently tir'd by Reading one tedious indigested Letter I must trespass so far on Your Patience as to request Your perusal of the inclos'd Return by which You'll See the miserable State of our Stores here. I also transmit with this a curious memorandum forwarded to You by Coll. Butler the Substance of Which I fear'd he might forget in the hurry of Business - So much for public Business -- As to our Domestic intelligence I have to inform you that Coll. Depeyster is much indisposed, the consequence of a Severe Fall by which his head rec'd much injury by the Concussion. Mrs. Butler is very ill and confined to her bed.

Capt. Tice sets out for the Colonies, Via Oswego, he intends Revisiting his Native Province & wintering at New York. --- There is a Deluge of Traders in the Indian Country the ill conducted competition between whom may prejudice the Service if not regulated by Authority. Adieu and Believe me Dear Cousin.

Yours. John Dease (A.L.S.)
Sir John Johnson Bart &c.

FROM JOHN DEASE TO SIR JOHN JOHNSON

Niagara, Septr. 5th, 1784

Dear Sir John:

Since my last letter to you dated August the 21st Nothing Interesting has happened here, we are in daily Expectation of Accts. from Capt. Brant & party gone to Fort Stanwix, the Deputies from the Western Nations begin to be impatient At their long Delay here & wish much to hear what passes At Fort Stanwix. I had a Meeting with them some Days Ago, in Which they Signified their Disapprobation of the proceedings of the Six Nations in sending any Deputies to meet the Americans at Fort Stanwix & tho' invited to Accompany them refus'd as beneath their Dignity as representatives of the Western Confederacy who know no fire place but that of Niagara where whatever relates to Public Business should be transacted - they Say the War Ax has not yet been taken from them & tho' at present unemploy'd they Often Look Wishfully at it & keep it Close to their Side - in Short they Seem to have Great Doubts of the Sincerity of the Colonists - I Satisfied them in my answer by Assuring them that Capt. Brant & party went to Fort Stanwix not to Arrange Any Public Business but only with A view to Sound the Dispositions of the Americans, as their Observations on the Conduct of the Americans at Fort Stanwix might in some Degree regulate their future proceedings With them -- I told them I Approved of their Sentiments in not Demeaning themselves on Any Occasion, or in not Acting a part in any Degree unworthy the representatives of a powerful

Confederacy. I informed them that in proper time & place, the Hatchett wou'd be Buried but in the interim thereto think they Act wisely in not neglecting it, the Various matters to be Adjusted in a General Peace Require Much Time & Deliberation & that Joyn'd to the tedious Navigation between Europe & America leaves us Yet uninformed As to particulars Which when we Come to the Knowledge Off Shall loose no time in imparting to them.

I'm Sorry to Inform You that the Inds. at the Different Villages are extremely Sickly; a Yellow Fever has Already Carried Off Numbers & some Principal Chiefs. I have Daily Applications for medicines &ca. & tho the Disorder is infectious, I propose when time permits to visit Buffaloe Creek & perhaps the Other near Villages. Several of the Officers are Come in here in very bad health Among the rest Capt. Powell, Lieuts. Servos & Rickman. Mr. McCormic Arrived here in the Limnade with 14 Batteaux load of Indian Presents of Which he has Left for the use of this Post, 3000 lbs. of Gun Powder without an Ounce of Lead - he & the Indn. Presents are at the Landing on their way to Fort Schlosser. I shou'd be much Oblig'd to your for a Copy of my Accts. As my Papers got wet in Coming up & are not legible. What money I have I rec'd from you on the Public Acct. Mr. Tinling will Give You Our News here. Affc'te Respects to Lady Johnson & the Children - Coll. Claus & Family.

I am, Dr. Sir John, Yours,
JOHN DEASE, (A.L.S.)
Sir John Johnson Bart.

FROM JOHN DEASE TO SIR JOHN JOHNSON

Niagara, Sept. the 9th, 1784.

Dear Sir:

The 7th Inst. the Deputies from the Western Nations Desir'd a Meeting in which they inform'd me of their Great uneasiness in not hearing from the Six Nation Indians Gone to Fort Stanwix with Capt. Brant, that they had been Already here 40 Days a time much longer than they at first intended to Stay, & that their people wou'd be impatient at their unexpected Delay and Assur'd me they wish'd much to return by the first Opportunity -- they also applied for Arms.

I told them their Surprise was not greater than my own in not hearing from Fort Stanwix that it certainly must be owing to some unforeseen Accident that however, I was in hourly Expectation of News from that Quarter & thought they wou'd much Dissappoint the Expectations of their friends Shou'd they Return without being able to inform them concerning the subject they came here on. I Gave them Strong Assurances that I was Confident we shou'd Shortly be Satisfied on that Head. As to Arms, we had none in Store. I had not finished when A Messenger Brought me a Letter directed to Capt. Aaron from Capt. Brant a Translation of which I inclose you. Altho not Very Clear on the Subject, Something May Be Collected from it.

There is but one Commissioner to meet the Inds. at Fort Stanwix. And that for the State of N.York. Consequently I Shou'd Imagine Nothing final can be Determined on - I fancy a Variety of matters of a more Interesting Nature to the Colonies than an Indian Treaty at present Claim their attention. Which Joyn'd to their unsettled state in respect to internal Government & Also the want of a sufficient number of Soldiers to take

possession of the Upper Posts (Shou'd they be Given up to them At presetn) make them prudently

Anxious to put off to a future Day a General Meeting with the Indians. I find by Joseph's Letter that he Suspects their design to attempt to Divide the Indians & Break their Chain of Confederacy by treating with them separately I suppose each Colony with the Indians on their Frontiers, this is a Circumstance I hope they will Cautiously Guard Against.

Uninstructed as I am how to Act in this Critical period, when we Conjecture the intentions of Government in regard to the Indians Only from their Attention in sending out Considerable presents for them I Anxiously wish to have Your Sentiments by which I may Regulate my Future Conduct. I sincerely feel the Consequences of having the Department reduced as I can Scare rely on any intelligence from the Different Frontier Villages, this only I can assure You off that the Colonists bring rum in large Quantities to the Indn. Castles where they find a ready market for it & where I am Apprehensive it may produce disagreeable Consequences -- here Am I left without a Drop of that bewitching liquor & have nearly Expended two barrels of Red Wine as a Substitute for it -- pray send Some up, you know it is the Sine qua non. With Constant Good Wishes for Yourself & Family,

I remain, Dear Cousin Yours,
JOHN DEASE (A.L.S.)
Sir John Johnson Bart.

FROM JOHN DEASE TO SIR JOHN JOHNSON

Niagara, September the 13th, 1784

Dear Cousin,

After remaining long in Suspense & weighing the matter Cooly, I thought it my indispensable Duty to transmit to You the two Enclos'd Accounts found Among Other curious papers in a Trunk in the Store.

As you may remove all unfavourable impressions they must Unavoidably make on a Person not intimately Acquainted with the Transaction -- I think it but Justice to him, Coll. B., to have an Opportunity of Clearing up the Affair, but on recollection request You'll consider this Communication as merely Confidential.

Mr. Stevens, the Interpreter having with much truth Represented to me that the Constancy & Variety of His Duties Requiring more Attention & Activity than are Consistent with his years, & finding there are two Interpreters Allow'd for this District, I thought proper to Direct that John Stevens shou'd Act as Interpreter until Your Pleasure Shou'd be Known -- His Diligence, Integrity & many other Good Qualities render him of the Greatest use to me in many Respects. He assists me Daily in the Writing Business of the Department for which there is no One here but himself Qualified & I can Assure you that the first fruits of his Assistance were a reduction of near 200 Ration A Day in Short I shou'd find myself much at a Loss without him.

The Transport of provisions being retarded by the reduction of the Naval Department & a Suspicion that a Sufficiency for the Posts may not Arrive this Season, wou'd You (think) it Advisable that A Quantity of Indian Corn should be purchas'd for the use of the Indians Settled at the Head of the Lake & Send it to them instead of peas - I wrote Mr. McKee respect'g Brant's Letter.

Adieu Dr. Sr. John.
Sir J. Johnson Bart.

Yours, JOHN DEASE (A.L.S.)

FROM JOHN DEASE TO MAJOR FRASER
EXTRACT OF A LETTER FROM MR. DEASE TO MAJOR FRASER, DATED AT
NIAGARA THE 20TH NOVEMBER, 1784.

Sometime after Captain Brant's return from Fort Stanwix, Captain Aaron and some others of less consequence, with a few of the Hurons, Shawanese, &c. set out to meet the Commissioners there - previous to his going away, Aaron solemnly promised to acquaint me with every interesting particular that should happen at their Treaty. I was long without any account from that quarter, at length Mr. Burch, Sutler for the Rangers, arrived from New York (Via) Fort Stanwix, where he saw Aaron, who anxiously sought an opportunity of speaking to him in private, which he with much difficulty found; as the Commissioners watched them so narrowly and were so jealous of their speaking to any but themselves, that it was dangerous to be seen in conversation with an Indian, -- however Aaron told B. to inform me tht he could not write to me, and (to use his own words) begged I should not think hard of whatever they should do, as they were obliged to comply with whatever the Commissioners dictated - that in short, they were as Prisoners, and moreover that he with five others were to remain as Hostages, until the Prisoners among the Indians should be delivered up, he proceeded thus far, when one of the Commissioners took him away abruptly -- since that time Delaware Aaron and others are come in from Fort Stanwix where they tell us the Treaty is finished; the few Indians there have signed Articles Ceding almost the whole Seneca Country to them, they give them four miles in depth along the Water communication from Oswego to Kadaragaras, they made over to them the lands from Buffaloe Creek to Kadaragaras on Lake Erie in breadth and in Depth to the Pennsylvania line somewhere on the Ohio -- in short they have made a fine piece of business of it. In one of their conferences they desired to know from the Indians what they would propose to do, should a War between them and the King of England break out in the Spring and whether they would remain neuter -- to which the Indians answered with a good deal of firmness that they (Viz. Americans) could not be ignorant of their engagements with the King, that they did not think themselves obliged to declare their sentiments, and that they would make no promise that should bind them in future: - much altercation ensued and the Council broke up with displeasure on both sides. The next day, the Indians were called in, and in a laughing manner were told, that what passed the day before, was only by way of discourse and in Joke -- Since then I have letters from Chenussio, which mention that the Colonists have reported among the Indians that they intend to go to War with the King in the Spring. You can't imagine with what resentment the Indians received the particulars of the Treat at Fort Stanwix, which were attempted to be kept secret and only wormed out of them piece Meal, -- they look on their Interests as betrayed and give some hints of suspecting some of their most Confidential Chiefs - Aaron is gone to Albany and his Family set off for Fort Stanwix. They have lately had frequent Councils at Chenussio, where some of their Old Men proposed a Neutrality, which incensed the Warriors to such a degree that they threatened them with Death if they should urge it again, and declared that they would died on their Lands and faithful Allies to the King - two days

ago, two of the Principal Mohawk Chiefs begged to speak to me in private; when they told me a Sachem just come in from the Treaty, communicated to them (with the most earnest injunction to Secrecy) that after the Treaty was finished with the Commissioners, a great French General (probably the Marquis De La Fayette) called the sachems of the different Nations together in the most private manner, not admitting a single American to be present; when he addressed them in the name of the French King, his master, telling them that his business with them was not to require any of their Lands, nor to speak of Prisoners, but only to inform them that altho' their Father has for some time past hung his Head, occasioned by his being unsuccessful in War with the King of England, that now since matters had taken a favourable turn, he was in a condition to renew his former Engagements with them, and disposed to treat them with that kindness and friendship which in former times contributed so much to their happiness, and which he hoped they had not forgot: - he therefore called them together in the name of the Great King of France to acquaint them that early in the Spring, he proposed taking possession of all the places he formerly possessed, and were his property, but which were now in the hands of the English - he therefore with that Belt renewed their former friendship, and also with it sealed their Lips that nothing might transpire till proper time and place would Occur; then gave a large Belt of Wampum -- Which they received and it remains with them. There was but little cordiality between the Governor of New York and the Commissioners who would not permit him to interfere, and he left them much displeased, as they carried matters with a high hand -- the Shawanese &c., were much displeased, and I am afraid the proceedings at Fort Stanwix will weaken their chain of Friendship, and the Indians in General are little disposed to satisfy the agreements made with the Americans.

Altho' nothing was left undone to prejudice them against the King of England, whom they represented as selfish in all his dealings with the Indians, making use of their services whilst the War continued, and then basely and ungratefully neglecting them in the Articles of Peace, not even so much as mentioning them --

They then Contrasted their own conduct with his, telling the Indians that tho' by Treaty the Indians then lived on their lands given them by the Articles of Peace, they nevertheless made them a present of them, requiring only a small Tract and that for payment - for which three Boats loaded were arrived at Canawarahara and they promised as much more in the Spring.

To the above Articles, I shall add no comment, that I leave to yourself, having by this time I suppose given you a surfeit of Indian News; I shall only request you will take an opportunity of communicating it (with my best respects) to Brigadier General St. Leger.

Signed: ----- Dease
(State Records - Indian Affairs)

TREATY WITH THE SIX NATIONS AT FORT STANWIX

ARTICLES of a Treaty Concluded at Fort Stanwix on the 22nd Day of October, 1784 - between Oliver Wolcott, Richard Butler and Arthur Lee, Commissioners Plenipotentiary from the United States of America in Congress assembled on the one part and the Sachems & Warriors of the Six Nations on the other -- The United States will give Peace

to the Mohocks, Onondagas, Cayugas, and Senecas & Receive them into protection upon the following conditions:

Article 1st - Six Hostages shall be immediately delivered to the Commissioners by the said Nations to remain in the possession of the United States until all the Prisoners, White and Black, which were taken by the said Mohocks, Onondagas, Cayugas and Senecas or any of them in the late War from among the Citizens of the United States shall be Delivered Up.

Article 2nd - The Oneida and Tuscarora Nations shall be secured in the possession of the Lands in which they are settled.

Article 3rd - A Line shall be drawn beginning at the mouth of a Creek four miles east of Niagara called Oyonwaya or Johnstons Landing Place upon the Lake named by the Indians Oswego and by us Ontario.-- from thence Southerly in a Direction always four miles East of the Carrying Place between Lakes Erie and Ontario to the mouth of Tehoseroron or Buffalo Creek on Lake Erie, then South to the north Boundary of the State of Pennsylvania - thence west to the end of the said north boundary, thence south along the west boundary of the said State to the River Ohio.

The said Line from the mouth of Oyonwaya to the Ohio shall be the western boundary of the Lands of the Six Nations, so that the Six Nations shall and do Yield to the United States all Claim to the Country west of the said Boundary and then they shall be Secured in the possession of the lands east and north of the same; reserving only Six Miles Square round the Fort of Oswego to the United States for the Support of the same.

Article 4th - The Commissioners of the United States in Consideration of the present Circumstances of the Six Nations and in Execution of the humane and liberal Views of the United States upon the signing of the above four articles will order Goods to be delivered to the Six Nations for their use and Comfort.

(Signed)

Onondagas: OBEDARIGHTON
KEADARONDYON
Senecas: TAYANGANEANDAGEGHTI
TEHOWADEGHRIYAGE

(Signed)

OLIVER WOLCOTT
RICHARD BUTLER
ARTHUR LEE

Witnesses

SAML. JA. ATLEE (Pennsy'a Commiss'rs)
WM. MACLAY
FRANS. JOHNSTON, ARON HILL, ALEXR. CAMPBELL
SAML. KIRLAND MISS'Y, JAMES DEAN
SAML. MONTGOMERY, DERICK LANE CAPT.
JOHM MERCER, LIEUT., WILLIAM PENNINGTON, LT.
MAHLON HORD, ENS'N, HUGH PEEBLES

ONEIDAS: OHYADONENGHTI, DAYAHARI
CAYUGA: ORAGHGWAREATAGON
TUSCARORAS: ONONGHIAWENGHTI, THARONDAGUEGON
SENECA: ABEAL, KATENTHAGHHI
MOHAWKS: ONEGWENTAHONGI, TIWIGHNETOGON

(From copy in State Records, Indian Affairs).

AGREEMENT OF THE AMERICAN COMMISSIONERS FOR THE PURCHASE OF
LANDS FROM THE SIX NATIONS INDIANS

We, the Subscribers Commissioners duly appointed by the Honourable the Supreme Council of the State of Pennsylvania for the purpose of purchasing of the Indians, the Territory within the acknowledged Limits of the same State which hath not hitherto been purchased, do hereby promise and Engage, as part of the Consideration of the said purchase which is now accomplished to deliver to the Six Nations or such person or persons as they shall appoint, and who shall as a Voucher bring with him or them, this our Obligation; Goods, Wares, or Merchandize of such assortments as the Indians shall now direct to the Amount of One Thousand Dollars at the Pennsylvania Line or near Tioga on the first Day of October next, Witness Our Hands and Seals at Fort Stanwix this 23 Day of October A.D. 1784.

Sealed and delivered in presence of

(Signed)

OLIVER WOLCOTT

ARTHUR LEE, Miss'y

RICHARD BUTLER

AARON HILL

Cou'l Com.

(Signed)

SAML. KIRKLAND

WM. MACLAY

JAMES DEAN, Int'

ALEXR. CAMPBELL

SAML. J. ATLEE

FRANCIS JOHNSTON

(From copy in State Records, Indian Affairs).

APPOINTMENT BY JOHN DEASE

Niagara, May the 18th, 1785

Mr. Dease, having Obtained the Commanding Officers Permission to go to Head Quarters on Public

Business, hereby Directs That Mr. Nichols Stevens take Charge of the Indn. Department at this Post

in His Absence, the Officers And Others employ'd in the Department are hereby Enjoy'n'd to pay Due

Attention to his orders as command'g the Department untill my Return.

Mr. Stevens will in all his proceedings consult the Good of His Majesty's Service, & be extremely

watchfull to procure Such Intelligence as may be in any wise Conducive thereto & immediately

Report the Same to the Commanding Officer whose orders he will Attend to on Every Occasion.

JOHN DEASE, D. Superintdt.

TO THE OFFICERS & OTHERS EMPLOY'D IN THE INDN. DEPARTMENT

(State Records, Indian Affairs. A.L.S.)

Several of the Officers and Interpreters of the Indian Department, who had long been associated with the Six Nations had settled among them on the lands reserved for their benefit on the Grand River and the Gift of Lands from the Indians to these White Men and their families was confirmed by a formal license of occupation.

DEED FROM THE FIVE NATIONS

Translation of a Deed from the Five Nations inhabiting the Grand River.

Let it be known to all now and henceforth what is now agreed to and performed by us, mutual brethren and children of the Five Nations and Our Nephews of the Delaware race living on the Oghswego or Grand River, in full Council in which assembled Mohawks, Oniadas, Onondagas, Cayugas and Delawares.

Therefore let it be known by all, that in Virtue of a Grant of this Grand River made unto us by Sir. Fred. Haldimand, Governor in the King's name, which he has given us in writing his Name and Seal thereunto affixed, conferring the said lands upon us the Five Nations and our posterity; We agree that our brethren living on the same River, to wit. Hendrick Nellis, Robert Nellis, Warner Nellis, Adam Young, John Young, Daniel Young, Hendrick Young, John Dochsteder, Hendrick Huff, John Huff, shall hold a farm each, according to the boundaries, which now mark their possessions along the banks of the said River, which they are by no means to exceed either up or down the stream, and continuing of the same breadth, the said farms are to extend in length three miles back from the said Rivers Bank.

Of this extent, we confirm to them and their posterity, the full right to have and to hold the same in their respective families to wit, to Hendrick Nellis, Robert Nellis, Warner Nellis, Adam Young, John Young, Daniel Young, Hendrick Young, John Dochstader, Hendrick Huff, John Huff, to be possessed by them and their posterity and never to be transferred to any other whomsoever.

This being done and concluded by us the Five Nations and our Nephews, the Delawares, let never our Grand Children or Any whomsoever attempt to undo what we have by this instrument performed for we have done the same with due consideration In the Year of Our Lord, 1787, and 26th day of February, and to confirm the same we hereunto affix our hands and emblems of our Tribes.

Totem THOMAS SALEKARIWATE

Totem HENDRICK TEKARIHOGEA

AARON HILL

Totem JOS. BRANT THAYENDNEGEA

Totem JOHANISS TWEGHNITOGEGAGH

DAVID HILL

PAULUS SAHONWADI

X THOMAS SHOGHOGO HARAWANI

X KAYEADADIRHON

DAVID AGHIGWARISERI

X HENDRICK ORONDADICKHA

X JACOBUS OGHSONWAGHTAGEGHTI

Totem JOHN ATOGHSERANGIGH

TEKAENYOUGH

X KAREBGHODON

X OGHKWARIGHOGHSITA

X ORAGHWANINDAGON

X ONIGHNIASAGWADEN

X AWEANARATYE

True Translation John Norton
(State Records.)

FROM LORD DORCHESTER TO JOHN COLLINS

Quebec, 19th July, 1787

Sir, -

I have received your Letter of the 10th July.

It is being thought expedient to join the Settlements of the Loyalists near to Niagara, to those west of Cataragui, Sir John Johnson has been directed to take such steps with the Indians concerned, as may be necessary to establish a free and amicable right for Government to the interjacent lands not yet purchased on the north of Lake Ontario, for that purpose, as well as to such parts of the country as may be necessary on both sides of the proposed communication from Toronto to Lake Huron.

As you have been employed in the former purchase made of the Indians in that country, you will give ever assistance and information to Sir John, who will correspond with you on the subject.

I am, &c. DORCHESTER

(Quebec Instruction Book, No. 5, pp. 42-3.)

The purchase of these Lands was considered of so much importance that Sir John Johnson relinquished his intention of attending the Council of Western Indians at Michilimackinac. He was instructed at the same time to distribute a considerable gratuity of presents among the Indians as a reward for their past good conduct. It will be noted that although the Treaty then concluded was duly signed in the presence of Witnesses by three principal Chiefs, two of whom had signed the previous cessions of land negotiated with Guy Johnson and John Butler, certain blanks remained unfilled, wherein the amount of the consideration paid and the extent of lands purchased should have been stated. This Statement by Colonel McKee shows that this became the subject of inquiry eight years later, when two of the Witnesses were dead. The Council was well attended and a liberal distribution of presents was made but some of the Indians complained afterwards that their assent had not been properly given to the "Gunshot Treaty" as they termed it, and Butler was instructed to make terms with them during the following year.

TREATY WITH THE MISSASSAGAS

This Indenture made at the Carrying Place, Head of the Bay of Quinty, the *twenty-third day of September in the Year of Our Lord, One Thousand, Seven Hundred and Eighty-Seven*. Between..... and the Honble Sir John Johnson Bart, for and in behalf of our Sovereign Lord the King Witnesseth that the said above mentioned.

Principal Chiefs and War Chiefs as aforesaid for and in consideration of the sum of _____ to them in hand well and truly paid by the Honble St. John Johnson aforesaid at or upon the Sealing and Delivery of these Presents the receipt whereof they the said _____ doth hereby acknowledge and thereof and there from every part or parcel thereof doth acquit, release, exonerate and forever discharge

Our Sovereign Lord the King, His Heirs and Successors and every of them by these presents Hath granted, bargained, Alienated, Released and Confirmed and by these

presents doth grant, bargain, Sell, alienate, release, and Confirm unto Our Sovereign Lord The King and to His Heirs and Successors all that Tract or Parcel of Land lying and being _____ together with the Woods, Ways, Paths, Waters, Water courses, Advantages, Emoluments and hereditaments whatsoever to the said Tract or Parcel of Land situated as above mentioned belonging or in any ways appertaining or which to and with the same now are or at any time heretofore have been held and occupied, accepted, reputed, taken or known as part parcel or member thereof and the issues and profits of all and singular the said premises and every part and parcel thereof with the appurtenances and also all the Estate right, Title, Interest, Property, Claim and demand whatsoever of them the said _____ in and to all and singular the said premises above mentioned and of every part and parcel thereof with the appurtenances To have and to hold all and singular the said Tract or Parcel of Land hereditaments and premises above in and by these presents released and confirmed and every part and parcel thereof with the appurtenances unto Our Sovereign Lord the King, His Heirs and Successors forever and to and for no other use intent or purpose whatsoever, and the said _____ for themselves their Heirs and Successors doth Covenant, Grant, Promise and Agree to and with Our Sovereign Lord the King His heirs and Successors that they the said _____ now is the true lawful and rightful owners of all & singular the said Tract or Parcel of Land, hereditaments & premises above mentioned and of every part or parcel thereof with the appurtenances and also that the said _____ at the time of Sealing and Delivery of these presents is lawfully and rightfully Seized in their own right of a good, Sure, perfect, absolute and indefeasible estate of inheritance in fee simple of and in all and singular the said premises above mentioned with the appurtenances without any manner of Condition limitation of use or uses or matter cause or thing whatsoever to Alter, change, charge, or determine the same and also that His Majesty, his Heirs and Successors shall and may at all times for ever hereafter peaceably and quietly have, hold, occupy possess and enjoy all and singular the said Tract or Parcel of Land hereditaments and premises aforesaid with the appurtenances and every part or parcel, thereof without trouble, hindrance, or molestation, interruption or disturbance of them the said _____ their Heirs, or Successors or any other person or persons lawfully Claiming or to Claim by, from or under them or any of them, and kept harmless and indemnified of from and against all former and other Gifts or Grants whatsoever.

In Witness whereof we have hereunto set our hands and Seals the day and date above mentioned.

Witness Present:	Signed	
JOHN COLLINS	WABAKANYNE	L.S. Totem
LOUIS KOTTE	NEACE	L.S. Totem
NATHANL.LINES Interpr.	PAKQU	L.S. Totem

A true copy P. Selby, (Asst. Sec'y. I.D.)

RETURN OF INDIANS AT TREATY AT CARRYING PLACE

Return of the Missisagey Nation of Indians assembled at the Head of the Bay de Quinte, the 23rd September, 1787 in order to receive a Dividend of the General Present ordered for them by the Right Honorable Guy Lord Dorchester, Governor in Chief of the British Dominions in America, &c. &c. &c. together with those of the same Nations

Collected at Toronto who received their Dividends of the presents by their Chiefs who attended at the Bay of Quinte for that purpose.

NATIONS	NO. OF MEN	WOMEN	CHILDREN	TOTAL	REMARKS
Mississageys assembled at Bay de Quinte	169	209	298	626	
Mississageys assembled at Toronto & River La Trench	118	122	151	391	
General Total	287	331	399	1017	

Wabakinine's account of the number of Mississageys at the Head of the Lake &ca. 506, of which one hundred and forty-two can make use of Arms, and he represents to Lord Dorchester that the chief of those near Kingston says their Number is 208 of which 62 can make use of Arms.

RETURN OF PRESENTS DISTRIBUTED AT THE BAY OF QUINTE

Distribution of Arms, Ammunition & Tobacco made by Sir John Johnson, Bart, Supinten't Genl. Of Indian Affairs, to the Messesagey Indians assembled at the Hed of the Bay de Quinte the 23rd September, 1787 at which time they made a formal Cession of Lands on the North side Of Lake Ontario to the Crown.

To Kenease & His Band or Party		To Shawenecap away & Party	
2 Half Barrels & 1/2 of one	Powder	1 Half Barrel & 1/2 of one	Powder
1-1/2 case	Shot	1/2 case	Shot
4-1/2 Kegs	Ball	1 Keg	Ball
24	Guns	11	Guns
12 Carrots	Tobacco	4 Carrots	Tobacco
To Sagaagas & Party		To Nawagashek & Party	
4 Half Barrels	Powder	2 Half Barrels	Powder
2 Cases	Shot	1 Case	Shot
6 Kegs	Ball	3 Kegs	Ball
37	Guns	19	Guns
17 Carrots	Tobacco	8 Carrots	Tobacco
To Shewetegan & Party		Indians Of Toronto	
24 Lbs.	Powder	6 Half Barrels	Powder
36 Lbs	Shot	3 Cases	Shot
36 Lbs	Ball	9 Kegs	Ball
5	Guns	60	Guns
2 Carrots	Tobacco	24 Carrots	Tobacco
Indians of River Le Trenche			
1 Half Barrel	Powder	1/2 Case	Shot
2 Kegs	Ball	15	Guns

2 Carrots

Tobacco

A True Copy. (Signed) P. Langan.

FROM JOHN BUTLER TO SIR JOHN JOHNSON
EXTRACT OF A LETTER FROM JOHN BUTLER, ESQR. TO SIR JOHN JOHNSON,
BARONET, DATED NIAGARA 26TH AUGUST, 1788

"The Day after you left me, the Chiefs proposed going home, but as the Indians from Lake La Clay and Pawortink were not yet arrived, I desired the Chiefs to Stay and send their young Men & Women home, which they did, two days after they arrived, I then Called them to Council and made a proposal to Purchase all the Lands to the Bay of Quinte, and as far back as Lake La Clay and the Rice Lake, which after two or three meetings, they agreed to, I then proposed t them to run a Straight Line from the Place of Beginning above Toronto 15 or 16 Miles back as that being Supposed to be the Breadth from the Clay Bank to the Said Place of Begining, Mr. Wopawnine and Porqua Demand Twenty-Five Guineas for allowing the Strait Line."

A True Extract.

Joseph Chew, S.I.A.

(C.250-1, p. 290.)

STATEMENT BY ALEXANDER MCKEE

Mr. Nathaniel Lines, Indian Interpreter at Kingston says he was present at the Bay of Quinti when he witnessed the Blank Deed supposed by him at the time to be a proper Deed of Conveyance of Lands from the Missisagas resorting the Bay of Quinti, the Rice Lake and Lake La Clie - Commencing at the Head or Carrying Place of the Bayof Quinti to a Creek called Tobeka from seven to fourteen miles above Toronto with a Reservation of the Rice Lake and of a Certain Place which Mr. Lines does not recollect between the said Rice Lake and Lake Ontario, but the lands intended to be sold and purchased at that time are connected all the way in front on Lake Ontario, running in Depth 10 or 12 Miles nearly as far as the Rice Lake and above the Ricke Lake, a Common Day's Journey back as far as Toronto.

Mr. Lines further says that Sir John Johnson, Mr. Collins the Surveyor and several others were present, and that immediately after the delivery of goods which were the Consideration for the Lands, he, Mr. Lines was called to Witness the Blank Deed (now shewn to him but supposed to have been regularly drawn, and he further says that he saw the Indians make their marks upon the slips of Paper which were Wafered on the Deed before the Marks were made thereon.

A. McKEE, D.S.G.I.A.

Kingston, 10th June, 1795.

(C. 250-1, pp. 287-8).

The importance of retaining the good will and confidence of the Six Nations, who still remained within the Territory of the United States and of those belonging to the Western Confederacy of Indians, was obviously of even still greater importance to the infant settlements. Sir John Johnson attended a council of the Six Nations at Buffalo

Creek where he supervised the delivery of their gratuity and conferred with the principal Chiefs. While there he wrote the following letter.

FROM SIR JOHN JOHNSON TO ALEXANDER McKEE
Black Rock, Opposite Fort Erie.

September 2nd, 1787

Dear Sir,

I have now the honour of Answering your Several Letters of the 25th June, 5th and 8th July and 15th August which neither Time nor Opportunity would permit me to Acknowledge the receipt of sooner. I am pleased to find that the Indians In General to the Westward have so just and perfect a knowledge of their Present, and What their future situation would be, should they Suffer the Americans to Establish them- selves in their Country. Our Situation in that case would be very little better -- for Which reasons I think it best to encourage them all in our Power to draw a Certain line between them and the Americans Allowing as large a Scope as then can with Safety to themselves and Attention to their hunting grounds, beyond which they ought not to be permitted to Settle -- this I much fear though all they in reason could expect from the Indians will not be Accomplished. I therefore see Nothing left for them but Unanimity in their Councils and Steady and firm Opposition to their encroachments, this line of Conduct once determined on I think would secure peace to them for a few years - The Americans conscious of this are leaving no means untried to divide and Weaken them and I am much afraid with but too much Success, as the Wyandots seem to use every Artifice to divert the Indians from their intention of holding a General Council in their Country near the Miamis, and the Six Nations are much divided, divided Also in their Opinions of What is best to be done. Captain Brant, however, seems firm in his Intentions of Affording every Assistance in his Power, and I hope his Influence will extend pretty wide. Captain Brant has Applied to me for some Indian Corn for the Support of his Party & for relief of others, who may be in Want. I have therefore promised him 500 bushels as I think that will go but a little way among them, should they Assemble in the Manner that is expected, I would wish you to extend the Quantity to one thousand Bushells Should Major Matthews Agree in Opinion with us that it will be Necessary - some Pork will Also be wanting of which I leave you to determine the Quantity Necessary. Any Necessaries Captain Brant's Party may Stand in Need of I wish you to Supply them with and to pay any reasonable expences that he, Aaron or David may have contracted or may be Under the Necessity of incurring during their Stay at Detroit. For the reasons you have Assigned that no Meeting of the Indians would be held at this time at Detroit, as well as from the business I have yet to transact with the Missassagoes, I have determined to postpone my visit to Detroit this Seson, and therefore commit to your care the Distribution of the Goods and Money intended for the Delawares and Shawanese in your District, Mr. Molloy has Charge of the Money Agreeable to the inclosed Abstract, as Also of the Annual Supply for your District, and that of Mackina, which I hope you will see forwarded without delay, as the Conductor is much Wanted below to Assist in the New Arrangement of Stores, &c. As it is not in my Power to pay Mr. McCormick for the Rum you had from him, I must request you will replace it out of the Quantity in the Hands of the Commissary for your District, and as it has Occasioned him much delay and Expence, I wish you would Speak to Major Mathews to indulge him with a Passage and the

Transport of it to Mackina to make u for the loss he must otherwise Suffer through his Simplicity and folly. I have Acquainted Captain Elliott with my Sentiments on the Subject of the late Instructions. Receipts of the same tenor and date must be taken from the heads of each Tribe for both goods and Cash, it is the mode I have pursued. As the Wyandots have not the same claim or pretensions that the former have, I think it best that you give them something out of the Annual Supply now on the way to you. I think it best, for every reason that the distribution of the Goods and Money should be made in the most convenient place for the Indians in their own Country.

I therefore leave it to your own judgment to make Choice of such place as you may think best adapted for the purpose -- the sooner you transmit me the Vouchers for the Goods and the Cash, the better - Make my best respects to Major Mathews. I wish he would shew some countenance to a Mr. John Wheaton who lives at Detroit, and means I believe to take up his proportion of land there.

I remain, &c.

JOHN JOHNSON

Inclosed you have a Copy, of a form of the receipt,
Necessary to be taken from the Indians Who are to receive his Majesty's Bounty
(State Records, Indian Affairs, A.L.S.)

A single surveyor had been employed to adjust the boundaries of land already occupied, which he found a task of considerable difficulty, and he was obliged to solicit assistance to expedite his work.

FROM PHILIP R. FREY TO JOHN COLLINS

NIAGARA, 18th September, 1787.

Sir,

I have the honour to transmit this accompanied by plans and reports of Surveys of Township Number One and the others of Number Two, together with the first concessions of the latter lately surveyed which I hope will meet your approbation.

The person who had been employed in the surveying business previous to me had made few and very erroneous surveys, having only laid out a few lots for particular people, many plans may have been transmitted, which may not have been effectually executed. I am sorry to understand that His Honour Brigadier General Hope expects that I shall finish the survey of the Crown Lands by next or the latter end of the ensuing Winter, from his Honour's expectations in this respect I am indeed to entertain an opinion that he conceived much had been already done, before my appointment to this place. In order to expedite the survey at a very small additional expence to Government I will wish his Honour's and your approbation to employ two very able assistance provided you shall think proper to augment my pay to ten shillings Sterling per Day, in this case it might be accomplished during that period. I shall continue the survey with the utmost diligence, & beg to have the honour to be, &c.

P.R. FREY

Deputy Surveyor for Niagara & Detroit.

John Collins, Esq. D.S. General Quebec.

(District of Nassau Letter Book, No. 2, pp. 7-8.)

(Allan Macdonell and Lieut. Tinling had been engaged in making surveys)

As a reply from the Surveyor General's Office could scarcely be expected in time to begin operations at the most favourable season the Commandant took the responsibility of giving the necessary authority in advance.

FROM JONAS WATSON TO PHILIP R. FREY

Niagara, 15th January, 1788.

Sir,

In consequence of a discretionary power given me by the Commander In Chief and upon your representations that Messrs. Jesse Pawling and Augustus Jones are properly qualified to assist in surveying the Townships of the Settlement under your inspection, I do appoint them to that service from this date at a salary of two shillings & sixpence Sterling per day each without any other expence whatever being incurred from this appointment.

I am &c. JONAS WATSON, Capt. 65th

Commanding Upper Posts.

Mr. Philip Frey, Dy. Surveyor, District of Niagara.
(District of Nassau, Letter Book No. 2, P.9.)

The Minutes of the Executive Council of Lower Canada contain a few brief entries respecting the disposal of Lands in larger quantities than were authorized by the general regulations, which have a local interest.

EXTRACTS FROM QUEBEC LAND BOOK

20TH MARCH, 1788.

Nathaniel Petit. The Memorial of Nathaniel Petit sets forth, that he served ten years as a Judge in the Court of Common Pleas in the Province of New Jersey, that he has been obliged to abandon that Country in consequence of his endeavours to support the British Cause. That he has been employed in raising Men for the King's Service in which he has good success and that he has greatly suffered in his fortune. He prays for a Captain's allowance at Niagara. No reason appears to the Committee why Mr. Petit may not have the quantity of land he applies for, if it shall be your Excellency's pleasure to extend the King's Bounty to him. Lieut.-Col. Butler. "Lieutenant Colo. Butler, in his Memorial of the 12th Novr. 1787, prays for lands in this Province in lieu of his right in sundry valuable tracts in the State of New York, which he lost in consequence of the active part he took in favor of Government against the revolted Colonies, at a very early period of the late troubles.

"From the very peculiar situation he stood in with respect to these lands when the Rebellion broke out, the Commissioners for American claims cannot, under the Act of Parliament, relieve him. He hopes therefore that his equitable right to a compensation will be considered by your Excellency.

"He values the right he had in these lands at 5,720 Pounds New York Currency the dollar at 8/."
(P.15-16)

Colonel Butler's Petition throws considerable and a singular light on his previous dealings with the Indians for the purchase of lands in the former Province of New York.

MEMORIAL OF LIEUT.-COLONEL JOHN BUTLER

To His Excellency, the Right Honorable Guy Lord Dorchester, Governor-General and Commander In Chief in and over His Majesty's Provinces of Quebec, Nova Scotia, New Brunswick, &c., &c., &c.

The Memorial of Lieut. Colonel John Butler Sheweth:

That your Lordships Memorialist at the Commencement of the Late Rebellion in America, resided in the County of Tryon in the Province of New York, where he possessed in Fee simple a real Estate as also personal Estate to a very considerable amount.

That at the commencement of the Rebellion he took an early and decided part in favor of His Majesty's Government and was opposed to the measures of the American Congress, and that having been many years employ'd in the Indian Department under the Late Sir William Johnson, Barnt., Deceased, in which Department he hath ever since been continued, it became necessary in order to promote His Majesty's Service and for his own personal safety, to seek refuge in the Province of Canada -- being obnoxious to the Leaders in the late revolt on account of his opposition to their Measures, and the Jealousies they entertained of his interest with and influence over the Indians being turned to their Prejudice.

That in consequence of your Memorialists well known Loyalty and attachment to His Majesty's and the British Government, by an act passed by the Legislature of the State of New York on the 22nd of October, 1779 (among others) he hath by name been attainted of High Treason and his whole Estate real and Personal hath been seized, confiscated and sold whereby he hath been and now is deprived of a considerable part thereof.

That under the Late act of Parliament appointing Commissioners to enquire into the losses and services of the American Loyalists, your Lordship's Memorialist applied for such aid or Relief, as his losses and services should be found to deserve - and on such application he hath been heard in support of his several allegations of losses he hath sustained by reason aforesaid.

Your Lordship's Memorialist begs leave to suggest to your Lordship that in stating his account of his Losses he omitted charging several Tracts of Land to which he is *Equitably* tho' not Legally Intitled - because he humbly conceived the Latter only could come under the Consideration of the Commissioners, and in support of the former he had not the proper and Necessary Document, The case as it really and truly is, he begs Leave to state to your Lordship. Previous to the Commencement of the late Rebellion, several purchases of large Tracts of Land were made of the Native Indian Proprietors, in His Majesty's Name, tho' for the use of persons, many of them disinterested, to whom Grants were to be made, and who on the Patents being Issued were to release the Lands so granted to them, to the persons for whose use the purchase was originally intended. Of the Lands your Memorialist was Interested in some of the Patents had passed the Great Seal of the Province, but others were not perfected at the time he was obliged to retire into the Province of Canada, and as the conveyance was not Executed he can only claim as Equitably Intitled to those Lands for want of those Legal Transfers to vest the same in

him in Fee - a particular acct of the quantity and value of said Lands is herewith annexed, and to which he begs leave to refer.

Under these circumstances your Memorialist begs leave humbly to request your Lordships attention to his situation and the distresses in which himself and his Family are involved from the attainted of his Person and the confiscation of his Estate, in the first Instance, and in the second, his being deprived of all hopes of ever obtaining any part of the Lands to which he has so equitable a Title, by the line between Canada and the American States being far Northward and westward of those Lands.

In consideration whereof your Memorialist Humbly prays that your Lordship will be pleased to Grant him such a Quantity of Vacant unappropriated Land in this Province as will make him some kind of Compensation for the Value of the Land above stated to be lost, an Estimate whereof and of their Value he begs leave to subjoin to this Memorial. And as in duty bound he will every pray &c.

JOHN BUTLER

Quebec 12th Octr. 1787.

Endorsed: Memorial of Lt. Col. John Butler, Praying for a Grant of Land 1 Inclo.

Rec'd 14th Octr. 1787. Referred to the Committee of Council for Granting Lands.

By order of Lord Dorchester.

Henry Motz, Quebec. 12th Octr. 1787. Read in Committee 29 Decr. 87. W.G.

ESTIMATE ENCLOSED

No. 1	
This Patent was granted and Colo. Butler had an Article from Col. Crohan to Convey to him the 2000 acres but the Conveyance was not made previous to the Rebellion.	In the Year 1760, Colo. Butler made a purchase of a Tract of Lands from the Indians for Colo. Crohan and others, in which he was to be interested in 2000 Acres situate at Lake Otsego on the head of Susquehanna River which he estimates at 8/..... £800
No. 2	
This Patent was not perfected.	In or about the year 1766 Col. Butler purchased a Tract of Land from the Onida Indians, called the Fra. Mason Patent containing about 160,000 Acres for a number of Persons who by an article of agreement with Colo. Butler were to convey to him 7600 acres for his expence and trouble in making the purchase which he estimates per acre at 4/..... £1520
No. 3	
This Patent was not perfected.	In or about the year 1772 Col. Butler purchased from the Mohawk Indians, a Tract of Land for Colo. Jessup and others who also Covenanted to convey to him 2000 acres this he values at 4/..... £400
No. 4	
This Patent was not perfected.	In or about the year 1768, Colo. Butler purchased from the Mohawk Indians for John Glenn and others a Tract of Land near Sokodago River out of which Tract he was to have 100 Acres for his expence and trouble in

	making the purchase - this he values at 8/..... £400
No. 5	
Col. Butler is not certain but this Patent was perfected.	In or about the year 1768 Col. Butler made a purchase for Christopher Yates and others of a Tract of Land from the Mohawk Indns situate upon Hudson's River near Ft. Edward, Containing about 8000 Acres of which they covenanted to convey to him 100 acres. This he values at 4/..... £200
No. 6	
Col. Butler cannot ascertain whether this Patent was perfected or not	In the year 1768, Col. Butler purchased for Col. Crohan, Governor Franklin and others, a large Tract of Land from the Onidas and Tuskaroras Indians situate on the Tinondira River for which Colo. Crohan Covenanted to give him 4000 acres for his expence and trouble. This he values at 4/..... £800
No.7	
For these two tracts the Patents were perfected.	In or about the year 1766, Col. Butler purchased for Col. Crohan and others, two Tracts of Land containing about 40,000 Acres from Mohawks and Oghquagas situate near Schoharry for which Colo. Butler was to have 4000 acres. Which he values at 8/..... £1600
	New York Curry..... £5720

Quebec 12 Octr. 1787.

Endorsed: Statement and valuation of Lands belonging to Col. Butler and how he became intitled thereto.

1. Probably George Croghan, Indian Agent at Fort Pitt.

Be it remembered by these presents that on the twenty-seventh day of October in the Year of Our Lord, one thousand, seven hundred and eighty-seven Before me John Gerbrand Beek Notary Public by Royal Authority duly admitted and sworn dwelling in the City of Montreal, in the Province of Quebec personally came and appeared John Butler late of Butlersburg, County of Tryon in the Province of New York North America but now in the Province of Quebec aforesaid Lieutenant Colonel and Deputy Agent of the Six Nation Indian Department who being duly sworn on the Holy Evangelists Deponeth and Saith that he was personally acquainted with the late Sir William Johnson, Baronet, from the year one thousand, seven hundred and forty-four to the day of his death in the year one thousand, seven hundred and seventy-four. That prior to the said Sir William Johnson's being appointed commissioner of Indian affairs this deponent lived near an Indian Town, on the Mohawk River at Fort Hunter which Fort his Father then commanded; this Deponet saith that the Management of the Indians was then in the hands of six Commissioners who after the War commenced in one thousand seven hundred and forty-five, the Deponent saw Frequently in Council with the Indians endeavouring to persuade them to take up the Hatchet and go to War against the French which they never had influence to effect. The Deponent further saith, that the said Sir William Johnson being one of the Council in the Province of New York about the year one thousand seven

hundred and forty-six or forty-seven was on account of his well known interest and Influence with the Indians, appointed by the Governor and Council Sole Commissioner for the Six Nations Indians, and their Confederates. This Deponent saith that the said Sir William Johnson, with his great influence and by large presents judiciously applied with those Indians, soon engaged them in the War, and appointed several officers to act with the Indians, amongst which were two elder Brothers of this Deponent, with whom Sir William Johnson sent two parties of Indians to different parts of Canada, from whence they Brought in a number of Scalps and Prisoners, which was the first of their engaging in the War of one thousand seven hundred and forty-five, after which the different nations met in Council frequently with Sir William Johnson, who by means of his indefatigable activity and interest with them, soon engaged the whole of the Six Nations and their allies, in Governments interest, during which time the Deponent frequently saw Sir William Johnson give them large presents, at the Close of the War about the Year one thousand seven hundred and fifty, when the French seeing their Interest with them by establishing a Fort and erecting a Church on the River of St. Lawrence near Lake Ontario, where by the influence of the Priests and Agents, they had formed a considerable settlement of the Six Nation Indians greatest part of which Sir William Johnson, by his usual exertions drew back to their former Villages in which he not only frustrated the French Plans but totally prevented any further emigrations from the Six Nations Country, which this Deponent saith he thinks no other man then living could have done; during the Peace that after wards ensued this Deponent says that Sir William Johnson's Steady Attention to the Indian Interest by establishing a well regulated Trade with them, not only engaged the attachment and confidence of the Indians to himself but secured their Interest so firmly to Government, that at the beginning of the War in one thousand seven hundred and fifty-five they unanimously agreed to take up the Hatchet, at which time the Deponent was with Numbers of others) appointed an officer to act with and encourage the Indians; this Deponent saith that in the year one thousand, seven hundred and fifty-five Sir William Johnson sent a large party of Indians, to act in Conjunction with the army under the Command of General Shirly, at the same time Sir William Johnson was a appointed to the Command of an Army of Provincials to go against the French at Crown Point, with a large Number of Indians with him, who were by the example and encouragement of Sir William Johnson brought warmly into action with the Provincial Troops at the defeat of the French Army at Lake George, when Sir William Johnson took Prisoner the Commander of that Army, Baran Diescaux; about this time the said Sir William Johnson was appointed by his late Majesty, sole agent and Superintendent of Indian affairs in the Northern District of America by which the care and management of all the Indians in the British Interest in that Quarter fell under his care and during which time the Deponent saith he was knowing to Sir William Johnson's Expending large presents to those Indians for the support of their families and as a reward for their services. In the year one thousand seven hundred and fifty-six this deponent saith he was appointed a Captain in the Six Nation Indian Department by Lord Lowden in which capacity he acted during the directions of Sir William Johnson and being long accustomed to Indians and understanding their Languages he was frequently called upon by Sir William Johnson to assist him in distributing goods and cash to a considerable amount to the different nations, besides which he also assisted in delivering speeches and private presents to the principal chiefs and Warriors, which this deponent verryly believes

was judiciously distributed and generally had the desired effect. That in one thousand seven hundred and fifty eight this Deponent and his Brother were ordered by Sir William Johnson to accompany Colonel Broadstreet on an expedition against Cataracqui on the North side of the Lake Ontario and to take with them a number of Indians who were paid by the said Sir William Johnson in cash half a dollar per day during that expedition besides Cloathing for themselves and families. In the year one thousand seven hundred and fifty-nine the Deponent accompanied Sir William Johnson on the expedition against Niagara, where on account of some Promises the Indians in that Country had made to protect their trade at that Post, Sir William Johnson had some difficulty, attended with great expences to unite the Indians in Attacking that Fort, but finally with his usual steadiness and exertions prevailed on them to engage with him in the Reduction of that Fort, which this Deponent verily believes, could not have been effected without their assistance nor does he believe that any other Man but Sir William Johnson could have prevailed on the Indians to have given their aid, or even their consent to the taking of that place. In the year one thousand seven hundred and sixty this Deponent with several other officers was dispatched through the different Indian Nations, with messages from Sir William Johnson to collect the Indians together to join the Army against Canada under the command of Lord Amherst, to which they unanimously agreed and assembled in very large numbers at Oswego, where they received large presents from Sir William Johnson, from which place Sir William Dispatched a message to the several Indian Nations in Canada requesting them to meet him at Oswegatchie, which they complied with where by his extra- ordinary influence with those people, he not only prevailed on them to give up the French Hatchet and become our allies, but actually prevailed on some of them to engage with our Indians in the reduction of Canada, and were found very useful to the Army in piloting them down the River Saint Lawrence; after the reduction of Canada, and a Peace (was) established the major part of the Officers and other people who had been useful in the Indian Department were Dismissed. This Deponent saith he was continued in the Department by Sir William Johnson and was particularly knowing to most of his transactions with the Indian Nations till the said Sir William Johnson's Decease in one thousand seven hundred and seventy-four and was present at all Public Meetings and assisted in giving out all public presents which this Deponent saith was, through the Extraordinary abilities of the said Sir William Johnson, done to the general satisfaction of the Indians, and the Deponent believes to the full satisfaction of the then commanders in chief and without abusing the trust that Government had placed in him the said Sir William Johnson, that at a Treaty held with the great Chief Pontiac and the different Western Nations at Oswego in the Year one thousand seven hundred and sixty-five the said Sir William Johnson by his great interest and influence with the Indians Brought them to agree that in case their people should murder any British subject that such offenders should be brought in and given up to him to be tried by our Laws and as a proof of his influence and their strict adherence to all treaties made with him several offenders of that nature were absolutely given up to him and tried and condemned by our laws: for the regulation of trade and to prevent abuses amongst the Indians the said Sir William Johnson appointed Commissioners to reside at the different posts where the traders were allowed to traffic with the Indians who from their remote situations and the nature of the employment incurred, a considerable expence to Government. Finally this Deponent Saith that during the last Eighteen years of the said Sir William Johnsons life,

he this Deponent was Employed in the Indian Department under the said Sir William Johnson and was personally knowing to most of his transactions and that he with many others was regularly paid by the said Sir William Johnson for his services and all incidental expences for which he passed receipts and verily believes that regular accounts and receipts were kept of all such parts of their expenditures as the nature of the service would admit in so much that during that Period, he the Deponent never heard the least complaint against the Said Sir William Johnson either by white people or Indians on that account and has every reason to believe that his late Majesty and the then Commanders In Chief in America were perfectly satisfied with the Disbursements and Expenditures made by him and the Deponent well knows that large quantities of Goods and Monies were at different times given to Indians by the said Sir William Johnson for the purchase of Land for the Crown particularly at Fort Stanwix in or about the year one thousand seven hundred and sixty-eight as well as to settle and prevent Disputes between them and the inhabitants of the Frontiers of His Majesty's Colonies which Monies and Goods were given with every Frugality, care and attention to His Majesty's Interest and this Deponent verily believes that the same was properly applied for the Interest of Government according to the best abilities and Judgment of the said Sir William Johnson. And that during the Late War this Deponent Saith that he has frequently when in Council with the Indians found it very useful to mention said Sir William Johnson's name and remind them of Promises which they had formerly made to him which from his great influence with them and their particular attachment to his Memory they are still punctual to observe.

This Deponent further Saith that Sir John Johnson, Son and Representative of the Late Sir William Johnson, being obliged at the approach of an Army of Rebels in the year one thousand seven hundred and seventy-six to fly from his seat at Johnson Hall with a number of his tenants and others through the woods to Canada as this Deponent has been frequently informed by different people of credit and that the Rebel Army who were at Johnson Hall in a few hours after the Departure of Sir John Johnson placed a sentinel at the Door of the room where they confined Lady Johnston till they plundered the House of Furniture, &ca. and also a Stone office which was fire proof a little distance from said Johnson Hall where the late Sir William Johnson and after his death Sir John Johnson kept their books and papers they Plundered and took the papers of the Late Sir William Johnson and Sir John Johnson to the Tavern in Johnstown about a Mile from said Johnson Hall which this Deponent was informed by Creditable people who saw the papers Scattered through the House and they supposed were taken away and Destroyed by the said Rebels after which Lady Johnson being taken down to Albany Prisoner and the whole House &ca. was left to the Mercy of Rebel Troops who plundered and Destroyed what they pleased except some papers which Sir John Johnson had deposited in the earth some of which this Deponent saw after being brought into Canada Injured and Defaced to that degree that they were not Legible, and was informed that the whole were in the same Situation.

And further this Deponent Saith Not.

In Testimony whereof the said Notary has hereunto subscribed my name and fixed my Notarial Seal of Office at Montreal aforesaid the day & year first above written.

JOHN BUTLER

J. G. Beek

(This deposition was probably made at the request of Sir John Johnson to support a claim by him for compensation for his Losses.)

(Archives Judiciaires de Montreal. Printed in Rapport de l'Archivist de la Province de Quebec pour 1924-1925, pp.393-6).

EXTRACT FROM THE QUEBEC LAND BOOK

20TH, MARCH, 1788.

Mr. Rocheblave

Mr. Rocheblave attended the Committee on the 15th of February to pray that his application for lands at Toronto, might be application for lands at Toronto, might be taken into immediate consideration, because the approach of the Spring presses for a decision on his request. He represents his Case to merit as much attention as that of any suffering Loyalists from the Colonies, now the States; that from his sincere attachment to the British Government and steady adherence to his loyalty he had been driven from his possessions at Kaskaskias (Fort Gage), he lost his all, and was afterwards imprisoned in a Dungeon in Virginia from whence he contrived to make his escape.

"Lands were promised him in this Province, but he is yet without any, for which reason he prays the Committee to report to your Lordship on his application for a Grant of the Portage or Carrying Place of Toronto. The Committee having considered Mr. Rocheblave's request as a suffering Loyalist are of the Opinion, that if your Excellency shall see proper to establish the projected Carrying Place between Toronto and Lake Leclaire (28 Miles over) in consideration of Mr. Rocheblaves having been the first to point out the advantages that would accrue to the Upper Country Trade by opening that communication he may, if it is your Excellency's pleasure that it be put into the hands of an individual, be indulged with a lease of it for a limited time, provided he agrees to conform to all such regulations as may be established by the Government for the transportation of Goods across it. The Deputy Surveyor General informed the Committee that the lands petitioned for by Mr. Rocheblave, in case he cannot obtain a Grant for the Carrying Place, are in your Lordship's gift none having as yet been laid off in that part of the Province."

(P.14)

FROM JONAS WATSON TO PHILIP R. FREY

Niagara, 31st March, 1788.

Dear Sir,

I have no objections to the three parties being employed at all times in the manner the best calculated to expedite the business of the survey but am sorry that any delays should occur, as I am persuaded it will be expected below that our progress in it should be proportionable to our increase of hands.

I am &c.

JONAS WATSON, Capt. 65th

Mr. Frey, Dy. Surveyor, Niagara.

(District of Nassau, Letter Book, No. 2, p.10)

Meanwhile the overland route from Toronto to Lake Huron was engaging the attention of the Executive Council at Quebec.

EXTRACT FROM THE QUEBEC LAND BOOK

"At a Meeting of the Land Committee

On Friday 2d May (1788)

Present:

Messrs. Finlay, Grant, Collins, DeBleury and De Lanaudiere.

Mr. Rocheblave,

Toronto Carrying Place.

When they read Mons. Rocheblave's Representation of 23rd April concerning the Portage of Toronto; wherein he states, that it is thirty miles over, and that the Carrying Place of Niagara is but nine, he therefore conceives that the price of carrying goods across, ought to be increased in proportion to the distance carried, as the expence of Horses, Carriages and Servants will be three times greater on Toronto Carrying Place than it is at Niagara;

and if it shall be Lord Dorchester's pleasure to grant him an extensive privilege of carrying goods across from Toronto to Lake La Claie, he will undertake it on the following terms:

"He will carry Merchants Goods across at 5/ curry p. Cwt.

"And every pack of Peltries and Furs 5/ Do. p. Do.

"The Charge for carrying across Niagara carrying place is

"For Merchandise P. Cwt. 4/6 New York or 2/ 9&3/4 Quebec Curry.

"For every pack of Peltries 5/ New York or 3/ 1&1/2 Quebec money.

Mr. Rocheblave will carry Batteaux in the same proportion. He will carry His Majesty's effects for double the price now paid at Niagara, which will make six shillings per barrel of two hundred weight Quebec money; provided Government will allow him equal advantages with those granted to the present Contractor for Carriages across Niagara Carrying Place; that is to say Twenty Rations per day, and that all the Carriages, Horses & Oxen, taken away or destroyed by the Indians, or lost or destroyed whilst employed in transporting the King's Effects or in consequence of Orders from Government, be paid for by His Majesty.

"The Committee conceive that it may be proper to learn the opinion of the Merchants concerned in the Indian Trade, relative to the advantages the Commerce in the Upper Countries might reap from a Carrying Place at Toronto, and likewise to lay before them the prices at which Mr. Rocheblave proposes to carry Merchandise across from Toronto to Lake La Claie, if it shall please your Excellency to suffer a Road to be cut there.

(P.23)

June 13th, 1788

Mr. Rocheblave concerning the Carrying Place at Toronto

On Reading the Report of the Committee relating to the Petitions of Mr. Rocheblave concerning the Portage at Toronto. Ordered by His Lordship with the advice of the Board that Messrs. Caldwell, Harrison, & Baby and the Gentlemen of the Council residing at Montreal communicate the Report to the Petitioner, receive his proposals, find ways and means to make the Overture known to those concerned or interested in the Indian Commerce, and then report to His Lordship what may be expedient to be carried into execution.

(P. 27)

At a subsequent Meeting of the Executive Council the formation of four New Districts in the Upper Country, were sanctioned by two successive Acts of the Legislative Council but delayed for mature consideration, was finally authorized by letters patent.

FROM JENKIN WILLIAMS TO GEORGE POWNALL

Wednesday, 14th My, 1788.

His Lordship called the Attention of the Council to the question on the propriety of *forming the New Districts* proposed to their consideration on the 27th day of December last; and a new Draft of a patent for that purpose being now adjusted Ordered by His Lordship with the advice of the Council that it issue accordingly under the Great Seal.

To Mr. Secretary Pownall.

J. Williams.

Received 15th May, at 12 o'clock

PATENT CREATING FIVE NEW DISTRICTS

Dorchester, G.

GEORGE THE THIRD BY THE GRACE OF GOD of Great Britain, France and Ireland, King, Defender of the Faith and so forth. To all our Loving subjects whom these presents may concern, GREETING. WHEREAS Our Province of Quebec stands at present divided only into two Districts, and by virtue of two certain Acts or Ordinances, the one passed by Our Governor and the Legislative Council in the Twenty-Seventh Year of Our Reign, and the other in the present year, Provision is made for forming and Organizing one or more new Districts. Now Therefore Know Ye that Our Governor of Our said Province, by the advice and consent of Our Council of Our said Province, and in pursuance of the Acts and Ordinances aforesaid, hath formed and doth hereby form the several new Districts hereinafter described and named TO WIT the District of Luneburg bounded on the East by the Eastern limit of a tract called or known by the name of Lancaster, protracted Westerly and Southerly as far as Our Said Province extends, and bounded Westerly by a North and South line intersecting the mouth of the River Gananoque now called the Thames above the Rifts of the Saint Lawrence, and extending Southerly and Northerly to the limits of our said Province, therein comprehending the several Towns or Tracts called or known by the names of Lancaster, Charlottenburg, Cornwall, Osnabruck, Williamsburg, Matilda, Edwardsburg, Augusta, and Elizabeth Town; and also erecting one other District to be called the District of Mecklenburg, extending within the North and South bounds of Our said Province from the Western Limits of the said District of Luneburg as far Westerly as to a North and South line intersecting the the mouth of a River now called the Trent, discharging itself from the West into the Head of the Bay of Quinty, and therein comprehending the several Towns or Tracts called or known by the names of Pittsburg, Kingston, Ernestown, Fredericksburg, Adolphustown, Marysburg, Sophiasburg, Ameliasburg, Sydney, Thurlow, Richmond and Camden, and also one other District to be called the District of Nassau, extending within the North and South bounds of our said Province from the Western limit of the last mentioned District, so far Westerly as to a North and South bounds of our said Province from the Western limit of the last mentioned District, so far Westerly as to a North and South line intersecting the extreme projection of Long-point into the Lake Erie; and also one other District to be called the District of *Hesse* which is

to comprehend all the residue of Our said Province in the Western or inland parts thereof, of the entire bounds thereof from the Southerly to the Northerly boundaries of the same; And also one other District to be called the District of *Gaspé*, and to comprehend all that part of Our said Province on the Southerly side of the River Saint Lawrence, to the Eastward of a North and South line intersecting the North Easterly side of Cape Cat, which is on the Southerly side of the said River; of which all Our loving subjects are to take due notice and govern themselves accordingly. In Testimony whereof We have caused these Our Letters to be made Patent, and the Great Seal of our said Province to be hereunto affixed. Witness Our Trusty and Well beloved GUY LORD DORCHESTER, Captain General and Governor in Chief of Our said Province, at Our Castle LEWIS in Our City of Quebec this Twenty-fourth day of July in the year of Our Lord, one thousand seven hundred and eighty eight, and of Our Reign the twenty-eighth.
GEORGE POWNALL, Sec'y.
(State Records)

FROM LORD DORCHESTER TO LORD SYDNEY

Quebec, 17th May, 1788.

Duplicate No. 60.

My Lord:

The Act for Regulating the Inland Commerce of this Province passed in the last Session of the Legislative Council, together with the one of last year regulating the importation of Tobacco, Pot and Pearl Ashes, is judged to comprehend everything necessary at present for the government of our inland commercial intercourse with the neighbouring American States.

Every attention shall be paid to prevent Smuggling.

We may in some small degree check it, but unless the profit to the Smuggler be taken away, I hold it impossible to hinder the neighbouring States, from supplying the King's Provinces with whatever Articles they can afford to sell cheaper than our Merchants. And the reverse of the case would render it equally impossible for our neighbours to prevent such articles being smuggled into their Territories from this side.

Tea on account of the easy carriage and general consumption of it will be the most consequential article of inland contraband importation; and by sea the principal object is wine, in which the states are able to undersell us considerably, owing to the advantage of a direct importation from the place of its growth whereas our Merchants must import by the way of Great Britain which occasions delay and increases the freight besides subjecting them to other expences.

The profit on Rum is at present not considerable enough to encourage our neighbours to the illicit importation of it in any great degree, but should that article distilled by the King's Subjects, and particularly the common sort, which is manufactured in the King's Provinces on this Continent, ever rise in our Markets higher than it is now, in proportion to its price in the States, the smuggling of it must become a matter of serious concern, not only on account of its General Consumption in the King's Colonies, but more so, as an indispensable ingredient in the Indian Trade and the Fisheries.

I am &c.

DORCHESTER.

The Right Hon'ble Lord Sydney
(Q. 36-1, pp. 244-6.)

The progress of the western settlements on the frontier of the United States did not escape Dorchester's attention and furnished him with a strong argument for a more liberal tenure of lands.

FROM LORD DORCHESTER TO LORD SYDNEY

Quebec, 17th May, 1788.

Duplicate No. 62.

My Lord,

The inclosed Copy of a Lease between Deputies of the Six Nations and some Americans, whereby the former make over all their country, with inconsiderable reservations, for nine hundred and ninety-nine years, will shew your Lordship the progress made by our Neighbours in the plan of occupying all the Country from the forty-fifth degree of North latitude, on the south banks of the River St. Lawrence, Lake Ontario and a considerable way up Lake Erie, which by this Instrument the Indians allow them to settle and cultivate.

That part on the River Saint Lawrence, and some distance upon Lake Ontario, has already been disposed of by the State of New York, and roads of Communication are making from Lake Champlain to that River, as well as from the back parts of Pennsylvania towards Lake Erie and Lake Ontario which will greatly facilitate these new Settlements.

Besides these pacific measures, additional Troops are raising, and steps taken by Congress to form Magazines at a variety of Posts and communications throughout the Western Country, from the mouth of the Ohio up to Lake Erie, and at different places along the banks of it, which if carried into execution, will enable them to carry on any operations on the Lakes Erie, Huron or Ontario, as well as on the River Mississippi. Similar Arrangements were in agitation last year, but to a less extent.

These Measures clearly evince the necessity of advancing the Western settlements of this Province, of securing the attachment of the Planters, by granting their lands on the most advantageous tenure --- and of putting them in possession of the navigation of the Lakes, as soon as possible.

I am &c. DORCHESTER

The Right Hon'ble Lord Sydney
(Q.36-1, pp. 237-8).

The death of Colonel DANIEL CLAUS, who had lived in England for several years, caused a vacancy in the Indian Department which Sir John Johnson wished to fill by the immediate appointment of his son William Claus, who eventually succeeded Colonel Butler at Niagara, nearly ten years later.

FROM LORD DORCHESTER TO LORD SYDNEY

Quebec, 17th May, 1788.

Duplicate No. 65

My Lord:

Colonel Claus, Deputy Agent of Indian Affairs having lately died in London, Sir John Johnson, the Superintendent and Inspector General has recommended the son Lieutenant Claus of the Second Battalion of the Sixtieth Regiment to succeed to the appointment, which I have declined complying with, on account of his youth, and that

Office not being at present necessary; I have however promised Sir John Johnson, that I would recommend his Sister to Your Lordship, for a continuance of the Salary. (Two Hundred Pounds per annum).

Mrs. Claus is the eldest daughter of the late Sir William Johnson, whose merits are well known, her husband also was an old Servant having served upwards of thirty years as a Lieutenant and Captain in the Sixtieth Regiment until the Reduction in 1763, and from that time as Agent of Indian Affairs to the Department of the Six Nations, and as I am informed suffered considerable loss of property by the late Rebellion.

As I think this mode of providing for the family more advisable for the King's Service than giving the appointment to the Son, I am therefore to recommend the same of your Lordship.

I am &c. DORCHESTER.
The Right Hon'ble Lord Sydney.
(Q. 36-1, pp. 259-60).

The following letter shows that Sir John Johnson continued to press his recommendation very urgently.

FROM SIR JOHN JOHNSON TO EVAN NEPEAN

Montreal, 5th June, 1788.

Dear Sir,

I thank you sincerely for your very friendly letter of the 4th of April by Mr. Claus on the death of his Father, a more honest, upright and exemplary Man could not exist, his loss is therefore the more severely felt by all of his Connexions, and sincerely regretted by all who were intimately acquainted with him, and by none more than by the Poor Ignorant Savages who had many years experienced his upright conduct and goodness of heart towards them, which they have acknowledged in the most Publick and gratefull manner possible from all quarters in their Ceremonies of Condolence upon the Occasion, and as a proof of their Affection they had requested me in the presence of Colonel Campbell, before the sons Arrival, to permit them to Name him after the Father as the highest mark of regard they had for the Memory of their departed Friend.

The situation of our Family, who have sacrificed all they possessed in His Majesty's Service, is far from being Affluent, his Lordship's goodness therefore in making the Provision intended for one Branch of the Family, will ever be held in gratefull remembrance; and I can Assure you that it will be more pleasing to the Six Nations and Indians of Canada than Any other Appointment that could have been made. I hope as you have given me reason to expect it, to hear a confirmation of it soon, and that some steps may have been taken towards a Settlement of Colonel G. Johnson's Indian Accounts, as I am informed no compensation will be made to his family for their losses untill that is the case, and they have nothing left for their support but what they have a just right to expect on that Account, so that however Imprudent the Father may have been, it is evident he lost, but did not make a fortune in the King's Service as many others have done, who have had little or no trouble in the Settlement of their Accounts since. I must therefore once more request your friendly Assistance in recommending a Settlement of Our Accounts that Mr. Chew has been now employed about near four years.

Lord Dorchester has recommended Mrs. Claus to His Majesty for a Pension of two hundred a year but I hope it will not interfere with Lord Sydney's kind intentions towards the Son.

I am &c.

JOHN JOHNSON

Evan Nepean, Esqr.

(Q. 38, pp. 245-6).

Dorchester continued to watch the conduct of the people of the United States on the Indian Frontier with suspicion.

FROM LORD DORCHESTER TO LORD SYDNEY

Quebec, 9th June, 1788.

No. 67

My Lord:

The Courts of Law for the Province of Quebec do not think themselves authorized for the exercise of the ordinary course of justice, civil or criminal, in such parts of His Majesty's dominions, on our Southern Frontier, as lie without the bounds assigned by the Royal Commission, which, in part adopting the language of the late Treaty of Peace, greatly contract the dimensions, which the Province had under the Quebec Act. The Territory between the forty-fifth degree of latitude and the King's Post at Point au Fer, near the north end of Lake Champlain, the Settlement within and without the Fort on the east side of the River at Niagara, and the settlements at Detroit on the west side of the River, as well as those at Michilimakinac are all affected by this difficulty.

They are considered by the Courts, as well beyond the reach of their ordinary judicial powers, as without the limits of the Provincial Legislature.

The inhabitants of these territories on Lake Champlain and at Niagara, are chiefly American Loyalists, some at the former place, though south of the forty-fifth degree of latitude, derive their titles from Canadian Grants under the French Government, those about Detroit are chiefly old Canadian Settlers, intermixed with such of the King's natural born subjects, as in the pursuit of Commerce annually resort to, or have formed establishments in, that Country, the people of Michilimakinac are for the most part traders and their numbers are considerable during the Season.

They all desire the full and effectual protection of our Laws.

The instances in which that protection will be called for, and in which justice and the common weal render it absolutely necessary, must become more frequent every day, in proportion to the increase of the settlements.

I am therefore to request His Majesty's Commands on this important subject as soon as may be. The case of murder beyond our limits, I am told, is the only one, under treason, in which a remedy is provided by the statute of 33 Henry 8, Chap. 23, though even in this respect doubts have been raised by some members of the Council, as your Lordship will perceive from the inclosed copy of their report, on the previous examination directed by that Act, of some prisoners now in custody, under charge of Murder.

I need not point out to your Lordship how essential it is to honor of the King's Government, and the safety of His subjects, that the progress of justice be marked with certainty, vigor and dispatch.

I have therefore determined, as the Chief Justice does not object to the trial of the Offenders under the Statute to issue a Special Commission of Oyer and Terminer for that purpose, without paying any other regard to the scruples of those Gentlemen, than, in the event of condemnation, to reprieve the criminals, till His Majesty's pleasure is known, if doubt on the legality of the proceedings should become more general.

Since the examination of the prisoners mentioned (Abraham Hammel and James Gale had been sent down from Niagara to be tried for the murder of Nehemiah Street near Fort Niagara. As this atrocious crime had clearly been committed within the territory of the State of New York, these men escaped conviction.) in the inclosed report, another has been sent down from Niagara to Montreal, charge with like crime. Respecting the murder charged to have been committed in the Arabaska, it may be proper to observe that the Fur trade annually carries some hundreds of our people to that remote country, estimated by them to be distant, in a meandering water communication through rivers and lakes, at a thousand leagues north westerly from the grand portage, between the Lake Superior and the Long Lake, leading to the Lake of the Woods.

And in the vague description of our western partition with Hudson's Bay, your Lordship will perceive ground for the difficulties above mentioned in all those parts of the interior country, which by the interpretation of our limits may be found extra provincial.

I am &c.

LORD DORCHESTER

The Rt. Honble Lord Sydney.

(Q. 36-1, pp. 276-9).

FROM LORD DORCHESTER TO LORD SYDNEY

QUEBEC, 9th June, 1788.

No. 66

My Lord,

The reports of a confidential person (Lieut. Colonel John Connolly) whom I thought necessary to employ under the inclosed instructions on the prospect of a War, and on account of the measures carrying on by the United States, in the Western Country, confirm the perseverance of our neighbours in the system of occupying all the Indian Lands, south of the line, described by the Treaty of Peace.

An Ordinance of Congress, for the Government of the Territory Northwest of the Ohio, has lately been transmitted by him, a copy of which I enclose, although I must suppose your Lordship has had an early communication of it from another quarter.

The object of this Ordinance, your Lordship will perceive is the peopling and dominion of all that country between the Mississippi and the Great Lakes, assigned to this Province by the Quebec Act.

Mr. Sinclair, who commanded at Ticonderoga in the year seventy seven, has been appointed Governor of that District some time since.

The same reports state that there are Posts of Continental Troops at Venango, Fort Pitt, and Fort McIntosh, upon the Ohio, as well as at Post Vicennes upon the Wabash, and that it is apprehended another American Post, will be established at the Miami Town on Lake Erie, which if effected must greatly injure our Indian Trade in that part of the County.

A Message from the United States has been sent to all the different tribes of Indians throughout those Territories, inviting them a general Treaty of Peace at the Falls of the River Muskingam, a copy of which is likewise inclosed. But it seems from the above reports as well as others from Detroit and Niagara, that the Indians are in doubt what steps to pursue on this occasion; at any rate they cannot be ready to meet the American Deputation at the time appointed, as they mean previously to hold a Grand Council among themselves, agreeable to their determination of last Autumn.

The Settlers at and about Detroit have shewn great alacrity in complying with the requisition (mentioned in my Letter No.58) of furnishing pickets for the defence of that Post.

At Niagara, a Meeting has been held with the Six Nations at their own request, in which they have declared, that the lease, making over all their Country to some Americans (a copy of which I transmitted in my Letter No. 62) was signed without Authority, and contrary to their intentions and since that transaction, a Message and Proclamation from the Governor of New York State has been brought to them, declaring the lease to be illegal, and forbidding the Subjects of the State of New York taking possession of any Part of their Lands in consequence thereof, inviting the Six Nations at the same time to a Particular Meeting with delegates from the State.

Of this the Object probably will be a similar arrangement respecting their lands, on the Part of the New York Government, in the event of which taking place, the consequence, in regard to the King's interests, will be the same.

The Indians however have desired a Meeting with the Officer of the Indian Department at Niagara, in order to consult him on the steps, which it may be Proper for them to take on this occasion.

I am &c.

DORCHESTER

The Rt. Honble Lord Sydney
(Q. 36-1, pp. 251-4).

The administration of justice near the international boundary and in the vicinity of the distant trading posts soon raised difficult problems as to jurisdiction, on which the advice of the Minister was requested.

FROM LORD DORCHESTER TO LORD SYDNEY

Quebec, 10th July, 1788

Duplicate, No. 72.

My Lord,

The increasing Population of this Province, particularly in the Western Settlements of the Loyalists above Montreal, rendering the Partition of it only into two districts no longer adequate to the maintenance of order, and an effectual dispensation of justice, provision was made by the ordinance of the 27th year of His Majesty's Reign, Chap. 4 for the erecting of one or more new districts to free the distant Inhabitants from the detriment and hardship of being compelled to appear hundreds of miles from their homes before the Courts at Quebec and Montreal.

A new Division of the Province into Seven Districts has therefore been found expedient, but retarded hitherto by the difficulty of finding Proper Officers upon the spot, for the two necessary Courts of Quarter Sessions and Common Pleas, in the five

additional districts, it being judged advisable, in order to avoid new charges to the Crown, as much as possible, to hold out no other support to these several Officers, at present, than merely a tariff of fees. But this alone, I apprehend may be found insufficient on experience though I hope to be able to effect this new establishment at a moderate expence.

At Gaspe and Chaleurs Bay, a Judge at one hundred pounds and a Sheriff at twenty pounds annual Salary have been appointed for some years past.

In the Settlements of the Loyalists west of Montreal, on this side of the River and Lakes, whose inhabitants have formerly been accustomed to the proposed mode, and whose transactions as husbandmen cannot be very complex, for some time, the views of government I hope will be much facilitated by the public spirited disposition of that people.

But at Detroit, where much property is circulating in commercial transactions in the Indian Trade, cases are more complicated, and increased, by the mixture of Canadian and British Settlers, and the diversity of their customs. The administration of Justice in that District will therefore require talents, which it may be difficult to find without a more ample encouragement, than what may be sufficient in the other parts of the Province.

The Commandant at Detroit has hitherto ordinarily been under the necessity of interfering for the preservation of good order in the Settlement.

With respect to such cases as may arise without the limits assigned to the Province by the Royal Commission, at the last mentioned Post as well as the Forts of Niagara and Michilimakinac, Your Lordship will perceive that the difficulties stated in my letter No. 67 will still remain after this new jurisdiction shall be established. Provision having been made in the same ordinance for the easy decision of small causes without appeal, by authorizing the subdivision of each district into circles, and the appointment of the necessary Officers for summary Courts of request, I purpose likewise to proceed to the execution of that measure, as soon as it shall be judged advisable, for the convenience of the people, and a choice can be made of proper subjects for the trust.

These arrangements, when completed, may be expected to remove many of the inconveniences arising from the present system. But I am inclined to think, that in addition to these advantages, still greater might be derived from certain limitations to the authority of the Courts of the Districts, and the introduction of one supreme judicature of Common Pleas over the whole province, sitting at the seat of Government with original jurisdiction, and from thence making periodical circuits by some of its judges for the trial of such issues, as it may be most expedient to determine in the District where the suit was commenced, or the cause of action arose.

And in the same circuit the criminal business of the District might be dispatched under the ordinary commissions of Oyer and Terminer, and General Gaol Delivery, which hitherto in the case of offences perpetuated in the remote parts of the Province, has been attended with many difficulties, and not accorded with the security, which English Criminals draw from Jurors of the vicinage. Such a Supreme Court would give uniformity, energy and dispatch to the administration of justice throughout the whole province, and by dividing the number of causes, prompt and enable both the higher, and the lower Courts to pay the greater attention to the object of their cognizance.

I am &c.

DORCHESTER

The Right Honble. Lord Sydney.

(Q 36-2, pp. 413-6).

FROM LORD DORCHESTER TO LORD SYDNEY

Quebec, 10th July, 1788.

Duplicate No. 73

My Lord,

A/ I enclose copies of the Commission, Instructions and Forms for the Execution of
B/ the Office of Superintendant of the Inland Navigation, five of whom have been
appointed at Kingston or Cataraqui, Niagara, Fort Erie, Detroit and
Michilimackinac, in pursuance of the Ordinance of the last Sessions for promoting Chap.
III. the Inland Navigation, a copy of which is also inclosed.

I am &c. DORCHESTER

The Right Honble Lord Sydney.

B.

INSTRUCTIONS

Guy Lord Dorchester

Captain General & Governor in Chief of the Province of Quebec, &c. &c. &c.

To

Esqr.

Superintendant of the Inland Navigation at

I. You will herewith receive a Commission for executing the Trust mentioned in a late Law of this Province intituled "An Act or Ordinance for Promoting the Inland Navigation" and therewith a Copy of the said Act with the forms in blank for facilitating the Service committed to your care, and you will without delay proceed to qualify yourself therefore, by taking an Oath before such Person or Persons, as shall have the authority to administer the same, well and faithfully to execute the said Office according to the best of your skill and understanding.

II. Your Office extends to whatever concerns the granting the Ship Documents, Registers, Manifests, Passes, and Clearances made necessary by the said Act, the receiving Reports on arrivals and the dispatch of the Vessels and the taking Oaths and Securities, with Authority hereby granted to make seizures in all cases of forfeitures incurred by the Breach of the said Act.

III. You are attentively to consider the said Act or Ordinance and diligently to superintend the execution thereof, affording every facility for the advancement of the fair trader, and at the same time, exercising all due vigilance over any conduct and practices that may be injurious to the Dominion of the Crown and the Public Weal.

IV. You are to execute and persevere Duplicates of all Registers, Manifests, Passes and Clearances, which you shall issue and keep Books of all the material events and transactions essential to the right execution of your trust, carefully preserving the same, and all such writings and papers as become a part in the files thereof, and tending to throw any light upon the Conduct of your Office: and it is further recommended to you to keep a Journal for such Remarks and Intelligence as connect with the important subject of the Inland Commerce and Navigation, and which it may be expedient that the Government be made acquainted with respecting the same, for the better advancement of Commerce and the greater security of the authority and interest of the Crown.

V. You are every three Months to transmit Abstracts of the books so to be kept to me or to the Governor or the Commander in Chief for the time being; and be prepared to transmit the Originals at the Close of the Navigation for the Year to the Council Office at Quebec, in such way and at such times as you may receive directions for the safe conveyance thereof. And you are to give immediate notice in writing to the Commanding Officer of all arrivals of Vessels at your Post expressing the places, from which they come; and of all intended departures expressing the places for which they are destined, together with the General contents of the Cargoes.

VI. You are at all times to conform yourself to the Laws of the Province and such regulations as may be made under the authority of the said Ordinance by the Governor or the Commander in Chief for the time being.

Given under my Hand & Seal at Arms at the Castle of Saint Lewis in the City of Quebec, the ___ day of July in the Year of Our Lord, One Thousand, Seven Hundred and Eighty Eight.

By His Excellency's Command.

D.

(Q 36-2, pp. 418, 422-5.)

FROM JOHN COLLINS TO PHILIP R. FREY

Surveyor General's Office, 31st July, 1788.

Sir,

Inclosed you have a general instruction for your government in laying out lands in future and also a copy of his Excellency Lord Dorchester's Commands in Council of the 7th Inst., both of which you will please to attend to; my former letters respected a particular account of your Settlement & a Plan of the same which I now beg to leave to repeat, that you send it to this Office by the first safe conveyance.

Let your plan include the whole settlement from the Head of Lake Ontario to Detroit. I expect his Excellency Lord Dorchester will soon visit the Western Country, in that case you will give his Lordship every necessary information respecting carrying on the settlement in that quarter; the Surveyor General being absent from this Province makes it necessary that you appoint some agent here to present your accounts & receive your Money. Let your Accounts be proved and all the vouchers for money paid by you accompany them. I wish you health, and am &c.

JOHN COLLINS, D.S.G.

Mr. Philip Frey, Deputy Surveyor, Niagara

(District of Nassau, Letter Book, No. 2, pg. 11)

In pursuance of these directions surveys were diligently continued by the three parties in the field and a general plan of eight townships was prepared. A portion of this plan is reproduced in the Third Report of the Bureau of Archives for the Province of Ontario, pp. xcix and c.

FROM JOHN COLLINS TO PHILIP R. FREY

Surveyor General's Office, Quebec, 28th August, 1788

Sir,

For your future Government I inclose you the plan of a town and township, approved by his Excellency Lord Dorchester in Council and ordered to be made us of in future.

I am &c.

JOHN COLLINS, D.S.G.

Philip Frey, Esq.

(District of Nassau Letter Book No. 5, p.17).

About this time some of the Chiefs of the Mohawks appear to have made a protest against the occupation of portions of their reserve by White Men to which the following reply was delivered in writing.

FROM LORD DORCHESTER TO AARON AND ISAAC HILL

At a Meeting held with Capt. Aaron Hill alias Raronwaron, and Capt. Isaac Hill, both Mohawk Chiefs of the settlement of the Grand River, the Superintendent General & Inspector General of Indian Affairs, after the usual ceremonies of condolence, &ca. spoke as follows, in the name and by desire of His Excellency, Lord Dorchester.

Montreal, 20th, Sept. 1788.

Brethren:

Your long attachment to the English, and your faithful services during the War, are well known to me, and all the Nation, which makes it the more painful to hear of the disputes, or differences of opinion, that now subsists among your Nation, particularly those that tend to endeavour to alienate your affections from the King, your Father, as it must be from him alone, that you can receive protection. In order to ease your minds, relative to your right to the Lands you are settled upon, on the Grand or Oswego River, I think it necessary to acquaint you that the Land as appears by the papers annexed, was granted by His Excellency Sir Frederick Haldimand my predecessor in the Government of the Province, to the Six Nations in general, and the white people, have no right to it, and must withdraw, and if they do not do it forthwith of their own accord, measures will be taken to compel them. That all the White people know that they are not to inveigle, and work upon the passions of the Indians, to obtain grants of Land. That if the Indians are prevailed upon in some instances to comply with their solicitations, the King will never confirm their grants, nor allow the individuals to keep possession.

Measures will be taken to bring about a reconciliation, and to restore Peace in the Village, but as it in a great measure depends upon yourselves to facilitate this desirable end, you cannot be too circumspect in your conduct.

You will therefore act with great temper and forbearance, that no blame may rest on you; and that none may plead ignorance of the intentions of Government in making the Grant, this and the annexed papers should be made public to both Whites and Indians.

(Signed)

DORCHESTER

A copy of the grant from Haldimand is attached.

(State Papers, Indian Affairs)

Toward the end of the year, Lord Dorchester reported at considerable length on the position of Indian affairs, which evidently caused him much anxiety.

FROM LORD DORCHESTER TO LORD SYDNEY

Quebec, 14th October, 1788.

Duplicate No. 81.

My Lord,

The Indian Chiefs, who declared the lease or sale of their lands to have been without their Authority (as mentioned in my Letter No. 66) have since ratified the same with some alterations. They have reserved for their own use a considerable tract of land extending from Lake Ontario to Lake Erie, round the straight and Post of Niagara, and have guaranteed the possession of the sale and lease to the Comany who made the purchase.

These arrangements were made in the presence of Lieutenant Colonel Butler of the Indian Department, and of Joseph Brandt, who it is believed are concerned in this purchase from the Indians as well as some other persons resident near Niagara. The share of each is said to be thirty thousand acres, and perhaps more to the first, and the price for this quantity alleged by them five hundred pounds; but from various circumstances this is presumed to be fictitious, and that the land is given them without expence, partly perhaps for their interest with the Indians, partly as a present. At the same time, these reports state that the persons above named are believed to have no plan but to make the most of the lands thus given them, without the smallest idea at present of ever residing them.

All these transactions are in opposition to the State of New York. The Governor went to Fort Stanwix to treat with the Indians in behalf of the State, and great pains were taken to engage the Indian Chiefs to meet him, but after a Council held among themselves they mostly returned to their villages, and few attended him; some however are gone, with whom it is supposed a bargain will be struck to furnish a handle for disputing the claims of the purchasers.

But this competition will not obstruct the settlement of that part of the lands so purchased from the Indians which falls within the cession made by New York to Massachusetts, in which a town and sixteen townships or parishes have been laid out, and a road begun from the Town to Canadasago Lake, a distance of about fifteen miles, which is to be continued to Chenesee River.

The Western Indians of Detroit & Michilimakinac continue to commit frequent acts of hostility against the Americans upon the Ohio and adjacent country, contrary to every advice.

A party of the Chippawas nations on the 1st of August last brought into Michilimakinac, six scalps and one Prisoner, which they had taken seventy miles up the Muskingum River running into Ohio, where a subaltern's party of American Troops was stationed to build a Magazine and Council House for the Grand Council to be held there with all the Indian Nations as mentioned in my Letter No. 66.

This conduct has produced a Message to the Indians at Detroit from Mr. Sinclair the American Governor of the Western Territory, and Commissioner for treating with the Indians, demanding satisfaction to which the Chiefs determined to reply, that they were desirous of Peace, hoped the Americans would not suffer a few ill disposed men to destroy their good intentions, but consider that they have men alike ungovernable among themselves. A young Indian Warrior has been killed upon this last expedition.

Joseph Brandt with a hundred and thirty-six warriors of the Six Nations left Detroit the 4th September to meet the other nations at the rapids of the Miamis previous to their Grand Council with the Americans at the River Maskingum. An Officer of the

Indian Department accompanies them, and has taken with him the above mentioned Prisoner, who had been sent down by the Officer commanding at Michilimakinac.

It is added that great unanimity appear to prevail among the different nations, who are to assemble at the Miamis, that they dismissed some emissaries sent among them by the Americans, and publicly expressed their disapprobation of the conduct of the Hurons, who had received and some time entertained them.

Their intention is supposed to be to agree upon a boundary between them and the United States, and if necessary, to relinquish all the country on either side of the Ohio, actually settled by the Americans.

The Indians of the new Village on the Grand River on the north of Lake Erie are much dissatisfied with Joseph Brandt, on account of some arbitrary proceedings in their settlement.

The Indians on the Wabache are reported to be gone to the southward to assist the nations of that quarter in an attack made by them on certain settlements on Cumberland River, which runs into the Ohio from the East near the mouth of the Cherokee River back of the Floridas.

Since my letter No. 67 three Indians have been sent down from Michilimakinac to Montreal, charged with the murder of two negroes, which they have confessed. The Commanding Officer of the post reports that murders in that vicinity are frequent to the great injury of trade.

I am &c. DORCHESTER
The Right Honble Lord Sydney.
(Q. 38, pp. 141-4.)

Early in the autumn the Governor General made his only visit to the settlements in Upper Canada, going as far west as Niagara, where his stay was very brief and little record of it has been made.

(1) He conferred with some of the principal settlers and the result of his observations was embodied in the following letter to the Colonial Secretary.

(1) See the Petition of Peter Secord, in Papers and Records of the Ontario Historical Society,
Vol. XXIV, pp.119-120.

FROM LORD DORCHESTER TO LORD SYDNEY

Duplicate/Private.

Quebec, 14th October, 1788.

My Lord,

Previous to my answering Your Lordship's private letter of September, Eighty-seven, I thought it highly necessary to visit the settlements of the Loyalists in Upper Canada, which in a few years will make a very considerable portion of this Province, and may, I trust, with proper management, afford no small support to the interests of Great Britain. Their improvements exhibit strong proofs of industry, the greatest number declare they are better circumstanced and happier than before the Rebellion, with many Acknowledgements for the assistance they have received from the Crown; sentiments which deserve well to be cultivated, and the temper of this continent considered, may have an extensive influence.

The tenure of their lands is the great object, about which they are most anxious at present, and I cannot but hope they will soon be gratified.

We are in daily expectation of seeing planters on the American side of the River and Great Lakes, and it is much to be wished, they should on all occasions perceive, how much they are fallen, and the Loyalists find upon every comparison, strong reasons to congratulate themselves upon having persevered in their duty.

It is said those emigrants bring with them sentiments not very favourable to their new governments. The animosities which Animated the Legislative Council the sessions before last were confined to the Towns of Quebec and Montreal. Among their inhabitants, they originated and extended little further, so that a division of the Province into two would not afford a remedy to this evil, though it might be attended with other good consequences, and indeed may become necessary in a little time.

These animosities were much heightened by old resentments, and enmity; great warmth and constitutional sharpness of temper had also a share with the politicks mentioned in my public letter No. 17.

Should gentle expostulations fail of success and unchangeable resolution, that in future all such indecent conduct should disqualify any member for marks of favour, without applying this disqualification to the system of politics but to the indecency of the man, Appears to be the most prudent means of rendering the Council more temperate in their debates.

Both sides appear to me to be in the wrong, for both ran into the extreme; the one would admit no change of the ancient laws, and endeavoured to discontinue the jury clause granted by a former ordinance under certain restrictions, the other party would change too much; and in these extremes lay their error. Suddenly to introduce volumes of unknown laws for the disposal of property, appears to me neither wise nor just; on the other hand it never was the intention of the Quebec Act to shut the door against every alteration. The Powers given to the Governor and Council as well as the twelfth Article of His Majesty's instructions authorize, and seem to expect, that such laws shall be introduced from time to time, as commerce, and the growing state of the population may require. Judicious laws so enacted by degrees, and published, may be of great so enacted by degrees, and published, may be of great advantage; but introduced in bulk, and by general description, I should think injurious and cannot answer the end of promoting justice and harmony among the people at large, as your Lordship may observe by the proceedings of those who present the counter-petitions to every request for a change of laws or form of government. In these respects, I think the Canadians but little changed, though they have not much address in managing such intrigues, besides they have been somewhat intimidated by the proceedings of the Grand Jury and Attorney General on the last struggle of this sort.

There is another source of disquietude, which I fear extends far among the merchants more particularly those concerned in the Upper Country Trade, I mean an unfavourable prospect to their affairs; this I have been told arises from the profuse credits formerly granted, together with the low price furs bore at home last winter. They expect as bad a market this year. And besides receiving the furs at Detroit at a higher price than they bring in London, some of their traders escape to the Mississippi without paying the Merchant who furnishes their goods.

A bad crop this season renders the prospect still worse.

To all these evils, I think the most effectual remedy may be found in a firm and benevolent Administration.

At the same time, an early decision of the business of Canada at home is much to be wished, at the present suspense keeps up some agitation in the minds of the people here.

I am &c. DORCHESTER
The Right Honble. Lord Sydney.
(Q.38, pp. 164-7.)

The surveyor reported progress about the same time.

FROM PHILIP R. FREY TO JOHN COLLINS

Niagara, 18th October, 1788.

Sir,

I am duly honoured with your favour of the 31st July accompanied with instructions from the Surveyor General's Office of 28th August with a plan of a Town and Township, 2ndly of the 31st July inclosing a late Report of Council on the business of surveying, as it is evident from the date of this last, the Boards of Enquiry were not yet established. I presume that you would now wish me to conform to the same Rules as laid down for the rest of the Deputies for admeasuring lots of land for those, with whose characters it is satisfied; I enclose a Copy of Mr. Collin's Letter to Lieut. Colonel Hunter, of the 10th Sept. last from Montreal and am in daily expectation of receiving your further instructions to conduct (myself) conformable thereto, as a list for establishing a similar Board for the District of Nassau is transmitted to his Excellency Lord Dorchester by Lieut. Colonel Hunter which is expected to be confirmed by the next vessel. My surveys you will observe are not yet extended so near to the Limits of Detroit as you expected & the extent of the whole settlement on Lake Erie no further than Sugar Loaf Hill. I have taken care to carry on my surveys only in such Parts of the Country where I found people were taking up the lands and settling in a promiscuous manner, in order before they made any considerable improvements, to ascertain to each individual his exact boundaries without laying out a whole Township for a few families and afterwards be at a loss from what fund to satisfy my chain and axe men.

If I could be allowed for stationary, I should be happy as my expenditures on that score are considerable being obliged to keep lists of names & the Lots they possess in the different Townships, tickets for the number &c. (A considerable number of his tickets of location were written on the backs of playing cards.), registering &c. &c. The expence in purchasing materials for that purpose have for the last year been upwards of ten pounds York Currency.

You may rest assured, Sir, that I will at all times exert myself for the public good and endeavour as far as lays in my power to do business with that rectitude as to prevent future dissensions among the present settlers or their successors.

Mr. Thomas Smith (See Simcoe Papers, Vol. III, p. 129) a gentleman who has for some time acted as Deputy Surveyor at Detroit, and who is still employed in laying out lands for some of the Loyalists there remonstrates on the hardship of receiving no allowance from Government, for that purpose. So little (is) to be done there I employ my whole time to the furtherance of the Settlement in this District; if through your

representation to his Excellency in Council some allowance could be made to that gentleman, I make no Doubt of his cheerful services.

I have the honor to be &c.

P.R. Frey, D. Surveyor.

John Collins, Esqr.

(District of Nassau, Letter Book, No. 5, pp. 17-9)

FROM PHILIP R. FREY TO JOHN COLLINS

Niagara, 18th October, 1788.

Sir,

An abuse has crept into the Settlement which may still be remedied. People taking up more than one Lot upon the Lake or River or other navigable streams, this entirely spoils the appearance of the Settlement and destroys the intention of having it as compact as may be. I should be glad to have your orders thereto by the first opportunity.

I have the honor to be &c.

P.R. Frey, D. Surveyor.

John Collins, Esqr.

(District of Nassau, Letter Book, No. 5, Pg. 19)

Petitions for lands still continued to come before the Committee of the Executive Council at Quebec.

EXTRACT FROM THE QUEBEC LAND BOOK

22nd October, 1788.

"To His Excellency The Right Honorable Guy Lord Dorchester, Captain General and Governor in Chief of the Province of Quebec, &c. &c.

LIEUT. COLO. BUTLER

"The Memorial of Lieut. Colonel John Butler and the Officers of the late Corps of Rangers and Indian Department at Niagara, Humbly Sheweth,

"That your Lordship's Memorialists, having left their families and properties at the commencement of the late troubles in America, and served faithfully during the War, and now settled at Niagara, do humbly beg that your Lordship will be pleased to consider their services, and allow the Officers and non-commissioned Officers such additional quantity of lands as the 84th Regiment has received.

And Your Memorialists as in duty bound shall ever pray.

JOHN BUTLER, Lieut. Colo.

PETER TEN BROECK, Capt.

ANDREW BRADT, Capt.

JACOB BALL, Lieut.

THOMAS BALL, Lieut.

Order on the foregoing petitions The Opinion of the Board, being desired by his Lordship, the Council concurred with his Lordship in granting the Prayer of the Petition and Memorial in favor of all such Officers as have improved the lands already granted to them as reduced Officers since the Peace of 1783.

And it is referred to the Surveyor General or Deputy Surveyor General to make return of the locations of the Petitioners; and he is directed to give them Certificates thereon under his hand as further Testimonials of the faith of Government for issuing the Patents pursuant to His Majesty's Instructions, if they shall apply for their several locations in the course of one year to be computed from the first day of May, next.

But it is to be understood that deductions are to be made of all such Tracts as have been already granted to any of the Objects of this Order, that upon the whole they may receive equivalents with the Corps of the 84th Regiment.

(P. 44)

Richard Beasley & Peter Smyth	Richard Beasley and Peter Smyth, Loyalists, pray for Land at Toronto and at <i>Pemitisentiak</i> , a place on the north side of Lake Ontario, having already built a House at each of those places; and they Petition for as many acres round each, as is the usual allowance to make to Loyalists.
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As it is proposed by your Lordship to lay a Town out at Toronto, the Committee cannot recommend a Grant of Land round the House which the Petitioners have built there, lest that Grant might interfere with the intended plan, but if it is your Excellency's pleasure, to settle the north side of Lake Ontario at present, the Committee perceive not any objection to the Petitioners having land round the House they built at Pemitisentiak in such portion as your Lordship may think fit to allow.

(P. 52-3)

The Widow Murray (of Lieut. Duncan Murray)	The Widow Murray relict of the late Lieut. Duncan Murray of the 84th Regiment sets forth that she was left without the means of supporting herself & children, and Prays that if your Lordship regarding her Husband's Services as in any degree meritorious, should see her forlorn condition with your Excellency's wonted Benevolence, she would most humble solicit a Grant of 400 Acres of Land she has taken up near the 12 Mile Creek in Township No. 2 of the Northern District of Niagara, for herself and two Children.
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The Committee have understood that the Petitioner's husband, Lieut. Murray was an active Magistrate and a useful Member of Society and that his widow was left in a distressed condition with three children.

If it is your Lordship's pleasure to favor the Window Murray with a Grant of Lands for herself and Children, they see no objection to her holding the Tract she prays for.

(P. 57)

MEMORIAL OF RICHARD BEASELY AND PETER SMITH.

To His Excellency, the Right Honourable Guy Lord Dorchester, Governor General & Commander in Chief of his Majesty's Forces in British America, &c. &c. &c. The Memorial of Richard Beasley & Peter Smith most humbly sheweth:

That your Lordship's Memorialists did in the Year 83 erect a House at Toronto River & Another at Pomitiscutiank on the North Side of Lake Ontario for the purpose of Carrying on the Indian Trade, since which time they have been constant Residents at these Places and have made considerable improvements your Memorialists therefore humbly request that Your Lordship will be pleased to allow them to Retain these improvements together with such portion of Land adjoining as they may be intitled to in common with other Loyalists and your Lordship's Memorialist as in duty bound shall ever pray ---

RICHARD BEASLELY FOR HIMSELF & PETER SMITH.

Kingstown, 24th August, 1788.

Endorsed: Richard Beasley, Peter Smith, stating they have erected a house & made considerable improvements at Toronto & praying that they may be confirmed to them with a proportion of Land. Referred to the Land Committee by Order of Lord Dorchester.

THOS. ASTON COFFIN.

Read in Committee 27th Septr. & entered on Minutes. F.O.H.

MINUTES OF EXECUTIVE COUNCIL OF QUEBEC

Read a Letter from Messrs. Butler & Hamilton, Judges of the District of Nassau. Ordered that Commissions issue Constituting Benjamin Pawling, Peter Tenbrock and Nathaniel Petit to be severally Judges of the Common Pleas of the said District in addition to those already appointed, and revoking the Commission to Jesse Pawling as a mistake, and that a Commission issue appointing Him one of the Coroners of the sd. District.

J. WILLIAMS.

(State Records).

Dorchester took care to report the action of the Executive Council in augmenting the Grants of Land to the Officers and other ranks of the disbanded Loyalists to the Colonial Office and at the same time, recommended the total abolition of quit rents or their reduction to a nominal sum to be applied in aid of the Provincial Revenue. This would remove one of the principal causes of dissatisfaction.

FROM LORD DORCHESTER TO LORD SYDNEY

No.. 92

Quebec, 6th November, 1788

My Lord,

I inclose the minutes of the Council on matters of State, and the disposition of the Lands of the Crown, from the 24th July to the 22nd October, last.

Sir John Johnson and Lieutenant Colonel Butler having prayed in behalf of the Corps commanded by them during the last War, that they might be put upon an equal footing in regard to Grant's of Land, with the late 84th Regiment, the Council concurred with me in thinking the demand just and expedient to be granted, in favour of all such persons as have improved the lands already granted to them, as reduced Officers since the Peace of 1783.

And I shall recommend the same measures to the Lieutenant Governors of Nova Scotia and New Brunswick, being persuaded that all opportunities of unfavourable

comparisons among the King's subjects themselves or with their foreign neighbours, should if possible, be taken away, as contrary to the interests of the Crown.

Upon this principle I cannot but express my wishes, that His Majesty may be graciously pleased to order a total abolition of all quitrent in His American Provinces, or a reduction of it to a mere trifle, from any quantity of lands not exceeding a thousand acres and that the whole of this fund be applied in aid of the Provincial expenditures, as offered to the late Colonies during the Revolt.

I beg leave to suggest the expediency of extending to the Loyalists of every description the same indulgence, respecting the remission of Quit Rents which has been granted to the late 84th Regiment.

I am &c. DORCHESTER
The Right Honble Lord Sydney
(Q. 39, pp. 51-2).

The Deputy Surveyor General presented a careful report on Military Posts, Communication, and harbours on the Lakes in which the observations of Colonel Gother Mann, commanding the Royal Engineers, were embodied. The removal of the Portage to West Bank of the Niagara, was then being contemplated at the termination of the existing contract.

EXTRACTS FROM THE REPORT OF JOHN COLLINS, DEPUTY SURVEYOR
GENERAL TO LORD DORCHESTER.

Quebec, 6th December 1788.

My Lord,

The buildings of Navy Hall are for the most part, in exceeding bad repair, and the wharf is in ruins. Of the Rangers' Barracks one pile has been so far dismantled as to be past re-establishing; one end indeed might perhaps with some fitting up to be made to serve for some time as a Blacksmith Shop to the Indian Department, which they say is much wanted; the other pile is capable of being repaired and might also answer the temporary purpose of accommodating (at least in part) the said Department: The storehouses, &c., on the Niagara side, as already observed, being in absolute ruins and not repairable; the fitting up of this pile of Building would cost about 35 pounds.

In regard to the situation at Navy Hall, boats or vessels may be well sheltered there from rough weather, it is convenient for embarking & disembarking and equally safe and applicable to the purposes of transport as at Niagara vessels can also more readily and safely get under way from hence, when the wind is from the westward (which is fair to carry them down the Lake) than they can immediately from Niagara and this seems the most material advantage that Navy Hall possesses over Niagara; but the latter has rather a better command of the entrance of the River than can be had from any situation on this side; a good post might be constructed on the height above Navy Hall, and such as would afford protection to boats or vessels from any attempts of any enemy on this side of the River, but they could not be secure here from bombardment or covered from batteries of cannon on the other side.

The store house at the landing place, which is of round log work is mostly rotten and is altogether in exceeding bad condition and should be rebuilt, the dwelling house is

much out of repair. The ways, wharf, cradle and capstan want some repairs, which may be done for about 20 pounds.

FORT ERIE

The whole of Fort Erie is in so wretched a state and altogether so much in ruins that it is not easy to say which is the worst part of it. The picketting is altogether rotten and great part of it is gone and the front next to the water, which was a stone wall, has been washed away by the encroachment of the Lake. The Barracks by dint of patching and temporary repairs has been kept habitable, some further repairs of the same nature have been provided for against this Winter. The Storehouse is in so bad a state that it is almost past repairing, it must be entirely new shingled or rather if it can be got a bark covering is to be put on as the building is hardly worth the expence of new shingles.

The weather boarding and underpinning is scarce in a better condition, but it may be made to do for another season. It seems doubtful whether the Bake House can stand the Winter, but the oven may be repaired; the wharf or landing place wants repair; this would have been better placed to the northward of the Fort where boats would have been much better sheltered.

I cannot recommend re-establishing or making any alterations to the present Fort as it appears to me to be properly placed; the rising ground behind would I conceive be the proper situation, the Harbour is a tolerably good one, and altho' there is sometimes a considerable swell from the Lake, yet vessels may ride here in safety, taking proper precautions for preserving their cables as the bottom is rocky. There does not appear to me any other place equally eligible.

TRANSPORTATION

Previous to making any Observations on the communication and Transport from the Upper End of Lake Ontario to the lower end of Lake Erie, it may not be improper to state in a few words the present mode of proceeding in that business.

From Niagara to the landing place below the Falls is about 7 miles and 1/4, there is a tolerable good road, but the merchandize, stores, &c., are carried up the River in batteaux or vessels, there being sufficient depth of water all the way up, and also to lye alongside the wharf to unload; beyond this place, the current becomes too strong to proceed any further by water without great difficulty; Boats indeed, but not Vessels can go about half a mile higher, but no advantage can be obtained from it, as the shore then becomes impracticable, being a precipice of loose rock about three times as high as where the present landing is, from the wharf. At the Landing, goods are drawn up the side of the Bank, about fifty feet high upon Ways on an easy slope by a capstan fixed on the top. From this place, there is a wagon road to Fort Schlosser (1 mile and 1/2 above the Falls) where the goods are again put into boats and carried up 18 miles to Fort Erie - from whence they are conveyed in Vessels across Lake Erie to Detroit.

PLAN C - I think a better situation A for a Landing Place might be chosen below the present one, about half a mile distant by land and three quarters by water, the bank of the River here is not half the height of the other; the water is sufficiently deep at a short distance from the shore for vessels to unload and by raising a wharf and lowering some of the bank for a Road, the labour and delay of hauling goods up by Ways as in the present practice would be avoided; it would also be much more convenient and expeditious for

Vessels to come up to, as the worst part of the navigation would be avoided, which is passing round a point between this place and the Landing. The length of Road to be made from this proposed Landing place will be about half a Mile, but it is mostly good ground and will not require much expence. The real length of land carriage, however to Fort Schlosser will not be encreased or at most more than 100 to 150 yards, owing to the greater detour which the road makes from the present landing. As the state of the buildings and appurtenances of the landing place are now so ruinous as to require little less to make them perfect than reconstructing, in case therefore it should be meant to make the business of the communication permanent on that side, it might then be an object worthy of consideration, whether it would not be more eligible to adopt the new situation here pointed out.

If on the other hand, it should be thought expedient to carry on the communication on this side the River, then the Landing Place B, must be nearly opposite the present one, a very little below it where the bank of the shore is lower than at any other place, and seems in all respects the most convenient spot for the Purpose whether on this or on the other side of the River. There is good ground here for storehouses and conveniences and it is close to the road leading thro' the settlements. The situation above the Falls to be chosen instead of Fort Schlosser ought I imagine to be the Chippeway Creek; it is indeed nearer the Falls than Fort Schlosser, and there is a very strong current passes it, but there is no difficulty (going along Shore) to get into the Creek, and as there is still water, boats may lye there in great safety and such buildings as are requisite may be erected. The Creek is about 80 yards across and has 7 or 8 feet depth of water; It would be necessary to have a bridge as likewise a good road; the first would not cost a great deal as there is a good bottom and no current; but the latter would be attended with some expence as the ground is very wet, to the distance of a mile and a half from each side of the Creek, not however of such a nature as would not be readily improved by cutting down the trees to let in the air and sun and making a few drains. Both the road and the bridge are objects which the new settlers themselves must sooner or later be obliged to have for their own convenience, but whether their ideas in this respect might lead them to execute these works upon a scale sufficiently extensive and substantial to answer the purposes of Government and of the Transport, I cannot undertake to say. The length of land carriage on this side of the River will be near three miles more than on the other, but the ascent of the hill from the then landing place below the Falls will not be so steep as on the other side, and I think the excess of the distance will be otherwise compensated by not having the River to cross as at present from Fort Schlosser; by the degree of security to be derived by having the whole transport carried on completely on one side of the River from Navy Hall to Fort Erie, and by having the assistance of the new settlers with their wagons and teams at hand in cases of exigence, an advantage not to be obtained conveniently, if at all, on the other side. The current, all the way to Fort Erie, is very strong, and the business of getting up loaded boats is both laborious and tedious, but I should think the Transport above the Falls might be much improved if the bank of the River was sufficiently cleared to admit of the boats being dragged up by men or rather by horses as few hands would be necessary and they would get up much more expeditiously than at present. It may not I hope be thought inapplicable to the present subject of my Report to remark in general terms that it does not appear to me that any precautions taken on one side of the River for the security of this communication can

insure its safety from annoyance by an enemy established on the other; that where any may be found in a particular situation on one side, it will in general be counterbalanced by some one of equal importance on the other; that therefore under these circumstances the communication may be liable to be impeded or at least interrupted and rendered precarious, that is, should an advantage at any time shew itself in the hands of either side, it must be derived from superiority of force rather than situation, otherwise being on equal terms the communication could never go on to any certainty but under a compromise between the two contending parties.

One important result of Dorchester's visit to Upper Canada was a decision to establish local boards for granting lands to incoming settlers. At the same time, he recommended increased grants to person, whom he considered particularly deserving of favor and encouragement.

EXTRACT FROM THE QUEBEC LAND BOOK

Monday, 29th December, 1788.

Present

His Excellency the Right Honble Guy Lord Dorchester

The Honble William Smith, Esquire, Chief Justice.

Hugh Finlay

William Grant

Edward Harrison

Francis Baby

John Collins

George Davison

J.G.C. Delery

Chas. De La Naudiere

Henry Caldwell

Le Cte Dupre.

His Lordship informed the Council that Representations having been made to him on his late Visit to the Western Districts of delay and expence being occasioned to many Loyalists desirous of forming Settlements in the Upper Country, from the want of authority on the Spot, for allotting Lands for them, he had therefore to remedy that inconvenience appoint the following Boards in the Districts of Mecklenburg, Luneburg, Montreal and Nassau, vizt.;

Lieut. Colonel Hunter or Officer Commanding.

Nassau: Lieut. Colo. Butler, Peter Tenbrook, Robert Hamilton, Benjamin Pawling, Nathaniel Petit, Esquires or any three of them to examine into the Loyalty and character of all persons desirous to form immediate settlements in the said Districts, and on being satisfied thereon, and the Oath of Allegiance being first administered to them, to furnish every such person with an Order upon the Deputy Surveyor of the District for a Lot, giving them to understand that such further quantities would afterwards be added, as their merits might be found, to entitle them to; And that the different deputy surveyors had, at the same time, been required to give every such person a Certificate Of Location for a single lot, not to be considered valid however in the case of the holder being found to have received lands elsewhere. And in order to prevent impositions in this respect, the several Boards had been directed to communicate to each other the names of all persons so examined and recommended by them respectively.

His Lordship suggested, at the same time, the expediency of a general revision of the Orders and Regulations given, and now in force, for the conduct of the Land Office; upon which it was ordered that Messrs. Smith, Finlay, Pownall, Caldwell and Grant be a Committee for that purpose, and that they report to his Lordship such a digest of Regulations for carrying on the services of that department as they shall think advisable. (Pp. 61-2.)

Neil McLean	His Lordship informed the Council that Applications had been made to him on various grounds for further Grants of Lands by Messrs. Neil McLean of Kingston in the District of Mecklenburgh; Robert Hamilton, Nathaniel Petit, John Burch, John Warren, and Philip Stedman of Niagara in the District of Nassau; His Lordship therefore proposed to the Council that such quantities be allotted to them in addition to their present occupations, as to put them upon the whole in possession of Seven Hundred Acres each. Upon which it was Ordered that the Surveyor General Report Surveys accordingly of their several locations.
Robert Hamilton	
Nathaniel Petit	
John Burch	
John Warren	
Philip Stedman	

At the same session of the Council, he nominated a large committee on inland navigation, which soon submitted a full report.

FIRST REPORT OF THE COMMITTEE OF THE EXECUTIVE COUNCIL OF THE PROVINCE OF QUEBEC ON ISLAND NAVIGATION.

1st Report of the Standing Committee nominated by your Lordship in Council on the 29th of December, 1788 to bring information to the knowledge of Government concerning the Inland navigation and commerce to correspond with the Superintendants, Report Abstracts from time to time of their Communications and Returns, together with the Committees observations on the important matters suggested in Your Lordship's Order of Reference and other Consequential Duties.

Present:

Esquires

Williams Grant

Francis Baby

George Davison

Chas. De La Naudiere

Col. Dupre

Sir John Johnson Bart

Roc De St. Ours

Samuel Holland Esqrs. Absent

My Lord,

It appears by the Lists and Returns of the Superintendants appointed by Your Lordship for the Ports of Kingston, (formerly Cataraqui) Niagara, Fort Erie, Detroit, and Michilimakinac pursuant to the Act passed in the last Sessions of the Legislative Council Chap. 3d.

That there are at present four Registered Vessels belonging to those ports and navigating the Lakes as follows:

			burthen tons	men
Lake Ontario	Kingston to Oswego	The Schooner Good Intent built at Fredericksburgh in 1788	18	3
	Quinti & Niagara	The Sloop Saguina built at Saguina Bay in 1787	36	5
Lakes Huron & Erie	Fort Erie to Detroit	The Sloop Esperance Do. Do. 1788	20	4
	Michilimakinac & Mary Falls	The Schooner Weezel Do. Detroit 1786	16	3
Total Tonnage & Men			87	15

That on the 8th September the Good Intent cleared out at Kingston for Quinti Bay - And again on the 24th from Kingston for Oswego. But it does not appear by the Superintendants Reports what her outward Cargoes consisted of.

From Quinti, she brought back to Kingston and entered Sept. 18th.

1000 Feet Pine Boards
10 Barrels Pearl Ashes
1-1/2 Tons of Hay.

That on the 20th of August, The Saguina cleared out from Fort Erie for Detroit and carried:

11 Cwt. Shot and Ball.
73 Casks wine & spirits the Gallons not ascertained.
123 Boxes, Cases, Bales, Trunks Dry Goods the value or Contents not ascertained.

Total 207

And on the 21st Augt. the Esperance cleared from the same port and carried

1 Cwt. Shot and Ball
52 Casks Wine & Spirits the Gallons not known.
32 Packages vix. Casks, Bales &c. Dry Goods.

Total 184

And on the 12th Sept. the Saguina again from the same Port and Carried:

21 Cwt. Shot and Ball
138 Packages Dry Goods
78 Casks Wines & Spirits quantity and quality not reported.
60 Barrs Iron & Steel

Ball & Shot 33 cwt. 588 Packages of Liquids, Dry Goods &c. in all.

That the Saguina appears to have entered inwards at Detroit on the 5th Augt. from Fort Erie omitted by the Superintendant there in his Return. (Mr. Warren).

1 2800 Gallons of Spirits Casks not mentioned.
82 Bales, Trunks, Chests, Barrels, Dry Goods.

Total 34 Cwt.

That on the 19th Octr. The Weazel entered at Detroit 47 Barel's Fish from St. Mary Falls.

	Fusils	Powder Lbs.	Shot Cwt.	Rum Gals.	Flower Cwt.	Indian Corn Bush.	
That on Sept. 12, the Weazel Cleared from Detroit for St. Mary Falls and Carried:	12			16	52	213	& 10 casks dry goods. The articles not specified
The Saguina for Michilimakinac & carried:	12	100	4	1365	91		101 packages dry goods
Total export to Michilimackinac	12	100	4	1381	143	213	111 packages dry goods

That from Detroit there were Exported to Fort Erie:

On Board the Saguina Aug. 12 th	162 packs. Furrs.	7bbls. Gingsing
On Board the Esperance Aug. 12 th	100 packs. Furrs	__bbls. Gingsing
On Board the Saguina Sept. 2d	56 packs. Furrs	6 bbls. Gingsing
Total	318	13

But the Superintendant of Fort Erie Reports as
Entered there only 313 Packs Furrs 13 bbls. Gingsing.

The 5 Packs Furrs that appear to be missing were of the Esperance's Cargo.

What became of the Three Hundred and Thirteen Packages of Furrs after their Entry at Fort Erie is not stated by the Superintendant.

The Committee presume they were transported from Fort Erie by Land to Niagara, from thence shipped on board some of His Majesty's Vessels for Kingston. And from Kingston brought to Montreal in Battoes or Canoes.

To bring that transport into more regular order and view and clearly to detect the Smuggling of Furrs into the American States, it is submitted to your Lordship, whether His Majesty's Ships carrying Furrs and Merchandizes from Port to Port on the Great Lakes ought not to enter and clear the same at the Superintendant's Office of the Port as Merchant Vessels are or may be by Law bound to do. And if it is your Excellency's desire to be informed of the quantity and quality of the Furrs and Merchandizes imported and Exported where Superintendants are Established, it will be necessary that the Merchants be directed by a Law to be made, if other means do not occur to your Lordship's greater wisdom, to make regular entries of their Shipments enumerating the Articles specifically or such of them as shall be required after the manner usually practised at His Majesty's Custom Houses in the Sea Port Towns. The Committee do not perceive that much trouble or difficulty will arise to the Merchant in adopting a similar system. Without it there is not a possibility of Checking ascertaining or Estimating the valuable trade and Commerce carried on with the extensive and numerous Indian nations Inhabiting His Majesty's Dominions Westward of Montreal or of knowing the progress

of the encreasing Commerce and agriculture in the new settlements of the numerous Loyalists daily establishing themselves under your Lordship's fostering care, upon the Wastes of the Crown bordering on the Lakes. And if it is your Lordship's wish completely to effect so useful a purpose, the Committee humbly suggest the necessity of appointing a Superintendant of Navigation at Montreal, or rather at La Chine. For tho no port for shipping can ever be at the latter, yet the Canoes and Battoes, or Vessels in which the Exportation and Importation of the Western Country is carried on, may be said to sail from, and arrive at La Chine.

The Superintendant of Fort Erie is of opinion that the quantity and the quality of liquor contained in each cask should be marked on the head thereof. It will not be necessary in the opinion of the Committee to give the Merchant that Trouble if the following method of entering Goods at the Superintendant's Office was adopted.

PORT OF KINGSTON

(OUTWARDS)

Form of Entry for Kingston or other ports on the Lakes for Goods of British Manufacture or others which have been legally imported by sea or are of the growth of the Province.

A.B. Enters to be Shipp'd on board the Capt. Bound for Niagara (or other port) consigned to to be forwarded to at Fort Erie, thence to Merchant at Detroit. Viz. The following Articles

Mark No.

C

1 to 20 Cases Indian Fusils containing	250 in all.
20 to 40 - 2K Barrels Gunpowder	20 cwt.
40 to 60 - 20 Casks Ball	40 cwt.
60 to 80 - 20 Casks Shot	40 cwt.
80 to 100 - 20 Barrels Rum & other Spirits	600 gallons
100 to 110 - 5 Pipes Madeira 5 Pipes Port Wine about	1,150 Gallons.
110 to 120 - 5 Quarter Casks Madeira, 5 Qr. Casks Port Wine	300 Gallons
120 to 125 - 5 Chests Bohea Tea Weighing	1,000 Lbs.
125 to 130 - 5 Chests Green & Dyson Tea	500 lbs.
130 to 140 - 10 Bales Dry Goods Containing	
20 Pieces Strouds	
20 Pieces Mortons & Frizes	
20 Pieces Other Woolens	
500 Blankets	
100 pieces Linens of Different Kinds.	
140 to 150 - 10 Trunks, Cases & Casks Containing various Articles, viz. Hardware, Crockery, Millinary, Hosiery, &c.	
100 Barrels Flour Cont'g 200 cwt.	or thereabouts
50 Barrels Pork 100 cwt.	

Amounting in the whole to the Sum of Five Thousand, One Hundred and Five Pounds as pr. Invoice.

Which entry, contents and value the said A.B. for himself and as Agent for Messrs. of Montreal affirmed on his oath to be just and true, and that the same and every part and

parcell thereof have been legally imported are of the growth of the Province to the best of his the Deponent's knowledge and belief.

Kingston this Day Of 1789

A.B.

Sworn before me

(Signed) William Mackay

Superintendant Navigation

	Port Detroit (Outwards)
Form of the Entry at Detroit, Michilmakinac or other Port for Beavers & Furs or other articles which must be exported to Britain.	A.B. Enters to be Shipped on Board the Capt. Bound for Fort Erie consigned to to be forwarded to Niagara & reshipp'd for Kingston thence to Messrs. Merchants in Montreal (or Quebec) The following Packages of Furs.

Peltries and Beaver:

Viz. 50 Packs Beaver Skins Containing	3000 skins or Weight 5000 ps.
50 Packs Indian Dressed Deer Skins	2000 skins or Weight 6000 ps.
50 Pack Bear Skins	1000 skins.

Mark 10 Pack Racoon skins	2500 skins
10 Pack Deer in the hair	200 skins.
10 Casks containing together	200 Otters
	1000 Martins
	100 Cased Cats
	100 Other Cast
	500 Musquash

Or Other Furs specifying them.

10 Casks Ginseng	300 lbs.
2 Casks Castoreum	200 lbs.
2 Barrels Potash, 2 Pearl Ash, &c. &c	

Which Entry and Destination the said A.B. for himself and as Agent to

Affirmed upon,

His Oath to be true and exact to the best of his knowledge, information and belief.

Sworn at Detroit this _____ Day of _____ 1789 before me,

Gregor MacGregor, Supt. Nvig'n.

Signed A. B.

The Committee are of the opinion that the Superintendants ought not to permit any Merchandise, Furs, or Effects to be shipped until the Owner or Agent has made entry thereof as above or as nearly Correspondent thereunto as Commercial business and the Conduct of it will admit, in the respective parts of the Inland Navigation.

The Packages, Quantities and Qualities so ascertained together with the Masters Manifest of his Cargo, which is also upon HIS Oath will enable the superintendants to

execute the trusts reposed in them, and perfect their Quarterly and annual Lists and Returns agreeable to Your Lordships Instructions and the Laws of the Province made and provided.

The inconveniences represented by Mr. McGill, Mr. McGregor and Major Close in the Extracts of their Letters before the Committee, respecting affidavits, Bonds and Registers for Vessels built upon the Lakes owned by persons resident at Montreal or Quebec, may be obviated without any Amendment of the late Law of the Province whenever it shall please Your Lordship to Commission Superintendants for those Ports. The Papers and the Subject may be entered into and obtained at Offices there; and the Registers so taken out may be transmitted by the Merchant to his Agent or Correspondent where the Vessel for which it is intended is building or has been built.

The Committee at present have further but to remark that the Superintendent of Detroit in his Letter of the 1st of Novem'r informs Your Lordship that six new vessels will then be in the Register of that Port in the course of the present year. Therefore he requests the additional supply of the necessary Documents devised by Your Lordship for the Government of the Inland Marine.

The discernment of that strength and of those Commercial advantages which are added to His Majesty's American Dominions by the Navies arising on his Inland Canadian Seas, was reserved for Your Lordship's profound and penetrating wisdom.

To establish the Empire of the British Flag upon the Fresh water Oceans of the New World and under that powerful protection to send freedom light and Commerce to its remotest parts was reserved for the 28th year of the illustrious Reign of His Sacred Majesty, King George the Third.

To aid and assist in so glorious a pursuit must be the wish and desire of every Briton. That this Committee should be most anxiously ardent needs no illustration or assurance. Its duty, preservation and Interests being so obviously combined with those of the Province at large. The Committee will soon have the honor of laying before Your Lordship the Journal of their Entries and proceedings and with your Excellency's approbation will prepare fair copies thereof to be transmitted to the Right Honourable the Lords Commissioners of His Majesty's Treasury and to the Honourable the Commissioners of His Majesty's Customs. Those Boards may be inclined to give Lights upon the important business of Revenue and Navigation which this Committee presume not to foresee.

All which is nevertheless most humbly submitted to Your Lordship.

(Signed) By order of the Committee.

WILLIAM GRANT, Chairman.

Council Chamber, Quebec, 19th Jany. 1789.

The presentation of this Report was followed by the immediate appointment of Sir John Johnson as Superintendent of Inland Navigation at Montreal and of William Grant, the Chairman of the Committee and a leading Merchant, to the same office at the Port Of Quebec.

THE QUEBEC GAZETTE

Thursday, January 29, 1789.

The Honorable Sir John Johnson Bart has accepted the Office of Superintendent of the Inland Navigation at Montreal, for the Registry of Vessels navigating the Western Lakes, leaving the emoluments established by Law to the Superintendants of the Ports upon the Lakes at which the vessels so registered may make their first entry. We have already informed our readers that the Honorable William Grant, Esq.; has accepted the office of Superintendent at Quebec in the same manner, and that the object of these appointments is the accommodation of the Owners residing in the lower parts of the Province.

FROM JOHN COLLINS TO PHILIP R. FREY

Quebec, 20th January, 1789.

Sir:

I have before me your favour of the 18th October, accompanied by a Plan of the Settlement of Niagara, for which please accept my thanks.

I am now to request that you send me a plan of all your Settlement as it is layed out, in Townships upon a Scale of thirty-eight chains to an inch which is the scale of all our new Townships and please insert each proprietor's name in his lot that it may stand on record in our office. The plan you sent me was on too small a scale. I inclose you the Minutes of Council respecting Colonel Butler's Corps. Please send me a Return of such Officers as come within the meaning of the said Order that I give you directions for laying out their lands agreeable to the said Order. I have paid your drafts to Mr. Lester, 56.10 pounds Sterling and gave him the full balance of your accounts, 62.12 pounds, 6 currency, when you are employed charge 7/6 Currency per day, we have no such charge in our Accounts as Army Pay. If Mr. Smith, the gentleman you mentioned at Detroit, can come down to this place, he shall be appointed the Deputy Surveyor of that District, otherwise, it cannot be done, as it is contrary to the Ordinance of the Province. Please let him know it. I wish you health and am &c.

JOHN COLLINS

Philip Frey, Esq.

(District of Nassau, Letter Book, No. 5, p.21).

The Committee on Inland Navigation continued its inquiries and presented a second report embodying the result.

REPORT OF COMMITTEE ON INLAND NAVIGATION

2nd Report and Proceeding of the Standing Committee for Inland Navigation and Commerce.

Council Chamber 9th February 1789.

The Committee in Town met on the summons of the Chairman:

Present: William Grant, Francis Baby, George Davison, Col. Dupre - Esquires.

The Chairman laid the Journal of the proceedings fair copied before the Committee which was approved. And then informed.

That he had forwarded their Letters therein recorded, as Commanded to the Superintendants also that to Mons De St. Ours and Sir John Johnson - and on the 19th of January, the day of the date of their 1st Report, he had delivered it to his Excellency Lord Dorchester.

That he had reason to be of opinion it had in general His Lordship's approbation as it had pleased His Excellency to have it read in Council and inserted in the Minutes. His Lordship had since commissioned Superintendants of Navigation for Montreal and Quebec, in order to accommodate Owners of Vessels built upon the Lakes with the necessary papers required by the Law for effectuating the preservation of the Revenue, and the private and public interest of the Province.

That His Lordship had further been pleased to order the Commanders of His Majesty's ships upon the Lakes, to enter at the Superintendent's Office of the Ports they sailed from, all Goods and Merchandizes shipp'd on board for transport other than His Majesty's stores and warlike equipment for the support of His Majesty's Garrisons in the Western Country.

His Lordship had likewise shewn his great attention to the interests of the Merchants in ordering the Transport of their effects in His Majesty's Ships according to their priority of entry at the Superintendent's Office of the respective Ports of Embarkation; corresponding to the wishes of some of the principal Shippers signified to the Chairman by James McGill, Esqr. of Montreal in the following letters and papers intitled

"Remarks on the Inland Navigation Ordinance" in answer to the following private letter written to him by the Chairman on the 8th of January last.

Quebec 8th January 1789.

To James McGill, Esqr.

Merch't Montreal.

Dear Sir,

I requested Mr. Todd to speak to you and some other of your Gentlemen concerned in the Trade & Shipping of the Lakes and Western Country, to give me such information as you think necessary to bring forward to amend the late Laws or make new ones. I am a Member of one Committee and Chairman of another in some degree charged by My Lord Dorchester with the Representation of such regulations as may tend to benefit the Merchant and the Seamen (if I may use that appellation for fresh water Navigation) and facilitate Trade, Intercourse and Safety in the great and prospering settlements and Countries extending to the Mer du Ouest.

Do me the favour therefore freely to communicate your sentiments from time to time on these interesting subjects and I pledge myself to do everything in my power to support and bring forward the wishes of the Merchants and lay them open to a Government inclined to facilitate all well digested and liberal Commercial undertakings.

The Committee of which I am Chairman is likely to be permanent at least it will certainly continue some time; and I shall be happy in being instrumental to beneficial improvements in the Marine and Commerce, on which the prosperity of the Province so evidently depends.

I am Dear Sir, &c.

WILLIAM GRANT

To William Grant Esqr.

Quebec

Dear Sir,

Montreal, 12th Jany. 1789

I have received the favour of your letter of the 8th and consider myself as well as the other Merchants concerned in the Trade by the Lakes, much obliged by the zealous part you propose to take in amending the Ordinance which regulates the Inland Navigation.

I shall with much cheerfulness give you every information in my power on the subject and I propose by next ordinary to transmit you some remarks on the present Inland Navigation Act, with much esteem.

I have the honour to be &c. JAMES MCGILL

Montreal 19th January, 1789

Dear Sir,

I was prevented from sending you remarks on the Inland Navigation Ordinance last Thursday by the non-attendance in time of some Persons whom it concerned to peruse them. I now embrace the opportunity of Mr. Dunn's returning to Quebec in order to forward those remarks and shall esteem myself happy if they meet your approbation and that they contribute in any degree to unshackle the Trade by the Lakes which being at best hazardous and for several years past, very unprofitable requires every facility that Govern't can extend to it. Everybody is fully convinced of Lord Dorchester's desire to protect and encourage the Commerce of the Province. No person therefore can doubt of his adopting measures for that purpose the moment that he has proper information to go upon, and I think that there is good reason to hope that the amendments or alterations proposed for the Inland Navigation will not be rejected.

I am, &c., JAMES MCGILL

REMARKS ON THE INLAND NAVIGATION ORDINANCE

Section 1st may stand.

Section II Cannot be complied with on the part of the Chief Navigation which we suppose to mean the Master of the Vessel, because he can only know the person or persons from whom he received the Goods, but others may be the Proprietors.

Goods are forwarded from Montreal to Agents at Kingston, thence to Agents at Niagara, and if for Mackinac to Agents at Detroit and except the Correspondent at Montreal and the Trader at Mackinac, none of the intermediate Agents know the true proprietor, all therefore that ought to be required from the Captain is a Manifest upon Oath of the Marks, numbers and kind of packages which compose his cargo, for as to the contents of the Packages, it is impossible for the Captain to know them, besides was it ever heard of that a Merchant should inform the Master of every article Contained in his Packages?

By this section, it would seem to be understood that the Owners of Private Vessels on the Lakes have their usual residence at the Posts; but this is not generally the case, for there are Owners of Vessels at Montreal and hereafter there may be many more, who do not even visit the Posts; yet as the Naval Officers at these Posts have alone a power of administering an oath to the persons concerned in the Vessels it is become necessary that such persons go to the Posts for the purpose of taking the Oath or that some person residing in Montreal be Empowered to administer the same, and certify it to the proper Officer above, we think the last mode must appear most reasonable.

Section III Appears most unjust, in as much as it punishes with severity the innocent and acquits the Guilty. The seizure of the Vessel and Cargo if the requisite Documents are not found on board amounts almost to a total prohibition of Merchant Vessels as we shall shew hereafter. But first as to punishing the innocent and acquitting the Guilty, I would ask whether the Master of a Vessel can be Constrained to sail without his Documents?

The answer must certainly be no, in such case then, he alone can be culpable if he has them not, yet no penalty is inflicted on him for his negligence, collusive villainy or other cause whilst Merchants Goods on freight and the Owners Vessels are both subject to Confiscation. Here then it appears that both the Proprietors of Goods and the Owners Vessels are subject from the neglect or design of the Master of the Vessel to ruin, whilst he goes free, and perhaps may himself be collusively concerned in making the seizure.

That this section amounts nearly to a Prohibition, let it be remembered that the Proprietor of the Goods and Owner of the Vessels are very different Persons. The Proprietor of the Goods knowing that for a fault in the Master, his Goods may be seized, will naturally require security of the Owner of the Vessel against all barratry of the Master because no insurance can be obtained in this country, and it is very evident that if the Owner agrees to it he will require at least a double freight, a charge the Trade Cannot support, but what is more likely to be the case is that the Owner will on no Account accord such security, in either of which cases his Vessel is likely to remain unemployed unless he has goods of his own sufficient to load and re-load her, yet of this resource he is partly debarred because he is obliged to load in rotation all Goods offered. From all which we think that such Packages only as found on board unentered ought to be Subject to Confiscation, and as to the want of Documents that the Master alone ought to be mulct if he has them not.

And with respect to the seizure of the Vessel, we apprehend that in no case ought she to be subject to it, unless found to be or proven to have been carrying on an illicit trade.

Section IV - May Remain.

Section V - Wherever the Owners reside, the Security should be taken at the same time with the Oath spoken of in Section II.

Section VI - May remain.

Section VII - Very Proper but seems confined to the removing of incumbrances which were in the River before July last, without making provisions again future nuisances.

Section IX - May remain.

Section X - Very just and right.

Section XI - Concerning the Men. This section is supposed to allude to the Canoe and Batoe Men only, but if understood to extend to Sailors on the Lakes, it is very proper.

Section XII - Very right.

Section XIII - This clause can never be dangerous whilst the King favours the Province with Lord Dorchester as Chief Governor.

Section XIV - In this article, there is nothing mutual or reciprocal as should be the case in every contract.

If Owners of Vessels are bound to take the Goods of others on board their Vessels in Rotation. The proprietors of Goods ought in like manner to be bound to Ship on board the first Vessel which offers; but a more equitable and just mode is to allow the Owner of the Vessel to make the most of her agreeable to other Rules. Besides if even the

obligation to carry for others is continued, it ought surely to be in the power of the Montreal Correspondent being owner of a Vessel or his Agent to put on Board such goods as go from him to his Correspondent at the Posts in same manner as if the Goods were his own and this is the more reasonable as the Merchants of Montreal are the most likely to be the Owners of the Vessels; whilst the Upper Country Traders are the Purchasers of the Goods and very few of them can have Interest in the Vessels.

Another circumstance occurs in order to Goods being forwarded in due Rotation, there ought to be one Public Agent for the Merchants at each Post and all Goods should go through his hands but as this subjects Proprietors to a Choice probably against their will, it would in such cases be one of the most arbitrary measures ever heard of; yet without such Public Agent, such Rotation cannot be just. For example at Detroit six Merchants who have Packs of Peltries to send down say they have each one hundred Packs, The Vessel to take them on board can only stow four hundred therefore each must keep back a part; but one of them, knowing this circumstance craftily makes his number greater and by such means, get all his Peltries on board to the prejudice of the fair Trader. The same means may be used in forwarding Goods, for who is to go and search Houses or Stores to know whether the list given in by each Trader is just and exact? Let it further be considered that as intercourse increases between the different Settlements, the Competition for Rotation Transport will become so numerous as to render the measure a perfect burthen to the Owner and Master of the Vessel.

It is proper further to Remark, That the Sloop Beaver belonging to the N.W. Comp'y, was built at Detroit by permission of General Haldimand in 1785, a time when the policy of Government did not admit of any other Private Vessel to navigate on the Lakes; he being fully convinced from the Representation of the Company that they could not carry on their Trade without a Vessel to Transport a regular supply of Provisions from Fort Erie, the Settlement of Detroit and Michilimackinac to St. Mary's for upwards of seven hundred men that they employ during the Summer Months, this Vessel is so small that they are frequently under a necessity of employing Boats at a very great expence to assist in transporting their Provisions, and was the Beaver subjected to carry in Rotation for other people, it would greatly distress her owners and defeat their purposes in building her.

It is proper to remark that as there is but one Merchant Vessel on Lake Ontario, it may be requisite for facilitating of Transport that the King's vessels continue to carry for the Merchants, and with respect to transport on board of them, rotation is just and equitable for which purpose the Proprietors of Goods intending to benefit thereby, should give in a list of their packages to the Officers appointed for clearing out the Merchants Vessels, as to such list and entry, recourse could be had to ascertain the Rotation.

Lastly it is submitted to the justice & wisdom of the Legislature whether in the event of the Merchants vessels being stopp'd or employed by Govern't there should not be a provision made in the Ordinance to compensate the Owners.

Montreal, 19th January, 1789.

The Chairman then requested the Committee to consider well the objections of the Merchants to the late Navigation Act, how far they were already remedied, and whether there was ground for applying to His Lordship, or the Legislature, for further relief or Amendment of the late Law.

He observed:

That the public benefit, the preservation of the Revenue, and the Establishment of the Navigation of the Lakes, on principles of defence, as well as Commerce, were involved in the Questions which came under consideration in the discussion of the Remarks of the Merchants. He would therefore take the opinion of the committee upon the objections in the order observed in the "Remarks".

He further observed.

That the late Provincial Navigation Act could not be expected to foresee or provide for all situations and cases which extended commerce would produce: but the many wise maxims, rules and regulations, established through Ages, and founded on their experience, which now governed the maritime state of England and which had elevated that great Nation to its present superlative height of Naval grandeur had amply foreseen almost every possible event.

The European nations had universally adopted the Laws of King Richard the first, compiled at the Island of Orleron, while that Monarch was on his way to the Holy Land in the 12th Century and had raised their Maritime superstructures upon them.

The Navigation of the Old World was then more in its infancy than is now, that, of our Inland Seas. An equal number of years most assuredly would proportionally cover our great waters with numberless ships, if in wisdom we followed up and encouraged the populations and settlement of the fertile Countries in the Wilderness which surround them; and if we build upon the solid and liberal foundation laid by the noble projector and Patron of the Canadian Inland Navigation and Commerce.

The Committee has had before it the returns of the Merchant Ships Navigating the Lakes and the Superintendants & Merchants agree in the probability of their rapid increase.

The Royal Navy in that Quarter already consists of seven stout ships of different strengths and Portage.

To which may be added four more in the harbour of St. Johns at the entrance and for the defence of Lake Champlain. That of England in the days of Elizabeth, consisted but of Thirty and was then as now the boast and glory of the Nation!

Would it not therefore be equally advisable to introduce the whole Maritime Code with the Articles which Governed the Royal Navy, the 22d Geo.2d Chap. 33?

It becomes a question of serious deliberation, whether it would not be wise to recommend to His Lordship that the carriage of Merchants' effect in His Majesty's Ships should cease in some short years. Ships of War laden with Stores and Merchandise cannot be so proper for defence or attack as Ships wholly devoted to that Service nor will the Officers or Commanders of such Ships be looked upon with that degree of respect which Gentlemen should be who are honoured with His Majesty's Commission to hold Power and Command, and the Instruments of Dominion over Persons and lives of His Subjects. Moreover, while His Majesty's Ships continued the carriers, the Nursery for their support will not be so productive, or so ready at hand, when pressing occasions occur, as if encouragement is given to the breeding of Seamen in the Merchant's Service on the Western Lakes. The sum of about fifteen hundred pounds drawn annually into the Royal Treasury from that Carriage, is not an object when compared with the disgrace of the Loss of a Single Ship.

If it is fact that the Western Country takes off already two hundred thousand pounds chiefly Merchandise of British Manufacture, in the circulation of the million

employed in the general trade of the Province what must be the consumption of that increased population, which we have reason soon to expect? What part of One Thousand, Eight Hundred Miles? for such is the stretch of our Navigation from Oswegatche to the extremity of Lake Superior!

The Spirit of Enterprise which animates our Merchants has within these few years carried discovery and commerce three thousand miles further Westward! and have we not reason to expect that same spirit will lead us on the Seas and Discoveries of the Adventurous book?

The great channel of the Mississippi opens to our Southerly view and Eastward from thence, the redemption of those unfortunate Millions, who but lately made a part of the British Empire.

Such a field for speculation, among Barbarous nations without number, whose returns invaluable Furrs are equal to their inordinate desires for British Commodities, is worthy the consideration of a Mercantile people. More especially of the Inhabitants of this extensive Country (by the Providence of God the Natural Monopolizers of the Furr Trade of the whole Globe) whose productions and resources require liberal enterprize, to fit and bring them into the European Market.

The Chairman then read the Remarks of the Merchants on the late Ordinance by Paragraphs.

On Section 2d - It was resolved, as the opinion of the committee, that the Law requires no more of the Master of the Vessel than a manifest upon oath of the genreal contents of his Cargo, such as every Master knows from his Cocketts and Bills of Lading.

The Shipper of the Goods is the Proprietor as to the Master And an entry will by the Proprietor or his Agent, at the Superintendants Office, will obviate every difficulty it is in the power of the Merchant of Montreal, to enable his Agent to make such entry, at any Port through which his effects are to pass, and he will be blameable if he does not facilitate.

The difficulty suggested touching Registers, Bonds & Certificates is obviated by His Lordship's Appointment of Superintendants.

On Section 3d. - Resolved as the opinion of this Committee That in order on the one hand to guard against the evil doings of the Ship Masters and their crews; and on the other that Justice may be done them by the Merchants in all maritime cases.

That it is advisable by an act of the Legislature to introduce the Maritime Laws of England to govern all causes arising in the Inland Navigation of Quebec.

Resolved also - that there is ground for desiring an amendment of this Section of the Ordinance, in as much as the whole Cargo is subject to condemnation for the neglect or the designed fraud of the Master departing without legal documents.

In the opinion of the Committee, it will be sufficient that the ship, and such part of the Cargo as is not entered at the Superintendant's Office be subject to a forfeiture, upon proof of illicit designs.

The Marine Laws of England punish as Thieves or Pirates Masters and Crews who run away with Vessels - And going off without Documents is either evincive of Theft and Piracy or of fraudulent intentions against the Revenue.

The Committee will therefore prepare a Bill to amend this Section of the late Ordinance and lay it before the Legislative Council at its ensuing Session.

The Remarks on Sect. 5th is remedied, in the opinion of the Committee by the appointment of Superintendants.

On Section 8th - Resolved as the opinion that the Offence of felling Trees into the River to impede Navigation is at all times punishable by this Section.

Section 11th - Resolved in the opinion of the Committee that this Section does extend to Sailors, and all other Navigating on the Great Rivers and Lakes on the Commerce of the Western Country.

On Section 14th - It is observed that the Rotation complained of in the "Remarks" concerning shipments in Merchant Vessels, is only Recommendatory of a mode which it was thought would be well in the Owners of Vessels to adopt, not inflictive of any penalty when uncomplied with.

Ordered that these Resolves, with His Lordship's leave be forthwith communicated to the Merchants of Montreal.

The Chairman then informed the Committee.

That from information he had from Mr. Dunn, the late Paymaster of the Marine department, and otherwise - He understood the amount of the Freight of Merchants effects across the Lakes in His Majesty's Ships from August 1777 to December 1783, came to 23,505.13.7 Pounds Currency. That only 9,096.14.7 Pounds of that sum came into his hands as Treasurer.

That many of the persons from whom Freight notes had been taken had become Bankrupts, and that others from various causes, now under the Investigation of a Board of Trustees agreeable to the late Ordinance Intituled

"An Act or Ordinance for the easy settlement and recovery of the Crown Debts incurred on the Commercial Transportation over the Interior Lakes" had retained the amount in their hands to answer the Damage sustained in the carriage of their effects.

To prevent similar difficulties in future and render that fund more productive, while it pleased Government to allow His Majesty's Ships to be Carriers, would it not be adviseable to recommend to His Lordship to order the Superintendants to take the Freight notes, assisted by the Commanders of His Majesty's Ships and transmit the same to the Deputy Pay Master General of Quebec or Montreal, or such other person as His Lordship might think proper to appoint there or elsewhere to receive the immediate payment?

His Excellency had given orders to the captains to make entries with the Superintendants, and Manifest of their Cargoes, as Merchant Ships - by which undue preferences in the Transport would be avoided.

These and their Bills of Lading, would ascertain the exact freights to be paid, and would be more effectual than the old non-productive course, being thus taken by the Superintendants assisted by the Captains whose Duty it was to admeasure, estimate, and check the Packages Shipped.

The Question being put thereon by the Chairman.

It was also unanimously resolved that Recommendation be made to His Lordship accordingly, and that the proceedings of this Committee be laid before His Excellency as soon as engrossed.

Adjourned to meet again on Wednesday at 10 o'clock to examine the Engrossed copy and deliberate further if requisite.

Wednesday 11th February 1789.

The Committee met according to adjournment.

Present: William Grant; Francis Baby; Charles De La Naudiere; Col. Dupre - Esquires.

The chairman informed the committee that George Davison, Esquire, Member of the Committee, had requested for further consideration, the paper entitled "Remarks on the Island Navigation Ordinance," together with the Suggestions observations and Resolves of the committee thereon, For which reason the Chairman had not been able to engross the whole, Mr. Davison having only returned them at 8 o'clock last Evening with a verbal message "That he was obliged to go the Country, and could not attend the Committee this Morning as notified.

Mr. De La Naudiere having been absent at the last meeting, The proceedings of that day were again read at length in both languages.

Upon deliberation, he acquiesced to the same.

It was then unanimously ordered that the Chairman sign the fair Copy when finished, of the proceedings and resolves of the 9th instant, and of this day, and Report the same to Your Excellency. All which nevertheless is most humbly submitted.

By order of the committee.

WILLIAM GRANT, Chairman.

(Q. 41-1, pp. 189-207).

The appointment of district land boards was duly announced by advertisement in the Gazette.

THE QUEBEC GAZETTE

Thursday, April 2, 1789

All Persons desirous of forming settlement on the waste Lands of the Crown are informed that His Excellency, the Governor has been pleased to appoint Boards in different parts of the Province to receive, examine into, and report to him, their application, (which are to be by Petition to the Governor in Council, stating the Quantity and Situation of the Lands prayed for, and the merits and pretensions of the Petitioners) with authority to give every Petitioner, they shall approve of, a certificate directed to the Acting Surveyor of the District, for which they are constituted, upon presentment of which the holder will be put in immediate possession of a lot of about two hundred acres.

SCHEDULE OF THE BOARDS ABOVE ALLUDED TO

DISTRICT OF MONTREAL

Sir John Johnson, Bart
Lieut. Colonel Harris, 60th Regt. or
Officer Commanding at Montreal
William Drummer Powell, Esq.
_____ Rankin, Eq
Mr. Abraham Pastorius, Esq

(Or Any three of them)

DISTRICT OF NASSAU

Lieut. Colonel Hunter, or Officer
Commanding.
Lieut. Colonel John Butler
Peter Tenbrook, Esqr.
Robert Hamilton, Esqr.
Benjamin Pawling, Esqr.
Nathaniel Petit

(Or any three of them.)

DISTRICT OF LUNEBURG

DISTRICT OF HESSE

Richard Duncan, Esqr.
John McDonell, Esqr
Wm. Drummer Powell, Esq.
Jeremiah French, Esqr.
Justus Sherwood, Esqr.
James Gray, Esqr.
John Munro, Esq.
Or Any Three of Them.

Major Close, or Officer
commanding at Detroit.
Duperon Baby, Esq.
Alexander McKee, Esq.
William Robertson, Esq.
Alexander Grant, Esq
St. Martin Adhemar, Esq.
Or Any Three of Them.

DISTRICT OF MECKLENBURG

Rev. Mr. John Stuart
Neil McLean, Esq.
James Clark, Esq.
Richard Cartwright, Esq.
and Jr.
The Officer Commanding for the
Time Being
Or Any Three of Them.

DISTRICT OF GASPE

Nicholas Cox, Esqr. Lieut. Governor.
Felix O'Hara, Esq.
Charles Robin, Esq.
Daniel McPherson, Esq.
Fras. B. DeLafontaine, Esq.
Pierre Loubert, Esq.
Isaac Mann, Esq.
Henry Rimposs, Esq.
Or Any Three of Them.
Lieut. Govr. Cox being one.

The Land Board for the District of Nassau was organized at an early date by Lieutenant Colonel Harris who had come up from Montreal, to relieve Lieutenant Colonel Peter Hunter, who had been granted leave of absence to visit England and did not return until he was appointed to succeed Simcoe as Lieutenant Governor ten years later.

PROCEEDINGS OF LAND BOARD

"For the District of Nassau, constituted by His Excellency Lord Dorchester's Letter of 13th October, 1788, addressed to Lieutenant Colonel Hunter, or Officer Commanding, Lieutenant Colonel Butler, Peter TenBroeck, R. Hamilton, Benjamin Pawling and Nathaniel Pettit, Esquires, held their first meeting at Navy Hall, immediately after the January Quarter Sessions of 1789. They having before that time, stated to the Governor, their reasons for holding the regular boards of examination at the same time with the Quarterly Courts; That the settlement being then mostly brought together, the Claimant could, with ease, procure the testimony of his former acquaintances in his favor, and it furnished also an opportunity to the Settlers to detect and point out such characters as were unworthy a place among them.

"At that time the board, having no particular instructions to guide their conduct, proceeded to examine into the Loyalty but more particularly into the Character of all such persons claiming a Settlement as appeared before them. To such as were approved of, they administered the Oath of Allegiance, and directed the Surveyor to give them a Ticket, specifying the Quantity of Land they and their families were intitled to.

All these Claimants were already settled, some on the survey lands, and others on the waste land adjoining.

"A Committee of the Board to accommodate themselves to the convenience of the Settlement went, in February to Fort Erie, where all the claimants of that quarter were

directed to attend. Here they followed the same plan, as also after the subsequent Quarter Sessions held in April.

"The Surveyor at these meetings kept a list of all such as were permitted to become Settlers.

The difficulty of making satisfactory surveys is feelingly described by the District Surveyor.

FROM PHILIP R. FREY TO JOHN COLLINS

Nassau, 2nd May, 1789.

Sir,

I was duly honoured with your favour of 20th January last, acknowledging the receipt of mine of the 18th October, but am very sorry you found it to be laid down on too small a scale, as Captain Man offered me the conveyance I wished to make it as commodious for carriage as possible.

I am sorry that a want of proper paper prevents me from sending down a plan of the Settlement as it is laid out in Townships by this Conveyance. With respect to my insertion of each Proprietor's name in his Lot be pleased to allow me to observe that change of property &c. is as yet so frequent that it would convey but a very uncertain acc't of each man's settlement, therefore could not be depended upon to stand on record &ca.

I have not as yet been able to keep my Book of Locations one week without three or four alterations which arise from the above recited reasons. The quantity of lands now laid out is sufficient for all the Settlers and all the families which are likely to come from the American States in the course of this Summer and With the advice of the Commanding Officer, to whom I reported, and the Magistrates have stopt surveying, the people being allowed to roam about and choose situations in every respect suitable to them makes this Settlement very much scattered and it would employ ten Surveyors to follow them in order to lay out their Lands and unless a speedy stop is put to this, the half of the Land surveyed will remain unoccupied as they are so exceeding nice in their choice. A Township (probably the township of Binbrook) has been laid out this Winter which was intended to be ready to complete the additional quantity to Reduced Officers. I am sorry, it is so much disliked that I believe none will choose their lands there. I inclose a List of those who come under the description you described in order to receive your commands thereon, the place looked upon as eligible, and where we all wish to take our additional quantity is near the Western Boundary Line at Little Lake, head of Lake Ontario.

Our Community is as yet divided in opinion with respect to the place most fit for their Town and Public Buildings, it seems to be the general opinion it had better be voted for, our Townships have as yet no names nor do I know what authority to apply to for that purpose but yourself. I could wish to have your direction respecting that matter. I should be happy to have your Answer upon the subject of an allowance for stationary or if I may be permitted to ask fees for inspecting the Register to inform people of vacant land in order to make up my expenditures on that score.

I am in hopes of getting some Paper when I shall do myself the honour to transmit the plans you desire.

I have the honour to be &c.

P.R. Frey, D. Surveyor.

John Collins, Esqr.
(District of Nassau, Letter Book, No. 5, pp. 22-3)

The following announcement shows that Post Offices were established at this time and arrangements made for the transmissions of Mails with regularity as far west as Michilimackinac.

THE QUEBEC GAZETTE

Thursday, June 4, 1789.
General Post Office, Quebec, 28th May, 1789.

POST OFFICES HAVE LATELY BEEN ESTABLISHED IN THE NEW DISTRICTS WESTWARD OF MONTREAL AS HIGH UP AS KINGSTON, FORMERLY CATARCOUI

A Post will be dispatched from Montreal, once every four weeks: - the first Mail will be sent off on Monday, 8th June to convey letters for LaChine, the Cedars, Coteau de Lac, Pointe au Bodent, Lancaster, Charlottenburg Cornwall, Oznabruck, Williamsburg, Matilda, Edwardsburg, Augusta, Elizabethtown and the three New Townships adjoining, all in the District of Luneburg. To the Thames, formerly Gananoque, Pittsburg, and Kingston, formerly Cataracoui.

From Kingston, letters for Ernestown, for Fredericksburg, Adolphus Town, Marysburg, Sophiasburg and Ameliasburgh, in the Bay of Quinte; and letters for Niagara (Joseph Edwards, A Merchant, was appointed Postmaster and retained the office for many years. See Simcoe Papers IV, 196, 299, 328.) Detroit, and Michilimakinac, (at each of the three last mentioned places, there is a Post Office) will be forwarded under the seal of the Post Office, and sent off by the earliest opportunities in a manner to secure dispatch and safety.

HUGH FINLAY, Dep. Post Master General.

The following letter indicates that Brant had intervened on the behalf of the white people who had settled within the Indian Reservation, without altering Dorchester's decision to require their removal.

FROM LORD DORCHESTER TO SIR JOHN JOHNSON

QUEBEC, 22nd June, 1789.

Sir,

I have received the Extract of Lieut. Coll. Butler's Report to your of the 14 April last, and the proceedings of a Council with the Chiefs of the Six Nations and Delawares at Niagara, on the 10th of February.

I am very glad to find that the differences which had arisen in the Mohawk Nations are laid aside, and that peace, and harmony is re-established among them. Captains Brant, David, Aaron & Isaac, are all good men, to whom I wish well, and therefore I wish they may long live in peace and friendship together as they have promised, that they may be the ornament of their own Nations and an example to others. Captain Brant ought to understand, that nothing personal with regard to him was decided in his absence, that all such matters were left to be settled in Council, which has now

been happily effected, and that he has no reason to be dissatisfied with the answer given to Captains Aaron & Isaac.

As it appears clearly from the Papers, that the Lands upon the Grand River were promised by Genl. Haldimand to the Six Nations in General, his presence could not be necessary to decide upon that point.

It is indifferent by what Authority the White people were placed there. Whenever they become the cause of enmity and discord among the Six Nations, they must be removed. Should any Whites now set down upon these Lands with the unanimous consent of the Six Nations, and some years hence be the occasion of unhappiness to them, they must be removed. This is a Rule absolutely Necessary for the comfort of the Indians, and for the preservation of their peace, and common Justice requires it should be so.

The Lands were promised to the Six Nations & their posterity. They as a People are to have the free use and possession of them; and to them they shall be confirmed and secured in a distinct and permanent manner.

The Writings necessary for that purpose, shall be prepared and sent to you for their consideration, that they may speak their minds upon what is intended to be done, and propose such matters, as they may think just and reasonable, which if they are found to be so, shall be complied with, and a Law be made afterwards, to secure the free possession of the said Lands to the Six Nations and their posterity forever.

As to the Indians of the Bay of Quinte, I do by no means detain them, they may remove or stay as they like best; If they choose to stay, their Lands shall be confirmed to them, in the same manner as those of the Grand River; If they choose to remove, I have no objection, I have no wish or Interest in either but their own comfort and good liking. But I do not find that any promise ever was made that the Lands Westward of the River La Trenche should not be settled by White People.

It is not in our power to supply the Indians at the Grand River and at the Buffalo Creek with provisions, as we are in great want ourselves, but I approve of a Seine being given to each of those Settlements if you think it reasonable.

I am with regard &c.

(Signed) DORCHESTER.

To Sir John Johnson, Bart.

(State Records, Indian Affairs, Copy).

The District surveyor was reprimanded for having exceeded his authority in allotting lands and instructed to comply in future with the Regulations prescribed in an Order Of Council.

FROM JOHN COLLINS TO PHILIP R. FREY.

Surveyor General's Office, 20th June, 1789.

Sir,

I have before me your favor of the 2d May and received at the same time from Mr. Lester your two accounts stating the business you had done in the District of Nassau.

I immediately laid them before His Excellency Lord Dorchester for his approbation. His Lordship seemed much surprised and greatly dissatisfied with your account and report respecting the quantities of land you had given to persons he knew

nothing of and such as were not comprehended within the meaning of the Order of Council, of the 22d October, 1788.

I am directed by his Lordship to request you to report by what authority you gave the lands mentioned in your account. His Lordship declared his disapprobation of the whole transaction, and would not permit that part of your account to go to the Committee of Council, but approved of the charge of seventy pounds, two shillings and ten pence which will be paid with the other contingencies of Government. I inclose for your future government, a copy of Colonel Butler's Memorial and the Order of Council thereon, which you are directed strictly to comply with and by no means to grant Land to any person whatever without orders from the Surveyor or Deputy Surveyor General.

In giving out the lands to Colonel Butler and his Corps and in all other cases be careful not to interfere with any prior claims or locations and return such places as are of public utility, vizt. Landing Places, Carrying Places and all such as are mentioned in the Order of Council for giving the following tracts to the several persons whose names are mentioned in the said order, vizt. Robert Hamilton, Nathaniel Pettit, John Burch, John Warren, and Philip Stedman, 700 acres each, for the Widow Murray 400 acres as located by the Petitioner if in the gift of the Crown and no part of the lands reserved for public uses.

You will please to observe by the 13th Article of the Regulations for the Land Office, the Surveyor is to make use of no field books, after laying out the first Township, whenever he receives an Order from the Board (he is from the Plan he has before him) to assign the Petitioner a lot of 200 acres, the Proprietor is to be at the expence of the Survey himself so that no further charge is to be brought on the Crown.

Please to let me have the plans I formerly mentioned and report the Surveys for the several persons mentioned in this letter with all convenient speed that I may record them in this office and send up the certificates accordingly. I shall write you fully in a few days an answer to several parts of your letter which remain unanswered.

I am &c.

JOHN COLLINS

Philip Frey, Esq.

(District of Nassau, Letter Book No. 5, pp.25-6)

Two enterprising Indian Traders were successful in their applications for lands in unsurveyed localities for the purpose of trading with the Mississaugas.

EXTRACT FROM THE LAND BOOK OF QUEBEC

14th July, 1789.

Richard Beasley & Peter Smyth 14. For Richard Beasley and Petery Smyth, Two Hundred Acres each, one at Toronto, the other at Pemitisientiank a place on the North of Lake Ontario, if in the Gift of the Crown and not interfering with any public or general arrangements.

Note: Richard Beasley was a cousin of Hon. Richard Cartwright, who afterwards took an active part in Public Affairs as a Magistrate, Member of the Legislative Assembly and an Officer in the Militia.

Pemitisentiak was a place that was subsequently known as Smith's Creek, and is now the site of the Town of Port Hope. Peter Smith is stated to have had a Trading Post there as early as 1778.

Philip Frey warmly defended his conduct in the allocation of lands.
FROM PHILIP R. FREY TO LIEUT. COLONEL HARRIS

Nassau, July, 1789.

Sir,

In answer to the accusation of having taken upon myself the presumption of granting lands in this District, without any kind of legal authority, permit me to give you a short detail of my proceedings since my arrival in this District.

In the Month of June, 1787, I began making a regular Survey of this Settlement by order of Major Campbell, Commandt. of Niagara. As the people who were in many places settled upon unreserved lands were chiefly disbanded troops, I gave them after the survey of each Township, description tickets of the lands they had taken up by consent of the Magistracy, there being then no land Board instituted, those tickets were merely to give the Settlers the satisfaction of knowing the number of their lots, and I ever held out to them that they were no means to look upon them of any validity to the tenure of their lands, of this I kept a copy to prevent any confusion.

Also frequently (I) filed descriptions in my office before the survey was carried so far as to comprehend the more remote parts of the Settlement, of the lands then really in the occupation of persons authorized to take such quantities of lands by the Superintendents of Districts to prevent as much as possibly any confusion until a regular survey of such particular spots should take place.

Since the Institution of the Board, I have ever been cautious to examine the orders directed to me for lands that not one foot exceeding the quantities therein mentioned was located.

If in the above transactions or others any errors appear against me, I am sincerely sorry and hope His Excellency Dorchester will be graciously pleased to pardon me for the offence.

I have had the honor of serving His Majesty in different capacities from the commencement to the close of the late War, this is the first accusation that has ever been brought against & I hope will appear to be groundless.

I beg the Honor to be &c. PHILIP FREY D. Surveyor for Nassau.

Lt. Coll. Harris, 60th Regt.
Commanding the Upper Posts, &c. &c.
(District of Nassau Letter Book No. 5, pp. 27-8)

The discontent of many of the Six Nations respecting the purchase of a large tract of their lands in the State of New York was strongly stated at Council at Fort Niagara in August.

COUNCIL WITH INDIANS AT NIAGARA

Proceedings of a Meeting with the Principal Chiefs of the Onondagas, Cayugas & Mohawks.

Niagara, 15th August, 1789.

Present Lt. Col. Harris, Comm'g the Upper Posts and Lieut. Colonel Butler, Depy. Agent &c. After the usual Ceremonies had passed.

THE FISH CARRIER: Complimented Colo. Harris on his return to this Country after his Long Absence, and proceeded:

BROTHERS: You (Colonel Butler) was present and knew what was agreed upon at the Council at Buffalo Creek last Summer when we sold Our Lands to the Americans, & that we were to receive the Payment at a Time then fixed, which the Whole of the Five Nations were to share in, But we have been Deceived. When we went to receive our Shares at Canadague (the Place appointed) we were much surprised to find that the Senecas had excluded all the Other Nations, from receiving any Part of the Payment for the Lands, and told us that the Lands belonged to them alone. Therefore the Other Nations had no right to expect anything, as the Onondagas & Cayugas had before Sold their Country and kept the Money to themselves and Desired us to go to our Friends the English, as we had no Business there. They also said that the Papers for the Security of the Payment, either by Col. Butle, Mr. Street, Mr. Kirkland, Capt. Brant, or a Mr. Dean, as the Sums mentioned in the Papers was Less than what was first agreed upon at the Council at Buffalo Creek. After this O'Bale was endeavouring to persuade the Senecas not to take the Money, but to go and refer the Matter to Congress, Who would see them Justified, this Scheme of O'Bales we Opposed Thinkingit much against the Interest of the Five Nations, and therefore advised them to take the Money which we looked upon as Just, & that the Sums were agreeable to the Original Bargain made at Buffalo Creek, and told them that we did not want any Share ourselves and only asked for Provisions to carry us home.

BROTHERS: About this time, we received no Answer to a Letter we had Wrote to Governor Clinton but not a satisfactory one for he Still looks upon the Unjust Purchase he made from a few of Our Young People to be Good and Valid & says he is Determined to Hold it Fast, and that if we hinder the Surveyors in their Business, he will Look upon it as a Hostile Intention and that we mean to Quarrel with Him. We now intend to Warn the Governor again as we Did before & to tell him that we see through his Artifice in reserving small tracts of Lands to the Indians by which he hopes to Divide and Weaken us, but this we will endeavour to prevent by Sending for Our People, who are there to Move off to us, & we have Sent Belts to the Surveyors not to proceed untill this Matter is Settled to our Satisfaction.

We are sorry that our Brothers, the Senecas should differ from us in Opinion, and even reflect upon us for our firm Attachment to the English which they have done so Openly, that we hope our Brothers the English will see their true friends and make the Differences according in What is Given us.
(State Records, Indian Affairs)

The records of the dearth in the Niagara Settlements at this time are very meagre, but it seems to have continued for more than a year, and was only mitigated by distribution of provisions from the Government Magazine.

FROM JOHN RICHARDSON TO JOHN PORTEOUS (EXTRACT)

Fort Erie, 14th June, 1789.

"The distresses of this Settlement for provisions have been great, and had it not been for the humane assistance of Colo. Hunter, and the uncommon plenty of fish, half the people must literally have starved.

Assistance has also been afforded by the arrival of many boats from Schenectady upon a pretence of going to Genesee. Through that channel at least 200 bbl. have arrived. Mr. Stedman left this for England via. Montreal about a month ago, having lost the use of one leg and thigh entirely by the rheumatism.

He has left his affairs here in charge of his Nephew, Philip Stedman, Junr. He will have occasion to buy a number of cattle that arrive from the States, and there being no hard money here the mode of payment, of course, becomes difficult."

FROM THE DIARY OF DAVID ZEISBERGER IN 1789.

Tuesday, August 25, New Salem.

From Detroit, whence two white people came, we learned that the Famine was somewhat lessened, for they had harvested something, but not enough; there was little hope.

In Mackinaw a hundred pounds of flour cost ten pounds. In Niagara, many men have starved to death, likewise in Detroit. 11. Pg. 53

Friday, Sept. 11. By some of our Indians who came from their hunting in Cuyahoga, to whom two Mingoes from Niagara came, telling them that there this Summer, there had been hailstorms and that hailstones as big as apples had fallen and done great damage. Something of the sort, we have also had here, the biggest like hickory-nuts, but in no very great abundance. There, however, the night after, the cold and frost were so severe that all the corn was frozen and withered after the sun shone warm, so that men want and have nothing to look forward to except starvation, for they had to slaughter their horses this year and many died of hunger. 11. p.57 Bliss translation.

Joseph Brant continued to grumble and seems to have taken offence at the conduct of Lieut. Colonel Harris.

FROM JACOB LINDLEY'S NARRATIVE

Jacob Lindley, a Quaker, who visited the Niagara District gives this account of the privations of some of the Settlers following the "scarce year."

"They were so reduced by scarcity of bread and provisions of all kinds that they came to an allowance of one spoonful of meal per day for one person, eat strawberry leaves, birch leaves, flaxseed dried and ground in a coffee mill - caught the blood of little pigs - bled the almost famished cow and oxen - walked twelve miles for one shive of bread, paid twelve shillings for twelve pounds of meal. One of the lads who was hired out, carried his little sister two miles on his back to let her eat his breakfast, and they gave him none till dinner. The children leaved for joy at one robin caught, out of which a whole pot of broth was made. They eat mustard, potato tops, swamp root and made tea of hops." Friends Miscellany Vol. ii, quoted by Dorland, History of the society of Friends in Canada, pp. 64-5.

FROM JOSEPH BRANT TO ROBERT MATHEWS

Grand River, Sept. 23rd, 1789.

Dear Friend,

I expected to have had a Line from you, after my Long letter to you partly an answer to yours in Jan. 89.

However, I am in hopes that you will write me at this time and tell me all your Civiliz'd good news and as well, as bad ones -- whether our friends the english has determined at last to keep the Posts for good & all not to let the Yankys have them, and whether they mean to keep the Indian Department with the same footing & the same care as they did before or not. Three remarkable sights at Niagara, the Fort are repairing in a very strong manner, the King's store or Indian store but thinly supplied particularly ammunition. The new Commanding Officer has a new sort of manoeuvres number (of) us cannot understand them. Dear friend, it is critical times for us here I mean we Indians. I felt very unhappy often of late. The most difficult Part, for me is having a many children which concerns me about them very much. Particularly when our Indian affairs and situation stands so unsettled the civilized cruelties I mean the Yankys are taking advantage all the while, and our friends the English seems of getting tired of us, if I have not got so many children, I would soon do something to drown my unhappiness & Leave more marks behind me than what my father did, I think you done very right of not having a Wife & Children other ways would be dam coward like myself - If no Accident happens here, I mean to go down to Canada in the Winter rather Leisure times for me in the Winter allways.

Sir, I remain &c. JOS. BRANT
Major Mathews.
(Q. 43-2, pp.784-5).

The district Surveyor meekly apologised for his past errors and promised implicit obedience to his instructions in future.

FROM PHILIP FREY TO JOHN COLLINS

Niagara, Sept. 28th, 1780.

Sir,

I was duly honoured with your letter of the twentieth June mentioning His Excellency Lord Dorchester's dissatisfaction at my proceedings for which I am truly sorry. The account and charge for surveying lands for disbanding troops would never have been sent down had not the Magistrates who compose the Board recommended this measure from a supposition that the disbanded troops here would meet with the same indulgence as their brethren of the Lower Districts. Sometime in the month of July last, the Commanding Officer of the Upper Posts, ordered me to make a similar report to the one requested in your Letter of the above recited date, a copy of which I have the honor to enclose herewith.

I shall most implicitly obey the instructions sent me and avoid as much as lays in my power to give the least cause of offence or complaint.

The Plans shall be transmitted as soon as I can possibly finish them.

I have the Honor to be &c.. PHILIP R. FREY.

The Honorable John Collins, Esquire.

(District of Nassau Letter Book, No. 5, P. 31).

On the 5th of June, 1789, Lord Sydney was replaced as Secretary of State by William Wyndham Grenville, a cousin of the Prime Minister, and a very capable

administrator. His attention was soon directed to the unsatisfactory state of the relations of the Western Indians with the United States and he gave strict Instructions that Hostilities were to be prevented if possible to avoid becoming involved in difficulties with either contending parties. The charges against Dease had come to his notice and he suggested that the large expenditure in the Indian Department might be reduced and part of it applied to a more useful purpose. Butler's alleged connection with the purchase of Indian lands had been reported and Dorchester was directed to make an inquiry and report the facts.

FROM W. W. GRENVILLE TO LORD DORCHESTER

Whitehall, 20th October, 1789.

(No. 10)

Right Honorable Lord Dorchester.

My Lord,

I have had the honor of receiving and laying before the King, your Lordship's Dispatches numbered 108, 120 & 122, addressed to my Predecessor communicating the information you had received from time to time of the proceedings of the Indians. I have also perused several other Letters from Your Lordship upon the same subject which had reached the Office before I was entrusted with the Seals.

In a former dispatch to your Lordship, dated the 5th of April, 1787, I observe that the sentiments of His Majesty's Ministers at that time are fully explained to you respecting these People, and nothing has since appeared that can induce them to propose any change of the general system of conduct therein directed to be pursued. Mr. McKee's proceedings, which your Lordship has taken notice of, deserve commendation. It is extremely desirable that any requisition likely to be made by the Indians for assistance to enable them to carry on Hostile operations against the Americans, should if possible, be prevented, for such requisition would in all probability have the effect of involving Us in difficulties with one or the other of the contending Parties.

Whilst I am writing to your Lordship on Indian Affairs, I cannot omit to inform your Lordship, that it has been stated to me from different quarters, that abuses have lately been committed in the Indian Department to a great extent. It is particularly represented that Mr. Dease, one of the Deputies of the Superintendant General has disposed of large quantities of Merchandize provided by Government for the supply of the Indians, to private Traders at Michilimackinac, and that he has even acknowledge this proceeding, and attempted to justify it, by alleging that the produce of the sale was applied to the repair of the Store House wherein those Articles have usually been deposited, because he was not allowed to make a contingent charge for such repairs equal to the expence required. I understand this transaction has undergone an investigation under Your Lordship's direction, and I must therefore request your Lordship to transmit to me a Copy of any Reports which have been made upon it, or any proceedings which have been had in consequence of them.

The information which has been stated me is not, however, confined to Mr. Dease, for it has been stated that Private Traders at Niagara and at other Posts, have also been in the practice of disposing of the various Articles belonging to the Government, which have been committed to the charge of the Superintendants residing at these Posts. Whether the reports are well founded or not, it is impossible for me to Judge, but it

appears to me to be a matter worthy of the most serious investigation, and I cannot too particularly direct Your Lordship's attention to that object when I observe the heavy expences which those supplies have annually occasioned to this Country.

It is also extremely material that your Lordship should consider the whole subject, and report to me, for the information of His Majesty's Servants, the amount which may probably be required under this head of Service in future years. I am sensible of the importance of securing the attachment of the Indians, both on Commercial and Political grounds, but it is impossible not to feel that the expence which has hitherto been incurred on this

Account is very large, and that it is at least possible that part of it might be applied to other purposes with more advantage to the Colony.

The purchases made of Indian Lands had been mentioned here before your Lordship's Letter upon that subject had arrived and it has been reported that some of His Majesty's Subjects, now residing in Canada, have been parties to this Transaction, and I observe, particularly, that your Lordship states in your Letter No. 81, that it is believed that Colonel Butler is largely concerned in those Grants. I am by no means disposed to give credit on loose or general information to imputations against the conduct of any one of the Officers of Government in His Majesty's Colonies, but it is in this instance extremely necessary that your Lordship should inform yourself as far as you can do, whether this report is founded, and that if you should have reason to think it is, you should then call upon Colonel Butler for a justification of his Conduct in this respect, it appearing upon first view to be no less than applying that influence with the Indians which His Majesty maintains at so large an expence, and of which his Official Situation gives him in great measure the direction, to promote the objects of the United States of America, and to further his own private Interest. I am &c.,
W.W. Grenville.
(Q.42, pp. 144-7.)

Having at length received regulations and instructions for their guidance, the Land Board began to hold regular Meetings in the Fall.

PROCEEDINGS OF LAND BOARD

"In the course of the Summer and Fall they received the printed Rules and Regulations for their conduct of February 17th, as well as the additional instructions of August 21st and

"THE FIRST REGULAR BOARD was held at Niagara, October 16, 1789.

Present: Lieutenant Colonel Harris, Lieutenant Colonel Butler, R. Hamilton.

"Various Letters and Printed Rules for their Conduct having been laid before them, the Board proceeded to Read the same. As no other business being then before them, they adjourned the Board to the 29th Instant. then to meet at the Twelve Mile Creek in Hunterton, as on that day, a Muster of the Militia of the Lower district was to be made there, and it was thought expedient as much as possible to save the time of the Settlers."

"Land Board, Hunterton, October 29th, 1789.

"Present: Lieutenant Colonel Butler, Peter TenBroeck, Robert Hamilton, and Nathaniel Pettit, Esquires.

"Which day the Board proceeded to examine particularly the different Rules and Regulations sent them for their conduct, and they adopted the following data, as what they understand to be the intention of the Government, and by which they are to guide themselves in assigning lands to claimants.

"They consider His Majesty's Instructions of 1783, addressed to Governor Hamilton as conferring:

1,000 acres to every Field Officer.

700 acres to every Captain.

500 acres to every Subaltern, Staff or Warrant Officer.

200 acres to every Non-Commissioned Officer.

100 acres to every Private Soldier, and the same quantity to every head of a Family, being a Loyalist.

50 acres to every Loyalist a Single Man.

50 acres to every Individual of which the families of all the above described persons shall Consist.

"They consider Lord Dorchester's Instructions of the 2nd June, 1787, as conferring 200 additional acres on all those settlers who have already improved so far as in their power, the lands before granted them, and that this additional bounty extend as well to single men improving their own lands as to the heads of families. From these premises, they, therefore conclude that every discharged soldier from His Majesty's Service is intitled to 300 Acres, every Non-Commissioned Officer to 400 acres, and that every Loyalist or other received good character settled here prior to the date of the Instructions of 17 February 1789, is intitled to 200 acres together with 50 acres to each individual of which their families shall consist: That after the date of these instructions, persons settling under the denomination of Loyalists or all others approved of by the Board, shall only received 200 acres for themselves, leaving the provision for their families to the Commander In Chief's future bounty, which will certainly follow their decent deportment, and their improving with Industry the grant now made them.

"A question having arisen whether Loyalists and others not particularly distinguished by having taken an active part in the cause of the Unity of the British Empire in America should be considered indiscriminately as the Objects of Lord Dorchester's bounty, and thus become intitled to 300 acres: It was resolved: That, as it appears to be the wish of Government to distinguish their *Active Friends and Adherents* by peculiar Marks of Attention - Those only who had borne Arms, or in some other capacity had served Government during the War - should of right be intitled to this 300 acres, or more in proportion to their Rank; and that all others should now only receive 200 acres, leaving the door open for future applications in their favor, as the merits of their case may require.

"And as Lord Dorchester's Bounty of 2nd June, '87, particularly provides for its extention to all unmarried men occupying Lands as well as Heads of Families, The Board resolve that every young person liable to be called upon to do the duties of a man in the Settlement, such as working on the Highway, or being mustered in the Militia, shall be esteemed as intitled to this bounty of 200 acres, and *vice versa*, every person receiving this bounty shall be liable to be called upon and to perform all the duties of a citizen.

"The Board further resolve that the claims of all those persons who have served or who say they have served his Majesty during the War, shall now be postponed, and the

additional bounty to them be deferred till the Board have clear proof before them, first, of this service, and secondly, that this has not been rewarded by Grants elsewhere.

"And whereas much confusion and uncertainty with regard to particular lots has arisen, from the unfortunate circumstances of a great part of the lands in this District being taken up and settled before any Surveys were made, and from the irregular mode these surveys have since been made, by different Surveyors, whose lines often vary from each other, The Board resolve with a view to reduce this confusion to some sort of order, that the surveyor be directed to furnish them plans of each township on a large scale, for the purpose of inserting in the blank space of each lot, as well the owner's name, as the number of the lot; That each Township shall be publicly called together by the magistrates residing therein, and, where the claim to a lot is universally allowed, the owner's name to be inserted therein. When two claimants to the same lot appear, this shall be left vacant, and the disputants directed to settle as soon as may be their respective claims, either by accommodation or by a reference to arbitration, or to the court of Common Pleas. When all the settler's Lots of any Township are thus filled up with the Owner's names, the plan and list shall be publicly kept open for some time for the satisfaction of every inhabitant; after which the Land Board shall proceed to grant Certificates for the lots thus ascertained."

Adjourned sine die.

An application from Philip Frey for leave of absence to visit his relatives in the Mohawk Valley and for the appointment of some person to carry on his duties was disapproved with an intimation that if he went away, he might lose his place. This warning did not restrain him from leaving never to return.

FROM JOHN COLLINS TO PHILIP R. FREY

Quebec, 5th November, 1789.

Dear Sir:

I am truly sorry to acquaint you that His Excellency Lord Dorchester declines of accepting of anybody named by you to do the business in your absence, but says that if you go to the Colonies, he shall name a person, in which case it might be the loss of your place; if you can possibly dispense with it, I think you would do right to stay. Mr. Holland, son of the Surveyor General, is employed in the Drawing Room at 5/ Sterling per day. He has applied to his Lordship for leave to go to England and received the same answer as you have done. His Lordship repeated his wish to have the plans of your Settlements sent down without loss of time. The Surveyor General is now with us, please correspond with him, he has been very ill but is much recovered.

I am with great esteem, &c.

JOHN COLLINS.

PHILIP FREY, Esquire.

(District of Nassau, Letter Book, No.5, p. 32).

Before the end of the year, reports of Indian Hostility became so menacing that Dorchester considered it expedient to warn the Commandants of all the Military Posts to be on their guard and direct the Militia to be in readiness to assist in their defence against a sudden attack.

FROM LORD DORCHESTER TO W.W. GRENVILLE.

Quebec, 10th November, 1789.

No. 10.

Sir,

I have lately had intelligence of hostile designs of the Hurons and other Indians intended to be executed in the course of the Winter against Detroit, and those Indians of the Six Nations, and others headed by Joseph Brant, who profess a determination to adhere to the resolutions of the General Confederacy of the Indians, and to resist the encroachments of the Americans upon the Indian Country.

One of the Roman Catholic Missionaries to the Indians at Detroit is said to be principally concerned in this Plot, and to have been instrumental in alienating the minds of those people.

Although full credit is not due to these reports, in their present shape, I thought it expedient to put the Commandants of the Western Posts, and the Militai of those Districts upon their guard, and to give them directions for Inquire to be made into the truth of them, and for such measures to be taken as our security might require, and the season permit, sending at the same time, under cover to the Commandant to be used as discretion may direct, admonitory letters to both the Missionaries at Detroit, to the Chiefs of the Hurons, and a Pastoral Letter to the Roman Catholic people of the Settlement of Detroit at large, from the Canadian Bishop of Quebec, who has been a Missionary at Detroit for some years, and has influence among the Indians, as well as the Candian Settlers and Traders in those parts. I am &c.

DORCHESTER.

The Right Honorable W.W. Grenville.

(.43-2, pp. 658-9).

Before Winter set in and put an end to frequent Communications with the Seat of Government, Butler and Hamilton who had conducted the business of the lately established Court Of Common Pleas, submitted their First Report.

EXTRACT OF A LETTER FROM JOHN BUTLER & ROBERT HAMILTON,
ESQUIRES, JUDGES OF THE COURT OF COMMON PLEAS FOR THE DISTRICT
OF NASSAU,

Dated at Niagara, 21 November, 1789.

"The Judges whom His Excellency Lord Dorchester, did the Honour to appoint for this District have continued regularly to hold their Terms along with the other Magistrates at their Quarter Sessions. They are induced to make their Terms Quarterly from the Conviction, that frequent Courts only encouraged Litigation and spent the time of the Inhabitants more properly employed on their Farms. Experience has confirmed this Idea, fewer Pleas are now before them, than when they met Monthly. No Processes of sufficient Magnitude, to require Repeating have come before them; and from none of their past Decisions, do they Apprehend an Appeal is intended."

A True Copy.

THOMAS ASTON COFFIN

(State Records).