

"Ducit, Amor Patriae"

**NIAGARA HISTORICAL SOCIETY
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NO. 42

**RECORDS OF NIAGARA
IN THE DAYS OF COMMODORE GRANT AND LIEUTENANT-
GOVERNOR GORE**

1805 - 1811

**COLLECTED AND EDITED BY BRIG. GENERAL E.A.
CRUIKSHANK**

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CAPTAIN WILLIAM CLAUS
(Aged 27)

Superintendent General
Indian Affairs
1805—1826

RECORDS OF NIAGARA 1805-1811

The sudden death of Lieut.-Governor Hunter at Quebec on 21st August, 1805, left the Government of Upper Canada without a Chief as he had steadily refused to nominate an administration during his absence in the Lower Province. News of his death was received at York about ten days later. When Simcoe applied for leave of absence on the 1st of December, 1795, he had recommended Hon. Peter Russell as the "Senior Executive Counsellor. (not a Roman Catholic)" for appointment as Administrator and his recommendation had been approved. He called the Members of the Council residing at York together at once, expecting to be recognized as President but to his great surprise and disappointment found that Chief Justice Allcock announced his opinion that Alexander Grant, whose name preceded that of Russell in the list of Executive Councillors named in the Royal Instructions was the Senior, although Russell had taken the oath before him. The other Members of the Council concurred and Russell reluctantly assented but did not conceal his discontent at being required to act in a subordinate position to that which he had formerly held. As Grant was then Senior Naval Officer on Lake Erie and lived at Amherstburg, a message was sent to him to come to York and administer the affairs of the Province. When Hunter's death became known in England, little time was lost in appointing Francis Gore, then Governor of Bermuda, to succeed him as Lieutenant Governor of Upper Canada. His commission was dated on the 22nd of January, but he did not assume the administration until the 25th of August, following. Grant's term of office consequently lasted a little less than a year. He seems to have carefully consulted the Council in all matters of the least importance and Russell generally took the chair as presiding Councillor. The Chief Justice was soon after transferred to Lower Canada and Justice Thorpe, who had recently been transferred to Upper Canada from Prince Edward Island, began to intrigue and make complaints to the Colonial Office, stating there was no Governor, no General, no Bishop, and no Chief Justice in the Province, and going to a "cabal" the Council had selected a man to act as Administrator who did not appear to be the oldest member and was inefficient. Both he and Justice William Drummer Powell, who was his Senior, applied for the vacant office of Chief Justice. There was a noticeable lack of good feeling among the Chief Officials. The following Petition shows that the act regulating the sale of spirituous liquor caused some local discontent.

THE PETITION OF LANY SHANNAN AND OTHERS

To the Honorable Provincial Parliament of Upper Canada:

We, the subscribers, Inhabitants of the said Province, and faithful subjects to His Majesty, and at all times ready and willing to support the operative law in his Dominions; and being possessed of that inalienable right of free men to make known to our law makers and rulers, such grievances as we may think we labour under, do beg leave under mature consideration and confidence to the truth and propriety thereof, to most humbly suggest to Your Honors that the law of said Province prohibiting distillers selling any of their distilled liquors under three gallons is no so happily calculated as in our opinion may be for the general good of His Majesty's Subjects, for many are under a necessity at times for some of this liquor, but either for want of abilities or from principles of

prudence are prevented from receiving those comforts of the country to which their hand labour entitles them.

We beg further to suggest that no detriment can accrue to the revenue by giving the distillers license to sell one gallon, as in our opinion, few retailers or inn keepers would have any objection to an alteration of said law.

The limits of this Petition will not give an opportunity to state all the reasons in support thereof, which will actually be in your possession.

We therefore most humbly pray that Your Honors would take this subject into your wise consideration, and repeal said law in such a manner that the Distillers may sell one gallon; or otherwise order and direct so that the law touching the same may be, as all laws should be, for the general benefit of the public weal; and as in duty bound we shall ever pray.

LANTY SHANNON, Inn Keeper

EZEKIEL WOODRUFF

SAM'L VAN WICK, Inn Keeper

JOHN FRALICK

his

JOHN X CAMP

Mark and fifty-six others.

The promoters of this Petition were residents of the Township of Stamford, of which Ezekiel Woodruff was Clerk continuously from 1797 until 1819. This Petition and the one following are undated but were read in the Legislative Assembly on the 12th February, 1805.

Another Petition from Residents of the Townships near the Head of Lake Ontario voiced what seems to be well founded dissatisfaction at the administration of the Act for the improvement of public roads.

THE PETITION OF INHABITANTS OF THE OF THE DISTRICT OF NIAGARA
To The Honorable the Legislative Council and House of Assembly for the Province of
Upper Canada:
Humbly prays.

That the Legislature may at their next meeting take into their serious consideration the laws respecting highways and roads throughout this Province, and make such alterations or amendments to the same as to them in their wisdom may appear meet. Your Petitioners beg leave to intimate that under the existing law it is difficult to determine which are really and legally Highways, the Commissioners being frequently divided in opinion with respect to the construction to be put on said laws, and from the circumstance of the Justices of the Peace being all Commissioners of the Highways and Roads, and nothing mandatory or compulsory on them to act when required, and as it would be unfair that those gentlemen, who do sacrifice much of their time to their duty as Justices, should be forced to leave their homes for days in acting as Commissioners of the Highways and Roads, and nothing mandatory or compulsory on them to act when required, and as it would be unfair that those gentlemen, who do sacrifice much of their time to their duty as Justices, should be forced to leave their homes for day in acting as Commissioners, without an adequate allowance being made them for their trouble and

expense; and as many of those gentlemen would probably not wish to act in the line of Commissioners.

Your Petitioners are therefore of the opinion that it would tend to the ease of the Inhabitants and the welfare of the District to have a certain number of disinterested persons to be overseers or Commissioners of the Highways in each and every District, and that an allowance should be made them on all occasions when thereto required to lay out, alter, or amend any road or roads throughout their respective District or Division.

However, all this is submitted to the Honorable the Legislature for their consideration, which Your Petitioners pray may meet with due and mature deliberation. And your Petitioners as in duty bound will ever pray.

JOHN PETTIT

LEVI LEWIS

RICHARD GRIFFIN

WM. KENNEDY SMITH, and fifteen others.

John Pettit resided in Saltfleet, Richard Griffin in Grimsby, and William Kennedy Smith in Blenheim. Levi Lewis was elected one of the Members of the Legislative Assembly to represent the First Riding of Lincoln, and the County of Haldimand at the general election in 1808.

The removal of the offices of the provincial government from Niagara to York had diminished the importance of the Town but it still continued to be the headquarters of the Officers commanding the Troops and Fort George was the principal Military Post in the Province. From 1796 until the end of August, 1802, the Garrisons of the Frontier Posts were furnished by the Second Battalion of the Royal Canadian Volunteers. They were then taken over by the 49th Regiment commanded by Lieutenant-Colonel Brock which a few years later was relieved by the 41st under Lieutenant-Colonel Henry Procter, succeeded in turn by the 100th temporarily under command of Major Christopher Hamilton. William Claus had succeeded Alexander McKee as Deputy Superintendent General of the Indian Affairs and continued to reside at Niagara where Council with the Six Nations and Missassaugas were sometimes held.

Small detachments of Soldiers were stationed at Queenston, Chippawa, and Fort Erie for the protection of stores and to conduct their transportation between the Lakes.

Some letters from Hon. Robert Hamilton to his father-in-law, John Askin of Strabane near Sandwich, have been preserved and contain some information of historical interest.

FROM ROBERT HAMILTON TO JOHN ASKIN

Dear Sir:

This will be handed to you by your Grandson Robert, my eldest boy (born at Fort Niagara in 1787; Member of the Legislative Assembly for the Third Riding of Lincoln, 1820-1824, Died in 1856) now on his way to Mackinac to spend a year and live with my kinsman, Robert Dickson.

You Will perhaps be surprised at my sending my eldest son into that Country, but the Young Man wishes it - And I do think the field a very fine and certainly a very large one for Mercantile Speculation - He may remain a few days at your place until a Vessel shall sail for Mackinac and in directing him to make your house his Head Quarters, I am

convince I do not exceed in using freedom with you -- Mrs. Hamilton requests to join me in best respect to Mrs. Askin & all your pleasant family.

I am Dear Sir, Yours very sincerely, R.

To: John Askin, Esqr.

HAMILTON

QUEENSTON, MAY 16, 1805(ASKIN PAPERS, CANADIAN ARCHIVES)

The preface to a book rather cumbrously entitled "Travels through the Canadas, containing a Description of the Picturesque Scenery on some of the Rivers and Lakes, with an account of the Productions, Commerce and Inhabitants of those Provinces to which is subjoined a Comparative View of the Manners and Customs of several of the Indian Nations of North and South America. By George Heriot, Deputy Post Master General of British North America. Illustrated with a Map and Numerous Engravings from Drawing made at the Several Places by the Author." is dated at Quebec on 16th August, 1806. His visit to Upper Canada appears to have been made about a year before and a handsome quarto edition of his book was published in London in 1807.

His description of what he saw of the Niagara District is fairly full and interesting as he was a careful observer.

"On the western bank, about a mile higher up, the British Fort is situated on ground several feet higher than the last (Fort Niagara). It is likewise constructed of earth and cedar pickets and the buildings contained in it are executed with much neatness, taste and accommodation. On the border of the River, beneath the Fort, there are several buildings, consisting of storehouses and barracks, one of which is called Navy Hall, and is contiguous to a wharf, where vessels load and unload. A swamp in the vicinity becomes, at particular seasons, from the stagnated vapours exhaled from it, prejudicial to the health of those whose residence is by the river, and sometimes to that of the Troops in the Garrison. A plain, whose extent in every direction is nearly a mile, intervenes between the Town of Niagara and Fort George, the name of the fortress already described. The houses are in general composed of wood and have a neat and clean appearance; their present number may amount to near two hundred.

The streets are spacious and laid out at right angles to each other, so that the Town when completed will be healthy and airy. On Missisague Point, which is on the west side of the mouth of the River, a lighthouse for guidance of vessels which navigate the Lake, has lately been erected. Near this point, white fish and black bass are caught in great numbers.

"In proceeding from the Town of Niagara to the southward, along the banks of the great River, many attractions combine to present pleasure and amusement to the mind of the observant traveller. The soil, the variety of situation, and the improvements of that part of the country, seem to surpass every impression which information alone might produce in its favour. The population is already considerable, and is rapidly augmenting. Families from the United States are daily coming into the Province, bringing with them their stock and utensils of husbandry, in order to establish themselves on new lands, invited by the exuberance of the soil, the mildness of the Government, and an almost total exemption from taxes. These people either purchase lands from the British subjects, to whom they have been granted, or take them upon lease, paying the rent by a certain portion of the produce.

"Many farmers from the neighbouring States, who are wealthy, procure grants of their own, and taking the oaths of allegiance, become subjects of the Crown of Great Britain.

"Men born and educated in the northern States of America, are of the greatest utility in the settlement of a new country, as they are endowed with a spirit for adventure, activity, industry and perseverance, rarely to be equalled. Nor are they deficient in the power of inventive facility, particularly when applied to mechanical objects. In travelling, the wagon is by many made to serve the end, not only of a house during the journey, but likewise a vessel to cross the rivers which are not fordable. The seams of the body are secured against the admission of water, and when applied to the latter purpose, the wheels are taken off, it is conducted by rowing to the opposite shore, and the horses and cattle are made to follow it by swimming. The settlers who bring into the Province the largest property in money and stock, generally come from the back parts of Virginia and even from the Carolinas.

In the use of the axe, the Americans display uncommon dexterity, and hew down the largest trees of the forests with admirable address and expedition. Retaining no attachment for any particular situation, an American farmer, who is not of the first class, will sell his lands, after having cleared and brought them to a state of cultivation, if he can procure for them a reasonable profit for his toils. He then decamps, launches into the woods in quest of a new possession and erects another habitation.

"The immense tracts of woods, filled with oak timber, which every where present themselves are certain indications of the fertility of the soil. The common produce of the fields is, in general, from thirty to forty for one in wheat or any other grain; and portions of land which have, for upwards of sixteen successive years, yielded their harvest without the aid of manure, with forty to one, to reward the industry of the husbandmen.

"The Winters in this part of the country are inconsiderable, either for duration or severity, the snow seldom remains on the ground for a longer period than five or six weeks.

"About the year, 1800, before the means of transport to the Lower Province became facilitated and improved, the inhabitants were at a loss to dispose of the produce of their farms. Since that period, many thousand barrels of flour, quantities of salted beef and pork, butter and cheese, pot-ash, and numbers of live cattle have annually been conveyed to Lower Canada, through the rapids and cascades of the Saint Lawrence, upon rafts of timber containing from five hundred to eight hundred barrels each, and upon scows, a superior species of raft constructed of plank, without receiving from the waters any material injury. The conducting of that mode of transport, although at first difficult and unwieldy, now has become more familiar and immense quantities of produce continued to flow every year into the lower province.

"There are attached to settlements on the Borders of the Saint Lawrence, advantages of transport superior to those of any inland country in America. The soil is unquestionably of the first quality, and is sufficiently varied by swells and ridges, to take off the sameness of effect which would result from a dead level country. Winter wheat is produced with greatest certainty. The grain is heavier and more plump than any that is raised in the territories of the United States, except such as border upon this immense river. Grass is very natural to this country, and cattle fatten in the summer upon the wild growth. Hemp and flax are produced in great perfection.

The timber consists of oak, pine in all its varieties, sugar and curled maple, beech, basswood, hickory, black and white ash, sassafras, black and white birch, elm, walnut-tree, butternut-tree, cherry-tree and a variety of other woods.

"The winter season is employed by the farmer in making staves for casks, squaring timber, or preparing plank and boards, all of which may be disposed of to advantage in Montreal. In the spring, the timber is formed into rafts, which are loaded with produce, and conducted down the river with great certainty, at any period during the summer season, without the inconvenience of waiting for a freshet, or an increase of water by rains, which can have but small influence on so vast a body of water. This circumstance alone adds value to the establishments on its borders; for on all other rivers, except those of the first magnitude, they who mean to conduct rafts down their streams are compelled to be ready at the moment of a swell of the waters; and if they be so unfortunate as not to be prepared, an opportunity of carrying to market the productions of their farms becomes lost to them for the whole year; it likewise not infrequently happens with many rivers, that the spring freshets are not sufficiently high to render it safe to venture down them. The farmer on the Saint Lawrence is assured he can send a barrel of flour for four shillings and a barrel of potash for eight shillings, to the ship which comes from Europe.

"In many branches of husbandry, the Settlers of this country seem to display a superior degree of skill, and fields of corn are here to be seen, as luxuriant and fine as in any part of the Universe.

"The mode of commencing a Settlement is by cutting down the smaller wood, and some of the large trees, collecting them into heaps, and burning them. Some of the remaining trees are girdled by cutting a groove all around through the bark, to impede the sap from mounting, and thus deprived of nourishment, the branches cease to grow, and the leaves decay and fall to the ground. After passing a harrow over the soil, in order to turn it up, the grain is sown, the harrow is again used, and thus left without any further trouble, the newly-cleared ground yields a copious increase.

"A stranger here struck with sentiments of regret on viewing the numbers of fine oak-trees which are daily consumed by fire, in preparing the lands for cultivation.

"The houses, with few exceptions, are here constructed of wood, but with a degree of neatness and taste, for which we might look in vain among the more ancient settlements of the Lower Province.

"The improvements of every description, in which for a few years past the province has been rapidly advancing have in some situations, divested it of the appearance of a new-settled colony, and made it assume the garb of wealth, and of long-established culture. The roads in the settled part of the country are, in the summer season, remarkably fine, and two stage-coaches run daily between Niagara and Chippawa, or Fort Welland, a distance of 18 miles.

"The scenery from Niagara to Queenstown is highly pleasing, the road leading along the summit of the banks of one of the most magnificent rivers in the universe; and on ascending the mountain, which is rather a sudden elevation from one immense plain to another, where the river becomes lost to the view, the traveller proceeds through a forest of oak-trees, until he becomes surprised, and his attention is arrested by the Falls presented to the eye through openings now cut in the woods, on the steep banks by which they are confined.

"Queenstown is a neat and flourishing place, distinguished by the beauty and grandeur of its situation. Here, all the merchandise and stores for the Upper Part of the Province are landed from the vessels, the water being deep, the stream not too powerful, the anchorage good, and the banks on either side of considerable altitude.

"The mountain already noticed is formed by the land assuming a sudden acclivity of upwards of three hundred feet from one horizontal plain to another, and extends from east to west for a considerable way, the river holding its course through the centre, and cutting it asunder. The perpendicular banks on either side are near four hundred feet in height, from the level of the water to their summit. Their strata are similar, not only in altitudes but in substance. A little way below the bank on which the Town is placed, there is a spot rising about twenty feet from the side of the river, upon whose surface a quantity of stones is placed, which appears to have been deposited there for a series of years, and which have been evidently formed in currents of water.

"Since the settlement of the country, the river has not been perceived to rise to that height. These circumstances seem to afford probable ground for conjecture, that the stream which now flows through the deep chasm of the mountain, did at some former period, throw itself from near the summit and after sweeping away the rocks and soil, from its present profound and rugged channel, extending upwards of nine miles from the precipice whence the wide and stupendous flood continued now to fall.

"In tracing the course of the river, higher up from Queenstown, many singular and romantic scenes are exhibited the whirlpool, which is about four miles from that place, is a basin formed by the current in the midst of lofty precipices clothed with woods. Previous to its entering this bay, the stream drives with awful roar, its broken, interrupted waters over a sudden slope upwards of fifty feet in height, and thus proceeds foaming past the bed it afterwards takes, which being around the angle of a precipitous promontory, its weight and velocity oblige it to pass on, and to make the circuit of the basin before it can flow through the channel. It has apparently made an effort to break through the bank to the westward, but the rock was probably too solid. The strata to the northward were found more penetrable, and through these it has forced a passage. A tide rising to the height of two and a half feet, and again falling every minute is observable all around the basin; this phenomenon may be produced by the impulse communicated to it from the torrent, which causes it alternately to swell, and to recoil from the beach.

"This gulph usually contains a quantity of floating timber, which continues to revolve in the eddy about once in half an hour, and will some times remain in this state for months, until it be drawn off by the current. At one particular part, all floating substances are made to rise on one end, after which they are swallowed down by the vortex, and for a time disappear.

"The Falls of Niagara surpass in sublimity every description which the powers of language can afford of that celebrated scene, the most wonderful and awful which the habitable world presents. Nor can any drawing convey an adequate idea of the magnitude and depth of the precipitating waters. By the interposition of two islands, the river is separated into three falls, that of the Great Horse-shoe on the west or British side, so denominated from its form, and those of Fort Slausser and Montmorenci on the eastern or American side. The larger island is about four hundred yards in width, and the small island about ten yards. The three Falls, with the Islands describe a crescent, and the river beneath becomes considerable contracted. The breadth of the whole at the pitch of the

waters, including the curvatures which the violence of the current has produced in the Horse-shoe, and in the American Falls, may be estimated at a mile and a quarter, and the altitude of the Table Rock, from whence the precipitation commences, is one hundred and fifty feet.

"Along the boundaries of the river, and behind the falls, the elevated and rocky banks are every where excavated by sulphurous springs, the vitriolic acid uniting with the limestone rock, and forming plaster of Paris, which is here and there scattered amid the masses of stone which compose the beach beneath.

"These excavations extend in many places to a distance of fifty feet underneath the summit of the bank.

"Casting the eye from the Table Rock into the basin beneath, effect is awfully grand, magnificent, and sublime. No object intervening between the Spectator and that profound abyss, he appears suspended in the atmosphere.

"The lofty banks and immense woods which environ this stupendous scene, the irresistible force, the rapidity of motion displayed by the rolling clouds of foam, the uncommon brilliancy and variety of colours and of shades, the ceaseless in tumescence, and swift agitation of the dashing waves below, the solemn and tremendous noise, with the volumes of vapour darting upwards into the air, which the simultaneous report and smoke of a thousand cannon could scarcely equal, irresistibly tend to impress the imagination with such a train of sublime sensations, as few other combinations of natural objects are capable of producing, and which terror lest the treacherous rock crumble beneath the feet by no means contribute to diminish.

"The height of the descent of the rapids above the great fall is fifty-seven feet eleven inches. The distance of the commencement of the rapids above the pitch, measured by the side of the island is one hundred and forty-eight feet, and the total altitude from the bottom of the falls to the top of the rapids, is two hundred and seven feet. The projection of the extreme part of the Table Rock is fifty feet, four inches.

"The large island extends up the river about three quarters of a mile, and the rapids between that and the western banks are much diversified; in one situation near the island, there is a fall of about sixteen feet in height, the vapour from which is distinctly visible. Several small islands are formed towards the west side of the river.

"From a settlement called Birch's Mills, on level ground, below the bank, the rapids are displayed to great advantage; they dash from one rocky declivity to another, and hasten with foaming fury to the precipice. The bank along whose summit the carriage road extends, affords many rich, although partial views of the falls and rapids. They are from hence partly excluded from the eye by trees of different kinds, such as the oak, the ash, the beech, fir, sassafras, cedar, walnut and tulip-trees.

"About two miles further down the side of the River, at a situation called Bender's, an extensive and general prospect of the falls, with the rapids and islands, is at once developed to the eye of the Spectator. On descending the bank which in several places is precipitous and difficult, and on emerging from the woods at its base, a wonderful display of grand and stupendous objects is at once expanded to the view. From amid immense fragments of rock and lacerated trees, which have descended in the current of the waters, the eye is directed upwards toward the Falls, that of Fort Slausser being on the left and the Great Horse-shoe Fall immediately in front. On the right is a loft bank profusely covered with diversity of foliage, beyond which the naked excavated

rock discloses itself. As the river here contracts to the breadth of about half a mile, the fall on the American side becomes nearest to the eye, and its waters tumble over a rock which appears to be perpendicular and nearly in a straight line across to the island, the curvatures being from the point now described, not perceptible.

The rock is, however excavated, and at the pitch has been worn from the continued abrasion by the fall into a serrated shape, whence the masses of foam pour down in ridges which retain their shape from the summit to the bottom. Numbers of stones which have been torn away from the precipice, are accumulated through the whole extent below, and receive the weighty and refulgent clouds of broken waters, which again dash from thence into the basin.

"The salient groups in which, with graduations almost regular, the tumbling waters are precipitated, excited the awe and admiration of the spectator; the eye follows with delight the masses of lustrous foam, varied by prismatic hues, and forming a wide and resplendent curtain.

"About half a mile from hence, in descending the course of the river, and behind some trees which grow upon the lower bank, is placed the Indian ladder, composed of a tall cedar tree, whose boughs have been lopped off to within three inches of the trunk, and whose upper end is attached by a cord of bark to a living tree; the lower end is planted amid stones. It is upwards of forty feet in length, and trembles and bends under the weight of a person upon it. As this is the nearest way to the riverside, many people descend the ladder, led either by curiosity, or for the purpose of spearing fish, which in the summer are found in great abundance in this vicinity.

"The spear in use is a fork with two or three prongs with moving barbs and fixed to a long handle. The fisherman takes possession of a prominent rock, from whence he watches for his prey, and when it approaches within his reach, he pierces it with his instrument, with an almost inevitable certainty.

"The village of Chippawa or Fort Welland, is situated on each side of a river of the same name, which here joins the Saint Lawrence. A wooden bridge is thrown across this stream, over which is the road leading to Fort Erie. The former Fort consists only of a large block-house near the bridge, on the northern bank, surrounded by lofty pickets; it is usually the station of a subaltern officer and twenty-five men, who are principally engaged in conducting to Fort Erie, the transport of stores for the service of the troops in the upper part of the Province, and for the Engineer and Indian Departments. After being conveyed by land from Queenston, the provisions and other articles are here embarked in batteaux.

"There are in the village, some mercantile store-houses and two or three taverns. The waters of the Chippawa are always of a deep brown colour, and are very unwholesome if used for culinary purposes. They enter the Saint Lawrence about two miles above the Falls, and although they be frequently broken and rush into many rapids in their course thither, they seem obstinately to resist being mixed with the purer waters of that flood, and retain their colour in passing over the precipice. The foam produced in their precipitation is of a brownish hue, and forms the edge of the sheet which tumbles over the Table Rock. Their weight and depth of the descent, mingle them effectually with the water in the basin beneath. The colour of the Chippawa is derived from that river passing over a level country, in many places swampy, and from quantities of decayed trees which tinge it with their bark. It is also impregnated with bituminous

matter, which prevents it, until it has suffered the most violent agitation and separation of particles, from incorporating with the more transparent and uncorrupted stream of the Saint Lawrence.

"Opposite to the Village of Chippawa, the current becomes so powerful that no boat can be ventured into it without the imminent danger of being swept away, and lost in the rapids. Between the Village and the Falls, there are three Mills, which are near to each other, and adjoining the road, are for the purposes of sawing timber into boards, and for manufacturing iron. The latter scheme has hitherto failed of success; the logs for the saw-mill are conveyed down the current to this situation in a very singular manner. They are cut upon the borders of the Chippawa, and floated down to its mouth, where a reservoir formed by a chain of hog-pens is made to contain them. In proceeding downwards, in order to avoid being drawn into the vast vortex of the Falls, small poles have fixed together from the reservoir to the Mill, floating at the distance of eighteen or twenty feet from the shores.

They are retained in their places by poles projecting from the land; and thus the chain of poles, rising and falling with the waters and always floating on the surface, forms a species of canal, into which the logs are separately launched, and in this manner, carried to the reservoir to the Mill, a distance of more than a mile.

"In the vicinity of the Mill, there is a spring of water, whose vapour is highly inflammable, and is emitted for a time with a considerable degree of force. If collected within a narrow compass, it is capable of supporting combustion for near twenty minutes, and of communicating to water placed over it in a small, confined vessel, the degree of boiling temperature.

"To those who are admirers of the picturesque beauties of Nature, it will be almost unnecessary to apologize for the prolixity of description with which the last communication was filled. The subject of the latter part of it, upon which we have already so long dwelt, is at once noble and unique. Let us therefore attempt to pursue it still further, although without the hope of being able to do it justice.

"The Saint Lawrence at the confluence of the Chippawa is upwards of a league in width and is passed to the opposite shore in boats or batteaux, about three-quarters of a mile higher up than the Village, and by the lower end of Navy Island. The transport of goods by land to Fort Slausser, two miles above the east side of the falls, was formerly conducted from a place opposite to Queenstown. In passing through the cultivated grounds on the border of the river, immense mounds of earth, thrown up by multitudinous colonies of large black ants, are every where observable. The rapids on this branch of the river, although not so extensive, are nevertheless equally beautiful and romantic with those of the western branch. A spot at the distance of fifty yards from the pitch, affords a most advantageous and pleasing display of a scene, which in every point of view is accompanied with sublimity. Trees and rocks form the nearest objects, and between them and the islands a lively picture is exhibited of broken rapids dashing over the slippery rocks, which are hidden beneath the foaming torrents.

Amid the sinuosities of the pitch, a part of the American fall is developed to the view of the spectator, and the Montmorenci Fall is exposed about half way down its depth; the other parts of the eastern fall are concealed, whilst a portion of the waters beneath becomes disclosed. The inequalities of the precipice, which have been formed by the current, are here fully discoverable. Several small isles covered with woods

appear near the central island and add to the variety of the scene which foilage of diversified verdure, overtopped here and there by the towering cedar, contributes to enliven and to adorn. The Horse-shoe fall beyond the whole, delights the mind with the rapidity of its movements, and the animated effulgence of its hues. From the station we have now endeavoured to describe, is afforded the most perfect idea of the crescent formed by the three falls, the islands, and the Table Rock.

"To descend the perpendicular cliff on the eastern bank is attended with difficulty and with some degree of peril. Few of the roots and vines which formerly hung downwards from the trees, any longer remain. In descending the craggy steep, the adventurer must cling to the rock with his hands and feet, moving onward with great caution. On his arrival at the base of the cliff, he is struck by a development of scenery, yet more awfully stupendous than that which had before been presented to his contemplation. Here nature, agitated by the struggles of contending elements, assumes a majestic and tremendous wildness of form. Here terror seems to hold his habitation. Here brilliancy, profundity, motion, sound, and tumultuous fury, mingle throughout the scene. The waters appear to pour from the sky with such impetuosity, that a portion is thrown back in clouds of vapour. The mind expanded by the immensity and splendour of surrounding objects, is disposed to give issue to the sensations of awe and wonder by which she is impressed, in ejaculations similar to that of the Psalmist of Israel. "Great and marvellous are Thy works."

"The huge fragments of rock which have been thrown from the summit of the precipice by the irresistible strength of the torrent, and which have fallen upon each other in towering heaps beneath, suggest to the imagination an idea of what may take place previous to the general consummation of this terrestrial scene, when ancient monuments of marble, under which princes of the earth have for ages slept, shall be burst asunder and torn up from their foundations.

"Can so vast, so rapid and so continual a waste of water never drain its sources? These are inexhaustible; and the body which throws itself down these cliffs, forms the sold discharge of four immense inland seas.

"The effect produced by the cold of winter on these sheets of water thus rapidly agitated, is at once singular and splendid. Icicles of great thickness and length are formed along the banks from the springs which flow over them. The sources, impregnated with sulphur, which drain from the hollow of the rocks, are congealed into transparent blue columns. Cones are formed by the spray, particularly on the American side, which have in several places large fissures disclosing the interior, composed of clusters of icicles, similar to the pipe of an organ. Some parts of the falls are consolidated into fluted columns, and the river above is partially frozen.

The boughs of the trees in the surrounding woods are hung with purest icicles formed from the spray, and reflecting in every direction the rays of the sun, produce a variety of prismatic hues, and a lustre almost too refulgent to be long sustained by the powers of vision.

"This part of the Saint Lawrence, which is called the Niagara River, issues from the eastern extremity of Lake Erie and discharges itself into Lake Ontario, at the end of thirty-six miles, after undergoing the most violent agitations through an interrupted and sinuous channel. At its commencement from the former, its breadth is not more than half a mile, but it becomes afterward enlarged, and separated into two branches by an island

fifteen miles in length. The current is powerful and the navigation for vessels is rendered intricate by innumerable hidden rocks. In the vicinity of Navy Island there are two smaller isles.

"The western bank between Chippawa and Lake Erie is almost entirely settled, and the road is level and in most places good. The Americans have on their side of the river, a road extending from Fort Slausser to Buffalo Creek, a settlement which contains several Indians and some white families. At a spot called Black Rock, at the lower end of the rapids, a Fort has been traced, and partly constructed, within the limits of the United States.

"Lake Erie is near three hundred miles in length, and seven hundred and ten miles in circumference. It derives its name from the Eries or Cats, a native tribe which once dwelt on its borders. The landscape at the entrance exhibits a pleasing variety, consisting of water, points of land, level countries and distant mountains. The coasts are clothed with oak, ash, chestnut, apple and cherry-trees. The south-east shore abounds in game in wild animals. The islands which it contains are Bass islands, Isle Bois blanc, Cunningham's island, East Sister, Grose Isle, Middle Island, Middle Sister, Point Pelee Isle, Saint George's Island, Ship Island, Sandusky Island, Turtle Island and West Sister.

"The old Fort on the west side of the entrance into the Lake, consists of no more than a few houses, a block-house of logs, with some habitations for commercial people, and one or two store-houses. A new stone Fort, in the form of a quadrangle, is now constructing on the rising ground behind the block-house. A company of soldiers is usually stationed here, and the men are chiefly employed in assisting to conduct the transport of stores. Two vessels in the service of the British Government are used in navigating this Lake.

"The bottom of the Lake consists of lime-stone rock of a blueish colour, with which are mingled many petrified substances, animal as well as vegetable. The Lake is much exposed at its northern extremity, to gales of wind which occasion its waters to rise to a very considerable height. Vessels are at these periods in some danger of being driven ashore, their cables being often cut asunder by the sharp and flinty edges of the rocks which compose the anchorage.

"At ten miles and a half from the Fort, in pursuing the northern coast, is found a promontory which advances into the water about three hundred and fifty yards, and is named Pointe a Beneaut, or Abino, affording for vessels a safe anchorage in its neighbourhood. From hence to the Grand River is twenty-four miles; a hill in the form of a sugar-loaf intervenes, and presents a good land-mark. The Townships in the vicinity are rapidly advancing in population and improvement, and several water-mills have been constructed. The Chenette, or River Waveney, is eighteen miles more to the westward, and Pointe a La Biche, now Turkey Point, lies about fourteen miles further along the coast. In the Townships of Woodhouse and Charlotteville, which are situated on this part of the Lake, there is a considerable extent of country, thinly timbered whose cultivation is facilitated from the want of underwood. It exhibits more the appearance of a royal forest in Europe than that of an American wilderness." pp.150-175

The observations of another traveller, who arrived soon after, are not less instructive from a different point of view.

Robert Sutcliffe, a Quaker merchant residing in Sheffield, England, made a prolonged visit to North America in 1804, 1805 and 1806 on commercial affairs. He resided for several months in Philadelphia and travelled extensively in the States of New Jersey, New York, Maryland and Virginia. During this time, he kept a careful journal without any thought of publication, which was eventually edited and printed for a friend, W. Alexander, at York in 1811, and has become a rare book. In the Fall of 1805, he made a leisurely journey through New York and entered Upper Canada by way of Batavia and Buffalo, apparently with the object of seeing Niagara Falls.

"11th Month. 30th. After breakfasting at Buffalo Town," he wrote, "I crossed the Rapids, about three miles below Lake Erie. These Rapids are a very considerable River, being at this place nearly one mile over, and conveying a vast body of water, which passes in its course from Lake Erie to Lake Ontario. I observed, as I rode along, a number of large fishes that were thrown on shore: and saw many ravens hovering about and devouring them. In travelling upon the banks of the Rapids, for many miles, the roaring of the Falls is heard, resembling distant thunder. Being in Upper Canada, which is under our own Government, it felt to me something like being in England, and occasioned a pleasing sensation. Here I observed a number of good farm houses; the pastures and wheat looked remarkably fresh and green, and a large fine herd of cattle were grazing in the fields. In conversation, I found that many of the inhabitants are of German or French descent.

In the afternoon, I came to Fenning's Tavern (John Fenning) at Chippewa, a town on the Creek of that name. Here a block-house fortification, at which an English Garrison is stationed. From the windows of the tavern, clouds of mist are seen rising from the Falls; and the noise of them is so loud, that a person seems to be close upon them, although they are nearly three miles distant. I was informed by several of Fenning's family, that the concussion occasioned by the descent of so large a body of water is such, that in a still summer's evening, a constant tremor of the earth is perceptible; and the loose glass in the windows is so shaken as to produce considerable noise.

12th Month, 1st. I lodged last night at Fennings Tavern, where I had as good accomodation as could be desired. In this family, I met a young man (probably Malcolm Burwell), who had his education in our Society (The Society of Friends or Quakers), and is a Commissioner or Surveyor under the English Government, for the disposal of lands to new settlers. This young man kindly offered me his company and assistance, in visiting the curiosities in this neighbourhood. However it being first day (Sunday) and there being no meeting near, I preferred spending the forenoon alone. Therefore, immediately after breakfast, I walked down to the Falls by myself; the tremendous noise, with the volumes of spray and mist arising from them, being a sufficient guide to the spot. The first view of this wonderful cataract, is from the principal road, which, though not the most complete, is perhaps as beautiful as any; but being from a situation which is level with the river above the Falls, a considerable part of the Cataract is hid from the eye. After taking a circuit of about a mile, the path leads down a steep precipice, which is descended with considerable difficulty, and not without the aid of a long ladder, placed there by a neighbouring planter, as well for his own convenience, as for that of strangers. Immediately below the Cataract, the River is confined between two steep rocks that form a deep winding valley, through which the waters flow in their course towards Lake Ontario. This valley is terminated by a perpendicular rock of 53 yards in height, which

runs across, forming an angle pointing up the river, over which this vast body of water precipitates itself with astonishing rapidity, and with the noise so tremendous that it can scarcely be described. On the top of the rock is a small island, which divides the cataract into two parts, and in such a manner that the greater part of the water pours over the rocks at the extreme head of the valley, and the rest on one side of it. A little above, opposite Chippaway, the river is two miles over; but directly above the Falls, it narrows to about a mile in breadth. I was informed by Joseph Ellicot (a noted Surveyor in the State of New York) and his brother, at whose house I lodged, that they had twice measured the Falls, and found them to be 158 feet in height, and about 1800 yards in width from the opposite edges of the river, (This includes both Falls and the intersecting island, which is about 150 yards over.) I was told by the Ferryman, that about 16 miles above the Falls, the river was nearly one mile in width, and that, in the middle, it was 40 feet in depth; and in common, the stream ran at a rate of six miles, in the hour. If this be really the case, and I have no cause to doubt it, the quantity of water passing over the Falls, and continually suspended between the top and bottom, may be more than 400,000 tons. If the additional weight and velocity, gained by a fall of 158 feet, be added, the weight of these prodigious columns of water would exceed three millions of tons. Such an enormous specific gravity falling at once into the gulf below, may bring the account of the Falls being heard, under favorable conditions, at the distance of 40 or 50 miles, within the limits of credibility.

"Having reached the bottom of the precipice, and approached as near to the cataract, as I could with apparent safety, I sat down, and spent about two hours in contemplating this astonishing natural curiosity, which is said to be the greatest cataract in the world. The tremendous roar arising from the Falls, added to the awful sublimity of the spectacle of such an uncommon body of water rushing headlong from the rock, with the beautiful surrounding perspective, altogether form a scene which it is impossible to describe. As the morning was bright and clear, a beautiful rainbow was constantly rising from the water below. Here I held my forenoon meeting and though no words were uttered, it could scarcely be called a silent meeting; the objects before me loudly proclaiming the power and majesty of the great First Cause and Creator of all things.

"In the afternoon, I returned to the Inn, and, after dinner, was invited by the Commanding Officer of the English Garrison to drink tea with him, and his wife and family, in the Fort. I accepted his invitation, and spent the evening with them very pleasantly. This Officer, whose name is Tallant, (Captain Joseph Tallon of the 41st Regiment, who afterwards was distinguished at the capture of Detroit and the combat at the River Raisin, when he was wounded), had spent some time in Sheffield, a few years back, and had married his wife at Liverpool: she is an agreeable young woman and well acquainted with some friends (Quakers), of Liverpool. They had a fine child with them, and upon the whole seemed happier than could be expected in such a situation. They behaved with great kindness to me; and it appeared a gratification to them to entertain an Englishman.

12th Month, 2d. This morning I had the Company of W.S. (Perhaps a clerical error for W.L. William Lundy was a leading Quaker in Stamford at that time), a minister of our Society, belonging to Pelham Monthly Meeting in this neighbourhood. He kindly invited me to his house, to spend a few days with him, but I could not conveniently accept his invitation. In the forenoon, I paid another visit to the Falls, and it being a dark,

cloudy day, the whole view had a more gloomy and solemn aspect. There being none of the glare and glitter of the sunshine, the eye could rest steadily upon it: and, having a pencil and paper with me, I took a sketch of the scene.

"In the evening I came to D.P.'s (Probably Daniel Pound of Bertie; See Papers & Records of Ontario Historical Society XXVI, p. 273. He brought three children with him into Upper Canada in 1789, and the others had been born in the Province) of Black Creek meeting, at whose house I lodged. This is a pleasant situation on the banks of Lake Erie and D.P.'s establishment presents an agreeable specimen of a Back Wood family. In the room where we breakfasted, was a loom for weaving; in another apartment were spinning wheels, and some of the girls actively plaiting straw and making it into hats and bonnets for the family. In addition to our tea and toast, we had excellent broiled fish taken in the Lake, where they easily procure great quantities. These persons were so situated, that, in their own family, they had the means of procuring nearly all the necessaries, and even many of the luxuries of life. It was a very beautiful sight to see ten fine orderly children sitting round the table with their father and mother, who were still in the prime of life, and living independently of the uncertainties of commerce. The eldest daughter appeared to be about 16 years old. One of the sons, who was but a boy, entertained me with an account of his having lately killed a bear, as it was in pursuit of one of his father's hogs. The English Government, in order to encourage the settlement of Upper Canada, grant to new settlers, 200 acres of land, and 50 acres additional for each child; reserving to the Crown the minerals and the white pines. D.P. gave me the perusal of his grants, from which I gathered the conditions. Some little expense attends the Grants in the fees of office, though but trifling and their taxes amount to a very small sum per annum for each 100 acres.

12th Month, 3d. I left Black Creek; and the morning being clear and calm, the scenery around was beautiful. After riding about 10 miles on the banks of Lake Erie, I came to Fort Erie, where I got some refreshment at the inn, and proceeding a little further, I got into the ferry-boat, in company with an old drunken Indian, and his squaw. These poor creatures I had seen the morning before, at the inn, endeavouring to persuade Fenning, the landlord, to exchange spirituous liquors for a piece of printed callico, which the Indian had received as a present from the Agent of the British Government in Canada. I was glad to observe that Fenning had the uprightness to refuse taking advantage of this poor creature, which he might easily have done, as the Indian was then in a state of intoxication, and scarcely able to utter anything but "Whisko", the name he gave to spirits.

I was told in Canada, that many thousand pounds per annum are expended in presents to the Indians to ensure their friendship in time of War; and that the greatest part of these presents are exchanged for spirituous liquors, which they use to great excess, many times to the loss of their lives, and always at the expense of their health." (Pp. 152-159.)

Joseph Brant, who had quarrelled with Colonel William Claus, Superintendent of the Affairs of the Six Nations at the Grand River, and had been deposed from his position as their representative at a general meeting of the Chiefs and Principal Warriors at Buffalo Creek at the end of March, 1805, which he had declined to attend, voiced his discontent and resentment by an appeal to the Provincial Parliament.

To the Honorable Commons House of Assembly in Parliament, Assembled, &c. &c.;

THE PETITION OF CAPTAIN JOSEPH BRANT

Respectfully sheweth.

That in the year 1775, when the War between Great Britain and her Colonies had commenced, the Mohawk Nations always faithful to the cause of the King, took a decided and active part, and leaving their families to the mercy of the enemy, brought off the Indian Department through a hostile country into Canada, where their conduct was highly approved by Sir Guy Carleton, who, in a public council with the Indians desired them to take up the hatchet and defend their rights; he then solemnly engaged that we should be remunerated for any losses we might sustain during the War.

Some years after, when it was foreseen that the contest was likely to take an unfavourable turn, we stated our situation to the late Sir Frederick Haldimand, then Governor and Commander-in-Chief, and requested a confirmation of General Carleton's promise, by which it was understood that the Indians who had lost their land should receive an equivalent in this country, and at all events have them as fully confirmed as those they were possessed of before the war; and the grant which we afterwards obtained is now before your Honorable House.

The lands thus granted, although from the quantity and situation by no means an equivalent for our losses, we cheerfully accepted, in full confidence that they should be our own property, at least as much so as those we had sacrificed by joining the British Standard at the commencement of the War.

After thus obtaining these lands, which are delineated on the map, which is also before Your Honorable House, we, with the approbation of General Haldimand, settled some white families on the tract (many of whom had served with us) for the purpose of making roads and teaching our people the benefit of agriculture, &c. I am sorry to say that our grievances commenced upon the establishment of the present Government of Upper Canada, by whom it was contemplated to curtail us of a great part of this tract. Considering ourselves under the protection of his Majesty, it becomes a duty we owe to ourselves and our posterity candidly to state the difficulties we labour under. Division have been fomented amongst the Indians by Mr. Claus, the Deputy Superintendent, which may lead to serious consequences. He has taken the most unjustifiable means to destroy our former transactions, for which purpose he brought a party of Senecas from Buffalo Creek, to whom he dictated a paper purporting to make void all we had done respecting the lands in question; although he must have known that these Indians who live within the limits of the United States have, in their present situation, no right to interfere in the disposal of our lands. This will appear by referring to General Haldimand's Grant.

We cannot see what interest it can be to the Government to tie our hands in regard to the disposal of our own property, or that Mr. Claus, through the means he has in his power should disunite us.

That a small spot of ground of so little consequence to the British Nation, should become a matter of contention we cannot suppose to be their intention, but if, unfortunately for us, this should be the case, and if ever this small tract is considered as too large for the former services and losses of the Indians, in God's name let them confirm the one half.

We are aware that all representations of this nature should come through the Indian Department, but as they have long ceased from paying attention to our complaints, we are under the necessity of appealing to your Honorable House in hopes of obtaining relief through such means as you in your wisdom shall see fit.

In behalf of the Indians.

JOSEPH BRANT, Agent.

York, 14th February, 1806.

This Petition was read in the Assembly on Saturday, February 22nd, and Benajah Mallory, a member for Norfolk and Oxford, at once gave notice of a motion to consider it in committee of the whole House on the Wednesday following. It does not appear that he was entirely disinterested in this action as he had leased fourteen hundred acres of their reserve from the Indians, with the intention of smelting bog iron ore, which was believed to be found upon it in considerable quantities. It was debated in Committee on the day named and the next, when a report that "the prayer of the said Petition was entitled to a further consideration, and that it be recommended to the House to take it into consideration early in the next Session of Parliament" was adopted. But when the Parliament again met, the Petitioner was dead.

A very daring case of housebreaking and robbery caused considerable alarm and excitement and was brought to the attention of the Executive Government by a report from an influential local Magistrate.

FROM ROBERT HAMILTON TO ALEXANDER GRANT

Dear Sir:

It is with much Concern that I report to you a most atrocious Burglary almost accompanied with Murder, in the case of Isaac Swayzye, Esq., the Collector of the Public Duties in this District, & of the assessments of this Township. -----

On Saturday night the 25th Inst. about Eleven o'clock soon after the family had gone to sleep, the front door of his house was violently forced off the hinges, the lock broken, & the door laid on the floor.

Mr. Swayzey alone lay in the Lower Room to which this door immediately opened and suddenly awakened by the noise he had hardly time to spring from the Bed, when he was Violently assaulted by a Stout Man drest in a Blanket Coat, with Moccasins & his face Blacked, -- With this Man he seems to have had a Violent Struggle & Several Blows were given on each side - Mr. Swayzes face, Neck & Body are much bruised, and he thinks that having had a fair stroke at his Adversary's face with a Chair, he cannot have failed to leave the mark of the blow there. -- During this scuffle, two other Men nearly drest as the other, as far as Mr. S. could distinguish, but apparently younger or at least smaller, were employed in breaking open a Chest of Drawers which stood nearly Adjoining to the door - This they seem to have effected by the stroke of an Ax on the sloping Cover or Door of the Desk, which was split and broken into two or three pieces. Three Bags of Money as Mr. Swayzey states, stood in the front of the desk, these were taken away from one which was open, some pieces of silver were scattered on the floor - The Struggle between Swayzey and the first Man still continued -- he now however received a stroke on the hind part of his head from one of the others - which he

apprehended was with a Sword, but the appearance of the Wound rather indicated the back of an Axe or some other Blunt Weapon. The three Men immediately made off, without having spoken a word during the whole affair. -- Three Women were only in the house at this time - A man & a boy who usually sleep there, had that afternoon gone to the Mill & did not get back till about one o'clock in the Morning. - The Women sleep up stairs in a Room the door of which at the foot of the stairs passed from Mr. Swayzeys Room. They say that they were forcibly detained in this Room or on the Stair by the door being shut or held fast against them - On their getting out, the Men were gone, & none of them were either seen or heard by the women further than in the Struggle, in which they could only distinguish Mr. S---s voice. ---

Two Magistrates myself & Doctor Kerr soon happened to be on the Spott soon after the affair happened.

We met next Morning with the other Magistrates & most of the Respectable Inhabitants, and from all the Circumstances we were led to conclude that the *perpetrators were well acquainted with Mr. Swayzey's house & the habits of his family* --- We proceeded Accordingly to search all suspected places, & to examine such suspicious Characters as we could think of, but without Success or any Clue by which to guide our enquiries --- The Manner in which this affair has been Conducted, precludes the hope of finding positive Evidence to Convict the perpetrators -- Circumstances such as the Mark on the face before mentioned, may perhaps lead to discovery. And the Evidence of an Accomplice may perhaps be obtained by a promise of Pardon, & the Hope of Reward --- It rests therefore, Sir with you as president & with the Wisdom in Council to Determine how far this in a Proclamation may be proper, or expedient. --- We do not doubt but that you will see the Necessity of using every possible means to detect such dangerous Villany, and deter such daring offenders, to whose Machinations the country in its present State is so peculiarly exposed. --

I am happy to report that Mr. Swayzey's life is not thought in Danger - I have not heard the Amount of his loss sustained.

With sincere Respect, I am Sir &c.

R. HAMILTON

The Honble Alexander Grant, President &c. &c. &c.

Queenston, 28th Jany. 1806.

(Sundries, U.C. 1806)

After due consideration by a Committee of the Executive Council, the President was advised to offer a reward for information leading to the conviction of the offenders.

PROCLAMATION

ALEXANDER GRANT, Esquire, *President, Administering the Government of the Province of Upper Canada, &c. &c. &c.*

To all whom it may concern - GREETING:

WHEREAS a most daring Assault and Burglary were committed on the Person and in the Dwelling House of

ISAAC SWAYZYE, Esquire, in the Township and District of Niagara, by certain persons in disguise and unknown, on the night of the twenty-eighth day of January last past, by violently assaulting, wounding and bruising the said Isaac Swayzye, and by

breaking open and feloniously taking and carrying away large Sums of Money, from this said Dwelling House. NOW KNOW YE, to the intent that such Heinous Crimes may not go unpunished, and that the Persons and Property of his Majesty's Subjects in this part of his Dominions may be secure under the protection of the law: I, ALEXANDER GRANT, Esquire, President, administering the Government of the Province of Upper Canada as aforesaid, Do, by and with the advice of the Executive Council of the said Province, hereby offer a Reward of SIX HUNDRED DOLLARS to any person or persons who shall make such discovery and give such information, so that the perpetrator or perpetrators of the said Crime or Crimes shall be convicted of the same. And I do hereby further, offer his Majesty's most gracious Pardon to such person or persons as may be accessory or accessories to the commission of the said crime or crimes, who shall honestly and without fraud discover the principal or principals who hath or have committed the same.

GIVEN under my Hand and Seal at Arms, at York, this eighteenth day of February, in the year of Our Lord, one thousand and eight hundred and six, and forty-sixth year of his Majesty's Reign.

ALEXANDER GRANT, President.

By his Honor's Command.

WM. JARVIS, Secretry.

A letter from the Clerk of the Peace to the Private Secretary of the Administrator throws a curious light on the uncertainty of mail deliver and the considerable cost of postage.

FROM RALFE CLENCH TO WILLIAM STANTON

Niagara, 8th March, 1806.

Sir,

Your letter and packet of the 25th January 1805 (sic) I yesterday received, have Eight Pence Currency postage Pay on the same -- as the Clerks of the Peace have no allowance for Postage or for any other business done by them -- it may perhaps be as well in future to pay the Postage at the Office at York and not heap the expense upon the Clerks. -- although trifling as Eight Pence may appear at the Capital, yet it is something to a Clerk of the Peace with a large family at Niagara, --- I only (send) you the Out side Covers in order that you may see the Post Mark 37 Jany. 1805.

I have the Honor to be, &c.

RALFE CLENCH

Wm. Stanton, Esq. Chief Clerk, President Office, York.

(Sundries, Upper Canada, 1806)

Under the existing Militia Act, the responsibility for the local organization of Regiments and authority to recommend the appointment of Officers was vested in the Lieutenant of the county, who naturally endeavoured to secure the services of the most energetic and influential residents in the several townships.

FROM HON. ROBERT HAMILTON TO HON. ALEXANDER GRANT.

Sir,

In consequence of some dissatisfaction and Inconvenience having arisen in the Militia of this Country owing to the establishment of a Corps of Artillery which tho' recommended, & approved of by General Simcoe while Lieut. Governor, is not Authorized by the Statute of the Province, I have been induced to alter the System, and to bring the whole body of the Militia into the general Line.

This Alteration, with the several Vacancies that have lately occurred, require a Promotion and new Appointment of Officers, a list of Which I have now the Honor to submit for your Inspection, and for your Sanction by Signature if approven of - I take the liberty to request that this may be sent back by the first Opportunity as I am Anxious to have the Officers of the three Regiments in orders by the fourth of June. With sincere respect, I am Sir, &c. &c. &c. R. HAMILTON, Lieut. County Lincoln.

To His Honor

Alexander Grant, Esquire.

President of the Province of U.C.

Queenston, April 28, 1806

PROMOTIONS IN THE LINCOLN MILITIA

Lieut. Colonel Ralfe Clench	to be	Colonel
Major Robert Kerr	to be	Lieut. Colonel
Major Johnson Butler	to be	Lieut. Colonel
Captain David Secord	to be	Major
Captain James Muirhead	to be	Major
Captain John Mackay	to be	Major
Lieutenant George Lawe	to be	Captain
Lieutenant William Robertson	to be	Captain
Lieutenant John Powell	to be	Captain
Lieutenant George Turney	to be	Captain
Lieutenant John Crysler	to be	Captain
Lieutenant James McLean	to be	Captain
Lieutenant James Secord	to be	Captain
Lieutenant Daniel House	to be	Captain
Lieutenant James Dawdy	to be	Captain
Ensign George Read	to be	Lieutenant
Ensign Gilbert Fields	to be	Lieutenant
Ensign Martin McClellan	to be	Lieutenant
Ensign Henry Smith	to be	Lieutenant
Ensign Latham Stole (Stull)	to be	Lieutenant
Ensign Nicholas Smith	to be	Lieutenant
Ensign Frederick Markle	to be	Lieutenant
Ensign David Bastedo	to be	Lieutenant
Ensign George Keefer	to be	Lieutenant
Ensign Jacob Bean (Beam)	to be	Lieutenant
Ensign Pearce Moore	to be	Lieutenant
Ensign Henry Hixon	to be	Lieutenant
Ensign Joseph Smith	to be	Lieutenant

Ensign Ralph Walker	to be	Lieutenant
Serjeant William Wallace	to be	Lieutenant
Serjeant William Dorman	to be	Lieutenant
John Secord, Gentleman	to be	Ensign
George Hamilton, Gentleman	to be	Ensign
George A. Ball, Gentleman	to be	Ensign
John Servoss, Gentleman	to be	Ensign
Henry Pawling, Gentleman	to be	Ensign
William Servoss, Gentleman	to be	Ensign
James Hainer, Gentleman	to be	Ensign
Simcoe Stevenson, Gentleman	to be	Ensign
Elijah Secord, Gentlemen	to be	Ensign
Serjeant Robert Brooks	to be	Ensign
Serjeant Christopher Buckner	to be	Ensign
John Couke, Gentleman	to be	Ensign
John C. Ball, Gentleman	to be	Ensign
John MacMicking, Gentleman	to be	Ensign
Anthony Upper, Gentleman	to be	Ensign
Lewis Clement, Gentleman	to be	Ensign
Serjeant Benjamin Smith	to be	Ensign
Serjeant Joseph Snyder	to be	Ensign
John Henry, Gentleman	to be	Ensign
Robert Pettit, Gentleman	to be	Ensign
William Hill, Gentleman	to be	Ensign
Alexander Rorback, Gentleman	to be	Ensign
John Clark, Gentleman	to be	Ensign
John I. Taylor, Gentleman	to be	Ensign
Daniel Secord, Gentleman	to be	Ensign

The above List will compleat the Eastern Regiment of the 1st Riding and the Regiments of the 2d and 3d Riding of Militia of the County of Lincoln.

Thomas Clark, Esquire, Deputy Lieutenant for the Middle Riding of the District of Niagara.

The foregoing List of Officers is to complete Three Regiments of the Militia of London, and is presented to His Honor the President of the Province, and his Approbation is requested by his most obedient and very humble servant,

(Signed) ROBERT HAMILTON
Lieutenant County Lincoln Queenston, April 28th, 1806

York, 7 May, 1806 --- Approved. ---- (Signed) ALEXR. GRANT, President.
(Sundries, Upper Canada, 1806)

An effort to compile an estimate of the population of the provnce met with scanty success owing to the neglect of the Township Clerks to comply with a recent Provincial Act.

FROM RALFE CLENCH TO WILLIAM STANTON

Niagara, 20th May, 1806

Sir,

Yours of the 1st instant I this day Received and regret much that I have not in my power to comply with the President's Commands, The Town Clerks, a very few indeed excepted, have never yet sent into the Office any Annual Acct whatever, not more than three or four Townships have been received for Many years past, and but one of those (Niagara) agreeable to the Statute.

I have the Honor to be &c.

RALFE CLENCH, Clerk of the Peace.

Endorsed: >From R. Clench regrets that it is not in his power to send an abstract of the Population.

(Sundries Upper Canada, 1806)

A letter to John Askin, from his grandson, William Robertson, then a Merchant at Queenston, written at that place on 9th October, 1806 (It has been stated that this duel was fought on October 10 which is apparently an error. The entry recording his burial in the Register of St. Mark's Church is dated October 7th.) contains a hasty reference to the fatal duel between Willam Dickson and William Weeks, of which he had just been informed.

"Ill news travels fast --- since writing the above, I have heard that Mr. Weeks has been mortally wounded in a duel by Mr. W. Dickson. Major or Captain Hunt (probably Henry Jackson Hunt, afterwards a Merchant in Detroit). who was up with you, and by the by is said to be a great scoundrel, is supposed to be at the bottom of it. Judge Thorp also appears much blamed. The parties fought on the American side, the first Shot took effect & passed through Mr. Wick's Body from the right to the left side, but Mr. Dickson is not blamed. Mr. Weeks is much lamented by his friends and every one else.

(Askin Papers, Dominion Archives).

The controversy in Court between Dickson and Weekes was described in a letter from Hon. Robert Hamilton and Joseph Edwards, who were sitting as Assessors with Mr. Justice Thorpe at the time, addressed to the Lieutenant Governor, which is undated, but evidently written very soon after it took place.

Sir,

"The very extraordinary circumstances which have occurred at the last assizes for this District, and which have unfortunately led to the death of a Member of the Society, we think it our duty, as we had the honour to be associated on the bench with Mr. Justice Thorpe, to state to your Excellency. In a case in which Mr. Weeks the attorney was employed, he took while addressing the court, to introduce the character of our worthy late Governor, Lieut. General Hunter, the Chief Justice Mr. Allcock, and several others of the most respectable characters in the Government of this Province, and to rail against them with the utmost degree of asperity. General Hunter he stigmatized with the epithet of "Gothic Barbarian whom the Providence of God had removed from this world for his tyranny and Iniquity."

"He stated Mr. Chief Justice Allcock as having a personal animosity against his present client and as having been the cause of the Indictment being preferred, and

attempted to turn his character to ridicule by relating idle stories equally (as we believe) groundless and malevolent.

"The presiding Judge sat with the greatest composure to hear this abuse, tho' totally irrelevant to the cause then before him, if he did not applaud, he certainly shewed no serious signs of disapprobation.

"We his associates indignant at this indecent conduct from the Bar and at the apathy in the Judge, would have left the Bench to shew our resentment, had not respect for the court detained us, resolving however most determinedly never to be exposed to the like again, by declining this and all other duty with this Judge. Mr. Justice Thorpe had the day before requested the early attendance of the person whose signature is first to this paper, assigning as a reason, that he understood a very elaborate argument was to be given by Mr. Weekes.

As the argument produced was elaborate only in malice and misrepresentations, we are tempted to believe that the Judge if not aiding in the falsification, was certainly previously acquainted with the matter it contained, and that it was not delivered without his privacy and probable consent.

"Your Excellency has doubtless been informed that this Mr. Weekes has since fallen a sacrifice to his malice and obstinacy; here too we fear the interference of the Judge, or of his party, operated in forwarding the melancholy event. We are assured that for some time after Mr. Dickson's replication to this speech in which he warmly reprobated such language as disrespectful in the highest degree to a Court of Justice, and most probably arising from private malevolence and the rancour in the speaker's mind. Mr. Weekes shewed no signs of particular resentment to Mr. Dickson; that he even had left Niagara on his return to York and unexpectedly returned the following morning and gave a challenge from which no reasonable explanation could induce him to recede. We have strong reasons for thinking from the conversation of this Party, that perhaps some rash promise, given when warm, produced that obstinacy which proved fatal to him.

"In the above statement, we have carefully recited facts to the best of our recollection. In matters of opinion, we have to request you to excuse what may appear erroneous.

"And we are with sincere respect,
Your Excellency's most obedient and very humble servants.

R. HAMILTON

JOSEPH EDWARDS.

(Colonial Office Records, Vol. 306, pp. 83-85.)

Isaac Swayze, who then, in conjunction with Ralfe Clench, represented the second, third and fourth ridings of the county of Lincoln in Legislative Assembly, endeavoured to obtain reimbursement of the loss he declared he had sustained by the recent robbery of his house, in connection with which, it does not appear that any arrest had been made.

THE PETITION OF ISAAC SWAYZE

To the Honorable the Commons House of Assembly of the Province of Upper Canada in Parliament Assembled:

The Petition of Isaac Swazey, Inspector for the District of Niagara.

Humbly Sheweth, That Your Petitioner has been Commissioned Inspector of Licenses for the District of Niagara.

That in consequence of the Power vested in him by Law, he collected a considerable sum of money for Duties on Licenses issued 5th January, 1806.

That on the night of the twenty-eighth day of January, 1806, his House was broken open and he was robbed of large sums of money of his own private property and the public. That amongst the said money was the sum of One Hundred and Seventy-Eight Pounds, Five Shillings and Eightpence Farthing, Provincial Currency, collected on account of Duties on Ship, Tavern and Still Licenses issued the said 5th January, 1806.

Your Petitioner presumes he has always been punctual in his payments, and diligent in the discharge of his duty as Inspector, and he believes he will be able to prove to the Honorable House that the said sum was not lost by any negligence on his part.

Wherefore, Your Petitioner prays that the House will take his case into consideration, and grant such relief as they in their wisdom shall think meet; and Your Petitioner, as in duty bound, will ever pray.

Signed: ISAAC SWAZEY

York, 19th February, 1807.

A Bill was introduced for his relief which was read a first and second time and referred to a Committee of the whole House, which reported that further consideration should be postponed until the first week in the next ensuing session, which on a division was carried by a majority of five votes, fifteen members voting. Mr. Swazey was then permitted to withdraw his petition with the affidavits annexed to it.

Many of the duties, which in later years devolved upon the county councils, were then in the hands of the Magistrates assembled in quarter sessions, whose powers were limited by a Provincial Statue restricting their expenditure.

THE PETITION OF MAGISTRATES AND OTHER INHABITANTS OF THE NIAGARA DISTRICT

To the Honorable the Speaker and Members of the House of Assembly at York:-

The Petition of the Magistrates and Principal Inhabitants living along the road between the Lakes Ontario and Erie and its vicinity:--

Sheweth, --

That the Bridge crossing the mouth of the Chippawa Creek, upwards of three hundred feet in length, is so much decayed as to render the passing unsafe, and has twice endangered the lives of passengers and teams by breaking down.

Your Petitioners deem it unnecessary to enlarge on the utility (and, indeed, the necessity) of a bridge. Then since it is so well known to many of the Gentlemen in Your House, particularly those representing this part of the Province, they presume to say that no road in this District is more travelled than the road above mentioned.

The law authorizing the Magistrates in Quarter Sessions to draw on the County Treasurer for the repair of highways and bridges does not allow them to exceed the sum of Fifty Pounds for any one bridge, which, in the present exigency is far too small a sum. Your Petitioners therefore pray that the Legislative Body will be pleased to authorize the Magistrates of the Niagara District in Quarter Sessions assembled, to apply an additional

sum of Two Hundred Pounds of the County money to defray the expense of building a bridge across the mouth of Chippawa Creek, or make such other provisions as the necessity of the case requires, and which in your wisdom shall seem met.

And Your Petitioners will ever pray.

JOHN WARREN, SR.

THOMAS CUMMINGS

SAM'L STREET, SR.

ALEXR. DOUGLAS and others.

This Petition bears no date but was read in the Legislative Assembly on the 26th February, 1807.

When the Sale of several blocks of the lands composing the reservation for the Six Nations on the Grand River was approved by the Executive Council, Hon. D.W. Smith, the Surveyor General, William Claus, their Superintendent, and Alexander Stewart, a Barrister residing in Niagara, were appointed trustees for the management of this business. Smith had since removed to England and the responsibility had devolved upon Claus and Stewart, causing them considerable anxiety owing to dissatisfaction among the Indians who were divided into contending faction.

FROM WILLIAM CLAUS TO WILLIAM HALTON

Fort George, 24th March, 1807.

Sir,

I am extremely anxious to hear what Mr. Jarvis intends doing respecting Block No. 5 on the Grand River for which he pledged himself on the 4th September last to surrender to the Crown in three months from that date, in case he did not comply with the terms on which the lands were originally purchased by him, as one of the Trustees, I beg leave to say, that no one part of that agreement has been complied with to my knowledge. I beg leave further to add that such persons are now ready to come forward to purchase that Tract, as I am confident will meet the approbation of His Excellency.

I am also very anxious to hear how far His Excellency is pleased to approve the arrangement made by the Six Nations in Council 23d September last respecting Block No. 3 formerly purchased by William Wallace, as I have been informed that the persons who were recommended at this Council for the purchase of the remaining part of that Township (45, 185 acres) will come forward in the course of a fortnight to tender me the money for the same, amounting to 5,648.2.6. Provincial Currency.

In my letter to His Excellency 11th Sept., 1806, I explained the difficulties & expence attending the mode directed by the Executive Government for the funding of the money arising from the sale of the Indian land which still causes dissatisfaction among them; that mode must still be followed by me upon the receipts of the further payments which I look for daily, unless altered by the same power that authorized it. I beg that the above may be Submitted to His Excellency the Lieut. Governor for his consideration. (Sundries, U.C. 1807.)

In 1804, at the instance of the Colonial Secretary, an Act had been passed by the Provincial Parliament for the "encouragement of the growth and cultivation of Hemp within this Province, and the exportation thereof," and appropriating one thousand pounds for the purchase of "merchantable hemp", grown in the province at the price of

forty pounds per ton by commissioners to be appointed by the Lieutenant Governor. Robert Hamilton had accordingly been appointed one of the Commissioners by General Hunter and was continued in office by Grant.

FROM ROBERT HAMILTON TO WILLIAM STANTON

Sir,

I have been much honored with yours of 16th Inst. Accompanied with 75 Copies of the Hemp Remarks which I shall endeavour to distribute in this Vicinity so as to meet his Honor the Presidents Wishes --- Tendering thro' you to him my best Respects, I remain, Sir, Your very Humble Servant,

R. HAMILTON

Wm. Stanton, Esqr.

Queenston, July 22, 1808.

(Sundries, Upper Canada, 1806)

Joseph Frobisher, a prosperous merchant in Montreal, who was considerably interested in the Fur Trade with the North West, has briefly recorded his visit to Niagara in 1807 in his unpublished journal. He was accompanied by Isaac Todd, another leading merchant.

"July, 1807.

"Tuesday 14 - Arrived within the Bar at Niagara at 9 o'clock in the Evening & slept on Board (the Simcoe. Captain Sampson.)

"Wednesday 15 - Breakfasted on Board. Dined at Emseys Tavern - Major Short & Capt. Roy of 41st Regt. Mr. Addison & Mr. Thomas Dickson Dined with us & in the evening Rode up to Queenston and slept with Mr. Hamilton.

"Thursday 16 - Went to Niagara & Dined with Mr. Jas. Coffin & returned in the Evening & slept at Mr. Hamiltons. N.B. Mr. Todd remained at Home --

"Friday 17 - Went to Niagara & Dined with Lt. Colonel Proctor and returned in the Evening.

"Saturday 18 - Went with a party to see the Falls of Niagara & got down to the Table Rock. Rode up as far as Chippawa & returned & Dined on the Road & Slept at Queenston, Mr. Hamilton.

"Sunday 19 - Remained at Mr. Hamilton. Rained all day.

"Monday 20 - Left Mr. Hamilton early for Niagara & got on Board the Duke of Gloucester, Commodore Steel by 8 o'clock in the Morning & sailed for York which we reached by 11 o'clock at Night, slept on board. (4 miles from shore).

"Tuesday 21 - Went on shore - Dined at Moore Tavern and asked to Join the Commodore Grant. Judge Scott, Mr. McLean, Mr. Chewett & Mr. Thomas Dickson.

"Wednesday 22 - Remained at York all Day, Dined with Chief Justice Scott & slept on Board the Duke of Gloucester.

"Thursday 23 - After being becalmed all the forenoon, the Wind sprung up about noon & got into Niagara about 4 o'clock & Dined at 41st Mess & in the Evening went to Queenston & slept at Mr. Hamilton.

"Friday 24 - Mr. Todd went to Niagara on Business & I went up as far as Chippawa & found Mr. & Mrs. Waddington at the Falls of Niagara - they returned with me & we Dined at Mr. Thomas Dickson at Queenston.

"Saturday 25 - Remained at home all day.

"Sunday 26 - Went to Church at Niagara & Dined at 41st Mess with Mrs. Waddington & several other Ladys & returned home in the Evening.

"Monday 27 - Got all our Baggage on Board the Simcoe. Mr. Todd & Mrs. Waddington & servants also went on Board & Mr. Waddington & myself Rode down to Niagara & Dined with Doctor Kerr - at 6 o'clock, the Simcoe got down & we went on Board & got under way with a slight breeze. --

"Tuesday 28 - A good Breeze all Day. Arrived at Kingston at 7 o'clock in the Evening & slept at Walker Tavern."

After his return to Montreal on July 31, he summed up his journey in the following words:

"N.B. after being absent about 25 days, vizt.

6-1/2 days from Montreal to Kingston.

1-1/2 days remained there.

1 day in crossing Lake Ontario to Niagara.

5 days remained at Queenston & Niagara.

1 day in Crossing to York.

2 days remained there.

1 day in Crossing back to Niagara.

4 days remained at Nigara & Queenston.

1 day in crossing the Lake to Kingston.

2/3 day remained at Kingston.

2-1/3 days to La chine.

Total - 25 days."

The attack by the British Frigate Leopard upon the United States Frigate Chesapeake combined with a general feeling of unrest among the Western Indians seemed a certain portent of hostilities and caused evident anxiety among merchants everywhere in Canada.

FROM THE QUEBEC GAZETTE

Thursday, September 3, 1807.

It is stated in a Pittsburgh paper that the British merchants at Michillimackinac refuse purchasing any articles of country produce from the Americans, and are preparing to remove their effects from our territory. It is further stated that the difficulties with the Indians on that frontier are such as to render it unsafe to travel from Chicago to Detroit by land. (To the above intelligence we can add, from good authority, that the whole of the Indian Nations have offered their services to the British Government in case of war with the United States.)

About the same time, it was reported and widely believed that General Moreau, who had been exiled from France and had taken up his residence in the United States, would be offered the command of an Army organized for the invasion of Canada.

COLONIAL OFFICE RECORDS, NOVA SCOTIA

Series A, Vol. 139, pp.329-330.

Halifax, Sept. 4th, 1807.

Sir,

For the information of His Royal Highness the Commander In Chief, I take this opportunity of a Letter. Admiral Berkely will dispatch this day to Endland of acquainting you that it is generally reported at New York. (in the event of War), that General Moreau is to have the command of the American Army, he is gone to Canada, on pretence of seeing the falls of Niagara, but it is clearly for the express purpose of making himself acquainted with this Country. I have, &c. M. HUNTER, M.G1.

Newspapers in the United States continued to publish alarming intelligence from the Indian Territory, some of which was reprinted in the Quebec Gazette, a semi-official publication.

FROM THE QUEBEC GAZETTE

Thursday, November 17, 1807.

New York, Oct. 16 to 24.

From a Gentleman just from Ohio, intelligence of considerable importance has been received; that the Potawattomie, Winnanyaw and other Indians, to the number of nine hundred, have assembled at Greenville on Mud River, Ohio. The Colonel of the Militia of that part went to them for the purpose of ascertaining their object and numbers. The Indians refused to give him any satisfaction on the subject. He then went to the Prophet, and told him if he did not, he should inform the Government of his Country. He replied, "I care not a d__n for you or the government of your country: I can blow you off the earth, like sand from my hand."

Six hundred of the Kentucky Militia had crossed the Ohio at Limestone commanded by General Scott: and 1500 Ohio Militia were required to march for the purpose of dispersing them.

It was reported at Chilicothe, that seven thousand Indians had crossed the Lakes and that a number of British Agents were among them, and it was supposed the former were waiting until joined by these others, when it was expected they would attack the whites.

LEXINGTON TELEGRAPH

NEW YORK, October 17th - A letter from Mr. Rathbone, Missionary among the Indians says that the Chiefs of the Six Nations are peaceably inclined towards the United States. It appears from the report of the Commissioners sent out by the Governor of Ohio, that the Indians near Greenville are not hostile. The Prophet is said to preach Peace; being thus taught not by man, but by the Great Spirit. Blue Jacket, in a talk addressed to a Commissioner, stated as their chief complaint, that the Government agent at Fort Wayne (Mr. Wells) was disliked.

FROM THE QUEBEC GAZETTE

Thursday, December 24, 1807.

Extract of a letter from a respectable citizen of the U.S., Captain of a trading vessel on Lake Erie, dated

Fort Erie Roads, October 23d, 1807.

The British have armed all their vessels on this Lake, viz. the Camden Snow of 18 guns, the Gen. Hunter a brig of 10 guns, and all their merchant vessels. On Lake Ontario, as I am informed, the Duke of Kent, a snow of 18 guns, a ship the Toronto of 24 guns, and the Governor's yacht; the latter a few days since exercised her men and guns alongside the brig, Adams.

"Should hostilities actually take place between the U.S. and G. Britain, the Posts of Michillimackinac and Chicago, it is most probable, would be the first places the British would strike, to expose a more extensive frontier to the Indians, whom they are tampering with to obtain an alliance."

The appointment of an experienced officer on the half-pay list of the regular army, who was also a member of the Executive Council as adjutant general of militia had considerable significance.

FROM THE QUEBEC GAZETTE

Thursday, January 14, 1808

YORK, U.C. - His Excellency the Lieut. Governor has been pleased to appoint Lieut. Col. Aeneas Shaw to be Adjutant General of the Militia Forces in this Province.

Departed this life on Tuesday, the 24th ult., Captain JOSEPH BRANT, aged 65 years. A few immigrants from the British West Indies and some even from Saint Domingo had arrived in Upper Canada and this seems to have encouraged others to contemplate following them.

FROM ROBERT NICHOL TO WILLIAM HALTON

Niagara, May 14,----- 1808

Sir,

I have just received a letter from a Gentleman of very considerable property in the Island of St. Vincent's stating it to be the intention of himself and several other Gentlemen in that Island to Come to this Country with a view of settling in it - and requesting me to say -- to what extent persons of his description might expect to receive Grants of Crown Lands on their arrival in the Province - The Gentleman is an European and of undoubted loyalty and as this Province may eventually benefit by the Migration to it of such Characters -- I am anxious to transmit to him the most Correct information in my power, and if possible from an Official Source.--

Doctor Kerr who is the bearer of this has been written to on the Same Subject, and give His Excellency the Lieutenant Governor more Satisfactory accounts of the Gentleman in question. (Sundries, U.C. 1808)

The movement of regular troops of the United States Army to reinforce the Garrisons of their frontier posts and the arbitrary seizure of boats laden with goods for the Indian trade by the collector of customs at Fort Niagara seemed to portend a declaration of War and naturally increased alarm and led to vigorous protests from their proprietors supported by the Lieutenant Governor and the Governor General.

FROM ROBERT NICHOL TO BRIGADIER GENERAL BROCK

My Dear Sir,

Conceiving that in the present State of our Affairs with the United States, it might be desirable for His Excellency the Commander In Chief to have early and correct information of any Movement of the American Troops on our Frontiers -- I have conceived it to be my duty to State to you that I have received intelligence that can be depended upon that strong reinforcements of Troops of the line have been ordered from the interior of the United States to the Posts of Detroit, & Michilimackinac and that a detachment of these amounting to upwards of a hundred Men has already arrived at Presqu'isle on Lake Erie -- I have conversed with the Captain of the Vessell Chartered to Carry them up -- My reasons for being so forward to report this to you is that the sudden Collection of a large force at the present time in those places might very materially affect our intercourse with the Indian Nations and dispose them to Commit hostilities on our distant Settlements before we could afford them the necessary protection -- While writing a most unpleasant circumstance has taken place which is, I think, strong evidence of the hostile intentions of the United States --- Twenty Boats belonging to the North West and South West Companies -- Navigating Lake Ontario under the faith of the Treaty of Amity and Commerce -- were this Morning fired upon by the American Garrison and Seventeen of the Twenty captured - the remaining three Made their Escape to this Side -- it is unnecessary for me to say More on this Subject as I presume a correct Statement of the fact will be forwarded to the proper Authorities.

I write in great haste the vessel being just on the point of Sailing. I am with much Respect,

ROBERT NICHOL

Brigr. General Brock &c, &c. &c. Montreal.

(C 363, pp. 61-3.)

FROM ROBERT HAMILTON TO CAPTAIN LEONARD

Queenston, May 23rd, 1808

Sir,

After the conversation I had with you on Saturday, on the subject of the Goods now Seized and forcibly detained at your Post, the property of the Mackinac Company and solely intended for Trade with the Indians. I think it my duty to state to you *in this way*, the following facts - That however the matter may terminate, you may not have it in your power to say, that you were uninformd of them. -- Most probably this statement may be laid before your Government and mine also.

Sir James Craig, the Commander in Chief of the British Territories in America, did send to the President of the United States, by Mr. Gillespie of Montreal, a Representation of the State of the Indian Trade, in the interior parts of this country, and of the danger to be apprehended from the Indians of those parts, were they prevented from receiving their usual Supplies. -- Mr. Gillespie has returned to Montreal perfectly satisfied, that this Representation would be attended with the best effects, and having assurance given him, that the Indian Trade, should not, in any way be affected either by the No importation or the Embargo Law, and in confirmation of these assurances having been given him, we see, in the last Supplementary Act on this Subject in the 15th Section of which most completely replaces this Trade in the situation it was in prior to the passing of any of these Acts - As you have this act in your possession, I do not trouble you with a Repetition of the Clause referred to - But as you must observe in it, full liberty is given

for the importation of British Merchandize into the United States for the purpose of Trading with the Indians, surely it is absurd to suppose it meant to interdict the persons employed in the Transport of Goods, from touching on the American Side of the River or Lakes, not for the purpose of Trade, but solely for refreshment.

On Mr. Gillespie's return to Montral, the Mackinac Company, trusting implicitly to the assurance given him at Washington, proceeded to dispatch the boats usually employed in this Trade, and directed the men to pursue the usual Route along the south side of Lake Ontario, as being the safest and shortest, and as being the route the Canadians were best acquainted with.

They came unmolested until they reached the mouth of the Niagara River, -- where in the Waters which divide the two countries, they were assailed by a Military force from the Garrison you command. - Brought forcibly on shore, the Boats and Goods seized by a Collector at Your Post, and the men thus forcibly deprived of the property they had in charge, compelled to leave it and their Boats and to cross the River in the best manner they could, without the means of prosecuting their Voyage or returning back from whence they came --- What you, Sir, as Commanding Officer, may think of inforcing these very strong measures, by the aid of your Musketry loaded with Ball, some of which reached the houses on the British side of the River, and this against Unarmed Men, who did not understand your Language, nor could conceive your wish, *I cannot say* -- But had any fatal accident arisen from this unnecessary exertion of your power -- We cannot help thinking that it might have had a very *serious personal consequence to yourself*.

Thus much for the Facts that have passed. The Evil that has been done may yet be remedied, by giving up the Goods and permitting the men in their boats to prosecute their intended Voyage.

If you, or the Collector are in any doubt with regard to the Quality of the Goods or their destination for the Indian Trade -- this shall be ascertained to you by any proof you can in reason require -- If you wish for any security that these Goods shall be delivered at the places of their original destination, without change or defalcation, I here offer it to you, to any extent you can possibly in reason demand. -- Should these Goods be detained until your Collector can made his Report and receive an answer from Washington, the intention of the Voyage is completely frustrated -- The Goods may just as well be detained Eight Months as Eight Weeks, and this is the time you admit an answer may be expected by the Post -- As by such delay an absolute impossibility arises of reaching with them in this Season the different inland Trading Posts for which they were intended.

Neither you nor I can doubt, after reading the 15th Section of the Act of Congress above referred to. But that these Goods will be instantly ordered to be delivered back, and will you assist your Collector in detaining them contrary to an express law of your own Country, with the certainty that their detention can produce no sort of good or advantage either to you or to him, but must be attended by incalculable loss to the other party??

I address this to you, as I am well assured your advice to the Collector will have full effect in determining his conduct. I am Sir &c. &c. R. HAMILTON
Captain Leonard,
Commanding the Troops of the United States, Fort Niagara.

CAPTAIN J. LEONARD TO ROBERT HAMILTON

Fort Niagara, May 24th, 1808

Sir,

I have the honor to acknowledge the receipt of your Letter of the 23rd Instant. From my Military Situation, I think it would be highly improper on my part, to go into discussion of the principles which governed the United States Collector at this Post, in the seizure made by him on Saturday last, of the Goods, Boats, &ca., stated by you as belonging to the British Mackinac company.

I must beg leave however to observe that my reply must be only conformable to the observations I made you on the day of the Seizure, in the presence of James Muirhead, Thomas Dickson, Esquires of Upper Canada and Doctor Joseph West of the United States Army --That the proceedings were under the direction of the Civil Authority of the United States.

In answer to that part of your communication which calls in question the propriety of my Military Conduct as Commandant of this Post - I feel myself bound, from the expression contained therein, to observe that the laws of my Country exact from me a Sacred regard to its Civil Institutions, and a prompt and ready obedience to its civil authority; and that under these impressions, and from mature Reflection and deliberation, under the proper application of the Collector at this Post, I did conceive it my bounded duty to call forth such part of my Garrison as I presumed commensurate with the object in view. I am Sir, &c.

J. LEONARD

To: The Honorable Robert Hamilton, Queenston.

FROM ROBERT HAMILTON AND THOMAS DICKSON TO LIEUT.-GOVERNOR GORE

Queenston, May 25th, 1808.

Sir,

Acting as Agents for some of the Merchants in Montreal engaged in the Paltry trade with the Indians in the interior parts of this Country, we think it our duty to state to your Excellency, a circumstance that has taken place in this Quarter, which threatens to be prejudicial in the highest degree to that body in general, but particularly to those of them trading under the Firm of the Mackinac Company.

In consequence of the Arrangements made this Spring at Washington, with the Government of the United States thro' the Agency of Mr. Gillespie, a Merchant of Montreal, and from which originated (as we suppose), the 15th Section of the last Supplementary Act, regarding the Embargo -- This Company fitted out and dispatched by the usual Route of the Lakes, Twenty Boats laden with Merchandise, solely intended for the Indian Trade, and consisting of the usual Annual Supplies for these Nations.

On the 21st Instant, these Boats were stopped in the Waters which divide the two Countries, by a Military Armed Force from the Garrison of Niagara; Eight of them forcibly taken in Shore were seized by the Collector of that Post -- The Goods unladen and Carried into the Fort -- and the Men compelled to abandon the Boats and Cargoes committed to their Charge, were turned adrift to cross the River to the British side in the best manner they could.

We went on hearing this to the Collector at the American Post, in inquire the reason for this extraordinary Measure -- We could only learn from him that he had seized

the Boats and the Goods, because the Men attempted to pass a Port of Entry without making a Report; a Form we believe only required by the last Supplementary Embargo Act, of which these people could have no knowledge; a Thing never before demanded from Boats in this trade, and to which the Canadians who alone navigated these boats are perfect Strangers.

The Commanding Officer, on application being made to him, declined all interference -- having only Acted (as he says the Laws of His Country direct) in Aid of a Collector.

Thus situated it was thought expedient to state to him the Commanding Officer *in a Letter*, the whole circumstances of the Case, offering to him the fullest proofs of the Quality of the Cargoe he could require, and tendering to him the amplest Security for the delivery of these Goods at the place of destination and for the sole purpose of the Indian Trade that he could demand. A copy of this Letter as also of the commanding Officer's Answer, we now have the honor to enclose -- We have also Joined in a Protest against the Conduct of the American Collector, delivered in as formal a Manner as our Situation would admit.

Three of these Boats came on shore on our Side and are with their Cargoes now here: -- to Nine others that were still in the Lake, intelligence of the above event has been conveyed, and it is hoped they have got back to Kingston, but of this, we are not yet certain.

As the Trade carried on by this Company is of great importance as well to them as to the Inhabitants of this Province. And as this extraordinary measure must be Attended with the most serious Inconvenience; and heavy loss to all concerned., and as we may foresee but cannot Calculate on the effect it may have on the Minds of the Indians, to be thus deprived of their usual Annual Supplies, may we presume to hope that your Excellency may deem this an Object worthy of your Attention. And that you will have the goodness by a proper Representation in such manner as you may think best, to the Government of the United States, to endeavour to procure the Restitution of those Boats and Goods for the Company, to their Agents here. Tho' we are well aware that by the loss of time this requires, the Object of the Voyage for the present year is totally frustrated -- Still the getting back the property may prevent a total loss, which most probably will ensue if it is detained for any length of time where now Stored. And we would also flatter ourselves that this Representation may have the effect of preventing the Repetition of such Evil in time to come.

With unfeigned respect we have, &c. R. HAMILTON, THOMAS DICKSON
To His Excellency, Francis Gore, Esquire, Lieutenant Governor, Upper Canada &c. &c.

FROM RALFE CLENCH TO AENEAS SHAW

Niagara, 25th May, 1808

Sir,

I now enclose to you the return of officers &c. &c. belonging to the First Regiment of the County Of Lincoln Militia. I also send List for promotion and appointments for the inspection and approbation of His Excellency the Lieutenant Governor. The List of Field Officers at Present doing duty with the Five Regiments within this County, I beg also to lay before His Excellency and are as follows: Colonel

Ralfe Clench 1st Regt. Lt. Col. Robert Kerr, Major James Muirhead. Second Riding of the County of Lincoln.

2nd Regt. Lt. Colonel Peter Ball, Major David Secord. Laying within the Third Riding of the County of Lincoln.

3rd Regt. Lt. Col. John Warren, Major Thomas Cummings. Laying within the Fourth Riding of the County of Lincoln.

4th Regiment. Lt. Colonel Johnson Butler, Major John MacKay Laying within the Western Part of the First Riding of the County of Lincoln.

5th Regiment, Colonel Peter Hare, Lt. Col. Andrew Bradt Major Richard Hatt. Laying within the Western Part of the First Riding of the County of Lincoln

According to this order, the Regiment have ever paraded at our Parade Trainings or Reviews, the 1st, 2nd and 3rd Regiments were first organized under and by virtue of Commands from Lord Dorchester, the 4th and 5th Regiments under Lieutenants of Counties; Should His Excellency, the Lieutenant Governor be pleased to number the Regiments, it will be the means of preventing jealousy and disputes hereafter, should the different Regiments meet on the same Parade as we hitherto have been in the habit of doing. I have the Honor to be, &c.

RALFE CLENCH, Colonel, 1st Regt. L.M.
Honorable Aeneas Shaw, Adjutant General, York.
(Militia Papers, U.C.M.D. 30.)

FROM FRANCIS GORE TO D.M. ERSKINE

Niagara, Upper Canada, 26th May, 1808.

Sir,

The importance of the inclosed papers No. 1, 2, & 3, requiring that your Excellency should be put in possession of them, with the least possible delay. I have forwarded them as soon as received.

The Honble. R. Hamilton from whom I received them, is a Gentleman of the most respectability in this Province, a Member of his Majesty's Legislative Council, and a Man whose representations may be entirely relied on. The several documents detail so accurately, the Conduct of the Officers of the United States Government, that it would be Superfluous for me, to add any observations of my own, more than to Express my strong apprehensions, that the restraint which his Majesty's Government have, with so much anxiety, and Success, laid on the Indians hitherto, will become difficult and unavailing, when they are informed that the usual Annual Supplies intended for them, have been Seized by the Officers of the American Government.

I have the honor to be &c.

FRANCIS GORE, Lt. Governor.

His Excellency, The Honorable David M. Erskine, Washington.
(Sundries, Upper Canada, 1808)

A Letter from Queenston, published in the *Quebec Gazette* of July 14, announced Gore's hasty departure for Amherstburg three weeks later.
Queenston, Upper Canada, June 16.

"Our Lieutenant Governor has been sent for by express from the Indian Agent, near Detroit, and sets out by land this day for that quarter. It is reported that some very

violent resolution adopted by the Indians (on hearing that their usual supplies for their trade, were stopped by the American Government at Niagara) has occasioned this sudden and unexpected measure. God grant that no mischief may take place before he gets up. Col. Claus is still there, and the Governor takes with him most of the other Officers of the Indian Department.

Gore's journey was reported in the following terms in the next issue of the *Upper Canada Gazette*.

"His Excellency, the Lieut. Governor left this place, York on the 15th Instant, on a visit to Sandwich, &c. We are sorry that he did not, as he originally destined, proceed by Lake Huron, according to his amiable intention and view of promoting the first interests of this Province.

FROM WILLIAM ARMSTRONG TO FRANCIS GORE

Quebec, 26th May, 1808.

Sir,

I had yesterday the Honor of receiving yours of the 30th March, which was forwarded I suppose from New York to Montreal, from whence I received it. About the time you wrote, I left the United States, from whence

I should most Certainly have written you had anything serious been likely to take place, but as I have all along been Convinced that it was not the intention of that Government to go to War with Great Britain, *If they can possibly avoid it*, And all their proceedings being published in the News Papers, I thought it unnecessary to trouble your Excellency, with my Correspondence, more particularly as I was then ignorant of the proper mode of Conveyances.

Previous however to my leaving that country I left Directions with two of my friends at Wash. and N. York, that in case they saw a Necessity for it, to send you immediate Information by Express. -- As I know nothing has Occurred of the smallest Consequence, you of Course have not heard from them. If you should, the first will be Dated F and signd. L _ the other will be Dated A. and signed B. -- and on their Information you may rely.

Notwithstanding all the Supplements and Attempts to Enforce the Embargo or more properly the Non-Intercourse Act. Immense quantities of Produce Comes in by every fair wind from Lake Champlain, and the Inhabitants of of Vermont publicly Declare they will not allow it to be Stopped -- of this the Government is Convinced and rather Chuse to wink at the Infringement than run the Risk of Insurrection which I really expect will take place should the Embargo Continue a few months longer --- But a War with France is daily expected & almost unavoidable.

The New York Papers will have given you the particulars of the Wonderful Change that appears to have taken place in Spain, which I think will be the means of inducing our Government to pay some Attention to Col. Burr's proposals, with which I have good reason to believe he is either gone or immediately going to Britain - *This is to yourself only*. I have Communicated it to your friend Mr. C. in order that he might be prepared to meet it. --

No other person knows of it.

Seventeen Ships & Brigs arrived here within these two days from Halifax, Britain, Ireland & the West Indies, & many more are Expected, but I don't find they bring any

News. Excepting that on the 4th Inst. a Report prevailed at Bermuda that a large proportion of the Troops there were about to proceed for this place. --- I arrived here the end of last Month & have Reason to believe I shall remain with Sir James Craig who tho' much better than he was when I arrived, is still far from being as well as I sincerely wish him ---- Should I not remain here, it is my intention to pay a visit to Upper Canada for the purpose of paying my Respects to your Excellency & in Person Assuring you, that if *in any way* I can be of Service to you, you may Command & Believe me to be with perfect Esteem.

Your Excellency's Most Obed. Hble. Servt. (Signed) WM. ARMSTRONG.
His Excellency, Lieut. Gov. Gore, etc etc.

FROM THE MERCHANTS OF MONTREAL TO HON. D. H. ERSKINE

To His Excellency, the Honorable David Henry Erskine, His Majesty's Minister, Plenipotentiary to the United States Of America and Washington.

The Memorial of the Merchants of Montreal carrying on Trade to the Indian Country within the American Territory.

Respectfully Sheweth

That your Memorialists having been apprehensive that the Revenue Officers of the American Government on the Frontiers of the Indian Territory, might interpret some of the Laws that were existing and had recently been passed in such manner as to impede that free intercourse which your Memorialists, as British Subjects, have a right under an existing Treaty to enjoy, in trading with the Indian Nations, were induced in March last to represent the same to His Excellency the Governor in Chief of the two Canadas, who was pleased thereupon, to refer them to you on the Subject by transmitting to Your Excellency by Geo. Gillespie, Esquire, the Memorial they had presented to him for the especial purpose of obtaining such explanations of those laws, as would secure such free trade and intercourse with the said Indian Nations, as were stipulated by the Treaty of Amity and Commerce between Great Britain and the United States, concluded in 1794, and further confirmed by an explanatory article, thereto made in 1796.

That in consequence a Law was passed by the Legislature of the United States, apparently so clear and explicit, as removed the apprehensions that they had entertained; and the Trade which before had been entered upon was continued to be prosecuted in full faith and confidence that no molestation or impediment whatever would thereto be given. But notwithstanding the said Treaty and the said Law of the American Legislature, your Memorialists have learnt to their utter astonishment, that a number of Batteaux belonging to your Memorialists, laden with Merchandize for the Indian Trade, have been lately seized at Niagara, by the Revenue Officer there, aided by the Military Power of the Garrison, as your Excellency will see by the annexed letter from the Honorable Robert Hamilton Esquire, one of the Members of the Legislative Council of Upper Canada, at a time too when it would appear by said Letter that the Revenue Officer was acquainted with the Section of the Law, which took the Indian Trade carried on from this Country, completely out of the operation of the Non Importation and Embargo Acts of Congress.

That this wanton and unjustifiable attack by the Collector on the property of your Memorialists, and actual hostility of the Military on the persons of their Servants, who are subjects of His Majesty, will not be sanctioned by the American Government, they

are persuaded, but unless such violations of Amity, Law and Justice are put a speedy stop to, by the most precise orders from the Superior to inferior Officers at a distance, the Treaty will be a mere nullity. - The Trade must be abandoned and all those concerned in it ruined.

That the detention of property, and the consequent dispersion of the Servants of your Memorialist, the Crews of the said Batteaux, who are thus turned adrift, will so seriously break in upon the Trade of the year, as to occasion a loss that may exceed fifty thousand pounds - for the Goods so detained being an essential part of a general assortment for Indian Trade must render the whole nearly useless, as the want of them will be much felt in the same manner, as would arms without ammunition or ammunition without arms, -- besides an immense expense has already been incurred, from the necessary preparation, for the usual Trade and which expense cannot now be prevented or curtailed -- all this is so truly the case, that even the restoring of the detained goods at as early a period as now practicable, can only repair a small part of the injury so wantonly done, and will not prevent your Memorialists from looking to a full pecuniary indemnification in proper season, at the hands of the American Government, for the loss and injury that must be sustained by this destruction and hostile measure, and in the prosecution of which claim to full indemnification, they look forward with full confidence, to the support of His Majesty's Government.

That your Memorialists are further informed that the furs and skins arising from the Indian Trade within a part of the American Territory, have been stopped on the Miamies River and prevented from being brought to the places of residence of the proprietors within the British dominions, of which they are subjects, and if the same measure of injustice is extended to Michilimackinac, your Memorialists confidently assert that the eventual loss may exceed two hundred thousand pounds Sterling.

Your Memorialists consider the stoppage and seizure of the Batteaux in question as a gross violation of the Treaty of 1794, in this further point of view, that *the right* to navigate these Lakes, Rivers and Waters of the Continent of America within the country of the contracting parties, is most precisely thereby secured under *such right* those Batteaux were loaded at Montreal, for a destination far beyond Niagara, and to go by the accustomed route, which necessarily leads them to coast the British shore of some of the Lakes, and the American shore on some of the others according as the said shores of one or the other are most favourable to safe Navigation in Boats.

In the present case, those Batteaux were peaceably proceeding to their said remote destination, along the American shore of Lake Ontario, and when crossing as usual from the point at the entrance of Niagara River, over to the British side of that River, they were most unjustifiably fired upon and brought back, although borne either by British Waters or those to the use of which his Majesty's Subjects had an unquestionable right. It will not therefore escape your Excellency's observation that His Majesty's Subjects being so fired upon when out of the American Territory and some of the Balls actually coming over to the British side, places the transaction upon a footing of most decided and unequivocal hostility.

The Collector is said to support his conduct upon the pretext of their not stopping to report -- The right to demand such stoppage and report when coasting the Lakes and Rivers of communication between them, merely for the purpose of arriving at a distant destination, your Memorialist have ever denied and now deny, and they rest their

pretensions upon the fair interpretation of that Treaty, which universal practise has hitherto sanctioned, and which is confirmed by an instance on Lake Huron near Michilimackinac, where a seizure of some Boats belonging to the North West Company, being made by the Collector of that Port, the property in such Boats was after a full discussion in the American Courts, restored.

That under all these circumstances, your Memorialists urge the necessity of your Excellency's making a strong representation to the American Government upon the subject of complaint, and obtaining from the proper authority such explicit instructions to the Revenue and Military Officers as may immediately liberate the property detained, as also that without loss of time, instructions be sent to all the Interior Posts to enjoin in future, a liberal and just compliance with the Treaty of Amity and Commerce and fifteenth Section of the 4th Embargo act which relates to Indian Trade.

JAMES & AND. MCGILL & CO.

FORSYTH, RICHARDSON & CO.

McTAVISH, MCGILLIVRAY & CO.

PARKER, GERRARD, OGILVY & CO.

J. BLEAKLEY, for self

GEORGE GILLESPIE

TOUSSAINT POTHIER

(Agents for the Mack'w Company)

DAVID MITCHELL, JNR.

Montreal, 27th May, 1808

FROM JAMES MCGILL TO HERMAN W. RYLAND

Montreal, 30th May, 1808.

Dear Sir:-

I beg leave to trouble you with a Memorial from the Merchants of this place carrying on the Indian Trade within the American Territory to His Excellency The Governor in Chief and copy of a Memorial to His Excellency David Henry Erskine, His Majesty's Minister Plenipotentiary at Washington, which they despatched by a Confidential & Special Agent yesterday, and they request you will lay the same before His Excellency, the Governor In Chief -- Copy of the Letter from Mr. Hamilton & Spoken of in the Memorial would have accompanied these, but it was forwarded yesterday by Brigadier General Brock & renders it unnecessary to trouble you with another - The Merchants were most desirous of having the recommendation of The Governor General to Mr. Erskine, but as this would have occasioned delay, & every Hour being precious, under the existing circumstances, they thought it best not to lose any time, more especially as they know His Excellency's sentiments on the subject of the Indian Trade, by his ready assistance in March last when Mr. Gillespie went to Washington on that business.

I think it right to add that, since the Memorial to His Excellency was framed, the Merchants have received information from the conductor of the Battoes that were seized that he had five Battoes under his charge, with three of which he reached the British side & two of them were seized, that he was fired upon by the Men from the American side who came off in a Battoe to stop them -- that six other Battoes were seized which had not come up when he passed the American Fort, & he thinks must have been at some distance from the Fort when seized.

That further, an American Boat was despatched with Armed Men with the evident purpose of laying Hold of Nine other Battoes loaded, which were yet in the Lake & were only prevented by the greater Celerity used by Mr. Clarke of Niagara, Agent for the Memorialists, who in a light Battoe, well manned & armed, went out into the Lake to meet these Nine Battoes & succeeding in bringing them back to Kingston, notwithstanding they were pursued for a length of time by the American Battoe.

It is proper to mention for the information of His Excellency that the Battoes in question were twenty in number, divided into four Brigades, that they passed Oswego, an American Fort & Custom House without molestation, notwithstanding they were in reach of the Collector who saw them pass & was heard to declare, by a Person now here that he had no right to stop or molest them. -- From this circumstance, it would seem either that the Collector of Niagara had not similar Instructions, or if he had, he has wantonly disregarded them & injured the concerned to such an extent as few private fortunes can bear, & still fewer make up for - Conceiving, however, that a different line of Conduct will obtain at the other American Ports. The merchants mean to prosecute their business trusting that the heavy Loss they must sustain, will be considered worthy of the notice of the Government & compensated in due Season.

I have the honor to be with your truth & regard, Dear Sir, Your Obedt. & very h'ble Servt.

JAMES MCGILL

Herman Wit. Ryland. Esq.

P.S. Since writing as on the other side, Mr. Clarke's letter has come to hand and I am forwarding a copy of it.

To His Excellency Sir James Henry Craig, Knight of the most Honorable Order of The Bath Captain General, and Governor In Chief, in and over the Provinces of Lower Canada, Upper Canada, Nova Scotia, New Brunswick and their several dependencies, vice-admiral of the same, general and commander of all His Majesty's Forces in the said Provinces of Lower Canada and Upper Canada, Nova Scotia and New Brunswick. and their several Dependencies, and in the Island of Newfoundland, &c. &c. &c.

The Memorial of the Merchants of Montreal carrying on the Indian Trade within the Territory of the United States of America.

Most Respectfully Sheweth

That your Memorialists have been lately informed by a letter from the Honorable Robert Hamilton of Niagara, a Member of The Legislative Council of Upper Canada, that a most violent and hostile attack had been made on their Boats and Battoemen carrying Goods for the purpose of the Indian Trade on passing the American Side of the River of Niagara, by seizing their goods to a great value, and firing on their Battoemen.

That in consequences of this information, Your Memorialists considering the necessity of losing no time, in applying for Redress, have dispatched a confidential and special agent to Washington, with a Memorial to His Excellency D.H. Erskine, His Majesty's Minister Plenipotentiary, on the subject, and of this Memorial and Mr. Hamilton's letter, copies accompany the present for your Excellency's fuller information, and to which they pray your attention.

That your Memorialists after the representation transmitted by Your Excellency on the same subject, in March last to the Honorable Mr. Erskine, to which so satisfactory

an answer was given by the American Legislature passing a Law to exempt the Indian Trade from the non importation and embargo Acts in as much as they might relate to British Subjects trading with the Indians within the American territory, see with pain and astonishment that neither the Treaty of Amity and Commerce between Great Britain and the United States of America, nor laws made by themselves are sufficient to prevent the subordinate officers of that Government from committing acts of violence and injustice on British Subjects and insulting to the Government.

That in addition to the representations made to Mr. Erskine, your memorialists have to state that if the Battoes have been fired upon, and the goods seized, because they were passing an American Post without making entry of such goods, the waters of Lake Ontario, and all others along the chain of internal communication must be considered as interdicted, to British Subjects, for vessels must frequently from contrary winds be under the necessity of approaching within gunshot of the American shore, and were they to be forcibly stopped for not reporting at such Posts, the whole intercourse of merchants vessels from British Post to British Post, upon the Lakes would be stopped, a pretension too absurd to be endured, as it might expose to seizure the Furs of the North West, not coming from the American Territory, and Flour and other Provisions coming direct from Detroit or Niagara within His Majesty's Dominions, for we do not consider the exemption from the non importation or Embargo Laws as conferring the right of navigating the Lakes. We ground such right on the Treaty of Amity and Commerce, which to the subjects and citizens of Great Britain and the United States of America gives the free use in common to both of all the waters which divide their respective Territories in America.

That your Memorialists seeing the insecure state, in which by this assumption of Power, the whole Trade of the Upper Country is placed, do, for themselves and others concerned in it, most earnestly entreat that you will lay their complaint before His Majesty's Minister that they may adopt such measures for granting relief and security in the premises, as they shall deem necessary, and in the meantime they pray that your Excellency will be pleased to communicate your sentiments to Mr. Erskine on the subject, and give such directions to the proper officers of Government, who are charged with protecting the subject and his property, as in your wisdom you may see fit.

Your memorialists beg leave to add that as soon as further communication on this subject, comes to their hands, they will communicate the same to your Excellency, and being fully aware of the loss and injury that they will sustain by this forcible detention of their property, and violent act of Hostility, they mean to claim full pecuniary compensation from the American Government for the same, through the Channel of that Government, of which it is their pride and Glory to be subjects. Montreal, 30th May, 1808.

JAMES & AND. MCGILL & CO.

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J. BLEAKLEY, for self

GEORGE GILLESPIE

TOUSSAINT POTHIER (Agents for the Mack'w Company)

DAVID MITCHELL, JNR.

THE QUEBEC GAZETTE

Thursday, June 2, 1808.

MONTREAL, 30th May, 1808. - We learn from Niagara that several Boats belonging to the Michilimackinac Company on passing that place were fired upon by the American Fort and brought to and the property seized, which was afterwards demanded by Mr. Hamilton, a British Merchant, who produced the late clause of the Embargo Act as a proof that the Act was unlawful. The only answer he received from the American Commander was, that he construed the act in a different manner and he should detain the property and take the consequences upon himself. On firing upon the boats, some of the balls are said to have passed over upon the British side. Considerable damage is also said to have been done to the boats before they were brought to.

THE FOLLOWING IS THE CLAUSE OF THE ACT ALLUDED TO, PASSED THE 22ND APRIL LAST.

"SEC. XV. And be it further enacted, that nothing in the act laying an embargo on all ships and vessels in the ports and harbors of the United States, or in the several acts supplementary thereto or in the act to prohibit the importation of certain goods, wares and merchandize, shall be construed to prevent the exportation by land, or inland navigation, from the territories of the United States into those of Great Britain, of furs and peltries the property of subjects of Great Britain, and by them purchased from the Indians; or to prevent the importation by land, or inland navigation, from the territories of Great Britain into those of the United States, of merchandize, the property of British Subjects, and by them imported solely for the use of the Indians aforesaid."

An extract from a letter from Thomas Clark to Colonel Talbot at Port Talbot, dated at Queenston on June 7, shows the dislocation of commerce caused by this event.

"The bearer Le May, Conductor of four Boats going round the Lake will deliver you three parcels -- one containing newspapers, one clover and Rye grass seeds - the other One Hundred Dollars. By the Boats at this time I was in hopes to have sent up your other articles, but from 8 of them having been seized at Fort Niagara by the American Collector & 5 from desertion of the men being left at Kingston, puts it out of my power, having had to load the others deeper -- every thing shall be sent to Fort Erie, and can easily be taken to Long Point by Loder's Vessel, that is should no direct opportunity offer for Port Talbot....

"Robert Nichol has gone to Washington to endeavour to get his 8 boats back & goods released. I expect to hear of him in the publick papers before he returns.....
(Coyne, Talbot Papers, I, 98-9.)

FROM JOHN RICHARDSON TO HERMAN W. RYLAND

Montreal, 20th June, 1808.

Sir,

I have had the honor of receiving your letter of the 15th instant, inclosing by command of the Governor In Chief, a copy of a letter to Mr. J.A. Panet, Mr. J.T. Taschereau, Mr. P. Bedard, Mr. J.L. Borgia and Dr. Blanchet, dismissing them from their situations as Officers of the Militia and to Mr. Plante, dismissing from the office of Inspector of the King's domain and clerk of the Papier Terrier, as also of a Letter to the Hon'ble G. Taschereau, Esquire, desiring that his Son, Mr.J.T. Taschereau, should be no

longer employed as his Deputy in the Office of Grand Voyer for the District of Quebec, and in all which Letters, the reasons of dismissal are assigned.

I have to return my most respectful thanks to His Excellency, for his condescension in making this communication which I beg leave to express through you. Mr. Michael, who carried down the Memorial to Mr. Erskine, about the seizure of the Boats at Niagara is already returned, having found him at Philadelphia, from whence he immediately returned to New York, with a dispatch to Mr. Gallatin then there - From that gentleman, however, no satisfaction could be had, as he would not interfere in any shape, until he had received the report of the seizing officer, which could not be before his return to Washington.

He seemed, however, to justify instead of condemn, the requirement of an entry and report to their Custom Houses, even when only coasting their shore for an ulterior destination, which principle has never before been acted upon, but in one instance, where the decision of their own courts was adverse thereto, nor can it ever be admitted by British Subjects, without rendering the right of Navigation by Treaty nugatory, or even worse as a Trap for our Trade, thereby to expose it to vexations that must speedily product its annihilation - This probably is their object. There is such a want of good faith on the part of America in the execution of all Treaties, that we have been from first to last completely duped, by giving up a substantial something, to receive what by their practical exposition, may amount to nothing, or even worse than nothing, an actual loss of property.

From this little specimen at Niagara, it may be seen how Jonathan would illustrate his favorite doctrine of the Liberty of the Seas, if he possessed the power of the British Navy.

Mr. Michael on his return to New York, found there Mr. Nichol, the person dispatched by our Agents at Niagara on the same business, and who intending to proceed on to Washington to obtain a final answer, it became unnecessary for the former to go there also -- This is the reason of his bringing no dispatch for the Governor In Chief, as when he left Mr. Erskine at Philad'a, it was under the impression of again seeing him. He forwards a Letter from Mr. Bond.-- The last Raft on Lake Champlain has been brought in by force -- There was a good deal of firing with Ball between the people of the Raft and Militia, but no lives lost, although both sides seem to have been in earnest.

I very respectfully am, Sir, Your Most Obedt. Servant. JOHN RICHARDSON.
Herman W. Ryland, Esquire. Endorsed: 20th June, 1808.

From Mr. Richardson is answer to the letter announcing the removal of certain persons engaged in publishing the *Canadien*.

FROM JAMES MADISON TO D. M. ERSKINE

Department of the State, June 29th, 1808.

Sir,

Your Letter of the 21st Instant on the Subject of the detention by the Collector of Niagara, of certain Boats belonging to Canadian Merchants engaged in the Indian Trade was duly received and communicated without delay to the Secretary of the Treasury on his return to this City. The inclosed Copy of his instructions (These instructions order the Boats to be released by the Collector who is to "Take Security for the Goods to abide the Decision, &c.") to the Collector will explain the Interposition which has been thought

best adapted to the Case, under the imperfect knowledge yet obtained of the Circumstances. I will make no other addition to it therefore, than merely to observe, that, if as the Agents of the Montreal Merchants seem to be aware, a Law of the United States was violated, without any other Plea, except of Ignorance, the Tone of their Complaint ought to have been very different, and that a resort to the Justice of the Government of the United States, in all Cases to which it is applicable will always be found by the Officers of His Britannic Majesty, the most efficient as well as the most suitable course for their adoption.

FROM D. M. ERSKINE TO FRANCIS GORE

Philadelphia, July 4th, 1808.

Sir,

I had the Honor to receive your Letter of the 26th of May with its several Inclosures, respecting the seizure & Detention by the Collector of Niagara of certain Boats belonging to the Merchants of Canada, engaged in the Trade with the Indians.

The inclosed Letter will explain the Result of my Application to the Government of the United States upon the Subject & Mr. Nicholl is the bearer of Instructions (refer'd to in Mr. Madison's Letter) which have been given by the Secretary of the Treasury to the Collector of Niagara upon the occasion.

And I have forwarded to Sir James Craig, Copies of the Correspondence which has passed upon the subject between the Government & myself which I have not put under a Flying Seal for fear you might not happen to be at the Seat of Government; but request the favor of you to open them & after having read them to transmit them to Sir James Craig, the Governor In Chief by the earliest convenience.
(Sundries, U.C. 1808)

Signs of unrest and discontent among the Six Nations in Upper Canada and the United States were apparent and did not fail to cause considerable anxiety.

FROM WILLIAM CLAUS TO PRIDEAUX SELBY

Fort George, 10th August, 1808.

Sir,

A vast number of Indians are at this Post just now, upwards of one hundred and sixty, several from the Grand River who claim of the great distress they are in for Bread, those who I find are in real want and not through Idleness or not having sold their corn. I will give them a little relief, it will not be Long before the Corn is fit to use, consequently Less flour will be given them than otherwise. - The others from Buffaloe Creek and that Neighbourhood. I met them this day when they Declared very Publicly that the statement made by their Interpreter respecting the War Belt being given to them by me was unjust and Denied that they ever told the Interpreter of the Agent Mr. Granger any such thing - That in their Council Last Spring, they shewed the Belt which I gave them on the differences between the Grand River Indians being made up, which Belt was to cover all past Animosity. They then told me that they had come to a Determination to sit quiet in case of any quarrel between the King and America and not to spill the Blood of the white men, and that their Friendship for the King was firm -- I merely returned them the usual

compliment and said very little more to them to shew them that I was not pleased with their conduct. - The Missisagoes are also here to the Number of 51 they are very inquisitive about the additional Payment for the Land they sold three years ago on the subject of which I would be glad to hear. The Requisition for the Post has not been completed and what with those things sent to Amherstburg Last Fall, and the great Demand on the Store of *This Post*, for the payment of all Public Service performed by the Indians will reduce Our Annual presents very considerable indeed....

I am Sir, &c. W. CLAUS

P. Selby, Esquire, &c. &c.

(Claus Papers, Vol. 9, pp. 239-240.)

The following Letter, which is unsigned but initialled by the Governor General for transmission to the Colonial Office was probably written by John Norton, who had acquired great influence among the Six Nations of the Grand River.

Grand River, 10th August, 1808

Dear Sir,

Your intention to attempt the civilization of the Tribes within the British Limits, as also the present appearance of the disposition of the Americans, which indicate that it is not improbable for a rupture to take place between them and the British Empire, induce me to give some Ideas of our situation, it striking me forcibly that either to civilize the Tribes, or to hold them in a situation ready to give assistance to the British Government, it is necessary that their Settlements should be more compact than they are at present.

The intention of the Americans towards the Tribes is sufficiently clear; the annuities they allow them for the lands they have usurped are intended to sooth them, and retain them within their power. The Senecas or Oudowages who are the most numerous of the Five Nations are detained within their Limits by this measure, an annuity arising from the Lands they have relinquished amounting to something more than 6,000 Dollars is paid the Nation, which divided gives 3 Dollars to each person, several of the Principal Chiefs receive annually from 100 to 300 Dollars, thus Interest retains them contrary to their affections, for I feel assured that they are more sincerely attached to the British and to their Brethren here, than they are to the Americans. The Oudowages and Cayugas received annuities for their Lands, 2,500 each Nation; these have suffered a considerable Diminution this year through the medium of those of the Nation who remain within the American boundary but whether at their instigation or not, I cannot pretend to say.

As the Tribes are under the protection of the British Government and the Annuities are more than a just debt, would it be improper for His Majesty to interfere, and issue the payment of them to the Tribes, should they remove within the limits of his Government, or should a War take place, and they espouse his cause. The whole amount of this which is the only support of the American influence within the Five Nations falls short of 12,000 Dollars yearly, a sum not at all to be compared to the Great Expence of the Indian Department. The sale of a few Townships of land made by Government in this Country might raise a sufficient sum to create such an annuity.

After breaking the bands of American influence, the next thing to be effected is to collect the five Nations on One Settlement either on the Grand River, or to the Westward of the River Thames towards the Shores of Lake Huron; in the first situation, they would be more under the eye of Government, in the latter more conveniently situated to serve

them in negotiations with the Western Tribes, and less exposed to be contaminated by the vices of those kind of people that are continually crowding into New Settlements, 1200 Men collected into one settlement might be more relied on in time of War than scattered Divisions, and would require little more trouble to improve and Civilize than a Settlement of a much smaller number.

I have heard it remarked that something has been said at York respecting the utility it would be of to the Country to have the Five Nations removed from the Grand River to a more westerly situation, but I am glad to hear also that His Excellency, the Lt. Governor observed he would do nothing in it unless it should be proposed by the Five Nations themselves.

As this subject has been stated. I shall give you my private opinion on it. The grant of General Haldimand is so long and narrow, and the settlements so new as that it is impossible for us to keep liquor from among us, unless when the people have resolution to refrain from drinking. The people would be more distant from the Americans, consequently less liable to be corrupted by their Intrigues. More approximate to the Chippawas, Ottawas, Poutawattomies, Shawanoes, Wyndots, Miamis and others from the southward, that might be collected between the Lakes and the Mississippi as I have already mentioned in a Letter to Mr. W.

On the other hand, as the Grand River lands are of such higher value from their situation than any we could receive on Lake Huron (lands not equal in fertility for five miles from us selling now for five and six dollars an acre) it would be neither reasonable not just to obtain them from the Five Nations and grant them away to others, neither would it be to the advantage of the Country. The Government should first take a view of the whole, and provide that none of the Industrious be injured by the change, by giving individual grants to every Family or Man that had made any improvements then the sale of the remainder to be made under the inspections of Government, and after securing annuities superior to those paid by the Americans with the remainder purchase a tract from the Chippawas on Lake Huron, such as might be chosen by the Five Nations convincing them in the whole proceeding that the Grant of General Haldimand was not violated, but changed to remedy the difficulties it had been involved in.

As the lands on Lake Huron from their situation are not likely to be wanted by Government this Century, the same extent should be given to the Five Nations as General Haldimand granted only in a different form, instead of 120 x 12, let it be 50 by 30, a Mission might there be established for giving Religious Instructions, and a Seminary formed to instruct the Youth in Agriculture and Letters.

For the encouragement of Industry, a Trader should be placed on our Settlement with useful Articles, such as Blankets, Woollens, Cottons, Iron Cutlery, and Ammunition with these to purchase Wheat and Pork as well as skins the money of the five Nations placed in the Bank by the Agents of the Government might in this manner be turned to the Support of Industry, those cultivators of known Industry and economy might be allowed to borrow of the public to half the amount of the property they possess in improvements, Cattle, &c. or mortgaging the same for the payment to pay annually the interest and so much of the principal as to discharge the whole in twenty years or sooner, should he who borrows see fit.

Many are the obstructions and clogs to industry existing in the customs of the Five Nations, more than in any constitutional Indolence, I know it because I have felt the

inconvenience myself, but if we can make a good road I feel assured that there will be some to walk on it, and time may at last effect the desirable change.

The Mohawks are improving rapidly, there are several so much agriculturists as to raise three or four hundred bushels of Wheat in the Year; those who suppose that the being farmers will debilitate them from being Hunters are mistaken. The most industrious at the plough, generally shew themselves the most persevering at the Chase when in winter they throw aside the hoe and take up the gun I wish you to understand this not as proposal from me, but rather as the most equitable and justifiable method to be taken by Government should the supposed good of the Colony induce them to desire any further relinquishment of the claims of the Five Nations, and should such a change take place, the tract of land given in exchange should be sufficiently capacious to assemble therein all the Tribes of Upper Canada. Their being collected in a body would be more for the good of the Empire in case of War, and a teacher with little more exertion would be in a situation of aiding the cause of religion much more extensively, as a fowler who fires at a great flock of Pigeons has a chance of killing many more than if he had shot at a few.

The influence of Government might also be maintained among them by a resident on the spot, much more effectually than it can be by a Superintendant General at the distance of some 100 miles, frequently unacquainted with the Tribes they superintend.

The great Expence the Government is at in sending out goods and employing Store-Keepers and Clerks, might be rendered unnecessary by furnishing an annuity in the manner I have already explained to counterpoise that given by the Americans, and a respectable trader appointed by your intended society would furnish the necessary Merchandise according to the varied wants of the Individuals. Only in case of War, the Arms, Ammunition and Clothing wanting for those who embodied themselves to serve might be furnished by the Government.

The situation of the British in this Country is at present very similar to that of the French at a former period. The great disparity of the force of this Province to that of the United States, & its inland situation, renders an alliance necessary, and except the Senecas whose Character Mr. T. does not seem to be acquainted with, the Aborigines are natural allies from their antipathy to the Americans and Affection to His Majesty. The French, to secure more effectually the services of the Tribes, always used their utmost endeavours to have their settlements compact which they effected in the Neighbourhood of Detroit, on the Wabache & near Montreal. The latter consisting of the Catholic Mohawks and a few Radonodacks are at present the only remains of this management in three Villages not very distant from each other, there is upwards of six hundred Warriors.

In the present situation of things, this Province is much exposed to any sudden attack of the Americans, particularly should they commence hostilities at a Season when assistance could not be readily obtained from Europe, and to keep up constantly a Military Establishment adequate to the defence of so extensive a Province, the expense would be enormous.

To remedy this inconvenience, a Military Settlement might be formed on some Townships of the Crown Lands, composed of a few thousand Veterans, who would receive their lands on condition of holding themselves at readiness at the call of Government to serve in Defence of the country. Although as strangers, they might at first find difficulty in settling a country so different from their own, yet with a little well

administered assistance at the commencement, and giving proper encouragement to some loyal Americans to mix with them, they might soon obtain a comfortable living.

Such a well disciplined Militia together with our Tribes & the loyal part of the Militia of the Province might form a sufficient Army of Defence for any sudden emergency.

J. H. C.

Early in the year 1808, the Public School for the District of Niagara, otherwise sometimes known as the Niagara Grammar School, in accordance with the terms of the public School Act of 1807, was established in the Town of Niagara. The trustees, nominated by the Lieutenant Governor, were Hon. Robert Hamilton, Thomas Clark, William Dickson, Robert Kerr, Thomas Cummings, James Muirhead and John Symington. The Reverend John Burns, the resident minister of the Presbyterian Churches in Niagara and Stamford, was appointed the Teacher by them. The sum of 100 pounds was allotted from the Provincial Treasury toward the maintenance of each District school.

FROM ROBERT HAMILTON TO WILLIAM HALTON

Queenston, Aug. 28, 1808.

Sir,

The trustees for the Public School at Niagara having rectified the certificate for the Master's Salary, I have now the honor to return that paper to you. I have in their Name to request that you will have the Goodness to place it where it may be efficient. (Sundries, U.C. 1808)

Having been exiled from France, the distinguished General Moreau had lived quietly in the United States for several years. Popular rumour stated that, in the event of a war with Great Britain, he would be offered the command of an Army for the Invasion of Canada. This statement led to his unauthorized arrest while in Niagara after paying a visit to the Falls.

FROM HENRY PROCTOR TO COLONEL AENEAS SHAW

Fort George, 15th September, 1808.

Sir,

I have the honor to acknowledge your Letter of the 1st September, which indisposition has prevented my doing sooner. In answer, I have to acquaint you for the information of His Excellency, the Lieut. Governor, that the French General Moreau was neither apprehended nor liberated by me, he arrived at the Inn at Newark on the Evening of the 27th Ultimo, where he remained, to the best of my information, until the Morning of the 28th, when I saw him and informed him, that, not having the Sanction of His Excellency, the Lieutenant Governor, he could not remain in the Province, he then acquainted me of his intention to leave the Province immediately by the same route he had entered it which I understand he did without loss of time. On my having asked him if he had any Passport, he acquainted me that he had sent from Buffaloe to the Magistrate at Fort Erie to know if there was any objection to his entering the Province, whose answer was that he knew of none.

General Moreau I understand was apprehended and liberated by Colonel Clinch, not having any Authority to interrogate him or others concerned. I must beg leave to refer you to him for particulars of the General's Apprehension, &c.
(Sundries, U.C. 1808)

Captain Cowan, whose death is recorded in the next letter, had served in the Royal Navy for four years and afterwards commanded a ship for twenty-eight years on Lake Erie in the Provincial Marine. He was one of the members for the county of Essex in the fourth provincial Parliament from 1804 until 1808, and owned a farm near Fort Erie, where he operated for some time the International Ferry to Black Rock.

FROM HENRY PROCTER TO WILLIAM HALTON

Fort George, September 25, 1808.

Sir,

I am sorry to inform you of the Death of David Cowan, Esqr., Commander of His Majesty's Snow Camden which occurred on the 24th Instant at Fort Erie. I beg leave to say that this is not the first Occasion I have had to regret the Want of Medical Skill at Fort Erie.

(Sundries, U.C. 1808.)

The supply of Troops in Garrison and other Military Departments, created a considerable demand for fresh provisions and flour, which was usually supplied by local contractors.

FROM JOHN MCGILL TO FRANCIS GORE

York, 15th October, 1808.

Sir,

In obedience to your Excellency's order of the 16th August, 1808, I have the honor to Report that I have agreed for a Supply of Fresh Beef which is to be furnished to the Troops and Military Departments in Upper Canada by the quarter during the undermentioned periods, and at the prices stated after each Post, vizt. Fort George - David Secord from 25th September to the 31st December, 1808, at Two pence half penny pr. Pound and from 1st January to 24th March, 1809 at three pence Halifax Currency per pound. Chippawa & Fort Erie - Samuel Street Jnr. from 10th October to 31st December, 1808 at One Pound, two shillings and six pence Halifax Currency for every One Hundred Pounds of Beef.

(Sundries, U.C. 1808.)

Another visit by the Lieut. Governor to Niagara at the end of this month was briefly recorded in the *Upper Canada Gazette* of October 22nd.

"On the 17th instant, his Excellency the Lieut. Governor and Major sailed for Niagara in the *Toronto Yacht*. It was His Excellency's intention to have gone there on Monday last. He embarked for the purpose and received an honorary salute from the Garrison. Excessive gales and a succession of head winds delayed his proceeding until Thursday morning."

His return in the same ship on November 6th was subsequently reported.

The great delay of the United States Government in investigating the complaints of the proprietors of the Boats which had been irregularly seized by the Collector of Fort Niagara, provoked another forcible petition from them, probably prepared by the Hon. John Richardson, then a Member of the Executive Council of Lower Canada.

To His Excellency, Sir James Henry Craig, Knight of the Most Honorable Order of the Bath, Captain General and Governor in Chief in and over the Province of Lower Canada, Upper Canada, Nova Scotia, New Brunswick, and their several dependencies: Vice-Admiral of the same. General and Commander of all His Majesty's Forces, in the said Provinces and their several dependencies, and in the Island of Newfoundland, &c. &c. &c.

The Memorial of the Merchants of Montreal carrying on Trade to Michilimackinac and the Indian Country within the Territory of the United States. Most respectfully Sheweth.

That it is with great regret they find themselves under the necessity of again troubling your Excellency with their complaints against Officers of the Government of the United States, but the necessity arises from the outrage committed and before complained of, being still unredressed.

That the subject may be fully before Your Excellency without reference to their former Memorial, they take the liberty of again stating the facts with such observations thereon as circumstances so extraordinary suggest.

The Case stands thus: - The Company trading from Montreal, under the Firm of the Michilimackinac Company, who are Subjects of His Majesty, dispatch'd early in May last from La Chine, a number of Batteaux or Boats laden with Merchandise, intended eventually for Trade to the Indian Country; and which were ordered to proceed, and were proceeding by the accustomed route (being that uniformly practised since the cession of the Posts by the Treaty of 1794) up the River Saint Lawrence, and found the Lakes to the *Island of St. Josephs*, a British Post. (without an idea of intermediate Trade), at which Post they were to be met by the Agents of the Company (who went up by the Ottawa River) and there to receive instructions respecting their ulterior destination, a considerable time previous to the departure of those Boats, a mission was sent to Washington under the Sanction of Your Excellency, to ascertain through His Majesty's Ministers there, whether it was the intention of the American Government, to continue to act upon the permanent part of the Treaty of 1794, as to the Admission of British Subjects to participate in the *Indian Trade within their Territory*, or to consider it an end; as upon such ascertainment the Agents of the Company at Saint Josephs, were to regulate their further proceedings, after the arrival of the said Boats at that British Post, at the departure of those Boats from LaChine, the answer from Washington was not received.

The object of such ascertainment, had no relation to the *navigation by the usual route round the Lakes*, such being considered common right unquestionably secured by Treaty and foreign to that respecting Trade within the American Territory. Accordingly, the Boats proceeded onwards, in full faith and confidence, that whatsoever might be the determination of the American Government respecting the said Indian Trade, the common use of the waters along the internal communication dividing the two Countries would still be held sacred.

Those Boats went forward as usual without interruption, until the 21st day of May last, when the first division of them arrived at the entrance of Niagara River from Lake

Ontario, where there are *British and American Garrisons*, nearly opposite to each other. In the middle waters of that River, or even nearer to the *former than the latter Garrison*, the Boats were fired upon with Musket Ball by a party of Soldiers in a Boat dispatched from the American Fort, when Two with their Cargoes were forcibly seized and carried back to the American Garrison, and three got over to the British side, after the Crews had narrowly escaped death, for so near were they to the British side when fired upon, and so marked the Hostility of the procedure that some of the Balls fired, reached the Land on that side.

Those who committed this outrage, having learnt that other Boats belonging to the same Company were following along Lake Ontario, a Boat with Soldiers was dispatched from the American Fort to intercept them, and succeeded in forcibly seizing six more in the open Lake, making in all Eight Boats, the whole of which with their Cargoes have been since unjustly detained in direct violation of the Treaty of 1794, and to the great injury and heavy loss of the same Michilimackinac Company.

Not satisfied with this signal outrage upon the Stipulations of that Treaty, an American Boat with Soldiers proceeded to a much greater distance along the Lake, to seize also nine other Boats still further behind and actually pursued them above Thirty Miles, but in that superlatively aggravated intention, they were happily foil'd as those Nine boats had received intimation of what had passed by one dispatched from the British Side which occasioned their return to Kingston, from whence they proceeded round by the North Side of Lake Ontario, after a great number of the Men had in consequence of this violent attack deserted, who were replaced by others hired and sent up from Montreal at a heavy expense.

Application in consequence of the Outrage and Seizure was under the Sanction of your Excellency, made by His Majesty's Ministers to the Government of the United States for reparation; and an order therein was issued by the Secretary of the American Treasury to restore the Boats and property so seized, but upon condition of giving Bond in double the value to abide by the decision of the American Courts, and requiring other preliminaries, which could not be agreed to by the Memorialists without acknowledging American Jurisdiction in a question foreign to it, and thereby abandoning the strong ground whereon they stand, as British Subjects pursuing their lawful business, under common rights of free Navigation solemnly secured by the Treaty of 1794, (whereby the Post of Niagara from whence the said outrage was committed was delivered up to the States) and especially the Third Article of that Treaty.

Their property therefore remains detained in custody of the Customs House Officer of the United States at Niagara, upon the pretext of awaiting a decision in their Courts, to the Competency of which the Memorials object, and maintain that the question is alone determinable by the Government of the Two Countries, as involving matter of serious National Insult as well as infringement of private British Rights founded upon National compact.

In support of this view of the subject, the Memorialists have to observe to Your Excellency, that by the 3d permanent Article of the Treaty of 1794, His Majesty's Subjects and the Citizens of the United States, have common and equal rights to the free navigation of the waters where the seizure was made, which being the result of a joint stipulation, no impediment to such free navigation, can be legally interposed by any Legislative Act, or proceeding of any Officer of One of the contracting parties, to affect

the rights of the subjects of the Other Party, without the previous consent of their sovereign. Upon this principle, the Michilimackinac Company contend that neither the American Embargo, non Importation, or any other Act of the States, can govern the present case, or control or regulate the rights of Navigation stipulated by the said Treaty.

That the requirement of British Boats, when coasting the Lakes from One British Post to another, to report or make entry at American Custom Houses, (when there is no intention of trade) would amount to a control regulation and impediment of the Lake Navigation to the destruction of its freedom, and wholly foreign to the intention of the contracting parties, as will be seen by reference to the Treaty, which Specially Stipulates for allowing regulation to the exercise of River Navigation in small vessels between Montreal and Quebec, and for the free passage of goods across Portages, in order to prevent frauds, but authorizes no other regulation whatsoever.

Consequently, if a Special Provision was needful to authorize regulation in respect to such rights, as were to be exercised within the Acknowledged exclusive Territory and jurisdiction of one party; how much more necessary would special Stipulation have been to authorize either party by its separate act, to regulate objects common to both, such as particularly is the navigation of Waters dividing their respective Territories.

The Memorialist have understood that the Custom House Officer who directed the seizure of the Boats, pretends to justify himself upon the ground that the Boats could not have coasted the Lake without touching the Land, although he neither had or could have a knowledge whether such was the fact; but this is a mere subterfuge, for the right of Lake Navigation common to both Nations, necessarily implies its being exercised in a way practicable to the Vessel Navigating, whether *Decked or Open*. If the *Former*, she must sometimes anchor when the wind is contrary, and if the *latter*, stop on the beach without any infringement in point of good faith, when there is no purpose of trade, or any object Stopping beyond the necessity of waiting for wind, weather or daylight to resume the Voyage.

Such a quibble would render the object of the contracting parties a mere nullity; and were a common highway the boundary between two adjoining Nations, as well might it be agreed, that the fair use of a resting place on either side, occasionally to relieve a weary Traveller, would be prohibited in the exercise of the right of free passage.

The Outrage complained of involves two distinct points of consideration. One affecting the National dignity by the Insult offer'd thereto in sight of a British Garrison and in waters of common right, by the marked Hostility of Firing upon his Majesty's Subjects when defenceless, by Armed Soldiers of the United States. The other, an attack upon the rights and property of British Subjects, whereby they have sustained great pecuniary loss and damage requiring indemnity.

As to the first point, the Memorialists consider that it would be presumptuous in them to suggest the quantum or kind of redress fit to be insisted upon. Such remains with His Majesty's Ministers, but they cannot avoid observing, that it is not a little extraordinary, that those who are so clamorous for general free Navigation, in cases authorized neither by the Law or practice of Nations should themselves so arrogantly violate the rights of free Lake Navigation, when specially secured by a compact to which they are a party; and that those who were so irritable in the case of the Chesapeake, when a provocation not to be borne was previously given by them should so unfeelingly fire

without any notice upon unarmed men, who never afforded them even in shadow of pretence for so doing.

As to the Second point Viz. The heavy loss and damage sustained by the seizure of their property, a Statement of which is annexed the Memorials entreat, that your Excellency will be pleased to lay the same before His Majesty's Minister, that a full pecuniary indemnity to them for the injury in all its consequences may be demanded and obtained from the Government of the United States.

Such cannot be less than 20,000 pounds exclusive of the actual cost and charges of the goods, and absolute disbursements in various ways made respecting the same, making in the while the sum of 26,842.5.6 Sterling.

The said sum will be found moderate, when it is considered that the value of the year's Outfit for the Trade exceeds 80,000 pounds. The plans for which were not only deranged by the Seizure of Goods forming a necessary part of the assortment, but the discouragement of the Partners, Clerks, and Men of the Concern who winter among the Indians, has thereby been such as to create a despair of success, and consequently will produce a diminution of exertion, when they see so evident a proof of a plan to render it unavailing.

The above however are not the only grievances respecting the United States, of which the Memorialists have had to complain, in common with other British Subjects within the American Territory; for they have long suffered under the requirement of passes, extortion in duties and vexations in various ways, which the Treaty according to its fair intent and meaning does not authorise, as what can be more evasive, oppressive, and preposterous, than the American mode of extracting the duties on goods carried by the British Subjects from Canada into the American Territory, upon a *scale of calculation* that in its *principles* might in some cases subject them to the payment of nearly double duty, and in no case on articles rated ad valorem, does it amount to less than an eighth part more duty than is paid on the like articles by an American at an Atlantic Post.

Surely such could never be the meaning of a Stipulation about duties made for the very purpose of assuming equality in that respect, to Indian Traders, whether British or American wherever they might come into contact.

The Memorialists have for some time seen progressing with extreme concern a systematic plan to drive the British Indian Traders from the American Territory by every species of vexation; and they must soon succeed, if His Majesty's Government does not take up their cause with decision, for it was with feelings of a very unpleasant kind, that they found the Negotiators with America appointed under the late Minister postpone the discussion of their grievances, (although fully represented) to an indefinite period without any Stipulation for the cessation of those fiscal extortions, under which they were and are in the meantime suffering.

If therefore, the minds of His Majesty's Ministers shall be made up to the loss of that portion of Indian Trade carried on within the American Territory (which indeed is nearly the whole excepting the North-West) and to the extinction of influence among the Indian Tribes as above said, then, in such case, it will only be necessary to obtain reimbursement to British Traders of past fiscal extortions and indemnity for the losses and damages consequent upon the late seizure of the property of the Michilimackinac Company, as also a consideration for the abandonment of their establishment in the Indian Country. But if His Majesty's Government shall consider such Trade and

influence as fit to be preserved, that can only be done by obtaining reimbursement and indemnity forthwith in respect to the past, and assurance of exemption for impositions and vexations in future. And further the Memorialists are of opinion that if British Traders do not obtain the right of going to the West side of the Mississippi to trade, as heretofore (the exclusion from which the Americans are now about rigidly enforcing, upon pretext of that Country not being comprehended in the Treaty of 1794) they must in any event soon abandon the Trade to the east of the Mississippi, as an object not worth pursuing.

The Memorialists consider it proper to add that they are able to substantiate the various facts herein set forth.

They therefore most respectfully entreat Your Excellency to lay their complaints and observations before His Majesty's Ministers that such measures may be adopted as in this wisdom shall seem meet, for obtaining the needful redress in the premises, and they were ever pray &c.

Montreal, 20th October, 1808. FORSYTH, RICHARDSON & CO.
 M'TAVISH, MCGILLIVRAY & CO.
 JAMES & AND. MCGILL & CO.
 PARKER, GERRARD, OGILVY & CO.

Estimate of the Loading of Eight Batteaux or Boats, the property of the Michilimackinac Company, seized on the Waters of Lake Ontario and in the Entrance of Niagara River by John Lees, Collector of the American Custom of the Port of Niagara on the 21st, May, 1808, with the various Expences and Damages incurred in consequence of said Seizure.

Prime Cost and Charges at Montreal of the goods.....	5218.11.5
The Expence of These Boats, including Men's wages, provisions, &c.....	828.6
Expences incurred by desertion of Men in Consequence of the seizure, Men's Wages to replace the Deserters, Provisions.....	570.13.7
Expences incurred by Messrs. Michaels & Nichols on their mission to Washington & Mr. Bleakley's to Niagara.....	225.
Injury sustained by the Seizure in detrainment of the Trade, &c. &c.	

Our Business was at a Stand for a considerable time, not knowing whether the rest of the Boats might not meet the same fate, the progress of our Affairs was thereby arrested at St. Joseph, and the whole of our Goods to make out our Outfit eventually disassorted which were in consequence made very deficient and incomplete more particularly with respect to Guns, Gunpowder, Blankets, Articles indispensable in our Trade, from this circumstance results many doubts in the minds of people in general, and particularly with the Indians with respect to our rights within the American Jurisdiction, which threw a damp on our Credit in the Country, and may lead to the most injurious consequences..... 20,000.

STERLING 26,842.5.4
 Montreal, 20th October, 1808.
 FORSYTH, RICARDSON, & CO.
 McTAVISH, MCGILLIVRAY & CO.
 JAMES & AND. MCGILL & CO.

PARKER, GERRARD, OGILVY & CO.

Endorsed: - Memorial of Merchants at Montreal, 1808.

It was accompanied by the following letter addressed to the Governor General's Private Secretary.

Montreal, 15th Dec. 1808.

Dear Sir,

The propositions before Congress for non-intercourse will, if carried into Law so seriously affect the interests of the Michilimackinac Company who have a very large property now within the American Territory in the Indian Country and the nature of *whose Trade* requires expensive preparations to be made during the Winter, for that of next season, that it is of essential importance to them, to ascertain with as little delay as possible, whether the non-intercourse is intended to do away the permanent part of the Treaty of 1794, or if there is to be a special exception in regard to the Indian Trade carried on by British Subjects from Canada, as was the case in the existing non-importation and embargo Acts. -- I am therefore directed by that Company to request, you will have the goodness to communicate to His Excellency the Governor in Chief, their intentions of sending to Washington a person with a Letter to His Majesty's Minister there, for the purpose of soliciting his aid to ascertain the intended operation upon Indian Trade from Canada, of the said propositions.

They most respectfully entreat His Excellency, that he will be pleased to recommend to Mr. Erskine, the obtaining the information in question, as involving momentous consequences to the property and interests of many British Subjects.

The person intended to be sent to Washington, will remain for Mr. Erskine's answer, and will be one in whom every confidence may be reposed, as to safe delivery of any despatch which His Excellency the Governor in Chief may see fit to send, as also to bring safely back any despatch which may be confided to him, but will not possess sufficient understanding to be entrusted with personal communications, being only a faithful servant, who is acquainted with the route and mod of travelling in the States.

He will pass through New York and could leave with His Majesty's Consul there, any dispatches or letters intended for England by the Packet ---

I have therefore very respectfully, to request His Excellency that such dispatches as he may be pleased to send for that conveyance, be transmitted to me as early as his convenience will allow of ---- I am with respect and regard, Dear Sir, Your most Obedient and Humble Servant. JOHN RICHARDSON, on behalf of the Michilim's Co. Herman W. Ryland, Esquire.

Endorsed 15th Dec. 1808.

From Mr. Richardson.

The writer of the following letter was for many years on of the principal merchants of Niagara and its first Post Master, a Justice of the Peace, and Commissioner of Highways.

FROM JOSEPH EDWARDS TO WILLIAM HALTON

Niagara, 29 December, 1808.

Dear Sir, -

It is rumoured here that Government are about to dispose of the Land at the Sixteen Mile Creek in this District (containing the Salt Springs) upon certain terms.

Being at present out of business and of a disposition for exploring, I am vain enough to imagine that in the possession of them, they would be of greater benefit to the Public than they are at present. At the same time, far be it that I should in the most remote degree Aim at the rights of others. A line from you on the above subject will greatly oblige.

(Sundries, U.C. 1808.)

James Crooks was another energetic merchant, who was one of the first, if not the very first of the persons, who shipped flour to Lower Canada. He had lately married Jane, eldest daughter of Thomas Cummings of Chippawa, who was engaged in the same business. The right of developing water power above Niagara Falls had been the subject of many previous applications.

FROM JAMES CROOKS TO WILLIAM HALTON

Niagara, 16th March, 1809.

Sir,

When at York a short time ago, I had the honor of submitting to the consideration of His Excellency, the Lieut. Governor the Petition which I now beg leave to inclose the prayer of which is to solicit a Grant of some small Islands in the River Niagara, nearly Opposite to the Bridgewater Mills, with the view to the erection of similar ones and other Machinery, of which this flourishing part of the Province placed under His Excellency's care stands greatly in need of ---

I owe an apology for obtruding again upon His Excellency's most precious time, after the answer he was pleased to make, that he could not grant Islands, but the importance of the Application as well to myself as to the Country impels me in the hope that His Excellency, viewing it in relation to the latter, may be pleased to point out the channel thro' which application should be made. And by giving his sanction, promote it. Should His Excellency be pleased to give to this application any of his attention, you will by communicating confer a favor on.

Sir, Your Most Obedient &c.

JAS. CROOKS

(Sundries, U.C. 1809.)

John Warren, who had entered the army as a Drummer boy, had been assistant Commissary General at Fort Erie for about thirty years and when it was created a Port Of Entry, he was appointed Collector of Customs and Inspector of Flour and Pot and Pearl Ashes. He retained the former office until his death. He was named as a Magistrate in the First Commission of the Peace and commanded the Third Regiment of Lincoln Militia for many years.

FROM JOHN WARREN TO WILLIAM HALTON

Fort Erie, 6th April, 1800.

Sir,

His Excellency, the late Lieutenant Governor was pleased to grant me the appointment of Inspector of Flour and Pot and Pearl Ashes for the District of Niagara, my

advanced Age renders me incompetent to the Duty, I therefore beg leave to submit to His Excellency Lieutenant Governor Gore, the propriety of my resigning said appointment, humbly requesting his permission to do so. It is not for me to presume to recommend any Person for the Appointment, yet I humbly beg leave to say I do not know any Person more fit than Mr. John Muirhead of Chippawa, nor should I even have attempted to mention him, was it not that His Excellency's goodness might induce him to think that I might wish it for one of my Sons, which I really do not, nor would the appointment suit them. --

(Sundries, U.C. 1809)

The imposition of fine upon indigent offenders some times was attended by awkward consequences and required the intervention of the Magistrates to obtain a remission of the sentence.

PETITIONS OF MAGISTRATES OF NIAGARA

To His Excellency Francis Gore Esquire, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.

The respectful representation of the undersigned being Justices of the Peace in and for the District of Niagara.

Humbly Sheweth,

That at the last General Quarter Session of the Peace held at Niagara, in the month of April now last past, certain men named John Shaw, James Conway, Elisha Bundy, Cornelius Barns, J.V. Lambert, James Harris, and William Ingram, were indicted and convicted of an Assault and false imprisonment on the person of one Zach. Harvey, a Citizen of the United States.

That the judgment of the Court was that each of them should pay a fine to the King of Ten Pounds Currency besides an Imprisonment of two months in the Common Gaol.

That the term of their Imprisonment is nearly expired, but they are totally incompetent to pay the respective fines imposed upon them, and that without Your Excellency's benign interposition, they must suffer a perpetual imprisonment.

The Justices aforesaid have further to represent to your Excellency that the Circumstances that have since come to their knowledge, had these been known at the time, the Fines would not have been imposed or at least greatly lessened.--

Wherefore the undersigned Justices respectfully request Your Excellency would remit the aforesaid Fines as imposed on each ---

SAML. STREET, J.P.; ROBERT KERR, J.P.; ROBT. ADDISON, J.P.; J. BALL, J.P.; THOMAS DICKSON, J.P.; THOMAS CLARK, J.P.; J. MURIHEAD, J.P.; JOHN BALL, J.P.

Niagara, 5th June, 1809.

(Sundries, U.C. 1809.)

Since the organization of the province, a considerable number of Mennonists and Tunkers, mainly Germans from Pennsylvania had come in and settled, for whose encouragement an Act had been passed in 1793 by the Provincial Parliament exempting

them from service in the Militia on certain conditons. Their sons were now becoming liable to enrollment on attaining the age of sixteen.

THE PETITION OF MENNONISTS AND TUNKERS

To the Honourable the Speaker and Members of the House of Commons of Upper Canada in Parliament assembled:

The Petition of the Society of People called Mennonists and Tunkers, Humbly Sheweth:

That by an Act of the Province, passed in the thirty-third year of His Majesty's reign. Your Petitioners, after producing a Certificate from three of four respectable people, one of whom must be a Preacher in the Society to which they belong, shall pay in time of peace, Four Dollars a year, and in time of invasion or insurrection Twenty Dollars a year, for which favorable law and liberty of conscience we are thankful to God and the Government under which we live. And whereas many of Our Sons now under age and incapable of judging in matters of conscience, are not as yet actually considered as Church members, and cannot of course secure the necessary certificates, we therefore humbly pray the same indulgence may be extended to them that is granted to ourselves, that is that they may be exempted from serving in the Militia by paying the commutation money until they arrive at the age of twenty-one, or until they be admitted as Church Members.

And Your Petitioners further pray that your Honourable Body will take into your consideration the many difficulties which poor people, with large families, have to labour under in new settlements, and if you in your wisdom should deem meet to lessen the burden of our commutation money Your Petitioners, as in duty bound, shall ever pray.

This Petition, which was read in the Legislative assembly on the 10th February, 1810. was signed by two preachers, two elders and thirty-five members of the Society of Mennonites and Tunkers, who had become numerous in several townships of the Niagara District. Another petition to the same effect, read the same day, bore thirty-four signatures, mostly in German script. An act was accordingly passed during the session for the relief of minors of the Societies of Mennonists and Tunkers.

The discontent existing among the Six Nations is shown in the following report from a Veteran Interpreter, frequently known by the name of St. John, who had removed from the mouth of the Humber River to Ancaster, where he had built a flour mill, and in subsequent minutes of a Council held with them.

FROM J. B. ROUSSEAU TO WILLIAM CLAUS

Ancaster, March 1st, 1809.

Sir,

I have taken the earliest opportunity to transmit to you (John Fraser) an exact Translation of a speech made in Council by the Six Nations of the Grand River held at the Onondaga Village relative to their Land Affairs as well as respecting the White Settlers on the said River and within its vicinity --- I met them in Council pursuant to your desire and also their request.

They have proposed to send you their resolves made in Council in Writing (which is according to a report made to me by John Fraser) but should it not come to hand in due time, you can depend upon the reality of the inclosed.

Why I say so, is because I have understood that since I left them, they have either Added or Altered their minds in some respect.

During the time of the foregoing part of the Council Harahogah and ten others of the Tribe (of Mohawks) including Doctor Aaron seemed to agree to the resolutions of their Brethren excepting when it came to the determination of Mr. Jones's land which did not appear consonant to his & their opinion, and in some consequence thereof, they left the Council before the issue of the business was closed. The different Nations met in Council were the following: - Onandagas, Senecas - Lower Kayugas - and the great part of the upper Kayugas excepting the little Chief Kachanion - Tuskarorias - Oquagas - excepting Joseph, and the Oneidas - A Tuskarora Indian has lately arrived from the United States and used his influence among them exorting them to leave off the use of spirituous liquors, his prevalence has had the desired effect for the present - how long they will remain in sobriety will be better known hereafter. They have not appointed a number sufficient to transact their business, which was according to request last Fall but instead of following your desire have only nominated a few - which will more fully appear at their arrival at Fort George - with the translation of their Speech -- for which purpose they are merely nominated to deliver the speech to you - its probable I shall be down about the time that the Indians deliver you their speech & if any difficulty should take place perhaps it may be in my power in explain it. The two Hurons was detained at the Council place about one Day. I am Sir &c. J. B. ROUSSEAU.

Wm. Claus, Esqr., Dy. Supt. General. Indian Affairs &c.

P.S. I attended Council for the space of five Days before their business came to a determination. (Claus Papers, Vol. 9, pp. 259-260)

PROCEEDINGS OF A COUNCIL WITH THE SIX NATIONS

At a Meeting held at Fort George - Council House - Friday 10th March, 1809 - With the Chiefs and Warriors of the Six Nations and the Grand River.

After the D.S.G. returned their Message (4 strings of Wampum) & saluted them, Old Paterson, a Mohawk got up and spoke as follows:

Brother

I salute you in the Name of all the Nations from our place & desire you to listen to me you have many branches of business to attend, but we have something now to communicate to you that comes from the bottom of our Hearts.

When any business is to be done, the Chiefs first assemble & consult & when the Chiefs find it of such a Nature that they can not settle it, it is referred to the Warriors & should they not agree, the Women take it up those customs are well known to you.

Brother

When we first got acquainted with White People, we had a person Peter to instruct us in our business after this Man your gd.father Sir William Johnson came to his place, he was our friend and when he gave us anything to drink he always told us to take it off from that _____ Name he was very kind to us & never let us want he gave us every thing in good humour, he got acquainted with our customs & manners & told us he thought he would put us in a better way of doing our business, his advice to us was to listen always to our Father, the English King but that if we attended to the French, that we would fall, we saw his words were strong & told him we will attend to them it is a strait road & we shall certainly follow it & that we would always have some young men

on the watch & if any danger appeared, he should know it & he promised to do the same by us & cautioned us against the white people who were making Settlements on the River & held us strong by the hand that none might break us loose from the King & said Our Arms should be hung with silver that it might not take rust now.

Brother

I have explained to you the whole of the early proceeding between your forefather & us, it is our firm desire that we should walk in the same road, all the Chiefs here present remember those transactions & we remember he gave us every assistance when we were disturbed on the River, he used all his influence to keep us united & we hope his gd. Son will do the same for us -- We still remember that when he laid down his head that we would have some difficulty.

Brother

the Bad Birds still fly about to you & us. We bury this & not listen to them.

Old Clear Sky then addressed the Chiefs & Warriors & said after they consulted together on public business, they according to their old custom communicated the result to the Kings fire & that our young Chief Blank will speak & we desire the Supt. to listen.
_____ Spoke.

Brother

You who have the charge of our Affairs listen to us I speak as the Six Nations what I say now is their words and sentiments therefore listen attentively -- we did not finish our business at the long House but have since here.

Brother

The people our Brethren on the other side (Buffaloe Creek) have given up their claim to the Genl. Council fire & it is kindled at the Gd. River at the Onondaga Village - the last business done here was much to your satisfaction, you expressed yourself so, it was so to us, it united us in a great measure therefore it must have been gratifying to us, but there still appears to us some difficulty which we will relate to you, I am very sorry to inform you that notwithstanding all that the Chiefs have done, that there is Something that affects us much & you also notwithstanding the Belt passed all round the Nations there is still something necessary --
Brethren (addressing the Indns.)

Listen to me when at the Head of the Lake last Fall, the business was deferred untill we met at the Long House as there was something yet that was not right.

Brother

You then strongly recommended to us to consult together at our Council fire & try our utmost to come together & let you know, you requested us by Wampum to strengthen ourselves & be one & we came together & agreed upon our public concerns & wished to appoint 15 or 20 Principal Men to transact the business for the whole of the Nations on the Gd. River, for these purposes we have used our utmost endeavours, but have been so unfortunate as not to succeed. I regret to say that you see two parties before you, but do not look on us as the aggressors, we are the Chiefs & great men, one thing is the cause of our misfortune. Land. If that was removed, we might perhaps come together, I wish you to comprehend me, it is not the large party that makes this difficulty -- we have come to lay the business before you & request you to assist us, we have laid

the business before you & call on you for your help & we think you may be the means of doing every thing for us that we can wish & we have also made up our mind to keep our lands, it never was the King's intention that we should part with them, we do not want to throw them away, what has been confirmed we have nothing more to say to, & also some where there has been people settled for some time, but there is others we wish to speak about, those latter lands may be of some benefit to our rising generation.

Brother

About 5 years ago we began to get some insight into our land business at the Council you held at the Grand River, at that time we came to an agreement that you should have the charge of our money, we wish to have some Security for the property sold, the King pays you & we wish you to continue the charge of our money & we request that the Governor would have the goodness to get us an acct of our money that is lodged in the Funds & the Interest arising therefore Annually.

Brother

We have been very foolish & parted with our lands, we have grown wiser, the Land sold to Steadman it appears great difficulties have arisen, if we can with justice, we wish to have it returned to us.

A tract of land on the governor's road has been laid out, as We are told, for the payment of Surveys, we know nothing about it & wish it to be withheld, again there is another man at the head of the Chippewa (Canby) who has got land on the same road, it will make us poor none of the Chiefs know any thing about either & lower down Mr. Mallory has got a piece of land, we know nothing about any of them. A number of families who have settled on the road to Long Point (Mount Pleasant) we receive no advantage whatever from them we wish that it may be leased for 20 years that we may get something for them & at the expiration to revert to us, there is one man in particular And. Nelles we wish your attention here also -- The Lands for D. Kou's child & Brant Johnson we wish to remain just as they were neither to strengthen nor to weaken them, there are some people on Fairchild's Creek who are settled there without our knowledge, that Land on the road from the Head of the Lake was given to Captain Brant we wish confirmed to Mrs. Brant.

Brother

I now go down the River there are some there in the same Situation without our knowledge, by the Delaware Village, there is a Tract of Land for a Surveyor of 4800 acres, we do not know anything about it, we wish it to be thrown into our Lands again this is Mr. Aron & the lower Kaugas doing by the advice of Mr. Phelps. It has been the wish of some to divide the Lands & the line to cross by Mount Pleasant, this we never would consent to for many reasons, it would in the first place make a final division among us, & again as we are living in the Heart of Our Father's Country we ought to be as one in case of any trouble that we might give him all our assistance in his trouble with his Enemies.

Brother

Here he repeated the speech delivered them by the Governor on his arrival in the Country.

Brother

We now request you to make him acquainted with our wish & that we may have a Deed for our Lands that remain as the white people are constantly throwing it up to us that we have no Land.

NOTE: With a View that they should get a Deed that they may Rob you of your Land - Three Names were mentioned John Thomas, Weir, Nellis.

We now come to the loss we have met with in our Mill being burnt, we remember the Govr., who died at Quebec sent a man to look for a good place to build a Mill for us when the old Mills were burnt. Some years ago but he heard that Captain Brant was going to build a Mill & he stopped, we now in the Name of all the people on Gr. River ask our Father to Build us a Mill to grind flour & make bread as he did for us before we have also to ask our Father to Build us a Mill to grind flour & make bread as he did for us before we have also to ask of him to change the school master that we have as he will not attend to the Children & we wish to have a man to speak English.

11th March the Chiefs assembled at the D.S.G.'s Quarters & after examining the plan of the Grand River & pointing out. Several laces that were occupied by people that they conceived had no right to settle on them finished by the Onondaga Chief laying his hand on a Spot of Land at the Mouth of Grand River & saying

Brother

The person who has been working for our benefit in our Land Affairs for these 5 years (William Dickson) we think we ought to give him something, we therefore agree to let him have this Spot of Land at the Mouth of our River, but we expect that he will always give us his advice & help us with our Lands and all other matters and where the Land is required, he may be absent or Sick we expect that in that case, he will find some body to do anything that may be wanted by us.

Fort George Council Room. March 13th, 1809.

Present:

Col. Procter Commanding; W. Claus, D.S.G.; Major Short, 41st Regt.; W. Saunders Lt. & Adjt. 41st Regt.; Alex. Eager; Thos. Barnard, Ensign, 41st Regt.; David Price; Benjamin Fairchild; J.B. Rousseau Interpreters.

Blind Paterson spoke:

Brother

The Great Spirit has been pleased to let us meet this morning at Our Father's Council Fire to Speak in the presence of our Brothers, the Officers of the Fort we return thanks to the Great Spirit & open your Ears that you may hear & your Eyes that you may see.

Brother

We met you here 3 days ago & talked over all our own old & early promises with our forefathers & yours & I will now repeat the Same in the presence of our Brethren, the Red Coats.

Here Paterson repeated what past on the 10th. The young Onondaga Chief then spoke:

Brother

Listen, we now have met to finish our business here we have told you before all that we have been about at our Council at the Long House we have spoke about our Lands & now agree that the Surveyor (Jones) may have half of the Land at the Govr's Road (600 acres) but no more.

We have many difficulties among our other white people that are settled on our Lands, they steal our Hogs, work our Horses & we can get no redress & when we speak to them they throw it in our faces that we have no land & the upper part of the River, we are told is not ours but belongs to the Chippawas this is very hard & we hope you will assist us, the Lawyer who helped us so long we wish to have confirmed to him the Land we give him at the Mouth of the River & for which we expect he will always give us his advice in Land business & help when those people rob us of our Cattle upon these terms we give him the Land & we expect that he will give him the Land & we expect that he will give us in writing that assurance, and that the D.S.G. & the Comdg. Officer will sign it.

Brother

We have something more to mention to you a Lawyer (Mr. Borthwick) came to us some time ago & asked us for payment of a Note of hand this some of our Chiefs Lent their Names to for W.K. Smith & told us we had better pay him quietly that if we did not he would put us in Gaol this hurt us much now Brother, we hope Mr. Dickson will help us in these matters with your assistance ---

Old Clear Sky

Chiefs & Warriors -- It is customary among us when any person has any concern with us to give him a Name that we may know him the person whom we have given some Land to for doing Land business for him we call four Eyes -- by which we shall after this know him.

W. Claus, D.S.G.

(Claus Papers, Vol. 9, pp. 263-179.)

At the Fall assizes a strong recommendation to mercy was made by the Petit jury for one of the early settlers of Stamford, who had been convicted of some unnamed offence. It was supported by a Petition signed by a number of the leading magistrates and may their respectable resident.

RECOMMENDATION OF THE PETIT JURY

The King Vs. Silverthorn.

The Petit Jury in finding a Verdict in this case are governed by the evidence before them, but being all of them personally acquainted with the Prisoner, and some of them from his youth to this time, beg leave to state to the Court that his demeanour tho' life has been peaceable with this one exception -- That he is an honest man, and has by his industry and frugality acquired a handsome property -- He has a large family who are deeply interested in his fate: the Jurors therefore, separating his general conduct from the

substance of the evidence given against him in this case beg leave to recommend him to the mercy of the Court.

Niagara, September 29th, 1809. S. Street, Jr.; Abraham Bowman; Archibald Thompson; Chas. Willson;

Endorsed in Pencil : "Pardon". John Thompson; Ebenezer Skinner; Thos Cooper; Adam Bowman; Aaron Crane; John Know; John Burch; Adam Hutt.

THE PETITION OF MAGISTRATES AND OTHERS

To His Excellency Francis Gore Esquire, Lieutenant Governor of The Province of Upper Canada, &c. &c. &c.

The Petition of the undersigned Magistrates and Inhabitants of the District of Niagara. Humbly Sheweth,

That most of your Petitioners were present at the Trial and conviction of John Silverthorn of the Township of Stamford at the Court of Over and Terminer last holden for the District of Niagara.

That they were impressed with sentiments that such Trial and conviction was had upon the strongest Evidence under the most humane and tender Charge from the presiding Judge and that the convicted had the most fair and impartial Trial.

That your Petitioners feel that the solemnity of his Trial and the exposition by the Court of the existing Laws must have impressed upon every hearer the aggravated Crime of which he stands convicted and cannot fail as effectually to restrain the Commissioner of a like Offence as if the sentence of the Law was carried into execution.

That the unhappy Object of this Petition is one of the earliest Inhabitants of this Colony and his Character and conduct precedent to the act for which he has been convicted has been such as to approve him a firm adherent to His Majesty's Government and induce a ready obedience to the Laws of his Country.

Therefore, we his Majesty's most dutiful and loyal Subjects humbly beg leave to recommend to your Excellency the unhappy convict as an Object of His Majesty's regal mercy and compassion.

J. MUIRHEAD	WILL CROOKS	J.P. BALL	ROBERT KERR
AMOS CHAPMAN	JOHN SYMINGTON		JAS. COFFIN
RALFE CLENCH	JAS. CROOKS	JNO. POWELL	(ILLEGIBLE)
S. HATT	T. BUTLER	JOHN MUIRHEAD	JOHNSON BUTLER
JOHN McEWEN	ROBERT NICHOL	WILLIAM McKEAN	
JOHN J. LEFFERTY	ISAAC SWAYZE	WILLIAM J. KERR	JOHN CLARK
JAMES SECORD	WILLIAM CHISHOLM		A. CAMERON
GEORGE HAMILTON		THOS. CLARK	JOHN McKERLIE
CALVIN BANISTER	WILLIAM GILKISON		JAMES COOPER
JOHN REILLY	BENJAMIN CORWIN	ADAM SPENCER	
PETER WRIGHT	JONATHAN DOAN		

A Letter from George Hamilton to Charles Askin, dated at Queenston on the 19th December, 1808, announced the serious illness of his father, which eventually proved fatal, and his fears of an unwise third marriage, then apparently not improbable.

"I have but a Moments time to answer your kind letter of the 5th Instant, which I only received yesterday – I can easily forgive you for not writing to me, as it was as

much my fault as yours. I am sorry to say my Father has been confined to his bed for this Week past with a severe cold, which settled in one of his knees & has given him such pain, as to prevent him almost from sleeping or eating since -- & Unfortunately to add to the evil the Doctors Mistook the complaint entirely, were applying things that only made it worse, however yesterday they found it out to be an Erisipulus or St. Anthony's fire, & have altered their plan, the inflammation to day seems to have fallen into his ankle, and I hope with a few more applications they will be able to drive it away entirely.

"I thought Lyons Marriage would surprise you and I agree with you that it was the best thing he could have done, to add to his happiness he was a month ago blest with a fine thumping boy his very picture, I have likewise to ask your congratulations on being advanced to the dignified station of an Uncle, my Nephew is a fine little fellow & promises to be every bit as crabbed as his father (This child was Robert Hamilton, the third of that name, 1808-1868, son of the second Robert Hamilton.) --- Your friends Mrs. Conway & Smith have likewise been productive in the same way - Now for the Marriages James Crooks has been United to Miss Cummings (James Crooks and Jane Cummings, daughter of Thomas Cummings of Chippawa, were married on December 8th.) & William to One of the Miss Butlers (William Crooks and Mary Butler were married on December 1st). -- Our Friend Featherstone has also at last been favoured with the fair hand of that fickle Nymph Miss Duane - that foolish fellow Gallipeace to a Child of 13 years old & who has already twice left him at her Mothers instigation in order to draw Money from him to get her back -- She has a third time gone off to Buffaloe Creek & he, poor infatuated Devil has slipped after her with bag & baggage -- you will say this is all very pleasant News, but here follows some not so agreeable -- & will surprise you very Much. Could you or anybody else ever conceive so unlikely a thing to happen as a Marriage between my Father & the Widow Forsythe (Widow of George Forsyth, a Merchant & Magistrate at Niagara, who died in Sept. 1806) of all the women in the World but which I am afraid will be the case - I had observed & was pleased to see that my father was fonder of visiting his friends in Niagara, than usual thinking that the exercise would be of great Service to him & never suspecting the least what was going on until it was whispered to me a fortnight ago, that he was all this time busy in paying his address to the Widow - & I have since drawn out from Peter (Peter Hunter Hamilton, seventh son of Hon. Robert Hamilton and half brother of George Hamilton) that she One day when Peter was coming up took & locked him up in her Room & desired him to tell his father that it was a fine day to take a Ride & that the next week would be a good time to settle their business, he immediately after this Message set off in the Chair, his sore leg has intervened since that & she yesterday came up in One of the Worst days you ever saw to see him & remains here still notwithstanding

I have got both the Doctors to speak to her & to tell her how very indelicate & improper it was for her to remain here at this time. All his friends you may believe feel very indignant at the Idea of such a Match & have I believe talked him pretty severely about it, but I am afraid too late to do any good - He has never Mentioned the business to any of us, but if he does, I will tell him what all his friends think of it whatever may be the consequences to myself as I cannot bear the idea of making himself unhappy for ever without warning him of the consequences -- I mention all this to you my Dear fellow as I know it will be as safe with you as with myself - you Will take care in writing to me to inclose the letter to William (William Robertson, a Merchant at Queenston and a

maternal half brother of George Hamilton) or Lyons (Probably James Lyons, a Clerk for Robert Hamilton) or anybody you may be writing to with directions to give to myself - Your letter brought me the first news of your father's accident & we were glad at the same time to hear of his recovery - My father desires me to say that he cannot write at present but will by the first Oppy when he gets better - Pray have the goodness to answer this by the first Oppy that I may know it is come safe to hand - James has just come to take this down to the Post so I must conclude this long scrawl."
(Askin Papers, Dominion Archives)

A letter from William Roberston to Charles Askin written on the same day states that Robert Hamilton's condition was even then considered serious.

Queenston, Decr. 19th, 1808

Dear Charles,

"We are all happy to hear that your Father is so fast recovering the use of his arm -- to a man of his years, it was an unfortunate accident, you ought not to allow him to go out in any carriage without one of you with him - his loss to the Family would be lamentable -- I know well their affection to him.

He will be very sorry to know that our good Friend Mr. Hamilton is at present rather in a dangerous way - being some days ago at Niagara, he caught cold which settled in his knee -- it is much swollen, gives him acute pain and is attended with some Fever - I think the Doctors call it Eripselis - I was with him last Evening, he gave me your Letter to read -- enquired if you said anything of what you were doing - said he was afraid it was not much. I have heard him before express his surprise at your not writing him on this Subject considering the Interest he took in your Welfare, you must certainly have been neglectful if not worse.

With respect to your Memorandum, left with me the following letter from Jno. Warren Jr. will (in part) explain what has been done.

Fort Erie, October 13th, 1808.

Your favor of the 6th Inst. is now before me --- Capt. Chapin has not as yet delivered the Salt. I shall soon make a 2nd demand for the payment of his Note. Agreeable to your wish, I have disposed of the Vessel and rigging to the fellow who built her (Daylay) for eight bbls. of Salt -- all the rigging I could save is but little; all the small ropes & running rigging was taken as well as all the Iron that could be come at before I had any command of her - I think she is tolerably well disposed of - If the Fellow comes forward as agreed on.

(Signed) J. WARREN."

Mr. Warren has just arrived -- Chapin has gone down the Ohio and Daylay has not as yet performed his agreement. (Askin Papers, Dominion Archives)

White pine on all the Crown Lands had been strictly reserved for the benefit of the Royal Navy and the Surveyor of Woods and Forests had been consequently instructed to report where such timber was to be found to prevent depredations.

FROM MAJOR CHRISTOPHER HAMILTON TO WILLIAM HALTON
Fort George, 9th Novr. (1809)

Sir,

I think it my duty to state to you for the information of His Excellency, the Lt. Governor, that it has been reported to me that a Man of the name of Martin who is building a Vessel at the head of the Lake, is cutting a quantity of White Pine, which I understand is reserved for the use of His Majesty.

I have the honor to be, &c. &c.

C. HAMILTON

Major, 100th Regiment, Comg. Fort George.
(Sundries, Upper Canada, 1809)

The Sheriff of the Niagara District, who was also Surveyor of Woods and Forests was instructed to investigate and made the following report.

Niagara, 9th December, 1809.

Sir,

I received your Letter of the 11th of November and in obedience to His Excellency's directions, went to the Head of the Lake and made the necessary enquiry. I examined and found some Oak timber in Possession of Mr. Martin but of so little Consequence that I did not think it merited any attention, there was no White Pine cut on any Reserve. I informed him of the impropriety of Cutting Timber on His Majesty's reserve without permission, he said he was sorry for having cut the Oak Timber but would Cut no more -- I have the Honor to be &c.

THOS. MERRITT

William Halton, Esquire, York.

(Sundries, Upper Canada, 1809.)

A Proclamation was published as a result of this and other information on the 29th December, 1809, announcing that "Any Person cutting Timber on our Crown Lands ungranted, or on our Crown and Clergy Reserves," is guilty of a misdemeanour, subject for a first offence to a fine of 20 Pounds, or twelve months' imprisonment; for a second offence to a fine of 30 Pounds or imprisonment for eighteen months; and for a third offence, he shall be deemed guilty of a felony punished by transportation for seven years. All timber so cut was to be seized and sold for the benefit of the revenue.

A tattered and scarcely decipherable letter from George Hamilton to Chares Askin among the Askin Papers gives a further account of his father's declining health and damage caused by an astonishing Ice-Jam in the River.

Queenston, January 20th, 1809.

"Dear Charley,

I have this day received your short favour by the Mail... illegible..... Lyons swears the next time you play him such a slippery trick, he will send you a role of Wrapping Paper & let you pay the Postage & Squire William does not seem in much better humour. Every body here felt sorry for poor Laughton, that from his weakly appearance, his friends did not expect to see him again. We were not surprised to hear of the failure of the Detroit Bank, fortunately nobody here has any of his Excellency's paper, except the inclosed Bank Note 75 Dols. which my Father has desired me to tell you to make the most of (Established in 1806. Augustus B. Woodward, Chief Justice of Michigan was the President. General William Hull, Governor of the Territory was a

small stockholder. The names Richard Pattinson and William Gilkinson of Sandwich also appear on the list of Stockholders. Collections of the Pioneer Society of Michigan, Vol. VIII. P. 575. --- Do not write anything particular to myself at present or if you do put it on a piece of paper by itself for the Devil would have it in spite of your precaution. William Robertson unfortunately saw your letter inclosed in Lyons & Mentioned it to me before my Father of Course, I had to get it to tell him the news. When he asked me if there were any secrets in it, I had to tell him there was which seemed to give him uneasiness for which I was very sorry as he is not well enough at present to be put out of humour, tho' a great deal better since my last by a constant application of Poultrices they brought the matter to a head by making an incision have succeeded in draining a great deal of the (torn) humours out of it for this fortnight past but the knee is as much swelled as ever and gives him a great deal of pain when he attempts to put it to the ground, which I can only account for by the constant cold applications for a fortnight without any effect may have occasioned to detention of the humours above the knee & has given the Knee a numbness which I am afraid it will not soon recover, however we must hope for the best. The Doctors are not so much to blame as it was my Fathers earnest wish to dispell it if possible without making an issue in the leg but they should not have indulged a sick man so long in his own way when they saw it attended with no good.

The lady's business remains in Status quo and except (sic) for an occasional visit nothing I fancy will be decided on till he gets better. Your River is nothing in comparison with ours. About 2 weeks ago, we had some very violent Winds from the South West which broke up the ice in Lake Erie & drove it down in such quantities that for 3 days you could hardly see the water for the ice, when it was closed opposite our house, it only took an our to fill up solid to the black Rock with a Ridge in the Middle nearly upon a level with the Banks - in 4 hours afterwards, people were seen crossing over - the ice raised so very fast that we began immediately to take all the goods out of our lower stores & put them in our large one & 2 days ago, it only wanted 3 feet to overflowing the bottom. It has completely up sett McCormicks, (Thomas McCormick (1784-1867) a Merchant at Queenston.) & has raised our little one almost on one end, had not Mr. Clark (Thomas Clark), taken the precaution to fill his half full of stones, it would have gone like the rest as it is some thing racked & had the ice raised a little higher, nothing could have saved it, he has about 600 pounds worth of Iron in the Lower Store which he could not get away in time; both the Stores on the other side of the River are swept away with about 400 bbls. of Salt & some Whiskey & Pork for the American Troops. The wind is now again at South West with a Violent thaw & I hope it will take away the ice without any more damage. Sutherland has returned from Scotland without bring J. Robertson (His half-brother, John Robertson) with him, which he says was only owing to the Government not allowing any person to leave the Country without 2 weeks or a Month's application before hand, poor fellow. I hope that may be the only thing the matter with him but Sutherland like a blockhead left the letter in his trunk at Albany. I have just learned that it has arrived on the other side. --- Our neighbour, Phelps (Probably Elijah Phelps (1740-1843) an enterprising farmer in Stamford) Miss Hull & Robert Dickson (A noted trader in the Northwest, brother of Thomas Dickson of Queenston and William Dickson of Niagara and a kinsman of Hon. Robert Hamilton), set off yesterday for a jaunt to the States. Phelps returns directly, Miss Hull some time in April & R. Dickson goes to N. York & is not certain whether he shall come back here or

go to Montreal. We have a Weekly Club every week here for the purpose of reading the Papers & the person at whose house it is held, takes care to send over the River, & to Niagara for the Letters & Papers after reading them we play Cards till about 10 o'clock, when we sit down to a good supper & generally contrive to end the Evening very Jovially -- Its Mr. Dickson's to day & Jack Warren is waiting for this -- Don't you swear at me a little for making you pay the Postage for such long strings of Nonsense but you must only be revenged by sending me as long in return. Here we are all in very good health & wishing you the same blessing, I remain &c."

(Askin Papers, Dominion Archives).

The arrest of a band of Forgers in March, 1810, near Queenston, caused considerable excitement and eventually much embarrassment to the Magistrates. This event was briefly described in a private letter from James Kerby, then a Clerk for Thomas Clark to Charles Askin of Sandwich.

"A few days since," he wrote, "we Queenston Volunteers cheerfully turned out to apprehend, in our neighbourhood, Seven d__n Stout, Strapping Yankees (and would you believe that Mr. G. Drake is deeply in the plot) that have long been in the habit of Uttering forged Bank Notes to a very great Amount" -- knowing them to be such, they are all separately confined in Gaol. We can't at present say how it will terminate - but with more proofs, they will come under the jurisdiction of *hanging* - a bad fate." (This offence had become so frequent that at a session of the Provincial Parliament ending on March 12th, 1810, "an Act for preventing the Forgery and Counterfeiting of Foreign Bills of Exchange, and Foreign Notes and Orders for Payment of Money" had been passed.) Canadian Askin Papers, Vol. 16.

The discovery of an attempt to liberate the prisoners greatly alarmed the Sheriff, Thomas Merritt, who made an urgent appeal to Samuel Street, Chairman of the Quarter Session, for assistance on April 18th.

"I conceive it to be my duty to represent through you to the Magistrates in Quarter Sessions that the Gaol of the District is crowded with prisoners, many of whom are charged with Crimes of Forgery & that an attempt has already been made by a Person, apparently connected with them to introduce Clandestinely a file no doubt for the purpose of enabling them to escape."

"It is well known to many of the Magistrates that the Gaol is very insecure. The Timber being in many parts decayed and as it is uncertain to what Extent the Confederacy of Forgers and Coiners may exist, it must be Obvious to the Bench that the Sheriff with his ordinary Means has not the Power to Effectually Guard the Prisoners - It is consequently become necessary to provide Additional Means for Securing the County Gaol against all Attempts from without or within and at the same time by an immediate application to the proper Authority to procure a Commission for its immediate delivery.

"The Bench will do me the Justice to believe that every Exertion in my Power shall be used to prevent the escape of any of the Prisoners under My Charge, but I must press on the Minds of the Magistrates that with my present Means & in the present Situation of the Gaol, I cannot be responsible for the safe keeping of the Prisoners." An emergency meeting of the Magistrates was held at Niagara next day and by their advice, Mr. Street addressed a letter to the Lieutenant Governor.

"The Magistrates of this District in Sessions, taking into Consideration the very critical situation of the District Gaol, as faithfully detailed in the accompanying representation from the Sheriff, and the evil which would result to the Publick at large, should the daring Gang of Depredators now Confined therein escape the Punishment due to their crimes, have by their resolution, Authorised me to apply to Your Excellency for a Special Commission of Oyer & Terminer for this District, which I have now the honor to do.

"The Sheriff has so fully detailed this business that I have nothing to add thereto, but to express my Conviction and that of my Brother Magistrates, that unless a Commission does issue without delay, the Prisoners will escape and the ends of the Public Justice be thereby defeated. (Upper Canada Sundries, 1809)

It was not found expedient to grant this request but a Military Guard was detailed from the Garrison to protect the Gaol until the regular Assizes, when five of the men were convicted and sentenced. After having undergone a part of the punishment the prisoners petitioned for a remission of the remainder. Mr. Justice Powell, before whom they had been convicted, wrote on the subject from York on 21st March, 1810, to William Halton, Secretary to the Lieutenant Governor.

"Charles Norton, alias Philander Noble, William Smith Crane, Levi Kemble Roberts, Samuel Spring, and Joseph Harris were convicted at the last Niagara Assizes of a Conspiracy and sentenced to Six Months Imprisonment from the 25th September last. Pillory and a Fine of Twenty Pounds each. Imprisonment until paid & Security in 100 pounds each, & 50 pounds two Sureties for their good Behaviour for two years - They have represented to the Governor, their inability to pay the fine their Punishment will be perpetual imprisonment which would never be the Intent of the Sentence -- His Excellency in communicating their Petition to me as Judge of Assize expressed an Inclination to remit that part of the Sentence which continues the Imprisonment until the fine is paid, altho' in compliance to a Foreign Government. He declines remitting any part of the direct Punishments; I therefore think His Excellency may desire to be informed that the direct Imprisonment ends on the 26th instant."

When the court of Quarter Sessions met nearly a month later, the convicts were still in the gaol and their case came up for consideration. The magistrates wished to get rid of them and Joseph Edwards, who had succeeded Street as Chairman, was instructed to recommend their liberation. He wrote from Niagara accordingly on April 17, to Mr. Halton.

"I am requested by the Magistrates in General Quarter Sessions to represent to His Excellency the Lieutenant Governor, the situation of the four persons in the Gaol of this District under sentence for a misdemeanour in forging and uttering counterfeit foreign notes for the payment of money. They have undergone the Punishment of standing in the Pillory and the term pronounced for their imprisonment is (some time since) elapsed, paying their fines and finding security for their good behaviour are entirely out of their power, and must operate as Imprisonment for life.

"As such they humbly intreat His Excellency to exercise 'the most amiable part of the King's perogative' in granting them a free pardon for the remainder of the sentence. This their request they beg leave to assure His Excellency, is not on account of the burthensome expence (large as they have found it), that these Prisoners are to the District, but to prevent any attempt they might make to break Gaol, that (in their desperate case)

the natural love of Liberty might incite them to. Especially since the Commandant at Fort George has found it necessary to request that the Guard might be withdrawn, and which has taken place.

"The method of accomplishing this remission of the sentence was referred to Justice Powell for his advice, which he gave in a Letter to Mr. Halton on May 1st.

"When I did myself the Honor to submit to His Excellency's Consideration, the Case of the Convicts at Niagara, sentenced for a Conspiracy to defraud by forged foreign bank notes, it was to obviate the possibility of their sentence operating a perpetual Imprisonment in case of Inability to Pay the fine imposed on them.

"The mode of Relief, which I took the liberty to suggest was to remit so much of the Sentence as directed Imprisonment until the fine should be paid, and security given for their good behaviour - This may be done by Charter of pardon, not remitting the fine, but all Imprisonment, after the Six Months of Punishment, which will merely discharge them from Prison, without releasing the fine" --

FROM JOSEPH EDWARDS TO WILLIAM HALTON

Niagara 17 April 1810

Sir,

.....

I am also requested to represent to His Excellency what the Magistrates conceive an improper application of the Military reserve in front of the Town, in the permission recently given of a Mr. Staats, presented (among others) by a Mr. Spilman of his house, thereby not only spoiling the view but by encouraging similar applications have the effect of shutting up the Town by a Range of Pickets. They therefore humbly request His Excellency's interference in preventing the enclosure taking place.

At this Session, the Magistrates have approved of a plan of a Bridge of one Arch across the Grand River, nigh the house of a Mr. Staats, presented (among others) by a Mr. Spilman, the estimate, seven hundred and fifty pounds. Messrs. Hatts T. Clarke, Addison and others have come forward as his Securities, and so Soon as the bonds are completed, I presume an application will be made to His Excellency for the money, voted by Parliament the remaining sum being made up by Private Subscription.

I have the honor to be, &c.

JOS. EDWARDS, Chairman

General Qr. Sessions., Niagara District.

Major William Halton, &c. &c. &c.

(Sundries, Upper Canada, 1810)

The recommendation of the Magistrates for a remission of the remainder of the sentence passed upon the counterfeiters is shown to have been successful by the following order.

Lieutenant Governor's Office

2nd May, 1810.

Sir,

The Lieutenant Governor directs that you prepare a pardon to pass the Great Seal, remitting the Imprisonment of Charles Norton, alias Philander Noble, William Smith Crane, Levi Kemble Roberts, Samuel Spring, and Joseph Harris, convicted at the last

Niagara Assizes of a Conspiracy. I have the honor to be &c. &c. WILLIAM HALTON, Sy. The Attorney General.

On the 26th of February, 1811, Isaac Swayze, no longer a member of the Legislative assembly, having been defeated at the previous election by Samuel Street, again presented a petition asking reimbursement for his loss by robbery.

To the Honorable the Commons House of Assembly of the Province of Upper Canada.
THE PETITION OF ISAAC SWAYZE, OF NIAGARA,
Humbly sheweth:

That Your Petition did heretofore humbly shew to Your Honorable House that a burglary had been committed upon his house on the night of the 28th of January, 1806, at which time he was robbed of the sum of One Hundred and Seventy-Eight Pounds, Provincial Currency, then in his possession, and received by him as Inspector of Licenses for the District of Niagara for duties on Shop, Tavern and Still Licenses issued 5th January, 1806, exclusive of private property and money received on account of the District of Niagara, and that Your Petitioner was at the same time very dangerously wounded.

Your Petitioner now begs leave to press upon your consideration the honorable testimony of such facts as were then adduced by him, on which your resolution of the fifth day of March, 1807, was founded; and humbly prays that relief which in your wisdom you shall think the circumstances of his unfortunate case may require. And Your Petitioner, as in duty bound, will ever pray.

ISAAC SWAYZE

Crowell Wilson of Crowland, then moved, seconded by Allan McLean of Kingston, for leave to introduce a bill for the relief of Isaac Swayze, but the motion was lost.

The royal instructions to Lord Dorchester in 1791, had commanded him to direct the Surveyor General to report in all surveys made for settlement, whether there were within such survey any lands fit for the production of hemp or flax. Ten years later, in compliance with a circular letter from the colonial Secretary, General Hunter had requested the provincial parliament to give such encouragement as seemed necessary to stimulate the cultivation of "an object of the highest importance in Europe" at that time. An Act was accordingly passed approximately 250 pounds for the purpose of purchasing and distributing hemp seed gratis among the farmers and 500 pounds to be expended in premiums and bounties for the cultivation of hemp. The Lieutenant Governor was asked to appoint a Board to encourage the culture, dressing and exportation of hemp. Hon. John McGill and Hon. D.W. Smith were the first Commissioners appointed, and in 1803, Hon. Thomas Scott, the Attorney General was added to the number. In 1804, one thousand pounds were voted for the same purpose and James Baby, Richard Cartwright, Robert Hamilton and William Allan were appointed Commissioners for the purchase of merchantable hemp at the rate of 40 pounds Halifax Currency per ton. Thomas Talbot was added in 1809 and on the death of Robert Hamilton, Joseph Edwards was appointed his successor. Premiums were awarded by the London Society for the encouragement of Arts, Manufactures, and Commerce, and a further grant was made by the Provincial Parliament in 1808.

FROM JOSEPH EDWARDS TO WILLIAM HALTON

Niagara, 9 August, 1810.

Sir,

As Commissioner for the purchase of Hemp, I have lately been applied to by a Mr. Staats of the Grand River to take from him a Ton. Mr. Richard Hatt having also informed me that he will shortly have some to deliver for Sale, and having no public money for that purpose I am induced to apply through you to His Excellency, the Lieutenant Governor for the price of two or three Tons, and to request that the Warrant, may be made to William Dickson Esquire who I have duly appointed as my Agent for that purpose. I have the honor to be, &c. JOSEPH EDWARDS, Commissioner for the Purchasing of Hemp.

William Halton, Esq. York.

(Sundries, Upper Canada, 1810)

William Claus' eldest son had obtained a commission in the Regular Army and had been ordered to join his Regiment then stationed in Jamaica. This led to some interesting correspondence with Lieut. Colonel William Samuel Curey, who had been military secretary to General Hunter and had been granted the maximum allowance of twelve hundred acres of land as a reward for his services, which he wished to sell.

FROM JAMES GREEN TO WILLIAM CLAUS

Quebec, 5 July, 1810.

My Dear Claus ---

In consequence of your letter of the 11th June delivered by Mr. Crooks, I immediately conveyed the 400 acres in Grimsby belonging to Lt. Colo. Curry, for which Mr. Crooks paid me 150 pounds -- which Sum I remit by the Owen Glendower the 10th Instant to Doctor Curry agreeably to Lt. Colo. Curry's instructions -- the Conveyance could not be perfected when Mr. Crooks was obliged to take his departure by the Steam boat, but I afterwards delivered it to Capt. Evans conformably to Mr. Crooks' Instructions. Lieut. Governor & Mrs. Gore have received every possible attention from Sir James Craig. Since their arrival, we have had nothing but feasting -- and dancing and the like -- they came very opportunely to attend the Races today -- General Brock gave a dinner to the two Governors to day, and a Ball to as many Ladies as his room could conveniently contain -- they danced in two rooms to the Band of the 8th Regiment - which unquestionably is the best Military Band I ever saw, both in point of Numbers & fine execution on their Instruments. -- Capt. Selby of the Owen Glendower gave a Superb dejeuner on board his Ship the day before, which was conducted in a superior Stile - Lt. Govr. & Mrs. Gore were received with 13 Guns - Capt. Selby is a most excellent character --- devoid of that Pomp you often meet with in Naval Characters --- To day the races begin -- dinner at the Bishops --- Play in the Evening -- To morrow races -- dinner at the Chateau to a Number of Ladies & Gentlemen -- and Race Ball at the Hotel in the evening -- Races again on Fryday and Saturday -- on Sunday, I presume the Governor will return in order to transact some indispensable business in his Province.

Governor Gore has been very attentive to me, he favors me with a long visit every morning at the Office -- he called on us an hour after his arrival with Colo. Kempt.

Adieu my dear Sir. Accept best wishes for yourself, Mrs. Claus & your family
from me and mine, & believe me to be, Ever Yours,
(Claus Papers, Vol. 10, pp. 9 - 10) JAMES GREEN

FROM WILLIAM CLAUS TO LIEUT. COLONEL W. S. CURRY

Niagara, 16th Sept. 1810.

My Dr. Curry,

Your letter of the 26th Oct. 1809, I had the pleasure to receive telling me of the safe arrival of my son William at Jamaica. I have seen by the Gazette of the 18th Novr. 1809, that there was a mistake in William's appointment to the 54th Regt., which I assure you Mrs. Claus & myself, most sincerely regret, yet I flatter myself with the hope that your friendship will be the means of bringing the business to a happy end. Should he be removed from under your friendly care, that ease of mind which has prevailed in both Mrs. Claus & myself since with you will vanish, & be left in a constant state of anxiety. Our only consolation if he is to be secured to an Ensigncy, you will have it done.

The French influence has reached the Lower Province. Sir James Craig has five or six Canadian Lawyers, Notaries & Members of the Assembly in Gaol (Bedard, Blanchette & Tachereau of Quebec) being detected in a Treasonable correspondence with the French Ambassador at Washington -- he dissolved the House again last Winter, he acts with decision & does not trifle with them as did Lord D. & Sir R. Milnes. Your Lands I have left nothing untried to dispose of -- only 300 Ares I have got off & to receive 7/6 pr. Acre in Cash, on giving the Deed but it will be some time before that can be done as Green will have to execute the Deed & to him I shall remit the Money as soon as pd.

Since your favor of the 26th Octr., we have not heard from Jamaica. We are at a loss for Wm's. Silence. I should have been glad to have heard from him any particulars of his Voyage &c. you will readily conceive until we can hear from you better than I can describe -- my boy Dan has been appointed to the 49th Regt. Now in this Country & still under the Command of our friend, Genl. Brock, his Lt. Col. (Sheaffe) is at last married to Miss Coffin by next Thursdays post Mrs. Claus I believe intends writing to Wm. ---- God Bless You joined by Mrs. Claus & all the family in wishes for your health & happiness - I remain your most faithfully. All hands send their Love to Wm. (Unsigned Draft)
(Claus Papers Vol. 10, pp. 1 - 3.)

FROM WILLIAM CLAUS TO LIEUT. COLONEL CURRY

Niagara, 17th Novr. 1810.

My Dr. Curry,

Just as I was stepping into my boat with three Characters well known to you, Genl. Brock, Col. Vincent and Capt. Glegg of the 49th Regt. on my way to York by the Head of the Lake, I had the pleasure to receive yours of the 13 June. With 3 such men, I think I hear you say he must have had a pleasant time. Genl. Brock remains with us in the command of the Upper Province, the other Gentlemen returned about 3 Weeks ago to the Lower Province -- they came up with a number of other officers to sit a Genl. Court Martial upon some men of the 100th Regt. for desertion & mutiny. Very little was done after all their Troubles -- one man flogged & one transported to Botany Bay..... Green will have told you that he has received One Dollar & a half pr.

Acres for 400 of your acres. I assure you I sold them with reluctance, but it is your desire that they are sold.

We are going on nearly as usual. Genl. Brock being with us makes some difference he lives in the Govt. House and often sees 10 or a dozen friends but unfortunately he is quite alone not an Officer with him. Harriot (Heriot) who was his Major of Brigade is at Quebec with Genl. De Rottenburg he ought to have kept Col. Vincent or Glegg it would have been a happy thing for the latter as on his way down near Kingston in shooting a deer in the Water, he unfortunately shot a man in the Bow of the boat, a Soldier of the Veterans. (Unsigned Draft)
(Claus Papers, Vol. 10, pp. 11-13.)

Samuel Street and Thomas Clark, who had obtained control of the Bridgewater Mills and desiring to extend their business, published a printed notice in the form of a handbill, a copy of which has been preserved among the Askin Papers in the Dominion Archives.

"CLARK & STREET'S term for exchanging Wheat stored at the Bridgewater and Falls Mills are: For three Bushels merchantable Wheat of 60 lbs. each.; 112 lb. fine Flour; 49 lbs. Bran; 4 lbs. ship stuff. For 5 and a half Bushels ditto.; 196 lbs. Superfine; 70 lbs. Bran; 8 lbs Ship Stuff. 3 shillings and 6d York, for each Barrel furnished 6d per Barrel for packing and 6d more, if nail'd and lined - Quality of Flour (if doubted) to be ascertained before taken away from the Mills.

Should the Mills or Wheat Stores be destroyed by fire, the subscribers are not to be accountable for any loss occasioned thereby. CLARK & STREET.
Bridgewater, November 7th, 1810.

Hugh Alexander, who had come to Upper Canada as a Loyalists in 1782, after employment of many years as a clerk, had commenced business as a Merchant at Fort Erie. Copies of many of his letters have been preserved and throw considerable on local commerce of the time.

FROM HUGH ALEXANDER TO THOMAS McCORMICK

Dear Sir:

Agreeable to promise I have herewith given you a statement for which I will forward your goods at from Chip. next season to this place and from this to Chip. which I trust will meet your Approbation, vis. Salt 2/4 per bbl. payable in salt at 30/ at Queenston free of duty, or 2/ cash -- the salt to be shipped as advised. Goods 1/3 per cwt. to receive here and ship as above. Pork to receive here and forward to Chipewa 1/3 Flour to ditto and forward to Chip. 1/ Pork & Whisky to receive here and forward to Chip. 1/4. Potash do. do. do. do. 3/ or 2/6 if nto Hard.

The cash accounts payable at the close of the season -- and the salt monthly if required.

Fort Erie, Nov. 6, 1810.

N.B. You will please observe the above prices are New York Currency.

FROM HUGH ALEXANDER TO THOMAS DICKSON

Dear Sir,

Your kind favor of the 1st ult. came to hand the 10th. I should have answered your letter immediately but could not say to a certainty how many barrels I should have, and also expected to be down before this time, but the roads is at present, very disagreeable, you can depend on twenty barrels of pork which can be delivered in a very short time -- I merely say this as you may wish to know the quantity on acct. of your own contract. I intend being down either the last of this week or the first of next as Mr. Bilder is waiting for this.

Fort Erie, Jan. 7/11.

FROM HIGH ALEXANDER TO CAPT. B. MARTIN

Fort Erie, Feb. 14/11

Dear Sir,

Yours of the 21st Ult. came duly to hand on the 7th inst. and hasten to inform you that in my opinion, by all means start out for Buffalo as what property may be on board for this place can be brought from that without any interruption and should there be any probability? of making one or two trips from Black Rock to either Cayahoga or Erie the vessel will have it then in her power to perform the same -- if not it is very easy to run over to Buffalo to this place. I have not seen your father as yet, however, I don't hesitate in giving my opinion as above as it will undoubtedly be best for both shipping and owner because should she clear this Port and part of the property be for Buffalo, the owner would then be deprived of getting it over. The seas as yet has not been very severe I am therefore inclined to hope that the ice will be out very early in the Spring, and I think there will be no time lost in coming down as soon as the lake weather &c. will permit and unless you can get some rigging and repair done in trade -- the vessel I think had better be bro't down to repair either here or at Black Rock where the material can be got without paying cash immediately. Don't by any means pay Cook any of his wages if there is any due him as he was in arrears with me when he went away. I shall see your Father in a few days and will then inform him of what I have said to you and should we jointly agree to make any different arrangements I will then notify you accordingly.

Capt. B. Martin. Detroit.

Should you have an opportunity of getting some old rope or junk, get it to make oakum as I should want some for my own and another vessel will also want some. You will likely get the above for trade and cheap. Also get a small cadge and compass cheap and have the means to make payment without paying money.

FROM HUGH ALEXANDER TO CAPT. BUD. MARTIN

Fort Erie, March 12/11

D.S.

I wrote you the 14th in ans. to yours of 21st Jany but fearful that it may be miscarried I shall now write you per Capt. Rough to say that I wish you by all means to clear out for Buff. as part of the property you have on board is I presume for that place which if you come to this side will not be allowed to be taken over but whatever may be on board for this place can be bro't over from there here without difficulty. The weather is present is very fine and should it continue much longer, I think the ice will be out by the 1st of April, perhaps sooner. In my last, I mentioned that you had better gett a compass & small anchor, perhaps 1 cwt. and as there is several old vessels in that quarter,

perhaps you can get in trade or payable in salt next fall sails that would answer for a square sail and topsail and also get what old rope you can conveniently to make oakum as I shall want considerable this Spring. As your brother Anderson, I presume will be with you if you and him can see a bargain in any of the above mentioned articles, you had better take them and also should you see such spars as the chip. may want, you may as well get them. Should whisky be cheap in Detroit, say 4/, 4/6 or even 5/ a gallon if you have the means, bring what you can with you. In hopes that every caution will be used in getting down safe as soon as the Lake and weather will permit. CAPT. BUD MARTIN Detroit.

FROM HUGH ALEXANDER TO THOMAS DICKSON

Fort Erie, Mar. 16/11

D. Sr.

Your very kind favor of 21st ult. I received the same day on my way to Long Point and am very sorry to find that Mr. McGill did not accept your offer. However should you have an opportunity before I see you of selling 20 or 22 bbls. pork provided you can get a fair price you are at liberty to draw on me for that quantity and pass the same to my credit. If you can conveniently spare a barrel of spirit please let the bearer Mr. Smith have it who will have an opportunity of sending it up immediately.

THOMAS DICKSON
Queenston.

FROM HUGH ALEXANDER TO CAPT. BUD. MARTIN

Fort Erie, Apr. 9, 1811

D.S.

I am most disappointed on acct. your not having yet arrived, as I have expected you here some time past as the weather is extremely fine. However, I have heard verbally that the Chip. is detained on acct. of the non-importation act. In that case Major Fowell will do everything that can be done in behalf of the vessel and you will in that case be directed by him what measures to take and should you come under ballast from that Port to this, call at Long Point on Dr. Crosby (probably Dr. Elakim Crosby who joined the enemy in 1813. See Papers and Records of the Ontario Historical Society, XXVI, p. 494.) for 1 . corn on your way down and be as expeditious as possible as I have made contracts in this quarter which must be fulfilled.

FROM HUGH ALEXANDER TO ELIJAH PHELPS

Fort Erie, Ap. 15, 1811

D.S.

I understand there is a quantity of salt laying at Chippewa marked T. Bros & Co., which is under your direction. As I shall have boats taking down flour, should you want to send it to this place and not under any engagements, I should be happy to have the boating of it and would attend to whatever directions you should give respecting the shipping of the same at this place.

FROM HUGH ALEXANDER TO JUDGE PORTER

Fort Erie, Apr. 24, 1811

D.S.

I called at Manchester last evening to see you respecting the cordage yet wanted for the Chippewa, but you was from home, neither could I find Mr. Coffin. However, I sent a memorandum for Mr. Ben Hopkins which if you would have the goodness to furnish and leave to Black Rock to Mr. Sell? with the amt. which if you could conveniently make payable the 1st Oct. would suit me much better than the time mentioned in your letter but should that be longer than you can wait, you will make the time as favorable as possible, you will then send cordage by first boat.
Judge Porter. Manchester.

Pay no attention to the former memoranda to Mr. Smith as my information respecting that was incorrect.

FROM HUGH ALEXANDER TO THOMAS CLARK & CO.

Fort Erie, Apr. 29, 1811.

Messrs. Thos. Clark & Co.
Gentlemen,

Yours of 19th, I rec'd 23. The Chip. is just discharged of 319 barrels marked P. Cr. O from Mr. Nichol which will be forwarded to Chippewa as soon as possible. I shall send the Bessel once more to Long Point and the next trip to your Grand River for Mr. Hatt's flour which I presume from your letter is ready. If wind and weather will permit, you may expect Mr. Hatt's flour the last of next week or the first of the week after. The Salina has also a load of flour from Long Point which will also be forwarded soon. I have sent from this place 104 bbls. flour marked H.A. for myself which you will have the goodness to forward to Messrs. Parker, Gerrard, Ogilvie & Co. Montreal the first opportunity.

FROM HUGH ALEXANDER TO JUDGE PORTER.

Fort Erie, Apr. 30, 1811.

Sir,

Yours of 25th received 28th enclosing the bill of rigging which came to hand in good order. I am extremely sorry that you was put to the trouble of making that part of the rigging that is not at present wanted if I recollect right I mentioned to your man that the memorandum left with Mr. Coffin by Mr. Smith was incorrect but that I should leave one with him that evening.

However I find I am still deficient much which I shall trouble you again to furnish & forward to Black Rock as formerly.

Say 1 cwt. spun yarn
2 bunches of marlin
30 fathoms 3' fope
2 lbs. serving twine.
To Judge Porter, Manchester.

FROM HUGH ALEXANDER TO WILLIAM SOUTHERLAND

Fort Erie, May 11, 1811.

Sir,

Messrs. Thomas Clark & Co., has wrote to me to say that Sam'l Hatt Esqr. has a quantity of flour at your place which he wants forwarded to Queenston. I have therefore agreed with Mr. Thomas Hickok? the bearer of this to bring the team to this place, you will therefore deliver to him as much as he can conveniently take and Oblige.

FROM HUGH ALEXANDER (Unaddressed)

Fort Erie, May 13, 1811.

Sir,

I am concerned in a small vessel (the Chippewa, thirty six tons burthen, British Bottom) which I would wish to engage in the salt business, from this to your Port if the laws now in force will allow the same. May I therefore beg the favor of you to state to me as soon as convenient your opinion on that subject whether you think it advisable to send him to your port or not and you will very much oblige.

FROM JONATHAN WALTON TO FRANCIS GORE

Schenectady 15 May 1811.

Sir,

As it may be agreeable for your Excellency to know that agents for many Respectful families have called on me lately for the purpose of making arrangements to Remove into your Province the ensuing Summer, I think it my duty to give the information. I shall continue my endeavours to facilitate as many good people into the Province as I possibly can - having the welfare of your Excellency's Governmt. at heart.

I most sincerely congratulate your Excellency on the Glorious News of the Success of the British Arms in Portugal in driving the haughty foe out of that Kindom - with my sincere prayers that England may finally Tryumph over the Tyrant of Europe.

I am &c.

J. WALTON

His Excellency, Gov. Gore.

(Sundries, Upper Canada, 1811.)

The writer of the foregoing letter was an Officer in a Loyalist Regiment, who had been retired upon half-pay and had settled in Nova Scotia and afterwards undertook the settlement of the Township of Hope in Upper Canada. Eventually, as he stated, with General Simcoe's approval, he established himself as a Merchant in Schenectady and seems to have exerted himself zealously in promoting immigration to Upper Canada, asserting that his situation there enabled him "to promote the Settlement of that counry, more than he could possibly do, by residing in Canada. (Papers & Records of Ontario Historical Society XXVI, pg.361)

Richard Hatt of Ancaster, Samuel Street of Stamford and Joseph Edwards of Niagara, had been appointed Commissioners to supervise the expenditure of money granted by the Provincial Parliament for the improvement of the main roads in the Niagara District.

FROM RICHARD HATT TO WILLIAM HALTON

Ancaster, 21 May, 1811.

Sir,

I received your Letter of the 17th Ult., acquainting me of the appointment which it has pleased His Excellency to honor me with, and in order to carry the same into effect as soon as possible (being unable at this time to leave my family) I have taken the liberty to empower my Brother to receive such part of the many appropriated by the said Act, as may more particularly fall under my immediate inspection to lay out, that is from Vanderlip to A. Westbrook's from Brady's Tavern tho' Saltfleet to the Forty Mile Creek, on the New Lake Road; and building a Bridge over the Outlet at Burlington Bay, which is the arrangement lately made with the other commissioners.

I have the honor to be &c.

RICHARD HATT

Major W. Halton.

(Sundries, Upper Canada, 1811.)

FROM HUGH ALEXANDER TO PARKER, GERRARD, OGILVIE & CO.

Fort Erie May 23, 1811

Gentlemen,

Having some flour to send to Montreal this season and from an acquaintance I have had of you through Mr. Nichol & others in this quarter I have taken the liberty of addressing it to you which if you will have the goodness to take charge of and if you have an opportunity of selling part of it for nine dollars or upward, please to sell it - if less I should rather have it housed till I go to Montreal myself which will be in July or first of August. I shall also request the favor of you to write to me the correct prices of flour, pork & potash as often as convenient and oblige.

FROM HUGH ALEXANDER TO THOMAS CLARK & COMPANY

Fort Erie, May 30, 1811

Messrs. Thos. Clark & Co.

Sirs,

Yours of 16th instant received on the 22nd and have now the Biscuit ready, say 3,200 lbs. the quantity of flour taken for the season is 18 barrels which you mentioned soon to be replaced at Queenston. You will also pass 19.6.0 New York Currency to my credit as may be most convenient.

FROM HUGH ALEXANDER TO CLARK AND STREET

Fort Erie, June 4, 1811.

Messrs. Clark and Street?

Dear Sir,

Yours of the 28th received the 3rd inst. and will cheerfully account to you for the neat balance that may be due Robt. & Sent Martin for their respective shares in Chippewa when and in such articles as may be collected for freight in said vessel at present I have nothing in my hands.

FROM HUGH ALEXANDER TO PARKER, GERRARD, OGILVIE & CO.

Fort Erie, June 10, 1811

Messrs. Parker, Gerrard, Ogilvie & Co.

Gentlemen,

I wrote you on the 23rd respecting some flour forwarded to your care which I requested not to be sold under nine dollars. However, Mr. Storrs? is going sooner to Montreal than I expected. I have taken the liberty of drawing on you in favor of Messrs. Jabez Storr & Co. for twenty-five pounds currency which you will please to honor.

If you have not sold sufficient of the flour at the above rate, you can sell to the best advantage enough to discharge the above draft, and the remainder if you think there is any possibility of its rising, don't sell till you have further advice. Please write me the quantity received in good order and what prospects are respecting the price and you will very much oblige.

The Annual Return of the Militia of the County of Lincoln, dated 4th June, 1811, showed that the 1st Lincoln, commanded by Colonel Ralfe Clench, consisted of one colonel, one Lieutenant Colonel, one Major, ten Captains, ten Lieutenants, ten Ensigns, one Adjutant, one Quartermaster, thirty-two Sergeants and 513 rank and file, being a decrease of sixty rank and file since the last return. The 2nd Lincoln, commanded by Lieutenant Colonel Thomas Clark, was composed of one Lieutenant Colonel, one Major, nine Captains, Ten Lieutenants, seven Ensigns, one adjutant, one Quartermaster, sixteen Sergeants and 350 rank and file. The 4th Lincoln, commanded by Lieutenant Colonel Johnson Butler numbered one Lieutenant Colonel, one Major, ten Captains, eight Lieutenants, nine Ensigns, one adjutant, one Quartermaster, twenty-seven Sergeants, and 459 Rank & File, being an increase of fifty-two. The 5th Lincoln, commanded by Lieutenant Colonel Andrew Bradt, reported a strength of one Lieutenant Colonel, one Major, seven Captains, ten Lieutenants, eight Ensigns, one Adjutant, nineteen Sergeants and 404 Rank & File, being an increase of fifty-seven.

Three official letters from Commanding Officers have been preserved.

FROM RALFE CLENCH TO THE HONORABLE AENEAS SHAW

Niagara, June 8th, 1811

Honble Sir,

I enclose two Returns of the First Regiment of the County of Lincoln Militia; No. 1 contains those from sixteen to sixty years of age, and No. 2, those from Sixteen to Fifty only, from this you'll see the small Number we have above Fifty.

You'll also perceive by my remarks that very few Absentees with the Character of most of them, in Captain Crooks Company we have some respectable Americans, a Mr. Beldon, a Worthy Man who has always declined bearing arms, but upon all regular occasions transmits the Amount of His Fine as by Law imposed, but of this description, there are but few. We have some others in the Regiment who are inclined and would if in their Power, not only stop the Militia law being carried into effect, but the Wheels of Government also; of this Democratic Class fortunately, we have not many.

A Lieutenant Robert Runchey, a worthless, troublesome, Malcontent, it is rumoured that he intents Personally to wait on his Excellency the Lieutenant Governor and to request his acceptance of his Resignation. This I sincerely hope he may do, and that his Excellency may be pleased to accept of the same, as he is almost the only one I can term a Black Sheep in our Regiment, and with whom the Officers I believe, would gladly part.

The number of Private Men at present exceeds what by Law is allowed to each Company, and yet we have not a sufficient Number to form another Regiment. I would therefore beg leave to suggest the propriety of Forming Three or Four Independent Companies in the Township of Louth, in which there are I dare say, Men Sufficient. This Township is now within the limit of the First Regiment which would still be sufficiently numerous.

I am induced to make this suggestion from a difficulty that has occurred with some of our Justices, where Companies have exceeded Fifty Private Men. I could not obtain Judgment upon Summons for no other reason as was stated; than that the company in Number exceeds what the Law directed, by which Defaulters have gone unpunished. From the Strength of Our Regiment, you will see that there is no other remedy unless dividing the Regiment, from the situation and Settlement of the Townships of Niagara and Grantham, this would not be in my opinion so eligible as to Form Independent Companies in the Township of Louth.

Should this suggestion meet His Excellency's approbation, permit me to request your earliest intimation. I shall then transmit a list of Persons proper to be Appointed Officer. I have the Honor to be &c.

RALFE CLENCH, Colonel 1st Regt. Lincoln Militia.
Honorable Aeneas Shaw, Adjt. General Militia, York.
(Sundries, Upper Canada, 1811).

FROM ANDREW BRADT TO THE AJUTANT GENERAL OF MILITIA

Barton, 8 June, 1811.

Sir,

I now enclose the General return of the 5th Regiment of Lincoln Militia, at the same time, I have to transmit you the resignation of several of the Officers of my Regiment, & shall submit to you, to lay before His Excellency, the Lieutenant Governor, the frivolous excuses made in order to get rid of the Service, thinking by resigning, they get cleared from all future Service: -

CAPTAIN AUGUSTUS JONES resigns without any other excuse than, that he does not like to get the ill will of his neighbours, by making them do their duties to the Militia.

CAPTAIN JOHN LOTTRIDGE, (son of Capt. Robert Lottridge of the Indian Dept. during the late War) resigns, because he says he is so dull he cannot learn the Manual Exercise, therefore cannot teach his Men.

CAPTAIN JOHN CHAMBERS resigns, because he has a very large family, is rather a sickly man, & is in very poor circumstances.

LIEUT. JOHN JONES is removed from the neighbourhood of my Regiment & is promoted to a Captain's Commission in another.

ISRAEL DAWDY refuses to serve as an Ensign as he had originally a Lieutenant's Commission & had for a considerable time the charge of a Company & discharged the duty with great Credit to himself in that situation.

ENSIGN A. B. BRADT has removed from the neighbourhood of my Regiment too far to attend his duty in it.

If therefore, His Excellency should approve the resignations & if so many persons should be exempt from Militia duty from it, I shall beg leave to recommend that Lieut. John Aikman -- Lieut. Israel Dawdy & Lieut. Lewis Horning may succeed to the Companies vacated by the resignations & that Abel Land Sr., William Weir and John Bradt be promoted to Lieuts.; also that Jacob Riemill (Rymal) Joseph House, Joseph Burney, George Rousseaux, Samuel Green, and Jacob Killman be recommended as Ensigns in my Regiment.

I cannot conclude without observing that those whose friends & themselves have received the greatest encouragement & inducement to persevere in the good cause, do not hold out the longest, vide Augt. Jones - & J. Lottridge, & at the same time I cannot but remark to you, that Mr. Abraham Markle & William Biggar, both of Ancaster, utterly refuse to train in the Militia, & declare never will do more than pay their fines -- that should we be called on actual Service, we might not find support in many who have had great advantages from professions of Loyalty and Suffering.

I have the honor to be &c., ANDREW BRADT, Lieutenant Colonel.
To the Adjutant General of the Militia of Upper Canada.
(Sundries, Upper Canada, 1811).

FROM THOMAS CLARK TO AENEAS SHAW

Queenston, June 10, 1811

Sir,

Herein I have the honor to inclose you a return of the 2nd Regiment of Lincoln Militia for the 4th Instant, which be pleased to transit to His Excellency the Lieutenant Governor as the Law directs.

By this return you will perceive that there is a Captain wanting to one of the Companies, owing to Captain Warner having some time ago resigned from Old Age - To fill up this vacancy, I should recommend John DeCow, the oldest Lieutenant in the Regt., and well adapted to supply the place of Capt. Warner -- Ensign Jacob J. Ball to supply John Deow's place and Mr. James Lyons to supply the place of Ensign Jacob J. Ball. I have the honor to be &c. THOMAS CLARK, Lieut. Coll. 2nd Regt. Lincoln Militia.
Aeneas Shaw, Esqr., Adjt Genl. of the Militia of Upper Canada.
(Sundries, Upper Canada, 1811)

Considerable grants of land had been made by the first land board to Officers of Butler's Rangers and the Indian Department, three of whom had died on service and the other two had left the Province. Action was accordingly taken to cancel these allotments.

EXECUTIVE COUNCIL OFFICE

York, 14th June, 1811.

Public notice is hereby given, that the Locations designated by the Land Board of Nassau for the following Persons in the Township of Binbrook, District of Niagara, will be declared open for Grant to other Persons, unless within Six Months from this date, they severally appear by themselves or agent, to establish their Claim and sue out their Patents.

LIEUTENANT GEORGE HARKIMER

LIEUTENANT HENRY HARE

SURGEON'S MATE PATRICK BURK
LIEUTENANT FREDERICK DOCHSTEDER
CAPTAIN JOHN McKINNON

By Command of His Excellency, the Lieutenant Governor in Council.
JOHN SMALL, Clerk of the Executive Council.
(Sundries, Upper Canada, 1811)

The author of the next letter was deported as an alien enemy in 1812 and his book was published in the United States in the following year and rapidly ran through six editions.

FROM MICHAEL SMITH TO WILLIAM HALTON

Niagara, June 22nd, 1811.

Worthy Sir, I hope you will not be offended at the liberty I have taken of writing to you -- nothing but the information I have had of your disposition could have encourage me thus: - Worthy Sir, it is through your means that I humbly wish to communicate to His Excellency, our Governor, my design of publishing a Geographical and Political view of the Province of Upper Canada.

My design in publishing this work is to gave a general information of the goodness of the Land and (sic) "Laws". I would not wish to do anything that might be contrary to my Governor's wish. I therefore would be very thankful if you would communicate the same to me through the hands of Mr. Cameron, Printer (John Cameron, then Publisher of the York Gazette and Upper Canada Almanac, see Scadding, Toronto of Old, pp. 268-9, 533.) -- If his Excellency should wish to see the manuscript before the signification of his mind, it shall be sent. I do not count myself the author tho' I have assisted in the work and have copied the whole. I am a native of the State of Pennsylvania (sic) and came to Canada 18 months ago, have taken the oath of Allegiance, procured a reserve lot of land and have a small family and am a poor man.

I am Sir, with humility, your unworthy servant.
N.B. I now teach School, 3 miles from Niagara.
William Halton, Esquire, York.
(Sundries, Upper Canada, 1811)

MICHAEL SMITH

FROM HUGH ALEXANDER TO JUDGE PORTER

Fort Erie, June 17, 1811.

Dear Sir,

I must once more call on you for a small quantity of cordage yet wanted for the Chippewa, viz.

60 fathoms of six threat ratlin

120 fathoms of 15 thread do. or perhaps 12 may answer.

20 fathoms of 2-1/2 inch rope.

14 lbs. spun yarn. which you will please send up to Black Rock by the first boat and oblige.

FROM HUGH ALEXANDER TO JOHN MUIRHEAD

Fort Erie, June 19, 1811.

Dear Sir,

Yours of the 15th inst. enclosing your J.W. Miller rec'd yesterday. I now send by the boat, ninety-five barrels of flour belonging to Mr. Nichol for Government which agreeable to Mr. Coffin's direction to Mr. Warner? he is to deliver six hundred bound for at Queenston and four hundred at this place, the latter which is already delivered there for agreeable to that direction you as his agent at Chippewa will please for'd to Queenston ninety-five barrels flour together with our 150 barrels already at Chippewa, which was forwarded to Mr. James Cummings not knowing at that time what were to be delivered at that Port. Should Mr. Nichol have given you any directions respecting the above flour himself, you will of course be guided by the same or should you have any convenience of keeping the flour safe at Chippewa till we can have advice from Mr. Nichol with respect to the forwarding of it to Queenston, you can do as you think most advisable for Mr. Nichol's interest.

I have also given directions for the boat to call for Messrs. Clark & Street's Flour at Mr. Miller's.

Mr. John Muirhead, Chippewa (A Merchant & Collector of Customs at Chippawa).

FROM HUGH ALEXANDER TO WM. H. ALEXANDER

Fort Erie, June 22, 1811

Dear Uncle,

Yours announcing the death of my brother David came duly to hand and I am very sorry to hear the news but we are all mortal and may be called upon when not as well prepared as I hope he was. He has now paid the debt which we all owe and is far from all the cares, troubles and anxieties of this life.

I have the pleasure to state that we all enjoy good health, hoping that inestimable blessing attends you and family. Ephraim is at present at Ancaster at the head of Lake Ontario but intends going to Long Point this Summer to commence business with E. Crosby Esqr. of that place and I hope will do well. I should have wrote to you immediately on the receipt of yours, but have been anxiously both to hear from and see Mr. McDougall respecting your business, as I employed Ephraim who was down at the time I received your letter to call on him (McDougall), he at last has come down and paid me 1150 pounds in cash and a Note in Hand for one hundred pounds, payable Jan. 1812, with interest from 14th inst. against as good a man as we have in this country, part of which I may perhaps get before I go to Montreal which I intend next month if weather permits, perhaps about the 18th or 20th and will come home by your place at which time (Should I get no safe opportunity to remit the money sooner) I shall give you whatever money I may have received from Mr. McDougall's amount and as much of my own as I possibly can. Susan and William Dixon to be kindly remembered to you and aunt Mary and all enquiring friends.

FROM HUGH ALEXANDER TO SAMUEL STREET

Mr. Samuel Street.

Dear Sir,

Mr. Sent Martin (should probably be Saint Martin) has this morning mentioned to me that fifty dollars was promised by him and his father to be paid in cash to you for money advanced by you to Judge Porter, previous to their giving you their draft on me

for the note due them. They therefore to make their promise good to accommodate you as far as lay in my power I have sent by Mr. Sent Martin the above sum, say fifty dollars which I hope will arrive safe. I shall also inform you as soon as possible balance due them and when payable.

FROM HUGH ALEXANDER (unaddressed)

Fort Erie, August 2, 1811

Dear Sir,

Yours of the 30th I received yesterday. Capt. Dobbin has this morning come over and informs me that he has on board the Salina betwixt them and you Hundred Packs and a few Barrels Potash and as he has some property abroad for Presquile, it will be out of his power to come over, therefore requested to have them taken from the pier. As the packs is all for this place, they will be forwarded as soon as possible, part will go to-morrow. With respect to the bales none of them got injured as it was only the ends of a few that got wet, which soon dried by exposing them to the air in the store. The boat is well man'd and has now six good oil cloths. However, every possible care will be taken both with the goods and packs.

The following letter from the Deputy Superintendent of Indian Affairs shows the extreme tension caused by the menace of hostilities by the United States nearly a year before they began.

FROM WILLIAM CLAUS TO LIEUT. COLONEL CURREY

Niagara 17th August 1811.

My Dr. Curry,

.....

I am sorry that I cannot tell you that I had disposed of a few more of your acres. Sales are at a sand just now, but I will not lose sight of them, they ought to sell & well from the situation, it is becoming a thick settlement.

Your friends in this part of the world are all well & jogging on, how long we will be allowed to remain in Peace & quietness God knows, our neighbours appear much inclined to quarrel with us, at least their Govt. but they do not know what to do, the Eastern States seem as much averse to the French as the Southern are in favor of them, & I believe very powerful Tribes of Indians on the Waters of the Mississippi are by no means pleased with the treatment they receive from the Americans & their encroachments. Another cause of dissatisfaction is their Trade being in great measure stop'd by the Non-intercourse I understand a deputation is gone to Washington from the Missouri on the Subject.

The Death of Mr. Hamilton has long been known to you, his second son George was lately married to Jarvis' eldest daughter and the Second (Augusta) is shortly to follow her example and marry McCormick of Queenstown.

Lt. Col. Curry, Comdg. 54th Regt. Jamaica.

(Unsigned Draft.)

(Claus Papers, Vol. 10, pp. 19-21)

James Durand, who had previously been Major of the First Regiment of Lincoln Militia, having removed to the Township of Barton, had been appointed a Captain in the

5th Lincoln but soon became discontented with his Commanding Officer, who had formerly served in Butler's Rangers, and was perhaps not very courteous in his manner.

FROM JAMES DURAND TO WILLIAM HALTON

Barton, 5th September, 1811.

Sir,

I have to request that you will be pleased to inform His Excellency Lieut. Governor Gore, that in consequence of what I thought was his wish, when I last had the honor of an interview, viz. that if any did exist, a direct charge should be brought forward by the Officers of the Fifth Battalion of Lincoln Militia against Lt. Col. A. Bradt. I have taken occasion to make his disposition known to some of the Gentlemen of that Regiment, who heretofore had been very desirous of such an Opportunity, they have however now declined coming forward.

That His Excellency may be able to account for such a change of mind in those who so warmly desired the removal of Col. Bradt, I would take the liberty to suggest, that it is extremely probable, a general relaxation of Duty, would upon inquiry be found to have pervaded the Regiment, having its source perhaps in the example of the Colonel.

I have the honor to remain &c.

JAMES DURAND

To Major Halton, Secretary to Lt. Gov. Gore.

(Sundries, Upper Canada, 1811)

In addition to his Offices of Post Master, Justice of the Peace and Commissioner of Roads, Joseph Edwards had been appointed a Commissioner for the purchase of merchantable hemp, made vacant by the death of Robert Hamilton. The letter which follows shows that a considerable quantity had been produced in the District.

FROM JOSEPH EDWARDS TO WILLIAM STAUNTON

Niagara 7th Sept. 1811.

Sir,

As Commissioner for the purchase of Hemp, I had the honor to address His Excellency the Lieutenant Governor, through Major Halton so long since as the Ninth of August, 1810, stating that I had been applied to by two persons who had that article for Sale, and requested that the Warrant for the Payment of two or three tons might be made to William Dickson, Esqur. whom I had appointed as my Agent to receive the same. To this Letter however, no reply was made, and I only learned from Mr. Dickson, that as his brother had mentioned it at York, that he would take all the hemp offered in this district, it was considered unnecessary to send me any money.

Within these few months I have had the same applications, to take hemp as a Commissioner, and in reply referred them to Mr. Dickson, declined taking any from them, and lately I spoke to him myself, who said he had no orders from Capt. Mill (Probably Capt. William Mills who had established a rope-walk and cordage factor at Amherstburg.) to purchase.

This day 29 cwt., 1 qr., 17 lbs., amounting at the price offered by Government to Ninety One Pounds, 17/7-1/4 Currency has by Messieurs Belden and Totman been put into my hands, after taking the Oath prescribed by Law.

As I did not wish to refuse it on the principle of having no funds to pay them, which they understood the other Commissioners always had, I applied to Major Halton who directed me to you for his Excellency's information on the subject. Have the goodness to inform me what I am to do by the first opportunity.

I am Sir, &c. JOSEPH EDWARDS, Commissioner &c.
William Staunton, Esquire, Sec'y. &c. &c. &c.
(Sundries, Upper Canada, 1811).

An endorsement in pencil on the blank page reads:

"Major Halton was then at Niagara on his way to Lower Canada & this letter was submitted to the Lt. Governor -- nothing was done in the business."

A report of Mr. Justice Powell is evidence of the extreme reluctance of the Bench as well as the public to inflict capital punishment for the crime of theft.

FROM JUSTICE WILLIAM DUMMET POWELL TO WILLIAM HALTON

York, 26th September, 1811.

Sir,

I have the Honor to report for the Information of his Excellency, the Lieutenant Governor, that on the western Circuit, in the district of Niagara, George Windeker was capitally convicted of stealing a Heifer, but recommended to Mercy by the Jury which convicted him -- As the Man bore a good Character until charged with this offence, and his Connections were respectable, I presume His Excellency will think with me, that the great object of Example may be attained by commuting his Sentence into perpetual banishment, which may be done by a conditional Pardon --- I have the Honor to be &c.

WM. DUMMET POWELL J.

William Halton, Esqr.
(Sundries, Upper Canada, 1811)

This recommendation was promptly carried into effect by the following order to John Macdonell, the acting Attorney General.

LIEUT. GOVERNOR'S OFFICE

York U. Canada, 30th September, 1811.

Sir,

I am commanded by the Lieut. Governor to desire that you will take the necessary measures for a Pardon, on condition of perpetual Banishment out of the King's Dominions being prepared for his Signature, for George Windecker, capitally convicted of stealing a Heifer, at the Assizes lately held at Niagara.

I have the Honor to be &c. WM. HALTON, S'y.

John MacDonell, Esq. &c. &c. &c.
(Sundries, Upper Canada, 1811)

The change of administration was announced in the following letter wholly in Brock's Handwriting.

York, Upper Canada, October 9th, 1811

Sir,

I have the honor to inform your Excellency that in consequence of Lieut. Governor Gore's departure for England, I have this day assumed the administration of the Government of this Province. I have the Honor to be, &c. ISAAC BROCK, M. Gl. To His Excellency Lt. General Sir George Prevost, &c. &c.&c. (Sundries, Upper Canada, 1811).

FROM HUGH ALEXANDER TO ALEXANDER REA

Fort Erie, Oct. 3, 1811

Mr. Alexander Rea,
Dear Sir,

I have the pleasure to announce to you my safe arrival at this place on the 15th ult. and had the situation to find my family enjoying good health. Since my arrival, part of the time I have not been as well as I was while travelling but have now quite recovered my former good health. I have not as yet seen your son (Probably Daniel Ross, a merchant at Dover), but from my information, he is berry well. I should be at his place in a few days when I shall call on him. The articles I bought from you have not yet arrived, but I have heard of their arrival at Queenston. Agreeable to your request, I made what enquiry respecting the phials I could when coming home and in Albany I judge they may sell at this place before this time twelve months - therefore if your Hghd (Hogshead) of phials is not yet sold you may have them forwarded to Lachine to Mr. McGevach by the first opportunity for the season is now far advanced and charge me with the same agreeable to what we mentioned at your place.

With compliments to Mrs. Rea & Family.

FROM HIGH ALEXANDER TO ROBERT NICHOL.

Fort Erie, Oct. 9, 1811.

Robt. Nichol, Esqr.
Dear Sir,

Enclosed you have Michael Hickey's receipt for two barrels marked R.N. to be left at Colonel Ryerson's Mill for you which contains 224 lbs. Black Pepper agreeable to your order which came after the Chippewa sailed & supposing you might be in want of some rope for your own use, I put in one coil of White Rope which will answer for traces &c. which you may either credit me with 2/York per bill the same as I paid or sell the same at an advance on my account, and deduct your commission, the Chippewa has just arrived with 28 barrels of flour which I shall deliver to Mr. Warren as before.

FROM HUGH ALEXANDER TO JABEZ D. DE WITT

Fort Erie, Oct. 17, 1811.

Mr. Jabez D. DeWitt
Dear Sir,

I have the pleasure to inform you that I arrived at this place on the 18th and found all my connections in good health. Since my arrival, I have not enjoyed good health as well as I did when travelling -- however, I have for a few days past been quite restored and trust that ere this I may congratulate you on your safe return to good health.

The Case of Hats I received on the 25th Ult. And found every article agreeable to the account on the other side I have annexed a memorandum which if you will have

the goodness to furnish and forward as soon as you possibly can as the season is far advanced I will make you payment for the same agreeable to your terms for the Hats &c. You will please to put them up safely and send them to Mr. McGevach, Lacine.

- 6 lbs. Verdigrease
- 1 piece of glazed black hat binding, 2nd quality.
- 2 gross black galloon, 1 bottle aqua fortis
- 1/2 " drab do.
- 1/2 gross hat buckles. 1 superfine white bonnet, 23 inches.
- 3 gross back hat bands inside.
- 1 lb. pumice stone.
- 1/2 dozen hat bow strings.

FROM HUGH ALEXANDER TO JAMES SINCLAIR

Fort Erie, Nov. 7, 1811

Robt. Gillespie.

Dear Sir,

Yours of 20 Sept. I received the 4th, inclsing invoice of sundry goods say horn, glass &c. which came to hand the same time. I have also received the good forwarded to Lachine while I was in Montreal and which I find all agreeable to the invoice with the exception of three articles amt. 3 pounds.17.1 Hfx. as you have on the other bill. With respect to the butter, I am sorry any difference should occur in the weight. However, when season will permit, please send me the amount of sales as then I can have recourse on them I purchased it from the quantity different.

Sept. 27, 1811.

Mr. Robert Gillespie

	Pounds	Shillings	D
To Hugh Alexander, Dr.			
To 2 doz. wood rasps at 14/6	1	9	0
To 1/2 horn rasps at 16/0		8	0
	<hr/>	<hr/>	<hr/>
	1	17	0
Advanced 42- 1/2 percent		15	8-1/2
		<hr/>	<hr/>
	2	12	8-1/2
1/2 doz. knit wool braces at 32/6	1	4	4-1/2
		<hr/>	<hr/>
Hfx. C.	3	17	1

FROM HUGH ALEXANDER TO ROBERT NICHOL

Fort Erie, Nov. 15, 1811.

Robt. Nichol, Esq.

Dear Sir,

Enclosed you have an account of 84 pieces of your goods, the whole number at this place - the articles you mentioned in your last letter shall be attended to and every article I hope sent the next turn as I shall have to send the Vessel once more if the Season will permit. All your goods except some which I expect for you has not yet come forward but is daily expected. There is also a number of articles as you will see in your

bill which I have taken the liberty to address to your care which please have stored, till I have an opportunity of taking them away. The 24 bbls. of salt marked E. Hasbrook of Juba Storr and Co. who has a store at Townsend under the direction of C. Foster and Co., or Mr. Cayl himself you may perhaps know best as you live near them who to inform respecting them, the remainder say 40 barrels more will be up next turn.

FROM HUGH ALEXANDER TO ROBERT GILLESPIE

Fort Erie, Nov. 23, 1811.

Robert Gillespie,
Dear Sir,

Your kind favor of Oct. 12, covering the sale of butter, I rec'd yesterday and feel well pleased with you sending it to the Quebec markets. I find by the acct. of sales, one barrel of butter is yet unsold. If you have not received it, please enquire at Messrs. Parker, Gerrard, Ogilvie and Co., if they have sold it very well, if not you will please appropriate the proceeds to my credit as before, should Government purchase flour and pork this season, I shall make an offer for part of mine at least. However, as yet, I am not certain with respect to that market as no advertisement has appeared for that purpose. Butter is very scarce tis season. However, in the Spring, I shall pay strict attention to the Quality and packing of that article for your market. You will in your next letter have the goodness to say what you think lard and potash will be likely to bring next Spring or if saleable.

Colonel William Claus reported the measures he had taken in accordance with his instructions to restrain the Western Indians from beginning hostilities against United States in a letter addressed to James Brock, then civil secretary to his brother, the General.

Fort George, 9th Dec. 1811.

Dear Sir,

I have to acknowledge the receipt of your letter of the 3rd instant.
Agreeably to General Brock's desire to know what steps I had taken with the Supt. of Indian Affairs at Amherstburg to use his influence with the Indians to keep them quiet. I beg leave to enclose an extract from my letter to him of the 24th ulto. in which I desire him to recommend to the Indian Peace and should any attack be made on them by the Americans, to retire. A copy of Lieut. Gov. Gore's letter to me of the 26th Feby. last Discouraging any hostile measures on the part of the Indians was transmitted to the Supt. of Indian Affairs at Amherstburg the 7th of March last with directions to pay the most particular attention to the contents. I have again written to him in consequence of your letter of the 3rd by Bell (William Bell, foreman or master builder of the Naval Yard at Amherstburg 1812-1813.) the shipbuilder, who left this yesterday, he informed that the report of the Action on the Wabache (generally called the Battle of Tippecanoe, 7th November, 1811) was not believed in when he left Amherstburg on the 1st instant.
P.S. The enclosed copy of a letter from Colonel Elliott which I rec'd two days ago, I beg you will lay before
General Brock, dated 24th ulto.
(Dominion Archives, S. Indian Affairs, U.C. 1810-1813)

Some letters from the enterprising Benjamin Canby have escaped destruction.

FROM BENJAMIN CANBY TO CHARLES ASKIN

Friend Askins.

Don't delay in getting a line to York, Respecting the reserve. I met Holly on his way down to Isaac Sweasys. He inquired of me whether the Governor had left Newark yet. I informed him he had. I believe his business in getting Isaac Sweazey to apply for the same land for him, so that William Dixton should right immediately so as to get the start it would without a doubt put a stop to it. I remain yours, BENJ. CANBY
Fifteen Mile Creek. Tuesday Morning.

Addressed: To Charles Askin, Merchant at Queenston.

(Askin Papers, Canadian Archives, undated, probably 1811).

FROM BENJAMIN CANBY TO CHARLES ASKIN

Canbury, 24 Oct. 1811.

Friend Askins.

According to William Leans request, I have sent the boat Down, which will be a convenient chance for your goods to be conveyed, they brought your salt and Iron from Conrons took from the Mills 10 Barrels Potash please to not neglect fetching up your Surveying instruments likewise a grind stone I purchased from Squire Cowan that's if the Boat will conveniently take it for it is much wanted. I remain your Friend,
BENJ. CANBY

N.B. I understood from Garner, from Leans that you had a man Coming up to help Down the Boat but he has not arrived yet please to right to Gorge Kefer (George Keefer) not to Delay running out the road as the oversears is Detained from working on that head until he lays it.

Addressed - Charles Askin, Marchant, at Queenston.

(Askin Papers, Canadian Archives)

FROM JOHN CLARK TO CHARLES ASKIN

15 Mile Creek, 21st Dec. 1811.

Dear Sir,

Having understood there is a person in your employ named Rouse, a Millwright -- if you can possibly spare him for a week or two, will you have the goodness to allow him to come down and assist in finishing a Grist Mill that I have lately purchased -- I have wrote to him on the subject and trust that you will use your influence with him on my part.

Hoping that you find your country residence pleasing and that we shall see you this way soon, I am, Yours truly,

JOHN CLARK

Charles Askin, Esqr.

Addressed: Mr. Charles Askin, Merchant, Canborough.

(Askin Papers, Canadian Archives).