

107.
Kingston 30 Sept 1841

Oct 5

Sir,
I beg to enclose a memorial from Mr Bennett
Cowan of Newburn on the subject of the claims which I had the
honour personally to bring under your notice. The circumstances of
the case are briefly as follows. Mr Cowan purchased 157 acres of
land at auction for the Army from which land was regularly out-
letted as you will see by the accompanying Gazette page 211, and
almost immediately paid for the same in land rights. He was then
informed that a mistake had been made in the lot, and that
it should have been the other half containing 42 acres. A deed
was issued to him for this part but it turned out that another
mistake had been made, and he was again called on
to surrender, one Hughes being entitled to the premises. Things
have remained unsettled until lately, when the matter has
been compromised between Hughes and Cowan the latter losing
as he says about £20. Cowan is therefore now entitled to £47.16.0
balance at his credit and £20 balance at Hughes's credit
which I understand can only be paid in land rights. He
however trusts that some compensation will be made to him
for the very serious loss which he has incurred through a
John Davidson Esq

to the other which ever
 further one is desired
 of your Excellency
 be willing to abide
 in the amount of 2000
 of under the notice
 your Excellency
 judgment and satisfaction
 amount was never received
 would to give your
 the case would now
 challenge attention
 assignments of the
 I was ordered to make
 his obligations to the
 in time with interest
 the part of lot 245
 it to contain 157
 the undersigned
 being made in
 at the disposal of
 the sale whereas
 he might have
 the lands then in market
 or inattention
 and expense
 at 600 miles in
 purchase
 undersigned had in
 of 5 in the 5th Con.
 able him to pay

for the remainder in which the undersigned intended to
 have settled one of his sons when he should have arrived
 at proper age which the undersigned could have done
 as he was in the offer of 2000 s per acre for Jeffrey and
 previous to the error having been discovered

That the price of land for which he at last received
 a patent contained but 200 acres, thus leaving a balance of 147 acres
 to the credit of the undersigned and for which he cannot obtain
 any lands that is worth purchasing as far as the undersigned is
 acquainted with the lands in market

That the land for which the undersigned received a deed
 and is now called upon to surrender was at the time of the
 sale the 14th of Oct. 1839 actually at the disposal of the Government
 and intended to have been sold had there not been a clerical
 error and that the order in Council in favour of Mr. Haysden
 purchasing was subsequent to the sale and that Mr. Haysden
 paid nothing towards the said land until after the under-
 signed was in possession of his patent that the undersigned
 not wishing to dispossess Mr. Haysden nor take his
 improvements from him offered to sell the land to Mr. Haysden
 at a high price than other wild lands of the same lot could
 have been sold for

That the undersigned offered to surrender his patent
 deed for the N. part of 5 in the 5th Con. of Ontario
 provided that he should receive in lieu thereof other
 wild lands named at the upset price of 8 s per acre
 and be paid the value of the land surrendered at that he
 was willing to leave it to the decision of your Excellency
 or Sir George Arthur

That Mr. J. Haysden the person in whose favour the
 order in Council had passed lately departed this life. In estate

Canada Land Petitions "C" Bundle 1, Part III, 1842
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but the day previous to his death he made a nuncupative will the undersigned willing to carry the wishes of the deceased into effect as well as to comply with the desire of Government conveyed by deed in fee simple the said South part of lot No 5 in the 6th Con. of Wisconsin to the son of Mr J. Houghton on the condition that the money paid by Mr Houghton to the Casson Land Commission be refunded to the undersigned that by the above arrangement the undersigned has been the loser of at least \$6 per acre having sold the land that runs below what could have been obtained for the South part of the lot or even for the South part in a state of nature had Mr Houghton not been in possession of the land that under the above top in the sale of the land the undersigned is the loser of at least \$12.00 or more in taxes and interest paid out for incidental expenses the undersigned has paid at the least \$3 for postage every time he went to the Post office he had to perform a journey of 21 miles.

That there is now at the disposal of Government other lands of a good quality in this District namely the East 1/2 of lot No 11 in the 12th Con. of Wisconsin & half of lots Nos 34 & 4 in the 11th Con. of Wisconsin and a part of No 2 in the 12th Con of the latter Territory.

The Undersigned therefore humbly prays your Excellency will be graciously pleased to take his case into your most considerate and grant him such accommodations for top as your Excellency shall deem just and equitable as also to allow the undersigned to locate the remainder of his land rights on some of the above mentioned lands at the disposal of the Government as soon as practicable and to allow the undersigned Interest on the \$47.16.0 from the 1st of

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PUBLIQUES

DA

I do hereby certify that the undersigned is acquainted with the situation of lot No 5 in the 5th concession of Blewains and have no hesitation in saying that the land is worth at the least one pound ten shillings per acre as the soil is of the first quality for agricultural purposes the lot is well situated and abounds with very valuable pine timber and within a short distance of a saw-mill

Blewains the 26th Aug^r 1821

John Roach

Hon^{ble} Rufus Sear
Jesse Mayhew

I do hereby certify that the undersigned is acquainted with lot No 5 in the 5th concession of Blewains that he was desirous of purchasing of Mr. J. Lawrence 50 acres of the lot for which he offered to pay \$6 per acre.

Jesse Lawrence

Blewains the 26th Aug^r 1821

I do hereby certify that we the undersigned are well acquainted with lot No 5 in the 5th Con of Blewains and if the land belonged to us would not sell it for less than one pound fifteen shillings per acre

Blewains the 26th Aug^r 1821

John M. Lord
- Christy Ruffert
E. J. Binkley

To His Excellency Francis Gore
Lieut. Governor of the Province of Upper Canada
His Excellency's Council

May it please your Excellency,

In obedience to your Excellency's order of
reference to us to report upon the Petition of
William Lee, a Black Man -

We are to state to your Excellency, that on
the 20 September 1790, it appears that the
Land Board of Hopes granted to the Petitioner
a Certificate for 200 acres of Land, but that
it has never been located -

It appears also by an order in Council
of the 19 June 1795 - that the Petitioner applied
for a Lot of Land in the Township of Malden,
and that he was thereupon recommended to apply
to Col. M^r. Kee's homines of that Township -

We do not however find any Location
made in the name of the said William Lee,

all which is humbly submitted
to your Excellency's wisdom

Survey^r Gen^l. Office
Yak to havem^t. 1808 -

Chewett Whitout
Acty Survey^r Gen^l

with the Petition

107th

To His Excellency Francis Gore Esquire
Lieutenant Governor of the Province of
Upper Canada ye ye ye

The Petition of William Lee of
Township of Markham Westward District
Amherstburg in Humble Sheweth

That your Petitioner came from
the colonies, in year one thousand seven
hundred and seventy seven and joined
the Royal standard at Detroit the
same year, and has ever since that
time remained under his Majesty's
Government in this Province, and
has not as yet received an Land or order
for Land from the crown. Wherefore
your Petitioner prays your Excellency
may be pleased to grant him under
the Regulations for U^o two hundred
acres of the waste Lands of the Crown
and permit David Cowan Esq^r
to be his agent to locate the same &
take out the Deed when completed

And your Petitioner will ever pray

his
William Lee
mark

1078

William Lee Maketh oath and saith
that the statement contained in the
within petition is the truth and that
he has never received any lands or
orders for lands from the Crown

Sworn before me at Amherstburg } ^{his} William Lee
this twentieth day of January 1807 } mark

In: Astin J
J.P.O.S.

I do hereby certify that William Lee the
within petitioner, did join the Royal Standard
at the time & place mentioned in his said
petition, and has never received any land
or orders for land from the Crown to the
best of my knowledge & belief.

Witness my hand at Amherstburg
in the Province of Upper Canada this
day of January 1807

Wm Grant
J. P.

Wm Martin

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Amherstburg 20th Aug 1808

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CANADA

It must be
admitted that
and that
Canada
Coast
William Lee
Smith

see the
by all hands
his said
any land
on to the
sum, though
in this
the North

107p
Amherstbury 20th Aug 1808

I do hereby certify that
the bearer William Lee a Black
Man and Loyalist came into
Detroit in Year One Thousand
Seven hundred and Seventy Seven

Millist

To whom it may
concern

I know Wm Lee
The person above
described to have come
to Detroit as above
mentioned

W. Park

Received 5th November 1808 from himself



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His Pet. of W. Lee

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Presented in the part of a warrant of the Crown and in what
he has no participation. He has of course lost the interest
of his money during the time it has been at his credit
in the Crown Land Office. I trust you will be kind enough
to have Mr. Brown's Memorial submitted to the proper Au-
thorities and some redress will be afforded.

I have the honour to be
Sir

Very respectfully

Your most obed^t

Wm. B. Smith

Mr. Chaswell & Richard
acting Surveyors General
We please to report what lands
have been located in the name
of the Petitioner
J. Smith

a Black man
The Petition of
William Lee
Received from Capt. Cowan
13th February 1807.
J. Smith
ca

His Honor's Office
York 14th Feb^y 1807.
Referred to the Executive
Council - By order of the
Lieut. Governor.
Wm. Hall
Secretary

Entered in Land Book G page
82 & Doh II page 80.

Read in Council 28th 1807
The Petitioner recommended for 200 Acres
of Land under the Regulations acted
upon 6th July 1804. That Capt.
Lee be recommended.
J. Smith
Chairman

The Petitioner to bring proof of his service
and also of the Capt. in which he
served June 30 1807

Revised in Council 22nd Nov 1800
It appearing to the Board that the Petitioner
has served as a volunteer under Capt. Baird of
the 8th Regt during the American war he
is therefore recommended for 200 Acres as a
Military Claim
That Capt.
Chairman

Approved
J. Smith
Chairman

Wm. Hall
1800

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CANADA

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William Lee

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411:9

With
Correspondence
Petitions

turnover

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CANADA

To His Excellency the Governor General in Council

The undersigned most respectfully begs to submit to your Excellency the following statement of facts and the circumstances attending the same by which it will be seen that the undersigned has been the loser to a large amount. He therefore prays that your Excellency will be pleased to take the case into immediate consideration and that a fair and equitable remuneration be allowed for the loss by him sustained.

The case of the undersigned is briefly as follows. That a land sale took place at Woodstock in the District of Quebec (late Canada) on the 12th of October 1837 that the South part of lot 245 in the 5th concession of Blenheim was offered for sale / as previously advertised / the undersigned became the purchaser at the upset price of 8/- per acre and complied with all the conditions of the sale that in order to be able to comply with the conditions of sale the undersigned purchased for the express purpose land rights to the amount of £ 63.00.0 for which he gave his promissory note of hand payable by instalments and in part of which note he is now paying interest.

That the above mentioned piece of land is one of the most valuable in the Township of Blenheim on account of its locality and timber and the undersigned could he have obtained his patent from the Crown would not have taken less than 30/- per acre for any part of the lot purchased at the sale of the 12th of Oct 1837.

M^r Joseph Haskins certificate accompanies this memorial showing that he offered 30/- per acre for 57 acres. As also the valuation of several persons who live in the immediate vicinity of the lot.

That after the undersigned had complied with the conditions of sale as a natural consequence he wished to obtain his title as soon as practicable consequently wrote the Honourable R B Sullivan then Crown Land Commissioner several times on the subject but the undersigned received no acknowledgment to any of his communications until after the undersigned had written to a Gentleman in Toronto who he had called at the Crown land office to enquire the cause of the undersigned not receiving his patent agreeable to the conditions of sale under which he purchased.

That the undersigned was then for the first time made aware that owing to a clerical error the wrong part of the lot had been advertised and sold - that it was the North part of the lot containing only 43 acres that was at the disposal of government and that

William Lee

1839

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a patent should issue in my name immediately which patent should the undersigned receive in the month of August subsequent to the date that the undersigned had been in the possession of the above patent but a short time when he received a communication from the Crown Land Commissioner informing the undersigned that the issuing of the above mentioned patent was another error growing out of the first and calling for an immediate surrender of the patent under a threat in case of refusal of an appeal to the Court of Chancery subjecting the undersigned to heavy costs and charges. The Hon. gentleman at the same time informed the undersigned that previous to patenting the land to him an order in Council had passed granting to Mr. Jacob Houghton of the Township the right to purchase.

That Mr. Jacob Houghton has since deceased and the undersigned has settled in a manner satisfactory to the Widow and children of the above named Jacob Houghton, by conveying the above mentioned 43 acres of land by deed in fee simple to the son of Jacob Houghton. Their certificates also accompany this memorial.

That the undersigned owing to the above errors on the part of the Government as well as neglecting to answer the communication of the undersigned in proper time informing him of the mistake has been put to much expense and inconvenience as well as a heavy loss in not obtaining a title for the land purchased at the sale of the 14th October 1839.

The Undersigned begs to submit to your Excellency the following statement of the loss which he conceives he has sustained with such remarks as he considers necessary in explanation of the same.

To loss on purchase of 157 acres of land being the south part of lot 225 in the fifth concession of Blenheim	£ 140. 11. 0
To 2 yrs & 5 Mths Interest on £63 paid on the above purchase	9. 8. 6
To 40 days loss of time in endeavouring to obtain title to land and bring the business to a close	4/6 per day. 15. 0. 0
To 25% postage and other incidental expenses	1. 5. 0
Making in the whole	£ 165. 13. 6

The undersigned would beg to say in explanation of the above items that the first of £140. 11. 0 is what he conceives to be his actual loss on the land purchased for had he obtained his title as he had a right to expect he could have realised more than the above amount clear of all expense or trouble. The second item of £9. 8. 6 is the interest due on the £63. 0. 0 paid into the office as purchase

request
for sale
consequent
is for loss
of which
owing to
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from me
to 600
he kept
occurred
items of
by neglect
lands were
of charge
the under
with the
of over paid
to the
Crown land
error has
in Council
compensate
that he
seven other
or the
Township
as there
undersigned
£4. and
in Council
if the above
undersigned
just and
he is a
Ireland
that time
grant of
which he
disadvantage
16 acres and

means on the above lands. If had not the above land been advertised
 for sale the undersigned would not have purchased the land rights and
 consequently would not have had to pay interest. The 3^d item of £10.00
 is for loss of time in endeavoring to obtain title and get rid of the
 which it is necessary to say that one cause of such a loss of time was
 owing to there being no post office at that time within a 100 distance
 then ten miles of the undersigned and from his making an estimate
 from memory. The travel on this various business has amounted
 to 800 miles and the undersigned has no doubt in his mind had
 he kept an accurate account of all the time lost it would have
 amount rather than fall short of the above estimate. The last
 item of 25/- for postage and other incidental expenses was occasioned
 by neglect as stated above. The published constitution of sales of Crown
 lands was that all transactions of papers should be free
 of charge to the purchaser. This was not complied to in any case
 the undersigned paid postage on all communications back and forward
 with the exception of the last one from the Crown Land Commission
 it was paid for returning the certificate of transfer of the land rights
 to the undersigned and 5/- to the gentleman who kindly called at the
 Crown Land office and gave the undersigned the first information of any
 work having occurred.

The undersigned therefore humbly prays your Excellency
 in Council to take his case under immediate consideration and a some
 compensation for the loss of the £140.00 as stated in the first item
 that he may be allowed to purchase at the upset price of 8/- per
 acre either the East 1/2 of lot No 11 in the 12th Township of Olden River
 or the East half of lots 23 & 24 in the eleventh township of the
 Township of Chipewyan which lands though not near as valuable
 as those formerly purchased are yet of a good quality as the
 undersigned has been informed by the District Agent Peter Samuel
 Esq. and that the said lands have been forfeited under the order
 in Council of the 2nd of April 1858 and as to be again open to sale
 if the above mentioned or any part of them is not to be obtained the
 undersigned prays for such other remuneration as may be thought
 just and equitable. The undersigned would here say to state that
 he is a British born subject being a native of the County of Tipperary
 Ireland has been a resident in Canada upwards of 25 years during
 that time he has made no application whatsoever for a grant of land
 from the Crown that has been the best land to be had
 which he has had with Government which thus far has proven
 disadvantageous. that the undersigned has a family of ten children
 16 sons and 4 daughters which he is desirous of settling as near him

which patent deed
 pursuant to the
 the above patent
 from the Crown
 the opening of the
 of the first
 under a title
 various subjects
 than at the
 distributing the land
 Jacob Haydon
 the undersigned
 a children of
 he mentioned
 of Jacob Haydon
 on the part of
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 a heavy loss
 at the sale of
 lands. The
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 South part
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 on 7.00 8-6
 15.00
 1.00 5.00
 165.00 13.00
 of the above
 he actual
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 the above
 tion of 2.00 8
 as purchase

107^W

as practicable, have and do desire and anxiously to obtain the same as near his residence as may be obtained.

The undersigned further prays that he may be allowed such compensation for his loss of time, interest &c. &c. as the case demands and in such way and manner as your Excellency in your wisdom may think proper.

And the undersigned as in duty bound will ever pray &c.

Jeremiah Cowin

Blenheim District of Brock
the 21st March 1842

Personally appeared before me George W. Whitehead Esq. one of His Majesty's Justices of the Peace in and for the District of Brock Jeremiah Cowin of the Township of Blenheim who maketh oath and saith that on the 14th of October 1839 at the sale of Crown lands at Woodstock he purchased the south part of lot C P 5 in the 5th township of Blenheim which he believed to contain 157 acres at the upset price of 4⁰ per acre that to the best of his knowledge and belief he complied with the conditions of sale that had the defendant received his patent from the Crown for the above mentioned piece of land that the defendant would not have been willing to have sold it at less than 30⁰ per acre believing it to be worth that sum per acre Defendant further saith that he verily believes that the time mentioned as lost in the annexed memorial to His Excellency in Council is not overrated and that he has been and is still paying interest on obligations given by defendant in payment of land claims for the express purpose of paying for the above mentioned south part of lot C P 5 in the 5th township of Blenheim Defendant further says that he verily believes the above mentioned loss and inconvenience by him sustained was owing to the mistake of Government or its officers

Jeremiah Cowin

Sworn before me at
Woodstock in the Brock
District the 21st March 1842

Geo. W. Whitehead J.P.
B.D.

The undersigned
Mr. Cowin
been on the
through the
Cowan has
undersigned
in land
of the
the

107/10

The undersigned certifies that he is well acquainted with
Mr. Jeremiah Cowin of the Township of Stanheim who has
been in the habit for the last three years of communicating
through the Bedford Post office and that the said Jeremiah
Cowin has frequently called for letters which he informed
the undersigned he was expecting from the Commissioners of
Crown Lands respecting a piece of land which he purchased
from the Government

H. M. Whitehead
Post Master

Bedford the 22^d March 1842

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Blenheim 3 August 1841

To All whom it may Concern
This may Certify that the value of
the South half of lot N^o 5. 5th of Blen
heim in the opinion of the undersigned
is about five or six dollars per acre

John Jackson J^r

I did offer five dollars per acre to
Mr Cowen some time ago for 50 acres
of the same lot. and I have since five
dollars per acre for lands in Blenheim
of no better quality. and not so well sit.
uated
J. Jackson J^r

75 76 is
a Excellent in
will over from
W. Cowen
... one of the
of Brock
with
own lands at
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above mentioned
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ing it to be
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Cowen

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Crown at the top,
acknowledges lots.
L. 1/4 of Nov 13 of

Balance of 31 1/2 in 11
Lot 2 in 12 Nov

Petition No. 107

Jeremiah Cowan

St. N. 5 - 5 Pleuchain

read 31st March 1842

CC.

John

The Committee 11 Nov. 1842
The lands offered for sale
happened not to be at the disposal
of the Government, and admitting
the value set upon them by
Petitioner, he could not by any
means have had the advantage
of the speculation which he says
he has lost. He appears to
have some right to comment
for the inconvenience which
he has been put, by the
difficulties in the title, and
which he is reported to have
a balance in the Crown -
Lands office of £67 10 -
of unapplied land right
and the Committee record

in addition the sum
to him of £33. 10.
to keep which will
make his cost on the
whole £100.

Approved in Council
25 Nov. 1842

Extract from Report sent to the
Commissioner of Crown Lands 2nd
December 1842
Commenced Petition 12th
December 1842

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2 Nov^r 1837. Jeremiah Cowin purchaser
 pays for S part of 5 ^{acres} in Blenheim. that
 portion not being at the disposal of the
 Crown patent issued for North part.
 30th Feby. 1840. a sale of this part to
 Hughson is confirmed without reference
 to Cowin's patent. Cowin is called
 upon to surrender and declines.
 July 4th. Cowin conveys to Hughson's
 heirs the North part and they declare
 themselves satisfied. Under this
 Cowin becomes entitled to unoccupied
 Land rights in Hughson's name £ 30.0.0
 & on his own account £ 17.16.0
 £ 67.16.0

Cowin applies for permission to purchase

advertised lots. viz^t.

E 3/4 of 11 in 13 of Blenheim

This lot it appears was originally bought
 to Eli Kentonote & by the inspection
 returns N^o 2 is occupied by George
 Thomson who has cleared 5 Acres.

S² by S. A. Gasp with 10 acres cleared.

E halves of 3 & 4 in 11 Missouri.

This is described in favor of J^r. Anderson

Lot 2 in 12 Missouri

E 1/2 described to G. W. Mac K^e to D. W. Diarmid.

Petition No 107
Jeremiah Cowin

The Commission N^o 107
The lands offered for sale

in 1837 the year

J. Skircks Esquire
Hington
30 September 1841

On the subject of Mr. Skircks
Grovers Purchase of
Bloukine

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recd 5 Octo 1841

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Crown asked by way of compensation.

Less on what he might have made

under his purchase of 2 Nov. 1839.

} £ 140. —

Interest loss of time & other expenses

35.. 13.. 6

£ 165.. 13.. 6

Crown Land Office

Registered 13th April 1843.

J. M. D. D. D.

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CANADA

To His Excellency the Right Honourable Jas. B.
Baron Buxton one of Her Majesty's Most
Hon. Privy Council, Governor General of British
North America &c &c

May it please your Excellency

The undersigned would most respectfully desire to call your Excellency's earliest attention to the following statements of facts by which your Excellency will perceive that the undersigned has been put to much personal inconvenience and suffered loss which he is not able to afford. Therefore prays your Excellency to take his case into your earliest consideration and grant him such relief as your Excellency in your wisdom shall think just and equitable.

During the summer of 1839 the Publick by advertisement in the U. C. Gazette (a copy of which accompanies this memorial) as well as by a paper published in the District, were made aware that a Publick sale of Crown lands was to be holden at Woodstock in the District of Brock on the 14th of Oct 1839. Among the lands advertised to be sold at that time was the south part of Lot A. 5. in the 5th concession of the Township of Wainfleet. The undersigned knowing the above mentioned piece of land to be one of the most valuable in the Township on account of its soil, locality, and timber, became desirous of being the purchaser, not being prepared to pay the cash and knowing that U. C. and other land rights would be received in payment at 4. per acre. The undersigned

J. Smith Esquire

107d

made a conditional bargain with two of his neighbours who had claims against the Government for 300 acres of land the conditions of the bargain were that if the undersigned should become the purchaser of land at the sale he was to have a transfer of their claims of land on Government for which the undersigned was to give his obligations for the amount assessed upon him at a certain time than mentioned. The undersigned attended the sale of the 14th of Oct. 1839 and became the purchaser of the above mentioned piece of land at the upset price of 8. currency per acre. paid the District Agent J. B. Atkin Esq. the sum of £5.00.0. in cash agreeable to the conditions of sale, and took his receipt for the same. the undersigned next concluded his bargain for the land rights, and on the 23rd of the same month of Oct. forwarded the transfer of the land rights. the District Agent receipt for the £5.00.0. together with the sum of 8. to pay for the Registry of certificates of the agreements. to the Hon. R. B. Sullivan Crown Land Commissioner with a request that his honour would be pleased to forward the patent for the land purchased at his earliest convenience either to the undersigned or to the District Agent. the undersigned having waited as he thought a sufficient time to have received an acknowledgment from the Hon. the Crown Land Commissioner. addressed the District Agent informing him of having forwarded the land rights to the Commissioner at Toronto in payment of full of the land purchased with a request that the District Agent would not again offer the land for sale. in reply the District Agent informed the undersigned that he had received no communication on the subject from Toronto. and that it was only just for him to mention that he had no power to accelerate the completion of the sales of Public lands. The undersigned after waiting

a length of time but receiving no following the sale. in some time. at the Commission to sale. and that perfect. but at the Hon. the signed had written by that Honour undersigned.

In the undersigned a gentleman in and requested he he kindly did inform that in had been made it was the of Government and under patent for he said it could the lot. at the undersigned would August a patent same. After his patent for received a communication dated two days him that a copy would be forward

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PUBLIC ARCHIVES PUBLIC CANADA

the neighbour who
 300 acres of land the
 the undersigned should
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 of the land purchased
 would not again offer
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 his communication on the
 was just for him to
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 undersigned after writing

a length of time again addressed the Crown Land Commission
 but receiving no answer the undersigned on the 26th of March
 following the date, again wrote to the District Agent who in reply
 informed me that having received no intimation of its being paid
 at the Commission's office in Toronto, the land was again open
 to sale and that he had returned the £5.00.0. received as
 forfeited but at the same time recommended applying to
 the Hon. the Commission on the subject, which the under-
 signed did without delay, but as before, no attention was paid
 by that Honourable Gentleman to the communication of the
 undersigned.

In the month of June subsequent to the sale
 the undersigned through the advice of St. Charles Esq. wrote to
 a Gentleman in Toronto gave him a statement of the affair
 and requested him to give some attention to the business which
 he kindly did then for the first time was the undersigned
 informed that in consequence of a clerical error a mistake
 had been made in the part of the lot advertised and that
 it was the fourth part of the lot which was at the disposal
 of Government and not the sixth part as that had been
 under patent for many years, but that the undersigned if
 he saw fit could have a patent for the fourth part of
 the lot at the same price to which assentment the
 undersigned consented and accordingly in the fore part of
 August a patent deed was received by the undersigned for the
 same. After the undersigned had been in possession of
 his patent for a few days he then for the first time
 received a communication from the Crown Land Commission
 dated two days after the record of the patent informing
 him that a certificate had issued and that his patent
 would be forwarded with as little delay as possible

1072

In the 11th of Sept the undersigned was in receipt of a second communication from the Honourable the Crown Land Commissioner in which he was pleased to call the particular attention of the undersigned to a clerical mistake which he said had occurred in relation to the North part of Lot A. 5 in the 5th concession of Glenora, for which he said there was an order in Council previously granting permission to Mr Jacob Thompson who was in possession of the land as a squatter to purchase under which circumstances his honour expressed to say that there is no alternative left the undersigned but to surrender his patent with as little delay as possible. However Mr Glenora concludes it will be necessary to appeal to the Court of Chancery which might subject the undersigned to heavy costs and charges.

The undersigned not taking the same view of the matter as his honour the Commissioner replied on the 18th of the same month in which the Commissioner made acquainted with the facts of the case of the very unnecessary expense & trouble the undersigned was put to in obtaining his deed which he had sought to have received according to the conditions of the sale without any trouble delay or expense further than attending the sale of the 14th of Oct 1839. It was also shown to the Commissioner that the order in Council in favour of Mr Thompson was subsequent to the sale above mentioned and that if the clerical error above mentioned had not taken place the North part of the lot would have been advertised and sold on the 14th of Oct. 1839. At that time the land did actually belong to Government and was intended to have been sold. The undersigned further informed the

Commissioner that he had offered to sell the land to Mr. Haysden at a high price than he could have obtained for the South part of the lot in a state of nature. The undersigned further informed the Commissioner of Crown Lands that if Government was desirous of being more lenient to Mr. Haysden than he was, that the undersigned had no objection to throw any impediment in the way, but would be willing to take other lands in the Township of St. John's or near it in exchange at the upset price provided he was allowed what the land surrendered was worth it was also made known to his Honor the Commissioner that in consequence of no attention having been paid to the letter of the undersigned that he the undersigned was put to the trouble of traveling in the whole upwards of 500 miles before he could obtain the patent deed now required to be surrendered without any remuneration being offered, and that the undersigned was put to expense which he should not and would not have been put to had his business met with prompt attention. In reply the undersigned received a communication from the Hon. R. B. Sullivan dated the 29th Oct 1840 in which he is pleased to express his regret at the inconvenience to which the undersigned had been subjected at the same time in relation to an unconstitutional surrender of the land in order as the Commissioner is pleased to express himself that the undersigned may not be put to further trouble by incurring expense which he the Commissioner would be extremely sorry for.

The last time the undersigned had the honor of addressing the Crown Land Commissioner in reply to the above the undersigned informed the Commissioner that it was his the undersigned's intention to buy the whole

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 variously pointing
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 other which circum-
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 since replied on
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 taken place the
 in a short time and
 time the land did
 intended to have
 informed the

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business before having had help of Sir G. Arthur whatever
 the undersigned should choose to be the person one to address
 that having full confidence in the justice of your Excellency
 & Sir G. Arthur the undersigned would be willing to abide
 by the decision of either accordingly in the instance of either
 last the undersigned brought this business under the notice
 of Sir G. Arthur in a communication through his secretary
 J. B. Harrison Esq. but to the disappointment and mortifi-
 cation of the undersigned an acknowledgment was never received
 The undersigned having endeavored to give your
 Excellency a plain and true statement of the case would now
 most respectfully beg to direct your Excellency's attention
 to the following facts. That owing to the advertisements of the
 Crown Land Commissioners the undersigned was induced to make
 the purchase of land rights and gave his obligations to the
 amount of £60.00.0. payable in a year time with interest
 that the undersigned purchased the South part of lot 245
 in the 5th Con. of Monheim supposing it to contain 157
 acres and paid for it accordingly. that the undersigned
 was kept ignorant of any mistake having been made in
 the advertising of the part of the lot at the disposal of
 the Government until the July following the sale where
 had he immediately been apprised of it he might have
 invested his rights in other valuable lands than in market
 market. that in consequence of such neglect or inattention
 the undersigned was put to much inconvenience and expense
 having traveled in the whole about 600 miles in
 attending to the business of his land purchase -
 That the object which the undersigned had in
 view when he purchased the S. part of 5 in the 5th Con.
 of Monheim was to sell 50 acres to enable him to pay

for the same
 have either
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 That
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 order in France

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