

His Excellency Sir George Arthur R. C. H.

The Petition of Jonathan Tolerton Humbly Sheweth

that in May 1830 your Petitioner did obtain a grant of a Lease of Lot No 4 in the first Concession of the Township of Blainford. Lower District of Clergy Reserve and your Petitioner did pay the Patent fee but could not get the Lease on that Day but I was to have it sent to me in a few Days but did not receive it. having then full Confidence in the officers of Government in that Department I thought it was perfectly safe in their hands until I was to have a house built and have an opportunity of sending for it without costing me any thing. that in October 1833 your Petitioner did Purchase the south half of the above Lot and got a Deed for it that in April 1834 your Petitioner sold the north half of said Lot to Robert M. Lowrey and he paid all the rent due on the Lot in June the same year but he could not obtain the Lease because he was informed that Mr. Harris was sick Mr.

Thornhill received the rent and told him that his title was perfectly good to the Lot afterwards he was informed that Abraham Bettridge had applied for the Lot and it was promised to him by the then Commissioner of Clergy Lands it then became necessary for your Petitioner to obtain the Lease if possible as I had bound myself to the Person who purchased it from me to procure the Lease for him, I then went to Toronto and applied to Mr. Peter Robinson for the Lease and he told me that I had not paid the rent and that therefore I had no right to the Lease nor should not have it, I think the reason that I could not get the Lease Mr. Bettridge fancied the Land he thought if he could get it that he could sell it and make a large profit on it and he was thought to be rich and I was poor therefore to Defraud me or My assigns to whom I was bound to make the title good was thought to be so harm

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Let Except that a road had been cut through it and that the
Officer who made the Sale knew that the Land had been sold to him
and that he had made it known in the Government office long before
Betridge had made any application for the Lot and he Mr. Lowry
had told Betridge repeatedly that he had purchased the Lot and
Also that his purchase was a bona fide Transaction of Sale
and Delivery and Money paid in presence of the subscribing
Witnesses. which money I have been obliged to pay back when I
was not able to make title good and I had earned my bread with
scrupulous Exactness ever since that Receipts I hope your
Excellency will be pleased to order an Investigation of this Matter
so that I may have an opportunity of proving that I have been
defrauded and I may obtain a fair Compensation for my Loss
I would have laid this Matter before your Excellency many Months
ago but I thought that the business of a poor individual should
not trouble the Government while the public Safety required
so much Attention and I have been a Volunteer in Defence of the
Constitution under which I was born there has been more than
Property I have come to depend although I have a large family
to Support

your Obedient As in duty Bound

Wm. Ever Gray

Jonathan Tolerton

Burford August 5th 1839

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Clergy Corporation Office
Toronto 4th August 1839-

Respectfully beg to
refer to my Report of
the 15th Nov: 1835 on the
Petition of Robert Wobey
respecting the lot now
prayed for - also to
the Documents
furnished by Mr. Wobey
to the Commrs for
Crown Lands at the
time of sale -

J. H. Murray

Petition
Jonathan Wobey
Burford 1 Aug 1839

God's House
6 Aug: 1839
Referred to the
rest of the Clergy
Corporation to
report hereon for
the information of
the Hon^{ble} the
Executive Council
By Command
J. H. Morrison

In Council 12th March 1840
The case appears to
have been fully
considered, and
decided upon and
the Council do
not deem it
expedient or prudent
to open it for
further discussion.
The order was -
Inserted in the minutes
of the John G. Osborne in
Council on 19th Nov
1835.
Commence - J. H. Morrison
6th April 1840. E. O. G.

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But it was thought necessary before such a glaring abuse could be practised to wait for an opportunity to give it a legal colouring if possible. An opportunity soon offered. I had been discovered and persuaded to give Confession of Judgment for a large amount of Money of which I did not bid one Shilling, and on that Confession an Execution was taken out against my Real Estate only, and with that Execution the objector to sell both my Real and personal property. The Sheriff was informed at the time of sale that the Leased part of the land had been sold by me long before, but the Sheriff went on with the sale of the Land without paying any attention to the Information thus given. Although he was perfectly aware that he had no power to sell any thing but my real Estate the Sheriff gave a Deed of the Land and under that title the Commissioner of Crown Lands thought proper to sell the Land to Bottridge. He then appeared to think that I had a claim to the Land but the time had expired when he thought he had an opportunity of purchasing his speculating ground at my Expence, Mr. Lewis the person I sold the Lease of the Land to petitioned the Governour in Council with a view to obtain the Lease but was answered that the Sale took place in his presence without his objecting to it and that in consequence large Improvements had been made on the Lot and that he then brought forward an agreement from me which was not known to the officer who made the Sale and thereby pledged the faith of the Government to give a Deed to the purchaser and also that if his purchase was a bona fide transaction he should have objected at the time of the Sale as his Transfer purported to have been done before that time, his not having done so had placed the question beyond the Control of the Council, and if Mr. Lewis had been allowed the opportunity he could have proved the above assertions to have been true in every essential point, first he was not present at the Sale, but the Sale was objected in his name and there had been no Improvement made on the

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