

with interest at the rate of six per cent  
 per annum and each and every payment  
 to be made on the first day of January  
 in each and every year, with interest  
 from the first of January next when  
 the first payment of Twenty five Pounds  
 is to be made which said Christopher Hopfe  
 agrees to pay as aforesaid until the whole  
 amount of Two hundred and Fifty Pounds  
 and Interest as aforesaid be paid and  
 again for the fulfillment of the aforesaid  
 or foregoing both parties hereby and themselves  
 their heirs or assigns jointly by these  
 presents for which purpose they hereto  
 attach their hands and seals dated at York  
 East this the 24<sup>th</sup> day of May 1865 in  
 presence of a

John Cooke, Esq.  
 William Morlock  
 James S. Smith

Christoph Hopfe  
 Joseph Hopfe  
 mark

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successive Governments a right to preemption  
 when the King and Queen Commission  
 interposed, and declared, Anson Smith  
 to be the Assignee of Isaac Smith by the  
 Court of King's Bench at Law of the Western  
 District of New York - It is further  
 apparent that these inexperienced  
 Strangers, Dayster, Hope, were induced  
 to put their names to a contract in a  
 language, of which they were ignorant, and  
 to accept Leases covering the improvements  
 which they had themselves made, upon  
 land which had virtually reverted to the  
 Crown; and also to engage to pay a price,  
 double the true value of the land; and  
 at the same time acquiescing in an  
 arrangement, which might terminate  
 the tenancy, and lead to their ejection  
 from their lands before their improvements, after  
 the lapse of a very brief period, subsequent  
 to their becoming parties to those instruments  
 There is, confessedly difficulty, in the way



of administering whif in favor of the  
 last named Attorney Magister who it  
 seems purchased for the sum of seventy  
 five pounds. His interest in the land,  
 But the Government having by the General  
 Order in Council of 28<sup>th</sup> Feb 1842 adopted  
 upon the despatch of unpatented land  
 imbrands in the published Schedule  
 dated 4<sup>th</sup> April 1839, placed the half lot  
 in question with cases, reserved to be  
 "considered individually. it does seem  
 competent for the Government to interfere  
 and administer equity between the  
 contending parties. It is accordingly  
 suggested whether the issue of a Patent  
 to Anderson, Smith may not be authorized  
 upon the condition that he make a  
 sale thereof to Jacob Magister at the rate  
 of two pounds ten shillings per Acre  
 executing a Conveyance in his favor  
 upon payment of the instalment of  
 fifty pounds according to the Agreements  
 entered into and securing by Mortgage  
 payments of four equal amounts with

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interest to be paid with them annually  
as they become due - The arrangement  
to be effected through the instrumentality  
of the Local Agents

This would secure to Anderson, finally  
the value of the property as wild land  
and would effectually prevent his  
retorting upon Magister an exorbitant  
price for the land with a view to prevent  
the total sacrifice of his valuable  
improvements.

As bearing upon all cases arising from  
the kind of Deceit Commission the following  
opinion given by the Hon. Mr. Draper  
when Attorney General; to Mr. Cummins' Paper  
is respectfully submitted.

"I think that the report of the Audit Division  
"Commission, though conclusive as to the right  
"of the State to the grant of the land does  
"not, or never was intended by the Legislature  
"to operate so as to supersede any conditions  
"to which the grant to the original donee of  
"the Crown would be subject of Mr. Draper

29 May 1847  
This view was concurred in by the Council of the  
June 1847 in the report of the Hon. Mr. Draper was  
originally subject to settlement duties since became

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Submitted by the General Order in Council p 173 Oct 1835 which  
contemplates the immediate issue of Patents to the  
Landlords - And the lands being rendered liable to the Assessment  
taxes - Of this Order the Society Family did not during  
the past 20 years avail themselves - Consequently it had  
as regarded them, become a dead letter.

Crown Land Department  
Toronto, 28<sup>th</sup> Oct. 1856

Joseph Beaulieu  
com

332  
Plaintiff's Office  
Crown Land Dept

On the completion  
of the survey

of the lands

of the Crown

in the Province

of Ontario

the lands

of the Crown

of the Province

of Ontario

of the Crown

of the Province

of Ontario

31 Oct 1856 Joseph Beaulieu  
com

In your letter of 27 Nov. 1856

The Commission  
concerning the Surveyors of the  
Crown in the Province of Ontario

has been forwarded to the  
Commissioner of the Crown Lands

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Peter E. Gingerich of the Township of East  
 Yorra in the County of Oxford and Province  
 of Canada yeoman Maketh Oath and  
 Saith that he is well acquainted with the  
 East half of Lot No. 31 in the 16<sup>th</sup> Con<sup>o</sup> of  
 East Yorra aforesaid that there is about  
 forty acres cleared on said half Lot there  
 is two Log Houses one 20 by 36 the other 16  
 by 18 also a Log Barn 30 by 60 feet  
 also the body of a log Building about  
 28 by 50 feet Not Roofed or floored

The above improvements when made  
 by Jacob Wagster and Christopher Hope  
 Wagster purchased Hopes interest in said  
 Lot and paid him for the same seventy  
 five pounds that the above named  
 parties took possession of said half lot  
 in the latter part of the year 1850 there was  
 no improvement on said Lot previous to  
 the time above stated

Sworn to before me this 27<sup>th</sup> day of June 1856

John Canoll

Crown Land Agent  
 County of Oxford

Peter E. Gingerich



26667 504

London 5 July 1856.

Hi  
I have the honor to enclose you <sup>offrs</sup>  
intended to show the improvements made on  
the East 1/2 of 31 in the 16 Con of Gorra East.  
which was awarded by the Hon & Respc  
Coun to Hison Sweeney on Jan 1856.

The Hon  
Sir Caucher

Cour of Lands  
Toronto.

I have the honor to be

Sir your  
Obedt Servant

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**CANADA**



5700

POST OFFICE  
JUL 26 1858



PAID

6

The Hon J. M. Cauchon  
Cow-Crow-Land  
Toronto

POST OFFICE  
TORONTO  
JUL 26 1858

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1866

1866  
John Wilson for  
Answer Sniveley  
Indow July 5/7  
1.38

With 2 affid<sup>ts</sup> of impro<sup>ts</sup>  
on lot 31 in 16 town  
East.

Ref B. 1. 1. 235

2507

42

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To His Excellency  
Genl. Edmund Head. Wash.

From James G. G. & Co  
In Commis

The Petition of Anson Amory.  
Respectfully sheweth;

That at the January Session of the  
House of Representatives he was allowed the  
Eye of Act 31 - 16<sup>th</sup> Con: of Texas.

Your Petitioner sheweth for (page)

That James G. G. & Co sheweth to  
grant him a Patent for the same.

And for Petitioner as a duty he  
will comply

Anson Amory

by atty -

John Johnson  
att

Filed  
July: 21/58

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1105

745 S8  
N50

Auson Snively  
John <sup>her</sup> Cochrane  
Toronto Jan<sup>y</sup> 23/28  
58

For Patent for 8-31  
no 16 of Zarra -

Ref B.L. N. 166  
1810  
see letter 2<sup>d</sup> April 1856

M. 38 p. 16  
R.B. 28/333  
see Reports 28<sup>th</sup>  
October 1856

W. Sprague

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50a

S. 8  
1850

*Rece*

14-5 con.

*Franklin*

*Memorandum*

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6667/50 5399

James Synnam of the City of London in  
the County of Middlesex and Province of  
Canada School Teacher Maketh Oath and  
Sath that he was personally present  
this 27th day of June 1856 with Anson  
Snively and Peter. E. Gengerech at Jacob  
Wagster and from the Conversation  
had between the parties respecting  
said half Lot and from his own obser-  
vation as to the Improvements made  
there on that the accompanying affida-  
vit made by Peter. E. Gengerech is correct  
in its principal details depoint  
further saith that he saw in Wagsters  
possession a Bond from Snively to  
Wagster for fifty acres also one from  
Snively to Hope for the other fifty acre  
of said Lot wherein it was stated that the  
above named parties was to <sup>pay</sup> said Snively  
twenty five pounds each with interest  
yearly for ten years from the date of  
the obligation which was dated in May 1855  
Sworn to before Me this 27th day of June 1856

John Carroll  
Crow Land Agent  
County of Orono

James A. Synnam

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Province of Canada, Personally appeared before us William  
 County of York } *Wilson* and *George W. Whitehead*  
 De Witt } Two of the Magistrates Justices of the Peace in  
 and for the said County of York James L. Bush of the Township  
 of Surrisdale in the County of Simcoe Thomas and John Cook  
 Cox of the Town of Woodstock in the said County of York  
 taken on oath this twenty fifth day of May in the year of our  
 Lord one thousand eight hundred and fifty five this  
 deponent James L. Bush for himself swears that on yesterday  
 he personally inspected the East half of Lot number thirty one  
 in the Sixteenth Concession of the Township of East York in  
 the said County of York and found upwards of ten acres of  
 the said premises was cleared and under cultivation and  
 occupied by Jacob Wagster and Christopher Hope as Tenants  
 under Aaron Shirley of the City of London in the said  
 Province of Canada who is the assignee of Isaac Shirley who  
 is heir at law to his late Father George Shirley the  
 Original Locatee of the said East half of the said Lot  
 number thirty one in the Sixteenth Concession of the said  
 Township of East York and so far as deponent knows  
 there is not any Counter Claim to the said half Lot and  
 deponent further swears that the said Jacob Wagster and  
 Christopher Hope acknowledge themselves to be Tenants  
 under the said Aaron Shirley and this deponent John  
 Cook Cox for himself swears that he was present with the  
 above deponent James L. Bush at the time he mentions  
 in this affidavit and confirms all the statements made  
 therein by the said James L. Bush

*James L. Bush*  
*John Cook Cox*

Taken and sworn before us  
 at the Town of Woodstock this  
 25th day of May 1855

*Wm Wilson*  
 Magistrate for the County of York  
*George Whitehead*  
 Magistrate for the County of York

It is not shown by whom  
 these improvements were  
 made and that the  
 improvements were the  
 improvements upon the  
 lot in question

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11 Oct. 50<sup>th</sup>

*Wm. [unclear]*  
 Sir/-  
 Toronto Aug. 25/56  
 E. J. 51. 16 J. 5000

I enclose I beg to ask two  
 specimens of the Mining with parties  
 who are tenants under license  
 of the Lot which specimens  
 prove that the Mining is also  
 bound to sell them the Land.  
 The cost of the Patent within  
 the time calculated upon is  
 what to cover loss and heavy  
 copies to Mr. Mining.

I have the honor to be  
 Sir

Your obedt Servt

*John [unclear]*

The Hon.  
 The Comy. Secy. Agent.

Toronto.

42



50ff

7987.

N<sup>o</sup> 50

John Cochran to  
Mr Smiley

Monte Aug 25/25  
-56

With 2 assents of Gov  
31 in 16 of Govt.  
For Patent

Ref B.L.N. 346

40

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19<sup>1</sup>/<sub>4</sub>

1987 56

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Know all men by these presents, that Anson Dineely of the City of London in the County of Middlesex in the Province of Canada Merchant, being the assignee of Isaac Dineely the eldest son and heir at law of late George Dineely the located of the East half of lot Number Thirty one in the sixteenth concession of Terra East: does hereby agree to lease or rent unto Jacob Wagster the present occupant and tenant under said Anson Dineely of the South half of said half lot fifty acres be the same more or less, for the term of Nine Months from the first day of April last for the sum of, or rent of, Ten Pounds currency for the same said term, for the use of said fifty acres (being the south half of the East half of lot 31 in 16<sup>th</sup> Con Terra East, aforesaid) to be paid at the expiration of said nine Months, and at the expiration of said term to sell the same said land (fifty acres) to said Jacob Wagster, his heirs or assigns said fifty acres be the same more or less, for the sum of Two hundred and Fifty Pounds currency, to be paid in manner following, viz: in <sup>ten</sup> equal annual instalments of Twenty five Pounds each, with interest at the rate of six percent per annum, each and every instalment to be paid on the first day of January in each and every year, with interest from the first of January next, when the first payment of Twenty five Pounds is to be made which said Jacob Wagster agrees to pay as aforesaid and again for the fulfillment of the above both parties hereby bind themselves their heirs or assigns firmly by these presents, for which purpose they hereto attach their names and seals, dated at

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at Iowa last this the 24<sup>th</sup> day of May 1855 in presence  
of. <sup>509</sup>  
his ~~own~~ <sup>own</sup> ~~family~~ <sup>family</sup>  
men

John. Cooke, Cox,  
William. Morlock  
Jonas S. Duns

Jacob Maynard

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525

*Durham*  
*1855-1858*

*H. 601*

*3/28/54*

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3755/56

50f

This is to Certify that we the undersigned  
Jacob Wagner and Christopher Hopewell on East  
half lot Thirty One in the Sixteenth Concession of the  
Township of Gore formerly part of the Township of York in  
the County of York in the Province of Canada tenants  
under anson Snively of the City of London in the County  
of West Middlesex Carpenter and Joiner, the assignee of  
~~Isaac~~ Snively the eldest son and Heir at Law of  
George Snively late of the Township of Crowland in the  
County of Lincoln late a private in the 3rd Company  
of the Third Regiment of Lincoln Militia deceased.  
and we know of no other owners to said half lot  
than said Anson Snively and desire and request  
a Patent to issue as soon as convenient to said  
Anson Snively for said half lot. dated at E. Gore  
this 7<sup>th</sup> day of July 1855  
in presence of -

Jacob Wagner

Christopher Hopewell

William Morlock

Edward <sup>his</sup> Meadnes  
mark

Jonas S. Bush.

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Provine of Canada, Edward Meadows of the Town of  
 -County of York } Woodstock in the County of York of person  
 do Wit } Marked both and Sworn that he was  
 personally present on the day that the within Affidavit was signed  
 by Jacob Wreyter and Christopher Hope and did in the  
 same duly executed by the said Jacob Wreyter and Christ-  
 opher Hope after having several times read over to them  
 and the nature and contents of the same fully explained  
 to them the said Jacob Wreyter and Christopher Hope  
 which they appeared fully to understand, and that the  
 Mark appeared to the signature or name of this defendant  
 as a subscribing Witness is the true signature of him  
 defendant and he defendant also saw William Cloudack  
 and James Bush subscribe the same Affidavit as Witness  
 thereto, and that the same was duly executed on the  
 day and at the time therein mentioned  
 Subscribed and sworn to before

me at Woodstock in the County of person  
 the defendant Edward Meadows  
 affixing his mark thereto after having  
 been read and fully explained  
 to him which he appeared fully to  
 understand

Edward Meadows  
 his mark

George Whitehead  
 Commissioner for taking affidavits  
 in the Town of Woodstock  
 in and for the County of York

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Spencer

Toronto April 10<sup>th</sup> 1856

Dear Sir

C/o 31. 16<sup>th</sup> Ave. L. Zorra.

I have the honor to acknowledge receipt of your letter of the 2<sup>nd</sup> inst. calling for further proof as the Majster & Popen being Tenants of Mr. Anson Smiley, the claimant of this Lot.

I beg to enclose an agreement signed by both these persons acknowledging themselves Tenants and requesting the issue of Patent to Mr. Smiley, also an affidavit by E. Madams one of the Witnesses to said agreement.

May I request that you will be pleased to direct the issue of Patent without further delay.

I have the honor to be

Sir

Your Adm<sup>l</sup> Serv<sup>t</sup>

The Hon<sup>ble</sup>

The Comm<sup>r</sup> of C. Lands

+

Toronto.

John Abraham

Agent

50-0  
585  
56

Yorck 22<sup>nd</sup> January 1856

Sir: I have the honor to report that I have examined the accompanying Certificate from Deputy Surveyor John Grant and from the description he has given of the Lot in question and its situation I am of the opinion that the value he has placed upon it that is two pounds 2/6 per acre is all it is worth

I have endeavored to ascertain from as many persons as I could see who was acquainted with the lot and find that no other person except the occupant pretends to have any claim with the exception of Shively which it would seem has no claim at all

I have the honor to be

Sir,  
your Obedient Servant  
John Carroll  
C. L. Agent

Hon<sup>ble</sup>  
Com<sup>r</sup> of Crown Lands  
to  
Toronto

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585 52/6  
56

This is to certify that I have examined  
the last-half of lot thirty one, in the  
sixteenth Concession of the Township of  
Yora in the County of Oxford -  
I value the said lot at two pounds two shillings  
& sixpence an acre,

There is thirty-five acres cleared and in a  
fit state for cultivation - there are two  
Log dwelling houses a Log stable also a  
Log Barn unfinished,

The quality of the land is a strong Clay  
loam riched to stiffness, there is a narrow  
strip of Black ash swale which skirts the  
lot on the west limit, Timber Beech  
maple - Elm, Basswood & few Oak and  
Birch, the land is level - The Village  
of Hamburg is about six miles - Village  
of Shakespeare about seven - Stations of  
the Grand Trunk Railway - The Village  
of McKennam a <sup>proposed</sup> station of the Buffalo  
Montreal & Goderich Railway,

The occupier of the lot is Jacob Worcester

John Grant

Provincial Land Surveyor

Yora 18<sup>th</sup> January 1856

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To His Excellency Sir Edmund Walker Head  
Bar. Governor General of British North America  
and Captain General and Governor in Chief of  
the Provinces of Canada New Brunswick Nova  
Scotia and the Island of Prince Edward & & &

In Council  
The Petition of Jacob Wagister of the  
Township of East Yorra in the County of Oxford  
and Province of Canada yeoman

Humbly Sheweth

That your Petitioner is occupying the East  
half of Lot No. 31 in the 16th Con<sup>ty</sup> of East Yorra  
aforesaid and hath made large Improvements there  
on and being desirous of purchasing the same has  
had it Inspected and valued by John Grant  
a licensed Surveyor whose Certificate is  
herunto annexed

Your Petitioner therefore prays  
that your Excellency will be pleased to  
grant that your Petitioner may become the  
purchaser of said half Lot and your Petitioner  
as in duty bound will ever pray

Yorra 22<sup>nd</sup> January 1856

Jacob Wagister

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585

585 S8  
 Petition No 57  
 Jacob Wagester  
 per  
 Shulearroll  
 Zorra Jan'y 22/56  
 To put 8<sup>1</sup>/<sub>2</sub> in lb of  
 Cu. Zorra - M  
 Ref B 411-143  
 in ltr 2<sup>d</sup> Apr 1856  
 M 387/415  
 in Report 28<sup>th</sup> Oct  
 1856

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The papers filed herewith have been filed  
 on behalf respectively of James Smith  
 of London, and of Jacob Wagston of  
 Lora, and have reference to the last half  
 of the number thirty one in the 10<sup>th</sup>  
 Concession of the Township of Lora.  
 James Smith claims the half lot in  
 question under a decision of the Her Majesty's  
 Domain Commission in July 1856 as the  
 Assignee of James Smith the Elder  
 & Son at Law of George Smith, to whom  
 the same was located as a Whitman  
 in November 1823. In support of  
 James Smith's application a paper is  
 submitted bearing date 7<sup>th</sup> July 1855  
 signed by Jacob Wagston & Christopher  
 Hapler in which their agent is expressed to  
 the issue of a Patent in his favor. It has  
 been signed and filed by Edward Meadows,  
 for the purpose of showing that the said  
 paper was read over to the parties and  
 explained



explained previously to them signing the same - Another Affidavit made by James T. Bush & John Cooke Cox on the 20<sup>th</sup> May 1855 is attached in which it is declared that the said parties acknowledged themselves the Tenants under Susan Smith & have on likewise two papers submitted bearing date 24<sup>th</sup> May 1855 & 7<sup>th</sup> July 1855 executed respectively by Susan Smith & Christopher Hope, and by Susan Smith & Jacob Magister. These seem to be the Instruments under which Hope & Magister were placed in the position of Tenants under Smith the one of the North East quarter of the lot, the other of the South East quarter. But they secured to them possession of the land for the brief period only of nine months, to commence from the first of April; and contained a clause agreeing to sell to them their individual portions of the lot, at the expiration of the said term of nine months, at the rate of five pounds per Acre - This period of time being expired on the 1<sup>st</sup> September 1855, and they persons who it will presently be perceived have improved the land extensively, and are now

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50 u  
now seemingly at the mercy of Southern  
Swedish. One of these persons (the late Joseph)  
appeared recently at the Office. He is a  
young man, and almost entirely ignorant of  
the English language.

According to the Affidavits of Peter C  
Gunnarich made 27<sup>th</sup> June 1856 & corroborated  
by that of James H. Synnott of the same date,  
both of which are in behalf of Anson Swedish -  
Hope & Wagster, "two persons of the name  
"hall" lot in the latter part of the year  
"1850" that there was no improvement  
made, up to that time - and that the  
improvements, consisting of about forty  
"bars" cleared - two by horses, a by hand  
"30 by 60 feet" &c. was made by them -  
"that" Wagster purchased the lot  
"in said lot and paid him for the same  
"seventy five pounds".

Jacob Wagster in his Petition dated  
22<sup>nd</sup> July 1856 applies to purchase the whole  
of the lot in question, and  
submits a Certificate by Deputy Surveyor  
John Grant dated the 18<sup>th</sup> of that month

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yes

Anson Snively  
3755  
John Cochran for  
Master & Pape  
Toronto Apr 10/11  
36  
With affid<sup>r</sup> in to  
31 in 16 of E. Gorra.

Ref B.L. # 302 c  
192 n

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*Entire*

Crown Land Office  
Toronto 3<sup>rd</sup> Decr 1856.

Sir,

I have the honor to inform you that an order in Council issued on the 28<sup>th</sup> Ultimo, on the respective claims of Anson Smively and Jacob Wagster to the East half of Lot No 31 in the 16<sup>th</sup> Concession of the Township of Gerra, authorizing a grant of the land to Smively upon the condition that he make a sale thereof to Jacob Wagster at the rate of £ 2.10 per Acre, executing a conveyance in his favor upon payment

John Cochrane Esq  
Toronto

*of*

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50c

of the instalment of fifty pounds,  
according to the Agreements entered  
into, and secured by Mortgage  
payment of four equal amounts,  
with interest to be paid with them  
annually as they become due.  
The arrangement to be effected through  
the instrumentality of the Local  
Agent.

I have the honor  
to be Sir  
Your Obedt Servant  
Joseph Causton  
Commissioner

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S. 8  
No 50



*John Cochrane Esq*  
*Toronto*

per

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7987 56 N.W. 522

I now all men by these presents that Anson  
Suwely of the City of London in the County of  
Middlesex, in the Province of Canada  
Mechanic of the first part being the Assignee  
of George Suwely the oldest son or heir at Law  
of late George Suwely Locatee of the East  
half Lot Number thirty one in the sixteenth  
Concession of Yonge East, does hereby agree  
to lease unto Christopher Hope the present occupant  
and Tenant, under said Anson Suwely,  
of the North half of said half Lot, fifty acres  
be the same more or less, for the term of  
nine months from the first day of April  
last, for the sum or rent of Ten pounds  
currency for the use of said Land for the  
said term of nine months to be paid at  
the expiration of said nine months to  
said Anson Suwely his heirs or assigns and  
at the expiration of said nine months said  
Anson Suwely agrees to sell said fifty acres  
be the same more or less to said Christopher  
Hope his heirs or assigns said fifty acres  
be the same more or less for the sum of  
Two hundred and fifty pounds currency  
which said Christopher Hope agrees to pay  
as follows viz in Ten equal annual in-  
statements of Twenty five pounds each

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in which he states that there are thirty five  
 acres shown there and in a fit state  
 for cultivation, and he specifies various  
 buildings erected there and the persons  
 in occupation - and he declares the value  
 of the land to be two pounds two shillings  
 & six pence per acre - The Local Agent  
 in a letter placed here with the date 22 July  
 1856 to which a response was requested, concurs  
 in Deputy Surveyor Grant's valuation -

In reviewing the evidence filed by the  
 respective Applicants - the following facts  
 are apparent - In the year 1850 the  
 first attempt to bring into cultivation  
 any part of the said East half lot 1231  
 in the 16<sup>th</sup> Concession of Town was made  
 and this was done by Messrs Wagoner and  
 Hope, without doubt independently of  
 Mr Anderson, Sr. & Co. The location to George  
 Snively had at that time existed for a period  
 of twenty seven years, impeding the settlement  
 of the Country - The ample improvements  
 which they had made conformed upon  
 according to the essays sanctioned by  
 Successors

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## Office of Attorney General, Upper Canada,

In the matter of lot number  
 fourteen in the fifth concession  
 of the Township of Grantham

The facts of this case are  
 detailed in a long report herewith  
 from the Crown Lands Dept.  
 It is mentioned therein that  
 the original locatee Samuel  
 Cassidy having fled to the  
 enemy & in the war of 1812  
 upon requisition found the  
 land was taken possession  
 of by the Crown - then a license  
 of occupation was given to one  
 Wm. Neal through whom one  
 Donaldson now claims a patent  
 adversely to the Municipality  
 of St. Catharines to whom the  
 Govt promised (but never granted)  
 the lot for a cemetery. The facts  
 are perplexing; but the only  
 apparent point of law is whether  
 the Conin found was final.  
 Presuming that it was a  
 Conin issued under 54 Geo III  
 cap 9 and regularly returned  
 there can be little doubt of its  
 finality (see also *Rea v Phelps*  
 54 Geo III 54).