

To His Excellency the Right Honourable the Earl of  
 Elgin and Lincolnshire Captain General and Governor  
 in Chief of the Provinces of Canada New Brunswick &c. &c.  
 May it please your Excellency

The Petition of Robert M. Levey of  
 East Oxford Humbly sheweth that He is the Brother of John M. Levey  
 who in the year 1756 obtained a grant of a Lease of Lot No. 9 in the  
 2<sup>d</sup> Concession of the Township of Blenheim a Clergy Reserve  
 that the said John M. Levey went on the Lot and built a House  
 and made an improvement on the Land, that your Petitioner being  
 His Brothers health declining advised him to secure the Lot by purchase  
 with that view He petitioned the Government and the right of purchase  
 was granted to him at the valuation of a Deputy Surveyor which  
 was the reason (unfortunately for his Son) He did not take out  
 the Leases that while He was preparing to complete the purchase  
 His ill Health terminated in Death which Event took place on  
 the 17<sup>th</sup> of January in the year 1798 and as all hope of purchasing  
 the Lot had then failed on the 25<sup>th</sup> of the same Month your  
 Petitioner went to Toronto to apply for the Lease in hope to secure  
 the Land in that way for the Children then three in Number  
 two of whom are since Dead, the eldest yet Lives a boy now  
 fifteen years of Age; but on making the Application Mr. Barnes  
 (the Secretary to the Clergy Corporation) informs him that the Lease could  
 not then be issued because all the parties connected with the Department had  
 gone to Navy Island but Mr. Barnes told your Petitioner that he had  
 no cause to be uneasy that no one could deprive the Legal Representative  
 of his Brother of the Right that was his that your Petitioner might pay  
 the Rent for the Children of he said yet that on that Day your Petitioner  
 did pay £2.5 for one years Rent and part of Cattel Fee and took a Receipt  
 in the Name of the Children, and was again told by Mr. Barnes that the  
 Claim was perfectly secure to the Orphans, your Petitioner Confident in  
 the Integrity of the Government looked with indifference on the Efforts that  
 he saw made to deprive the Orphans of their right by the parties that his  
 Brothers Death left in possession of the Land who were his wife and her Children  
 by a former Husband, she died in one year after her Husband and left the  
 three Orphans above mentioned to be supported by your Petitioner while  
 the older part of her family sold their possession of the Land at about half  
 what the Claim was worth if it had been theirs and left the Neighbourhood  
 the Affidavit herewith presented, will show the Correctness of the above Statements  
 if more Evidence is deemed necessary it can readily be produced, that your Petitioner  
 several times since offered to pay Rent on the Lot but was told that there was a  
 dispute about Claim and his Rent would be received from any Party till  
 that would be settled, in December 1846 on applying to Mr. Carroll the District  
 Agent your Petitioner found that the parties in possession of the Land had the  
 right to Purchase granted to them he therefore lost no time in sending a

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
 (RS 1, L 3, Vol. 217)

PUBLIC ARCHIVES

ARCHIVES PUBLIQUES

CANADA

13i

Affidavit of  
Anthony Nouch  
and  
Michael Showey  
respecting the  
improvement in  
Lot 7. 2 Con  
Blenheim made  
by  
John McSwiry.

452792  
1849

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

See for better

139

Sir, Aug 25 June 48

Brock District Agency  
Yona 3<sup>rd</sup> Dec 1847

20.2027

on receiving your letter of the 10<sup>th</sup> of Sept. last respecting  
the order in Council on Lot No. 7 in the 2<sup>nd</sup> Con: of Blenheim  
I communicated it to the parties immediately Martin and  
Spurs offered to leave the matter to two of the neighbours who  
were acquainted with the Lot and knew what improvem-  
-ents was made by the late John M. Levy. and whatever  
sum they thought said improvements was worth they  
were willing to pay in addition to the £1-15- which was  
paid to Mr. Baines as Rent

£6.5  
1.15

Mr. Levy neglected to do anything about it - Martin  
and Spurs then took two of their neighbours before a  
Justice of the Peace whose affidavits are here with  
Enclosed, who state as you will see the improvements  
worth £6-5-0 which sum with the £1-15- paid to Mr. Baines  
has been tendered to him but he as yet refuses to take it

Calvin Martin Esq: of W. Oxford and Deputy Surveyor  
Wm Smiley also inform me they are well acquainted  
with the Lot and with the improvements made by  
the late John M. Levy and that £6-5- would be an  
ample remuneration, the £8-00- is ready  
for Mr. Levy whenever he sees proper to take it  
under all those circumstances I should think it  
right that the Sale should be carried out to  
the Occupants

£8 sent  
no 3765/48

I have the honor to be  
Sir,

your obedient humble  
servant  
John Carroll  
District Agent

The Honble

The Com: of Crown Lands  
Montreal

5279

John Canoll  
From 3/13 Dec. 1847

Respecting  
value of improvements  
made by St. M. Leoy  
via 2 Blenheim

C. 2927

L 2429/48

See letter to M. Bennett 5 June 47

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

Mr. Farbutt

130  
East Oxford 17<sup>th</sup> July 1848

Sir

I have just received your letter of 5<sup>th</sup> June last which has been till now in coming to hand. with reference to the Claim put forward by me in behalf of my Brothers orphan, I beg to state that when I received the letter of 10<sup>th</sup> September last communicating the Extraordinary decision of the Government on the Claim of John McLevy to Lot of in the 2<sup>nd</sup> Concession of Blenheim, I least Clergy Reserve,

I went to Mr. Carroll the District Agent and told him that I would submit the whole transaction to Arbitration but he told me he thought the parties would not agree to that, I tried the parties in possession of the Lot and they would not come to terms of that kind. Mr. Carroll told me that there had been 26 Dollars placed in his hands to offer to me for the Benefit of my Brothers orphan but I told him I would not be guilty of accepting any such amount, he also told me the parties in possession had found two persons to swear that that was the value of the Improvement when my Brother died, I was about to petition and to show by Affidavits the fraud which was about to be practised on an orphan by such foul means, but I had little hope of success

over

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

13 m  
- for the party in possession had weighty influence with  
the then Administration, but now that their family connections  
can have no weight and that their cause must stand or  
fall by its merits, I have no doubt of Justice, if you  
Sir will have the goodness to defer the matter until I  
can have an opportunity of laying their most unjust  
attempt before the Government, and if Justice is done  
the orphan will be put in possession of that right which  
his Father's sudden death gave them any chance to deprive  
him of, but it is now harvest and those who know the  
matter best live along distance from here therefore I think  
it will require a month to bring the Affidavits and other  
evidence before the government, then Sir you will have  
an other opportunity of seeing how fraudulent the Jorjys  
can act, for there are others in this part of the Country  
beside John Vanstart and Gether Carroll who would make  
a merit of their guilt,

I have the Honour to be  
Sir  
your most obedient servant  
Robert M. Levey

Honourable J. H. Price  
Commissioner of Crown Lands

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

13M



HONOURABLE J. W. BRIDE  
Crown Lands Department

Montreal  
16 29 27

3100  
St. M. J. J. J.  
with reference to  
value of improvement  
made by his late father  
and to the 2nd Section

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

Oxford East 4<sup>th</sup> September 1848

Sir

I beg to Address you with Reference to A Petition which I Inclosed to you on the 5<sup>th</sup> Instant to be Layd Before the Governour General, I hope you may have some Recollection of the Facts Mentioned in that Petition they were Laid Before you About 8 years Ago when you were Commisioner of Crown Lands, I have no Doubt that Justice would have then been Done if An Order had not come from England At that time to Stop all Buisness Connected with the Clergy Reserves, And Now that the Matter has come before you Again I Will Anticipate the Same Result, I do hope that in Stead of the Orphan being forced to Sell his Fathers Right to the Party in Possession they may be Obliged to Sell their unfounded Claims, I beg to Mention one or two Little Circumstances which I think Perhaps may Darken the Justice Against the Orphan. Norton one of the Parties in Possession of the Lot in Dispute is A first Cousin of M<sup>r</sup>. Peter Carrolls Wife the District Agent is Brother to Peter Carroll and his Wife is Aother first Cousin to Norton Peter Carrolls Fatherinlaw the District Agents Fatherinlaw, And Nortons Fatherinlaw Are All Brotherinlaws, therefore if it is Possible to See Nothing your Honour may See the Chance that the Son of An Unfortunate Oldy has amongst them:

I have the Honour to be Sir your  
Most Obedient Humble Servant  
Robert M<sup>r</sup>. Levey

Honourable R B  
R B Sullivan

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**



Byford 23<sup>rd</sup> Feb 1840

Sir

By the request of John Purnoy  
I have examined the South half  
of lot & No. 7 in the 2<sup>nd</sup> Con. of Blenheim  
The timber is principally Beach some  
Maple Elm & B. Ash. Soil a mixture  
of Clay & Sand; no being better upon  
said lot; Considerable Swamp from 4 to 6  
acres improvement. I therefore should  
think it worth 12/6 Cy per acre

12/6

N.B. Sir

I was some two or three  
years since; called upon by Mr. Blair  
to appraise the said above mentioned  
lot; that was at a time when the price  
of government Lands were higher than  
at present; which will account  
for the difference in my appraisal;

To the Hon<sup>ble</sup>

R. B. Sullivan  
Comm<sup>r</sup>. of Crown Lands  
& C. & C.  
Toronto

I have the Hon<sup>ble</sup> to be  
Sir your most obed<sup>t</sup> Servant

Wm Smiley  
D. P. Spry

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

139

Wm Smiley D. Esq.  
Burlington  
23<sup>rd</sup> February 1848

John

Valuation  
Lot 7 in J. Coni. Block  
valued at \$100.00 per  
Acce.

To the Landl.  
R. B. Sullivan  
Compt. of Crown Land  
Toronto

Henry

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

27 Elsie  
Jm B Mc Elsie

131

The undersigned does hereby certify  
that on the 14<sup>th</sup> day of September  
1848 Matthew Algio of Blenheim  
did duly execute a quit claim  
to the North part of Lot 7. 2<sup>nd</sup> Con  
of Blenheim in favour of John  
Chatterson. who transferred the  
same to Thomas Speers - this  
quit claim was forwarded to  
Toronto duly proved on the 14<sup>th</sup>  
April 1849. Together with a  
quit claim from William  
Algio of the South half of the  
same lot in favour of the said  
Chatterson, who transferred the  
same

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

Memorial to the Governor in Council Praying that the Ordinary plan of settling such Disputes might be Adhered to, that Justice might be Done to A party who was unable to act in his own Defence and in September following Received an Answer that the party in possession might purchase provided they would pay to him for the Benefit of the Heir of John McLeary the Value of the Improvements made on the Land by his Father on Deciding that Answer your Petitioner Saw that his Chance of Obtaining Justice for the Boy was Very Small he therefore offered to Submit the whole matter to Arbitration but the party in Possession would not Agree to that, they had had got A most Extraordinary order in Council in their favour and they would Act upon it, I regardless of two former Orders and the Imperial Statute which had many years before fixed the Right in the Father of the Orphan. to Complete their said Transaction the party in possession found two Persons who made most Disgraceful Affidavits that the Improvement made on the Lot at the time of the Decease of John McLeary was only worth Six pounds ten, which amount the District Agent told your Petitioner they had Deposited with him but your Petitioner would not make himself A party to such A False Transaction by Accepting such An Amount, for by So Doing he would Enable them to Complete their Unprecedented fraud on an Orphan. the Above facts are Most Humbly Submitted

To Your Excellency

In hope that Justice will yet be Done to the unfortunate Orphan And your Petitioner as in Duty bound will Ever pray

East Oxford 5<sup>th</sup> September 1848

Robert McLeary

134  
to John Kinney, these papers  
was by the undersigned sent  
to Toronto at the same time in  
14<sup>th</sup> April 1840. duly proved.

This Certificate is given  
from memorandum made  
by me at the time the Petitions  
were made, Witness my hand  
at Blue Hill this 27<sup>th</sup> day of March  
1846

John Jackson S<sup>r</sup>

N.B. All the papers above alluded  
to was forward to M<sup>r</sup> B. Spurgeon as  
the agent of the parties -

John Jackson

J. S. S.

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

Blenheim 28<sup>13X</sup> March 1846

The undersigned has made search for the papers mentioned in the foregoing Certificate of Mr Jackson and can find no trace of them among his papers; if they ever came into his hands they were most probably filed in the office of the Commissioner of Crown Lands with the petition of one or other of the parties mentioned as signees of the Elgins, a reference to my office books in the hands of Mr Thomas Steen of Montreal would probably show some light upon the matter

J. Murray

1846

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

~~Know all men by these presents that William ...~~

*[Faint, mostly illegible text, likely a witness statement or affidavit.]*

Canada  
Brook District } Eam Martin

To wit } of the Township of  
Blenheim in the above said yeoman Makitt  
Oath and Faith that he was personally  
present and did see the within assign-  
-ment from John Kenney to Murray Lester  
duly executed on the day it bears date  
and that he this deponent subscribed  
his name to the same as a witness

Sworn to before me at  
Yorba the 13<sup>th</sup> day of April 1846  
John Carroll J.P.

Eam Martin

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

Quit Claim  
John Kenny

*[Faint, mostly illegible handwritten text, likely the body of the quit claim document]*

131

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**



Know all men by these presents that I John Keeney  
 of the Township of Blenheim Brock District and Province  
 of Canada Yeoman for and in consideration of the sum of two  
 hundred pounds to me in hand paid the receipt I do hereby ac-  
 =knowledge have granted bargained sold and quitclaimed all my  
 right title interest claim property or demand whatsoever either  
 at law or in equity of in and to the south half of Lot No seven in  
 the second Concession of the said Township of Blenheim, Together  
 with all houses out houses or other improvements whatsoever thereon  
 lying and being unto Murray Lister of the same place Yeoman his  
 heirs executors administrators and assigns to have and to hold the  
 same to his or their own use and benefit with out the hindrance in-  
 terruption or denial of any one claiming by or through me the said  
 John Keeney my heirs executors administrators or assigns, I do  
 further covenant and agree to and with the said Murray Lister  
 his heirs executors Administrators and assigns that I will execute  
 such other further and necessary writings as may be required for  
 the better procuring the title to the aforesaid land at the proper costs  
 and charges of the said Murray Lister his heirs or assigns, —

In witness whereof I here unto set my hand and seal this  
 twenty seventh day of January 1844

In presence of  
 Joseph Martin  
 Edam Martin

John Keeney

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
 (RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

Know all men by these presents that Murray Lister with in  
mentioned for and in consideration of the sum of two hundred pounds  
to me in hand paid the Receipt whereof I hereby acknowledge have  
granted bargained and sold all my right title interest claim  
property and demand whatsoever of in and to the with in quit  
claim to Elam Martin his heirs executors administrators  
or assigns to have and to hold the same to his own proper use  
and benefit as well as my hand this 31<sup>th</sup> day of the first  
month 1844

H. F. Martin  
Joseph Martin

Murray Lister

Canada Brock District } H. F. Martin of the  
Township of West Oxford  
To wit }  
in the above said District Gentleman  
Maketh oath and saith that he was  
personally present and did see the  
above assignment from Murray Lister  
to Elam Martin duly Executed on the day  
it bears date and that he this deponent  
subscribed his name to the same as a witness  
Sworn to be for me at  
at Bushville this 13<sup>th</sup> day of } H. F. Martin  
April 1846 }  
C. Martin J.P.

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

To His Excellency Sir George Arthur  
N.C.H. Lieutenant Governor &c &c &c

The Humble petition of  
Robert McLevy Sheweth

That John McLevy obtained a grant  
of Lot number seven in the second concession  
of the Township of Muskoka in the North  
District as now divided about five  
years ago. That he went on land  
improved the same and built a good  
comfortable dwelling house upon it  
upon which he & family resided  
up to about the time of his decease  
he died about January 1838 being  
leaving leaving three orphan  
children that he is the brother  
of

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

<sup>13<sup>th</sup></sup>  
The said John McLeary and out of charity  
& humanity towards the poor helpless  
children your memorialist paid  
on their behalf after their fathers  
decease to Mr Baines on the twenty  
fifth day of January ~~1838~~ 1838 the sum  
of one pound fifteen shillings as will  
appear by the accompanying receipt to  
which he has most respectfully to refer  
your Excellency, that by some unfair  
means the Government were misled  
and induced by William Elgie to pass  
an order in November 1839 granting  
him the privilege of purchasing the  
lot, that your Excellency would  
be graciously pleased to rescind that  
order and allow the rightful and

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

Lawfull heirs & appressed Children  
 of the said John W. Levy to retain  
 the said that their deceased parent  
 intended for them, Eliza has sold  
 his illegitimate apparent right and  
 absconded the Children will be  
 wholly destitute and at the mercy  
 of mere Charity of your Excellency  
 will not shield them from the  
 designs of the Crafty & those who  
 hope their little patrimony without  
 being answerable for a farthing  
 your petitioner as their uncle  
 and friend has supported the Children  
 wholly and entirely at his own  
 Expence He now implores your

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
 (RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

1388  
Excellency to save them from the  
attempts that has been made to  
deprive them of their just as well  
as lawful inheritance, your petitioner  
does not pray for it for himself  
but on behalf the ~~the~~ orphans & for  
whom he feels assured he will not  
be denied justice by your Excellency  
any evidence that might be required  
your Memorials can adduced to  
Establish the foregoing - trusting your  
Excellency's favourable consideration  
and the rescinding of the said order  
your petitioner will ever pray  
Wm. H. Murray  
Toronto Nov. 4<sup>th</sup> 1840  
Robert McLeney

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

134

Curon District } Matthew Elgie of the Towns  
To wit }  
District Farmer appeared before me John Sparling  
Esquire one of Her Majesty's Justices of the Peace in  
and for the said District and Matthew Cath and  
saith that he this Deponent sold Lot 27<sup>o</sup> in the 2<sup>o</sup>  
Conception Township of Blenheim in the Brock Dist<sup>o</sup>  
on or about the Fall of 1839 or the Commencement thereof  
for the sum of £50-0-0 and if he this Deponent considered  
at that time that his title was good and unexceptionable  
he would not sell it less than £100-0-0 which sum  
this Deponent positively swears it was worth and  
is sure that he could have got that amt for it  
and this Deponent further swears that this lot was in  
the possession of John McLeary at the time of his  
decease and that the improvements made by this  
Deponent after the decease of the said John McLeary  
amounted to about £100-0-0 and no more  
and this Deponent further saith that his Brothers  
William and Thomas Elgie were concerned with  
him in the sale sworn before me this 15<sup>th</sup> day  
of August in the Year of Our Lord 1848

Matthew Elgie  
John Sparling J.P.

120  
Proprietarily by to refer to my reports of the 22<sup>nd</sup> March  
1839 - on the petition of William Egrie, respecting the lot  
within mentioned  
Clay's Corporation New  
Grant 18 Nov. 1840

Same

221

Petition of  
Robert M Levey  
respecting Lot  
No 2 - Camp Washburn

Secy's Office,  
9 Nov 1840.

Referred to the Secy  
Clay's Corporation  
& the Agent for sale  
of Clay's Reserves to  
report hereon for the

information of the Executive  
Council. By command.

W. W. W. W.  
Prosp.

That the former Petitioners  
were sent to Mr. Thornhill  
September 1840

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**



Toronto Nov. 4<sup>th</sup> 1840

I have the honor to enclose  
for Mr. Hurling's consideration  
a memorial of Robt. Whaley  
which you will please have  
forwarded -

Yours Most  
Obediently  
J. H. P. Tucker

J. H. P. Tucker

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

The Hon: R. A. Tucker  
W. House

13.22

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

Blenheim 2<sup>nd</sup> Nov 39 <sup>1348</sup>

Sir

Having been requested  
by Mr. Ely to state to you  
what I should consider  
Sett<sup>l</sup> 7<sup>th</sup> incl<sup>d</sup> 2<sup>nd</sup> loc: of Blenheim  
worth per acre - I should value  
it well worth fifteen Shilling  
ly; per acre

Col. Baras

Seneac

A. Smiley  
D. P. Murray

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

1398  
W. Smith - Land Surveyor  
Valuation of  
lot 7. Con<sup>o</sup> 2<sup>d</sup>. Alton  
W. Elgin -

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

The undersigned freeholders have read the petition of William Watson Elgie believe the same to be true from what we know of the circumstances and that as far as we know that Williams, Matthew & Thomas Elgie are steady honest industrious young men

Blenheim 21<sup>st</sup> July 1839

Silas Martin  
James Smiley  
William Tennant  
Denton Burrows  
Capt

John Tennant  
William Warr  
Henry C. Whorron  
John Bedford  
Eliat Martin  
Gurdon Henry  
Murray Smith  
Jason Levy  
John Jackson

Walter H. Martin  
William Campbell

I do hereby certify that persons whose names are above are respectable freeholders in this township and I believe the signatures to be correct.  
John Jackson Jp.  
Blenheim 2<sup>nd</sup> March 1839

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

Having been requested by the sons of the late  
 Mrs. Elgie <sup>Having married John Pollock on the death of her former husband</sup> ~~Chas. M. Elgie~~ and many of the neighbours  
 to examine the papers of the deceased. I find that  
 at the time of the death of Mr. Wm. Elgie that  
 he was in possession of a considerable quantity of  
 grain which was in the Guelph Mill then in  
 the occupancy of the said Wm. Elgie and that  
 since the death of Mr. Elgie his Widow Mrs.  
 Ann Elgie has received from England the sum  
 of £100. through Matthew Piddale of 131. Water  
 gate Chanc. Lane. and £250. 10. s. Sterling through  
 the Bank of Upper Canada - Being requested  
 also to state what I know of the Character of  
 the two young men sons of the deceased. I would  
 say that all three of them, viz. William  
 Matthew & Thomas. has laboured for me more  
 or less at different times for the last 15 months  
 and I found them punctual, honest & industrious  
 as far as I had any deal with them and from  
 what I have been told by them Matthew &  
 well as what has come under my own  
 observation I believe the petition of Wm.  
 Watson Elgie to be correct and true

James C. Cowie

Windsor July 21<sup>st</sup> 1839

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
 (RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

1377

The Humble Petition of William, Matthew,  
Thomas, Sarah, George, and Ralph Elgie, Orphans  
Sheweth,

That they are the Children of the late William Elgie  
and Mary Ann his wife, both now deceased, that they lost  
their Father, eight years ago, last January, that he had rented  
from the Canada Company, a Mill in Guelph, where he had  
saved about one hundred and fifty Pounds, and died there,  
Their Mother afterwards married a man named John M. Leoy,  
who soon began to treat her with the utmost severity and  
unkindness, extorting from her several sums of Money, In one  
instance, when their mother had received from England, one  
Thousand Pounds, through Matthew Reedsdale, 131 Water  
Street New York, and at another time, Two Hundred and  
Fifty six Pounds, ten Shillings, through the Bank of  
Upper Canada, and other Sums.

That the mother and family located on lot 7, 2<sup>nd</sup>  
Concession of Blenheim, (Clergy Reserve) about four years  
since, that improvements have been made entirely by  
your Petitioners. - That about Thirteen months since,  
John M. Leoy died, leaving their mother and your Petitioners  
in a most distressed State, In consequence of distress of  
mind, and consequent bodily suffering, their mother died  
a month since. Since then Robert, brother of the late  
John M. Leoy, has endeavoured to turn your Petitioners  
out of the House which their poor Mother's money had  
built, and which your Petitioners still occupy.

Our humble Petition therefore is, that we may  
be ensured, and protected in the possession of the little pro-  
perty, the only means of support to an Orphan family,  
and be allowed to purchase the said lot, No. 7 Concession  
2<sup>nd</sup> of Blenheim (Clergy reserve) according to the instructions  
conveyed in a letter from W. H. Thornhill Esq. dated  
Crown Land Office, 2<sup>nd</sup> Feb. 1839.

And your Petitioners will ever pray.

William - Watson Elgie - Matthew Watson Elgie - Thomas <sup>his Elgie</sup> Elgie <sub>Mark</sub>

Witness 15<sup>th</sup> March 1839

Simcoe 18th March 1839-

Sir I have the honor to beg before this  
 Excellency Sir George Arthur K.C.H. in command  
 the Memorial of an Ophan Family - for  
 the purpose therein mentioned -  
 Two of the Memorials are in  
 my Regiment and being very well  
 conducted strong young men I am  
 the more interested in assisting them  
 in receiving their rights -

I have the honor  
 to be  
 Your Obedt Servt -

John George Joseph Esq  
 Secretary &c -

Arnold Burrows  
 Military Officer -  
 &c &c -

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
 (RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**



Clergy Capitation Office  
Toronto 22<sup>nd</sup> Mar. 1839

A lease of Lot No 7  
in the 3<sup>rd</sup> Concession in  
Blenheim was ordered in  
June 1836 to John McLevy  
but the description has  
not issued

In January 1838 Robert  
McLevy paid one year  
rent as he states "for the  
benefit of his late Brother  
's children"

W. M. W.

June 1836

1839

22  
The Clergy Office  
other children of  
the late Mr. McLevy  
apply to purchase  
Lot No 7 & 8 Con. of  
Blenheim a  
Clergy Reserve

G. W. H. H. H.  
20 March 1839

Referred to the  
Secy of the Clergy for  
Huron and the Com.  
of Crown Lands to report  
thereon for the informa-  
tion of the Hon. the Secy  
Central Council  
By Command  
W. M. W.

Crown Lands Office  
Toronto 30 July 1839

I respectfully request reference to the  
Petition of Mary Ann McLevy and  
report thereon by this Office of the  
6<sup>th</sup> November 1838 -

R. W. M. W. H.  
J. H. H. H.

In Council 28<sup>th</sup> November 1839.

The former Report of the Com. of Crown Lands  
having been adopted by the Council and approved by His  
Excellency there appears no objection since Mrs. McLevy's  
death, to granting the prayer of the within petition  
as it will be consistent with the spirit of  
the former order -

W. M. W. H.  
26

Order to the Commissioners of Crown Lands 29<sup>th</sup> Dec. 1839

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

N<sup>o</sup> 305

13e  
Crown Land Department  
Montreal 30<sup>th</sup> September 48.

Reference is requested to a  
Petition from the same person,  
with a report thereon from this Office  
of the 21<sup>st</sup> January 1847.

3<sup>rd</sup> of February 1847

The decision of the Executive thereon  
was communicated to the Petitioner  
on the 10<sup>th</sup> of September following.  
On the 3<sup>rd</sup> of December the District  
Agent reported the improvements,  
the value of which was to be paid  
by the occupants - to the worth £6.5;  
and as Mr. McLeary had not taken  
any notice of the letter addressed  
to him in September, nor put in  
any proposition to meet that of  
Messrs. Speers & Martineau while at  
the same time he declined to receive  
the money offered him, the Agent  
was instructed on the 5<sup>th</sup> of June  
last to carry out the sales as di-  
rected by the Order in Council of  
the 3<sup>rd</sup> of February 1847, and to  
transmit the L.S. to the Department  
(which has been done) and at the  
same time Mr. McLeary was  
informed

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

Sir In March last I took the liberty  
of addressing you on behalf of W. W. <sup>Elgie</sup> ~~Elgie~~  
and Brothers respecting a lot of land which  
they claim is settled to the Regt of Purchase  
of - from them, lately deceased brother -  
a Memorial was presented to the Governor  
in Council on the 18 March last - no  
answer has yet been received to this Memorial.  
W. W. <sup>Elgie</sup> ~~Elgie~~ and two Brothers served in my  
Barracks last winter - and conducted  
themselves with so much propriety - that  
I am interested in seeing their rights

Can you inform me if any notice  
has - been taken of a Memorial presented

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

13 Nov

1849

Some months since by Colonel Sargantson  
praying that several of us old militiamen  
some might be allowed to settle together  
in the new township of Kirkfull and that  
that I have from forty to fifty - four  
New Brunswick Settlers ready to follow  
if the price of the land was moderate -  
Would you have leisure to give me  
any information relative to the matter  
you would much oblige me -

I am Sir

Your Obedt Servant

Wm W Burrows

Strathmore

Montford

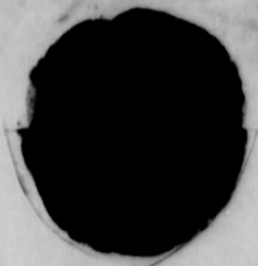
11 July 39

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

1322

R. A. Thornhill Esq.  
Crown Land Office  
Toronto



Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

To His Excellency Sir George Arthur K. C. B. Lieutenant <sup>134</sup>  
Governor of the Province of Upper Canada and Major General  
Commanding Her Majesty's Forces therein &c &c &c

The Petition of Mary Ann McLevy  
Humbly Sheweth

That your petitioner is the Widow of the late  
John McLevy deceased who during his life time applied for and  
Received a lease for Clergy Reserve Number Seven in the second  
concession Township of DeLoraine on which she understands an  
instalment has been paid that her late Husband left her with a  
large family of children to support without any other <sup>means</sup> than her  
own industry - Petitioner begs further to state for the information  
of your Excellency that she was formerly married to William  
Eggs who died and left petitioner with several children and  
sufficient means to support and educate them which property has  
been completely dissipated through the improvident conduct of  
her late Husband McLevy, Notwithstanding, petitioner's children  
had by her first Husband, two of them young men grown, are  
willing to assist petitioner to support and educate her family  
providing your petitioner can secure to them and herself a  
title for the above lot either by purchase or lease Therefore  
your petitioner humbly begs your Excellency will be graciously  
pleased to Grant either by purchase or lease one half of the  
said lot <sup>to petitioner</sup> and the other half to her two sons William and  
Matthew Eggs

And as in duty bound she will ever pray . . . . .

Mary Ann McLevy

Clergy Corporation Office  
Toronto 21 Sept 1838

A lease of lot 107  
in the 2 Con in  
Blenheim was ordered  
to John Wiley in  
March 1836 the  
description for which  
has not issued

In June last, Robert  
the brother of John Wiley  
paid one years rent,  
as he stated, to retain  
the lot for the benefit  
of his late brothers  
children

*[Signature]*

Petition  
Mary Ann Wiley  
applies to purchase  
Clergy Reserve Lot  
No. 107 in the 2 Con  
of Blenheim

Office  
25 Sept 1838

Referred to the  
Secy of the Clergy  
Corporation and the  
Comr of Crown  
Lands to report  
hereon for the in-  
formation of the  
Hon<sup>ble</sup> the Executive  
Council  
By Command  
W. Macaulay

From Land's Office  
Toronto 6 Nov 1838  
Lot 7 in 2 Con Blenheim, a Clergy Reserve, for  
which an Order in Council passed in favor of  
John Wiley, said to be deceased, might be  
sold to the petitioner upon proof of the  
death of John Wiley being furnished  
& of petitioners having administered to his  
estate - the amount of rent just being paid  
& the lot inspected & valued

*[Signature]*

*[Vertical signatures and notes on the right side of the page, including names like 'W. Macaulay' and 'Clergy Corporation']*

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

Commons Office  
Toronto 24 Sep 1840

Sir,

I have the honor herewith to  
enclose a petition of Wm Elgie & other children  
of the late Wm Elgie applying to purchase  
Lot 7 in 2 Co. Pleasheim a Cley Reserve, also  
the petition of the late Mary Ann McLevy  
for a similar indulgence in order that  
the same may be referred for the consideration  
of the Honble the Executive Council, the  
brother of the late John McLevy having  
stated that Wm Elgie has left the Province  
that <sup>McLevy</sup> he has the charge of his brother's three  
infant children, that the leave being  
granted to his late brother, he does not  
consider the step children entitled to any  
benefit therefrom and that he is ready to  
take out letters of administration to his brother's  
estate he having died intestate, upon his  
receiving an assurance that he will be  
permitted to purchase the lot as such  
administrator -

I have the honor to be  
Sir  
Yours most obt  
Wm. M. S. G.

The Honble  
R. W. Tucker  
Pro Secretary

W. M. S. G.

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**



Commons Office  
Toronto 24 Sep 1840

Sir,

I have the honor herewith to  
enclose a petition of Wm Elgie & other children  
of the late Wm Elgie applying to purchase  
Lot 7<sup>th</sup> 2<sup>nd</sup> Con Pleasheim a Clerg Resews, also  
the petition of the late Mary Ann McLevy  
for a similar indulgence in order that  
the same may be referred for the reconsideration  
of the Honble the Executive Council, the  
brother of the late John McLevy having  
stated that Wm Elgie has left the Province  
that he <sup>McLevy</sup> has the charge of his brother's three  
infant children, that the leave being  
granted to his late brother, he does not  
consider the step children entitled to any  
benefit therefrom and that he is ready to  
take out letters of administration to his brother's  
estate he having died intestate, upon his  
receiving an assurance that he will be  
permitted to purchase the lot as such  
administrator -

I have the honor to be  
Sir  
Yours most obt  
Humble Servant

The Honble  
R. W. Tucker  
Pro Secretary

W. M. Buller

1344

Commissioner of Crown Lands

Prov Secretary's Office  
Toronto. 25<sup>th</sup> Sep-1840

The accompanying  
Petitions of Mrs Mary  
Ann McLevy, & of  
Wm Elgie & the other  
Children of the late  
Wm Elgie, are  
referred for consideration  
by the Executive Council.

By Command  
Wm Elgie  
Prov Secy.

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

1357

Brook District Agency  
Zorra 19th April 1846

Sir, I have the honor to report that  
I have Examined the accompanying  
Certificate from Mr Deputy  
Surveyor William Smiley and  
believe the report to be true  
in every respect

John Carroll  
District Agent

17/9

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

This is to certify that I have examined the S<sup>d</sup> Lot of 197 in the 2<sup>d</sup> concession of the Township of Blenheim in the District of Brock and Province of Canada it being a clergy Reserve & that the following statement in reference to the said lot is correct to the best of my knowledge and belief

40a

There is about 40 acres of improvement with a Frame Barn & log house upon it - 13 & Maple timber principally Soil inclines to Clay It is considerably swailly & swampy some Marsh upon it <sup>but no high water on it.</sup> It is in a newly settled neighborhood about two miles distant from Mills, Boals & rough

10 1/2

Calom Martin is desirous of purchasing an ofus 12/6 of per acre said lot has been occupied about 10 years. There is no adverse claims for said lot that I am aware of.

17/9

Blufford 13<sup>th</sup> April 1846

I value it at 13/9 of per acre

W<sup>m</sup> Miley  
D. S.

copy of letters  
herewith

informed of the course intended  
to be pursued.

Elam Martin has paid in full  
for his half of the Lot, while Tho:  
Spears has paid the first instal-  
ment of the purchase money for  
the other half; each having in addi-  
tion paid the arrears of back-rent,

J.P.M.

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

To His Excellency the Right Honorable <sup>13VV</sup>  
Charles Murray Earl Cathcart of  
Cathcart Governor General of Canada &c &c  
His Council

The Humble Petition of Elam Martin  
of the Township of Blenheim County  
of Oxford District of Brock  
and Province of Canada yeoman  
Humbly Sheweth

That your Petitioner  
occupies the ~~South~~ <sup>North</sup> half of Lot  
no. 4 in the 2<sup>nd</sup> Con<sup>se</sup> of the aforesaid  
Township of Blenheim a Clergy  
Reserve and being desirous of  
purchasing said half Lot has had  
it inspected and valued by  
William Smiley a licensed  
Surveyor whose Certificate  
your Petitioner Humbly begs  
leave to submit

Your Petitioner therefore  
prays your Excellency will  
cause the said half Lot to be  
sold to him and your  
Petitioner as in duty  
bound will Ever pray

Blenheim 13<sup>th</sup> April 1846

Elam Martin

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

502 / Petition 44

Clara Martin

South St. 7 in 2<sup>nd</sup> Cones

Blenheim

C. R.

Res<sup>d</sup> 20<sup>th</sup> April '45

O.C. 2744 17 1/2

In Committee, 3rd February 1847.

The Committee are of opinion that the Petitioner should be ordered to the  
proceeds occupants at the satisfaction of the District Agent, with back  
rent, provided they pay to Robert McLevy for the benefit of the town  
of the late John McLevy, the value of whatever improvements were  
made on the land by him. The sum paid to Mr. McLevy by Robert  
McLevy should be returned to him.

M 131

Approved in Council same day.  
Commenced at the Com<sup>rs</sup> C. R. 4<sup>th</sup> February 1847.

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

13X X  
Prock District Agency  
Yorke 13th April 1848

Sir, I have the honor to report that  
I have Examined the accompanying  
Certificate from Mr Deputy  
Surveyor William Smith  
and believe the report to be true  
in every respect

John Carroll  
District Agent

13/9

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**



This is to certify that I have examined the Act of Lot 7 in the 2<sup>nd</sup> Court of the Township of Blewheim in the District of Bruce's Province of Canada it being a Clergy Reserve and that the following statement in reference to the said Lot is correct to the best of my knowledge and belief

25 a

There is about 25 acres of improvement upon said Lot; but no buildings upon it. B.A. Maple principally. Some Swamp & Swails upon it; but no living water. Soil inclines to clay it is in a row of little neighborhood about 2 miles to Mills Road rough

10 1/2 a

Thomas Spens is claiming of purchasing and has 12/6 a per acre said Lot has been occupied about 10 years There is no adverse claim for improvement that I am aware of I value it at 13/9 a per acre

13/9

Bleford 13<sup>th</sup> April 1846

W<sup>m</sup> Smiley  
D.S.

1322

To his excellency the Right  
Honorable Lieutenant General  
Charles Murray Earl. Cathcart  
of Cathcart Glasgow, in the County  
of Renfrew, K. C. B. Administrator  
of the Government of the Province  
of Canada, and Commander of  
Majesty's Forces in British North  
America &c &c

The Humble Petitioner  
of Thomas Spears of the Township  
of Blenheim in the Brock District  
Humbly Sheweth

That your petitioner  
is desirous of purchasing the N<sup>o</sup> 2  
Lot N<sup>o</sup> 7 in the 2<sup>d</sup> Con<sup>o</sup> of Blenheim  
in the district aforesaid. Has  
had the same inspected and valued by  
W<sup>m</sup> Smiley a Licensed Surveyor whose  
Certificate your Petitioner Humbly  
begs leave to submit. Your Petitioner  
therefore prays that your Excellency  
will cause the said half lot to be  
sold to him and your Petitioner  
as in duty Bound will ever pray

By and 13<sup>th</sup> April 1846 } Thomas Spears

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

507 Petition 44

Thomas Spears  
North E. 10<sup>th</sup> & 2<sup>nd</sup> Conds.  
Blenheim  
C.R.

Rec<sup>d</sup> 20 April 46

O.C. 2744 17<sup>th</sup> 46  
R 491-10<sup>th</sup> 46

In Committee, 3<sup>rd</sup> February 1847.

The Committee are of opinion that the lot should be sold to the  
present occupants at the valuation of the District Agent, with such  
provision they pay to Robert McLeary for the benefit of the son of the  
late John McLeary the value of whatever improvements were made on  
the land by him. - The sum paid to be raised by Robert McLeary should  
be returned to him.

Approved in Council same day.  
Present in Council to the Com<sup>r</sup> & C<sup>l</sup> 4<sup>th</sup> February 1847.

13-acc

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

588

13 to 16  
Crown Lands Department  
Montreal January 21<sup>st</sup>  
1847.

Reference is requested to the proceedings in Council on the 28<sup>th</sup> November 1839 on the Petition of William Elgie & others, and also to a letter from the Commissioner of Crown Lands to the Provincial Secretary which appears to have been referred to the Executive Council in September 1840, but upon which no action was taken.

R B Sullivan  
24 September 1840.

The only rent which appears to have been paid was by Rob<sup>t</sup> McLevy in January 1838 for the children of the late John McLevy; but it would seem that no lease issued for the lot on the application of John McLevy in March 1836.

£1.5-

The Lot now is occupied at present by two other persons, whose names were inserted in the lists which accompanied the report from this office on various applications to purchase

14 October 1846

certain

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

13000  
certain bluffs reserves in the Brock  
District. Thomas Spears for  
10 years with 25 acres cleared on  
the North half, and Elam Martin  
for a similar period with 40 acres  
cleared on the South half. Their  
Petitions accompanied by evidence  
in support of their claims are  
herewith.

This submitted therefore  
whether the prayer of this Petition  
can be favorably entertained;  
or whether the present occupants  
have not a better claim to pre-  
emption under the present re-  
gulations.

D. B. Papineau  
1844

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

To His Excellency the Right Honourable Charles Murray Earl Cathcart, of Cathcart, in the County of Renfrew, K. C. B., Governor-General of British North America, and Captain General and Governor in Chief in and over our Provinces of Canada, Nova Scotia, New Brunswick and the Island of Prince Edward and Vice admiral of the same, and Commander of our Forces in British North America.  
In Council assembled

The humble petition of Robert McLeary of the Township of East Oxford, in the District of Brock, yeoman,

Sheweth:

That your petitioner is brother to the late John McLeary, deceased, that the said John McLeary died on the seventeenth day of January in the year of our Lord one thousand eight hundred and thirty eight, and left issue, a Son, John McLeary who has resided with your petitioner since the decease of his parents

That in the year one thousand eight hundred and thirty six the said John McLeary deceased, obtained from the then Government a right to locate Lot number seven in the second Concession of Windsheim a Clergy Reserve, with a promise of a lease for the same, that by virtue of such right the said John McLeary deceased entered upon the said Lot with a house and made considerable improvement on the same, that subsequently in the year one thousand eight hundred and thirty seven an order in Council was passed authorizing the said John McLeary deceased to purchase the said Lot at the valuation of a

Deputy Provincial Surveyor and on payment of the rent then due, which in consequence of his decease was not finally completed.

That your petitioner within a few days after the death of the said John McLeary paid Thomas Baines, Esquire, the sum of two pounds and five shillings for rent due on the said Lot and that the said Thomas Baines then assured your petitioner that the purchase was perfectly secure to the heir at Law.

That your petitioner upon several occasions since the last mentioned period offered to pay the rent of the said Lot to the said Thomas Baines but that in consequence of there being other claimants he refused to receive it.

And your petitioner further saith that John McLeary son and heir at Law of John McLeary deceased, is of the age of thirteen years and upwards, that the estate which he will inherit from his father will enable him when he becomes of age to complete the purchase of the said Lot on the terms mentioned in the order of Council and that he is desirous of purchasing the same.

Your petitioner therefore humbly prays that your Excellency in Council will not effect the sale of the said Lot to any other person or persons but secure the same to the heir at Law of the said John McLeary deceased, and your petitioner will become personally responsible for the due payment of the rent.

And your petitioner as in duty bound will ever pray &c.

Robert McLeary.

Copy

13a

Crown Land Department  
Montreal 5<sup>th</sup> June 1848

Sir

L5279.

Reverting to your letter of the 3<sup>rd</sup> ult.  
I beg to state that as M. W. Levy has not taken  
any notice of a letter addressed to him in  
September, nor put in any proposition to meet  
that of Messrs Martine & Speers, I see no reason  
for delaying any longer to sell the land.

No. 7 in 2<sup>nd</sup> Col.  
Blanchard  
22.2927.

You will require however the occupants  
to pay into your hands the additional £8 which  
(if M. W. Levy still declines to accept) you will  
forward to the Department.

This decision of the Department has  
been communicated to M. W. Levy.

I am

Sir

your obt. Servant

John Carrall Esq  
Gorra

(Signed)

J. A. Price

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**



1429  
McA  
Petition of  
Robert McLeary

N<sup>o</sup> 7 - 2<sup>nd</sup> Con -  
Hlenkies  
CR

Recd - 12 Dec 46  
Lett. L. W. Bann 9 Dec 46

Crown Land Department  
January 21<sup>st</sup> 47  
Referred to Committee of  
the Hon<sup>ble</sup> Executive Council  
By Command  
D. B. Pineau  
C. G. L.

In Committee, 2nd February, 1847.

The Committee are of opinion that the Act should be sold to the present occupants at the valuation of the District Agent, with back work, provided they to Robert McLeary for the benefit of the son of the late John McLeary. The value of various improvements were made on the land by him. The land paid to it being by Robert McLeary should be returned to him.

Approved in Council same day.

Communicated to the Comptrol<sup>r</sup> 4<sup>th</sup> February 1847.

1377

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

180  
M<sup>c</sup> 5

1917  
No. 154

No. 13

P. S. O. 1848.

Robert ~~to~~ Levey.  
East Oxford  
5/9 Sept

Copy of the copy of the  
copy of the late Col. W. Levey  
to Col. J. C. Mansfield -  
C.R.

Secretary Office  
of the  
Commissioner of  
Lands.

By command.  
E. M. Smith  
Secretary

13999

In Committee 7<sup>th</sup> Oct. 1848

The Petitioner having declined to comply with the order in Council of the 3<sup>rd</sup> February 1847, on a former application from him, the Committee are of opinion that the present application should not be entertained.

Approved in Council same day  
Com<sup>rs</sup> to C. C. L. 10<sup>th</sup> Oct. 1848

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

Copy

13f

Crown Land Department  
Montreal 5<sup>th</sup> June 1848

Sir

A letter was addressed to you on the 10<sup>th</sup> September last communicating the decision of the Government with reference to the claim put forward by you in behalf of John M. Levy, to which no reply has been received by the Department.

As the Secretary of the Department informs me that you decline accepting the remuneration for the improvements offered by Martin and Spears, while you make no proposition to meet theirs, I beg to state that as the sum they have tendered to you appears to the Department to be quite sufficient for the trifling improvements made by the late John M. Levy, Mr. Carroll will be instructed to carry out a sale to the accounts receiving from them also the sum of £5 to be handed over to you if you think fit to receive it.

I am

Sir &c &c

Wm Robert M. Levy  
East Oxford

(Signed)

J. H. Price

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

139

Brook District 3 Michael Showers Jr of the  
To wit: Township of Blenheim in  
the Brook district, you are  
personally came before me, John Jackson one  
of Her Majesty's Justice of the peace in and for  
the said district and made oath and said that  
he is well acquainted with the situation of  
Lot Number seven in the second in the second  
Concession of Blenheim, this deponent was present  
when John McLevy raised on the said Lot a small  
Lot house, deponent thinks McLevy made no  
other improvements thereon except what was  
done by him in getting firewood for two years or  
thereabout whilst he occupied the lot occasionally  
deponent is confident that all the improve-  
ments made on the Lot by McLevy or any other  
person in his name would not exceed the  
value of six pound five Shilling currency

26.5 / sworn before me  
at Blenheim this  
23 day of October 1844

Michael Showers

John Jackson Jp

Upper Canada Land Petitions "Mc" Bundle 5, 1848-1849  
(RG 1, L 3, Vol. 317)

**PUBLIC ARCHIVES**  
**ARCHIVES PUBLIQUES**  
**CANADA**

Brock District  
 To His Honor the Judge  
 Anthony Wrench of the Town  
 - ship of Blenheim in the  
 Brock District your Honor personally came before  
 me John Jackson one of her Majesty's Justices  
 of the peace in and for the said district and  
 made oath and saith that he knows Lot No.  
 7 in the 2<sup>d</sup> Con of Blenheim deponent lived  
 on the Lot of Land adjoining Lot No. 6. 2<sup>d</sup> Con  
 during the time that John McLevy occupied  
 Lot No. 7. 2<sup>d</sup> Con deponent knows all the improve-  
 ments made on the said Lot by him, and is  
 of opinion that the value of all the  
 improvements made on the said Lot by John  
 McLevy or any other person in his name  
 would not be worth more than twenty five  
 dollars.

Anthony Wrench <sup>his</sup> mark

Sworn before me  
 at Blenheim this  
 22 day of October 1847

John Jackson Jp