

Explaining The Map

Statistical account of Upper Canada

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Explanation of The Map, Plates &c.

THE MAP which accompanies this volume has been compiled from the best authorities, and with much care. The first proofs of it and the plates, while yet incomplete, were thrown off in November, 1820, and sent to America as a pledge that my work, though long delayed in its execution, was not laid aside ; and that I was still true to the cause of Canada. Owing to the unexpected and extraordinary delay since then, I have had remarks sent home which have enabled me to correct some errors ; and in the mean time the surveys made during the government of the Duke of Richmond, having been received from Upper Canada, are now added, including more than fifty townships. To distinguish these from others I have caused their names to be engraved *upwards*. The mischief done by the Duke of Richmond in laying out so many townships for settlement, and hurrying poor emigrants into the depths of the wilderness, without thought or preparation, was infinite : *discomfort, want, ague, and death*. In my third volume the miseries experienced by poor emigrants, under the present modes of settlement, shall be dwelt upon, and remedies pointed out. In that volume, too, my own method of laying out the waste lands of the crown, and for making roads and canals, a most important matter indeed, shall be fully explained, with the aid of those drawings which are exhibited on the spare spaces of the map, lettered and numbered for reference. A dotted line running through Lake Huron, and a little way into Michigan territory, was the water boundary by the old surveys, and will shew how very inaccurate these were. The waters below the circle in which the word *Toronto* is written have not yet been accurately explored. The plans of Kingston and York Harbours may be referred to in a future volume, and will be interesting even now. To those who do not regard expence, and wish to save time, Upper Canada is best approached from Britain by way of New York ; and for the traveller's information, I have noted along the great leading roads through the state of New York, &c. the distances between the principal stages, which have been examined in that country, and pronounced sufficiently correct. Lines of roads through Upper Canada are generally, but not so minutely, correct, as I could have wished. I have let them stand as taken from the Government surveys, with a few additions. I travelled through every quarter of Upper Canada ; and twice, by various routes, to and from New York ; so that my personal knowledge is considerable. No where in Upper Canada have roads been yet accurately measured, so as to admit of noting distances, in miles, between stages.

The names of some of the late surveyed townships will be found variously spelt on the map, and, in the Act of Parliament, page 693, of vol. II. Whether the printer of the Statutes of Upper Canada, or the Government Surveyor is most correct, I cannot determine ; but the reader, with this notice, can make his choice between these authorities,

The views of the Falls of Niagara have been drawn from my penciling and directions, by a celebrated artist, landscape painter to the late Queen Charlotte, and author of many elegant works ; Mr, Craig. That in the title of volume first, and the ground sketch, page 66, have been examined in Upper Canada, and most highly approved of. That in the title of volume second I know will be still better thought of by those who have visited the falls ; and these plates, together with the description given by the Writer of the Sketches, page 65, and onward, will,

I hope, afford the British public some faint conception of the sublimest scene on earth ;— a . scene, perhaps designed by providence, to tempt us across the Atlantic,—to know, associate with, and esteem our distant fellow men. It is my sanguine expectation, that we shall proceed from England to America by steam boats in less than twenty years, *speedily, comfortably, and safely*. In the mean time I earnestly wish that some well-qualified person would go abroad, and make panorama pictures of the Falls and Rapids of Niagara, from the stations marked on my ground sketch “ fine view” and “ grand view.” The globe does not afford more interesting subjects, and the pictures, exhibited in London, would pay well. My wish for this is ardent, not so much to gratify curiosity, as to increase it ;—to tempt people of fashion and taste across the Atlantic. The *Tour of Europe* has become stale. Every flower by the way has been picked up, smelt, and flung aside. The *Tour of the West* would be found a thousand times more interesting, instructive, and beneficial. How delightful to cross the Atlantic in the month of May : to behold vast islands of ice ; and to enjoy a day’s fishing on the banks of Newfoundland ! to enter the mouth of the St. Lawrence, and to mark its yet desert shores ; one day and not a distant one to smile with cultivation, and teem with life !—to catch the first glance of Quebec, a prospect unique, grand, beautiful, inspiring !—to pursue the lovely course of the St. Lawrence to Montreal !—to rest for a few days in that depôt of commerce, destined to be one of the greatest on earth !—again, to pursue the course of the St. Lawrence, more and more lovely !—to be enchanted among the Thousand Islands !—to be delighted with the view of Kingston, one of the finest in America !—to take a passing peep at Little York ; and hail Niagara, bright in the morning rays !—to spend a month on the Niagara frontier ; and become familiar with all its indescribable wonders !—to return home by way of New York ; devoting a month to survey the beauties and improvements of the Genessee, a week to the charming valley of the Mohawk, and two days to inhale delight descending the Hudson, most picturesque of rivers ! Excursions to Boston, Philadelphia, &c. might happily and usefully employ time till the end of September; and then, secure from equinoxial storms, huzza for roast beef and Old England ! !—Could six months be any how or any where so well employed ? Could £200 (and with economy, that would be quite sufficient) could £200 be better spent ? and how many thousands of Englishmen are there who have abundance to spare, both of time and money ? What the deuce are we in the world for, if we do not see, converse with, and become acquainted with the world ?

Nothing would advance civilization so rapidly as friendly intercourse between Europe and America ; and my heart beats quick with the hope of seeing it established. Fearon, with his falsehoods, his jaundiced eyes, and his cockney prejudices, has done infinite mischief—more than he will atone for by a life-time of preaching [1]. The British Tourist will find in America luxuries in abundance, civility, cleanliness, and excellent sense ; and for all of these I shall match New England against the globe. I repeat, that nothing would advance civilization so rapidly as friendly intercourse between Europe and America. The inhabitants of the old and new world have no occasion to quarrel : free trade is the interest of both ; and they can do nothing better or more becoming than to hold out to each other the right hand of fellowship.

While the map is still in view, we may say something of *boundaries* between the United States and British America. Our Ministers have been most shamefully neglectful with regard to these. After the revolutionary war, they made a Treaty, for which some of them should have been brought to the block ; but that, passed over with impunity, has only confirmed negligence, “ if not worse.” What I allude to, as having happened after the revolutionary war of America, cannot be better told than by quoting a passage from a memorial presented by the Merchants of Lower and Upper Canada to Sir George Prevost, dated Montreal, Oct. 14th, 1812.

“Posterity will hardly believe, although history must attest the melancholy and mortifying truth, that in acceding to the independence of the then thirteen colonies, as states, their territory was not merely allowed to them, but an extent of country, then a portion of the province of Quebec, nearly of equal magnitude to the said thirteen colonies, or states, was ceded, notwithstanding not a foot of the country so ceded, was at the time occupied by an American in arms, nor could have been, had the war continued ; and this cession is the more remarkable, as New York and Rhode Island, being then in possession of the British Army, the surrender of these valuable posts and places required a large equivalent in territory elsewhere, instead of giving, as it were, a premium for getting rid of them.”

“Yet such was the ignorance, negligence, or something worse, of the then Minister of Great Britain, and those he employed, in regard to geographical position and local importance of the territory ceded, that when the merchants of London, interested in the Canada trade, waited on Mr. Oswald, the negociator, to represent the impolitic and improvident cession of the upper country and posts commanding the same ;—viz. Michilimackinac, Detroit, Niagara, &c. ; and to endeavour to discover if some means could not be devised for averting the destructive consequence thereof, in respect to the security of Canada, and of the British trade and influence with the Indians, he literally burst into tears, acknowledged his complete ignorance of such posts being in our possession, or even in existence, and of the country given away being an object worthy of notice in any respect.”

The memorial from which the above extract is taken, was one among several others presented to Lord Bathurst by Canada merchants in 1814 ; and one might have thought his attention would have been arrested by it. I happened at that time to have special knowledge of what was going on. I know it was scarcely possible to rouse Lord Bathurst, even to the appearance of concern ; and to be sure the treaty of peace was soon after concluded, with little regard indeed to Canadian interests. What was one day insisted on as a *sine qua non*, (the independence of the North-West Indians), was, the next, relinquished without a struggle ; nor did indifference then terminate. The Convention of 1818 [2], bears proof that the tears of Mr. Oswald were shed to little purpose. By that Convention land was given away, which by the clearest evidence belonged to this country and its subjects ; while a boundary was established, in every respect improper. This will be understood, by examining the little map of North-East America, attached to volume second. The boundary line, running west from the Lake of the Woods, has given to America, very improperly, a large portion of Lord Selkirk's estate, which he purchased from the Hudson's Bay Company. The boundary ought to have run along the height of land between the head waters of the Mississippi and the Red River. The height of land or *water-shed*, as we call it in Scotland, is the natural, proper, and politic line of division between countries ; and, of all things, rivers, navigable to the sea, ought to be avoided as national boundaries, for obvious reasons. The natural, proper, and politic boundary between the United States and British America, should have been that line which I have coloured : bending from north to east, by Rome. I wish it to be taken notice of, because I think it may still be fixed upon as a boundary. North and west of that line the natural outlet to the ocean is by Quebec. South and east of it, by New York. A river is valuable, because of its fish ; and the right of fishing may lead on to war between opposite claimants. A river is valuable for navigation ; and this again may give rise to endless disputes. The improvement of navigation may require union from all who are to reap advantage ; but two nations cannot unite in the necessary work. A citizen of the United States, farming on the south bank of the St. Lawrence, sees that nature intended him to have his produce conveyed to the ocean by the noble stream which flows by his door ; but the British Government can say, “ You shall pay toll at Quebec.” The design of nature is thus thwarted, and one set of men are most cruelly subjected to the caprice of another set. This matter has not before, to my knowledge, been properly considered ; but its importance is great indeed. Happily, no great portion of America

is dependent on British favour for access to the ocean. The western and northern canals [3] are to be valued for the sake of natural liberty : nay, I value them even, for the liberty of Canada. The commerce of Canada will presently have a choice of exits and entrances ;—by Lake Champlain—by Oswego—by Buffalo, she may communicate with the ocean as well, and, in many instances, better than by Quebec : even as a British subject I rejoice in this : as a British subject I wish not our nation to enjoy a particle of arbitrary power ; and certain it is, his Majesty's dominions do not hold a more loyal and patriotic subject than myself.

Nobody will look five minutes to the miserable chequered escutcheon hung up on the face of my map to exhibit the mode of laying out land in Canada, without condemning such mode. No thinking person will, for a moment, hesitate in saying that there should neither be *crown* nor *clergy reserves*.

A map of Niagara district, with courses of the grand canal, between Lakes Erie and Ontario, together with plans illustrative of settlement in the wilderness of Canada, are already engraved, and will appear in volume third, with others.

Discovery of Canada—St. Lawrence—Quebec settled—Montreal—Iroquois—Fort Frontenac—Progress of French Settlements—Conquest of Canada—Proclamation—Quebec Act—American Loyalists—Upper Canada settled—U. E. List—Division of the Province—Lieutenant Governors, Simcoe, Hunter, and Gore.

COLUMBUS having discovered the continent, afterwards named America, and taken possession of a large portion of it for Ferdinand and Isabella of Spain, and Cabot having acquired for Henry VII. of England, a similar title to a considerable part of North America, Francis I. king of France, became desirous of participating in the acquisition of the new world.

For that purpose he fitted out Verazani, who made two voyages of discovery, and attempted a third, but perished in the attempt without effecting the projected establishment of a colony.

The project of colonization seems to have been thereupon abandoned by the court of France for some years.

In 1534, however, Jacques Cartier sailed, under a royal commission, from St. Maloes to Newfoundland, entered the bay of Chaleurs, coasted a great part of the gulf, and took formal possession of the adjacent country in the name of his most Christian Majesty.

On the report of Carrier's voyage, he was commissioned to establish a French colony in the country thus acquired. Accordingly, he sailed with three vessels, which, after suffering severely in a storm, entered the gulf on the 10th of August, 1535, being the fast day of St. Laurent. In compliment to the Saint of the day, Cartier named the bay in which they anchored, *St. Lawrence*, a name soon afterwards applied to the gulf, and thence extended to the great river, which, before, had no other appellation than the river of Canada. It was not at first uniformly stiled the St. Lawrence, higher up than the island of Montreal. Even so late as the treaty of peace, in 1783, in the description of the boundary line between the United States and Canada, from the 45th degree of latitude to the lake, it was described as the river Iroquois or Cataracqui ; but it is now commonly known by the name of the St. Lawrence, through its whole extent, from the gulf up to the outlet of Ontario. Between that lake and Erie, thirty-three miles, it is denominated the Niagara river. From lake Erie to lake Sinclair, twenty-seven miles, it is called Detroit, that is *the Strait*, without any distinctive appellation. From lake Sinclair to lake Huron it is the river Sinclair. From Huron to Superior, about forty miles, it is

the strait of St. Marie ; and from Huron, southward to Michigan, fifteen miles, it is the Strait of Michilimackinac. A small part only of this vast river was explored by Cartier.

The efforts of the French to colonize Canada were not successful, until Champlain, at the head of a small colony, in 1608, twelve years before the English Puritans arrived at Plymouth, in New England, made a settlement at Quebec, on the north side of the St. Lawrence, in latitude $46^{\circ}, 48'$, north, and longitude $71^{\circ} 12'$ west.

Although his establishment was never discontinued, it encountered so many embarrassments, and was so feebly supported, that, in 1622, the whole little colony contained only fifty persons. In 1629 it was surrendered to the English, but was restored by treaty in 1632.

Montreal was settled thirty years after Quebec. The island was granted for the support of the order of Sulpicius, a religious order of Catholics, which was established there. The city of Montreal is situated on the south side of the island, in latitude $45^{\circ}, 33'$ north, and longitude $73^{\circ}, 37'$ west.

At an early period, the French colonists imprudently engaged as allies, or rather protectors, of the Hurons and Algonquins, tribes of Indians inhabiting the countries north-westerly of the St. Lawrence ; and, of course, were involved in hostilities with their common enemy, the Iroquois, or Five Nations, whose residence was on the other side of the river and lake, principally in the territory now composing the western region of the State of New York. This warlike confederacy, the most powerful and politic of all the aboriginal nations, spread terror and desolation, from the river Sorel, then termed the Iroquois, to the Illinois, a distance of a thousand miles. More than a hundred years, with some short intermissions, they maintained cruel and destructive wars against the French, and a part of them finally assisted the English in conquering Canada.

To guard against such formidable enemies, the French, under Governor Frontenac, in 1672, built Fort Frontenac, at Cataracqui, on the easterly end of lake Ontario, where Kingston now stands.

A few years afterwards, they erected fort Niagara, on the eastern side of the strait of that name.

They also built two vessels on lake Ontario, and armed them for the purpose of operating against the Indians.

But in 1689, the Iroquois made such an impression upon the French colony, that they blew up the two forts, burned their armed vessels on the lake, and retired down the river. These fortifications, however, were afterwards rebuilt.

They had also a fort on the island, in the St. Lawrence, near Osweigatchie ; a garrison and village at Detroit ; and a fort and trading post at Michilimackinac .

Except these military stations, and some factories and trading houses further north west, they formed no settlements in Upper Canada during the century and a half of their possession of the country.

They did, indeed, pass over to the Ohio, the Illinois, and the Mississippi, and descending those rivers to Louisiana, they planted colonies in several places ; but those colonial

establishments languished and decayed ; even in Lower Canada, their settlements, instead of spreading over the country, were condensed into comparatively narrow limits.

A distinguished French traveller (Volney) says, the general decay of the French Settlements, on the frontiers of Louisiana, and even Canada, compared with the equally general increase of the American, was to him a subject of frequent meditation, the result of which was, that the difference was to be ascribed to habit and national character, occasioned by their systems of education, and the nature of their governments.

According to him, “ the American settler sedately forms a plan of managing a farm. He does not rise early ; but, when he has once risen, he spends the day in an uninterrupted series of useful labours. If the weather be fair he goes out, ploughs, fells trees, makes fences, or the like : if it be wet, he takes an inventory of the contents of his house, barn, and stables, repairs the doors, windows, or locks, drives nails, makes chairs or tables, and is constantly employed in rendering his habitation secure, convenient, and neat. With these dispositions, he will sell his farm, if an opportunity offer, and retire into the woods thirty or forty miles to form a new settlement.”

“ The French settler, on the contrary, rises early in the morning, consults his wife, takes his gun, goes a shooting, or to chat with some neighbour. At other times he stays at home, and spends the day in talking. Neighbours pay and return visits ; for visiting and talking are so indispensably necessary to a Frenchman, from habit, that throughout the whole frontier of Canada and Louisiana, there is not a settler of that nation to be found, whose house is not in sight of some other.”

“ Having several times,” he observes, “ questioned the frontier Canadians respecting the distances of times and places, I have found that, in general, they had no clear and precise ideas ; that they received sensations without reflecting on them ; in short that they knew not how to make any calculation, that was ever so little complicated. They would say to me, from this place to that, is one or two pipes of tobacco ; you can or you cannot reach it between sunrise and sunset, or the like. But there is not a single American settler who does not give, with precision, the number of miles, or hours, and weights and measures, in feet or yards, pounds or gallons ; and who does not, very readily, make a calculation, consisting of several actual and contingent elements.”

He adds, “ The French often blame, as immoral, the readiness with which an American sells and quits the estate on which he was born, or which he has purchased or improved by his own labour, to go and fix himself in another. But if we trace this idea to its source, we shall discover, that it has been invented by the rulers, and kept up by the laws of a people originally in a state of slavery. To bind men to the soil by the prejudices of affection, was, at all times, the secret or avowed object of a policy afraid of losing its prey. Now, as it was for the purpose of breaking their chains, both civil and religious, that the Americans emigrated, in the first instance, it is not at all surprising that emigration is become to them an habitual want, and still has, in their eyes, the charm of being an exertion of their liberty.”

How nearly this portrait of the common Canadian French, drawn by the hand of a Frenchman, resembles the original, I shall not examine. There are but few of them, comparatively, in this province ; and the brevity of this Historical Sketch forbids a more particular attention to the Lower Province, where there are many French gentlemen of intelligence and respectability.

In the prosecution of various wars between the English and the French, the former made several unsuccessful attempts to conquer Canada ; and, in the war of 1756, under the vigorous and brilliant administration of Mr. Pitt, a grand effort for that purpose was finally crowned with success. In 1759 Niagara surrendered to Sir William Johnson. General Amherst reduced Ticonderago and Crown Point. The memorable battle, fought on the heights of Abraham, and immortalized by the deaths of the rival Generals in chief, Wolfe and Montcalm, was followed by the surrender of Quebec, the key of Canada and the Gibraltar of America. In the campaign of 1760, General Amherst met with no resistance in entering Oswego, a fort situated at the mouth of a river of that name, on the southern borders of lake Ontario, nearly opposite to Frontenac, formerly belonging to the English ; but possessed, for the last four years, by the French; and having, on his passage down the river, taken a French Post, on an island near Osweigatchie, he proceeded to Montreal, obtained possession of that place by capitulation, and thus completed the conquest of Canada, and thereby relieved the colonists of New England from the danger of French and Indian invasion, acquired an immense territory to the crown, and transferred to British hands a fur trade of incalculable value.

Favourable terms were granted to the French Canadians, who were secured in the enjoyment of their property and religion.

This stipulation was inserted in the fourth article of the treaty, signed at Paris in February, 1763.

A Royal Proclamation was issued in October of the same year, declaring the limits of the Province, which included a part only of what is now Upper Canada, and prescribing a form of government by a Governor and Council.

The same Proclamation provided for granting to the reduced officers and disbanded soldiers, certain portions of the waste lands of the crown, a provision, which, at the close of the Revolutionary war, was referred to as a precedent for the quantum of lands to be then granted.

The mode of government thus prescribed by proclamation, continued ten years.

By an act of the British Parliament, passed in 1774, the limits of the province of Quebec were extended, so as to comprehend all Upper Canada, and even the territory, now within the United States, north-west of the Ohio to the Mississippi : the Governor with a Council, without an Assembly, was vested with legislative powers : the Catholic religion was legalized, and the tithes and ecclesiastical rights of the Catholic priests were guaranteed : the English criminal law was established ; but the French laws were declared to be the rule of decision, in cases of property and civil rights.

Objections were raised in Parliament against some of the principles of this bill, particularly the extension of the province, the want of a legislative assembly, the adoption of French laws, trials without jury, and the establishment, as it was called, of the Catholic religion, a religion against which the laws of England had guarded by solemn oaths and declarations, and which was the subject of civil disabilities, operating severely upon the Catholics of Ireland.

Notwithstanding those objections it passed into a law, and remained in force until 1791.

The American Congress inserted the Quebec act in their list of parliamentary grievances ; and, in their addresses to the Colonists and the Canadians, touched upon different parts of it. Its provision, in favour of the Catholics and their priests, was one of the means of engaging the Protestant American clergy, in support of the Revolution.

In the progress of that revolutionary contest, which terminated in the dismemberment of the British empire and the independence of the United States, particularly on the capture of General Burgoyne, many of the Americans who adhered to the royal cause removed into Canada with their families. Upon the evacuation of New York, at the close of the war, a still greater number followed.

A large proportion of them had served in the army, and were now disbanded and left without employment. Some had lost their estates by confiscation ; and they were generally destitute and dependent.

To reward, therefore, their loyalty, to relieve their present wants, and furnish them with means of future subsistence, and at the same time to settle a fertile but vacant territory, and enlarge the population and strength of the empire, the British government determined upon making liberal assignments of land in Upper Canada, as in Nova Scotia and New Brunswick, to the American loyalists. The second battalion of the 84th regiment, having been raised in America, was now disbanded here, and a few British and German soldiers discharged in this country. This measure was recommended by justice, humanity, and sound policy ; and has been happily crowned with success. No government ever conducted, on any occasion, with more liberal justice towards its subjects, than the British government did to the loyalists of the revolution; and never was public liberality productive of more beneficial effects.

The disbanded officers and soldiers of the 84th regiment, in consequence of a promise made in their beating orders, claimed the same proportions of lands as had been granted at the peace of 1763. Their claim was admitted. The loyalists were ultimately put upon the same footing, and consequently were allowed at the rate of five thousand acres for a field officer, three thousand for a captain, two thousand for a subaltern, and two hundred for a private soldier [4]. These grants were directed to be free from every expense.

The range of land on the St. Lawrence, from the highest French settlement near the lake St. Francis, up to Ontario, and thence along that lake to and round the bay of Quinte, was accordingly divided into townships, and subdivided into concessions and lots. The form of their location and survey, being connected with the geographical description of the province, will be sketched under that head.

These townships were numbered, but not named until several years afterwards. Of the numbers there were two series : one including the townships on the river below Kingston, the other containing those from Kingston inclusively, westward to the head of the bay. The original settlers being accustomed to describe them by their respective numbers, as *First* town, *Second* town, &c. retained the custom, after distinct names were legally appropriated by proclamation ; and, through the force of habit, still adhere to that inconvenient mode of description.

In the summer of 1784, they took possession of the allotted townships, and thus settled at once, a territory of a hundred and fifty miles extent on the river and lake.

The same season the loyalists, composing Butlers, rangers, and those attached to the Indian department, had lands assigned to them, on the same principles, near Niagara on the

west side of the river, and south side of lake Ontario, and also in the neighbourhood of Detroit, on the east side of the strait ; and they, likewise, entered upon their appropriated lands.

These may be considered the first effective settlements of Upper Canada, which was then a part of the province of Quebec.

The new settlers were accommodated with farming utensils and building materials, and, for the two first years, were supplied with provisions and some clothing, at the national expense. They were poor in consequence of the revolutionary war. Most of them had lived several of the last years in camp, a mode of life not very favourable to industry ; but having been bred to agriculture, they, in general, soon resumed their early agricultural habits, cleared and cultivated their farms with laborious perseverance, and literally converted a wilderness into fruitful fields. No other people on earth are so well formed to succeed in new settlements as the Anglo-American farmers, commonly denominated Yankees.

“ To put a mark of honour,” as it was expressed in the Orders of Council, “ upon the families who had adhered to the unity of the empire, and joined the royal standard in America, before the treaty of separation in the year 1783,” a list of such persons was directed, in 1789, to be made out and returned, “ to the end that their posterity might be discriminated from the then future settlers.” From the initials of two emphatic words, the *unity* of the *empire*, it was styled the U. E. list ; and they whose names were entered on it were distinguished as U. E. loyalists, a distinction of some consequence; for, in addition to the provision of such loyalists themselves, it was declared that their children, as well those born thereafter, as those already born, should, upon arriving at the age of twenty-one years, and females upon their marriage within that age, be entitled to grants of two hundred acres each, free from all expense. In pursuance of that declaration these gratuitous grants continue to be made. Thousands of acres are thus granted every year. As the sons and daughters of those whose names are on the U. E. list become of age, they petition the lieutenant-governor, in council, stating the facts, and verifying them by their own oath, and the affidavit of one witness, and upon such petitions obtain orders for the land, which they locate in some of the new townships, and then take out their patents without cost [5].

To encourage the further population of the province, a lot of two hundred acres was allowed to every settler, upon condition of actual settlement, and payment of the expense of surveying and fees of office, amounting in the whole to a little less than thirty-eight dollars.

In 1791 Canada was divided into two provinces, styled Upper Canada and Lower Canada ; the one containing all the French seignories, the other, all the newly settled townships.

General Simcoe was appointed the first lieutenant-governor of Upper Canada. He arrived in 1792, and took his residence at Newark, since named Niagara, where the first parliament was called, and held five successive sessions. The seat of government was then removed to York, on the north side of the lake, nearly opposite to Niagara, where a settlement had been made, and accommodations were provided.

It was a favourite object of Governor Simcoe’s administration to promote the settling of the province. For that purpose he made liberal grants of land to many settlers from the States.

General Simcoe being transferred to another station, the administration devolved upon the Hon. Peter Russell, president of the council. In 1798, General Hunter was appointed lieutenant-governor, and, arriving in the province the next year, exercised the office six years.

After a short administration under the Hon. Alexander Grant, as president, his Excellency Francis Gore, Esq. was appointed lieutenant-governor, and has continued in office to the present time. In 1811 he went home to England, and did not return until September, 1815. In his absence the civil administration was committed successively to the senior military officer in the province for the time being.

The first of these successive presidents was Major-General Sir Isaac Brock, who presided at the session of parliament in the winter of 1812, and the extra session in the summer of the same year. Upon his death, in October, 1812, the administration devolved upon Major-General Sir Roger Hale Sheaffe, who presided at the session of 1813, and was succeeded by Major-General Francis De Rottenburg. During his presidency General De Rottenburg issued a proclamation, declaring martial law to be in force throughout the province, so far as respected the impressment of provisions and forage for the army. The preamble stated the necessity of the measure ; but the execution of it excited considerable sensibility in some districts. It was revoked by his successor Lieut.-General Sir Gordon Drummond, and at the next session of parliament the house of representatives resolved that this proclamation of martial law was unconstitutional and subversive of law and liberty, and ordered the resolution to be entered on their journal, as a solemn protest against the precedent. The Court of King's Bench have, since, given a similar decision. Upon the recal of Sir George Prevost, governor-general of the British North American provinces, General Drummond having presided at two sessions of the legislature of Upper Canada, was appointed administrator in chief of the two Canadas, and was succeeded in the administration of this province by Lieutenant-General Sir George Murray, who was styled Provincial Lieutenant-Governor. When he returned to Europe Major-General Sir Frederic Phillips Robinson succeeded, and continued in administration until the arrival of Governor Gore.

[1] I am sorry that Dr. Howison has written too much in the same humour. He presents to us the worst features of Canadians, does not see into causes, and after exciting little else than disgust with the country, takes leave of " happy Canada !"—Miss Wright has written in a better spirit ; though not always correct.

[2] CONVENTION *between his Britannic Majesty and the United States of America, signed at London, October 20th, 1818.*

His Majesty the King of the United Kingdom of Great Britain and Ireland, and the United States of America, desirous to cement the good understanding which happily subsists between them, have for that purpose named their respective plenipotentiaries, that is to say, his Majesty, on his part, has appointed the Right Hon. Frederic John Robinson, Treasurer of his Majesty's Navy, and President of the Committee of Privy Council for Trade and Plantations ; and Henry Goulburn, Esq. one of his Majesty's under Secretaries of State ;—and the President of the United States has appointed Albert Gallatin, their Envoy Extraordinary and Minister Plenipotentiary to the Court of France ; and Richard Rush, their Envoy Extraordinary and Minister Plenipotentiary to the Court of his Britannic Majesty ; who, after having exchanged their respective full powers, found to be in due and proper form, have agreed to and concluded the following Articles :

ART. I. Whereas differences have arisen respecting the liberty claimed by the United States, for the inhabitants thereof to take, dry, and cure fish on certain coasts, bays, harbours, and creeks, of his Britannic Majesty's dominions in America, it is agreed between the high contracting parties that the inhabitants of the said United States shall have for ever, in common with the subjects of his Britannic Majesty, the liberty to take fish of every kind on that part of the southern coast of Newfoundland which extends from

Cape Ray to the Rameau Islands, on the western and northern coast of Newfoundland, from the said Cape Ray to the Quipron Islands, on the shores of the Magdalen Islands, and also on the coasts, bays, harbours, and creeks, from Mount Joly, on the southern coast of Labrador, to and through the streights of Belle-isle, and thence northwardly, indefinitely along the coast, without prejudice however to any of the exclusive rights of the Hudson's Bay Company. And that the American fishermen shall also have liberty, for ever, to dry and cure fish in any of the unsettled harbours and creeks of the southern part of the coast of Newfoundland hereabove described, and of the coast of Labrador ; but so soon as the same, or any portion thereof, shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such portion so settled, without previous agreement for such purpose with the inhabitants, proprietors, or possessors of the ground. And the United States hereby renounce for ever any liberty heretofore enjoyed or claimed by the inhabitants thereof, to take, dry, or cure fish, on or within three marine miles of any of the coasts, bays, creeks, or harbours, of his Britannic Majesty's dominions in America, not included within the above-mentioned limits : provided, however, that the American fishermen shall be admitted to enter such bays or harbours, for the purpose of shelter, and of repairing damages therein, of purchasing wood, and of obtaining water, and for no other purpose whatever. But they shall be under such restrictions as may be necessary, to prevent their taking, drying, or curing fish therein, or in any other manner whatever abusing the privileges hereby reserved to them.

ART. II. It is agreed, that a line drawn from the most north-western point of the Lake of the Woods along the forty-ninth parallel of north latitude, or if the said point shall not be in the forty-ninth parallel of north latitude, then that a line drawn from the said point due north or south, as the case may be, until the said line shall intersect the said parallel of north latitude, and from the point of such intersection, due west along and with the said parallel, shall be the line of demarcation between the territories of his Britannic Majesty, and those of the United States ; and that the said line shall form the southern boundary of the said territories of his Britannic Majesty, and the northern boundary of the territories of the United States from the Lake of the Woods to the Stony Mountains.

ART. III. It is agreed, that any country that may be claimed by either party on the north-west coast of America, westward of the Stony Mountains, shall, together with its harbours, bays, and creeks, and the navigation of all rivers within the same, be free and open for the term of ten years from the date of the signature of the present convention, to the vessels, citizens, and subjects of the two powers : it being well understood that this agreement is not to be construed to the prejudice of any claim which either of the two high contracting parties may have to any part of the said country, nor shall it be taken to affect the claims of any other power or state to any part of the said country, the only object of the high contracting parties, in that respect, being to prevent disputes and differences among themselves.

ART. IV. All the provisions of the Convention, " to regulate the commerce between the territories of his Britannic Majesty and of the United States," concluded at London on the 3d day of July, in the year of our Lord 1815, with the exception of the clause which limited its duration to four years, and excepting also, so far as the same was affected by the declaration of his Majesty, respecting the island of St. Helena, are hereby extended and continued in force for the term of ten years from the date of the signature of the present Convention, in the same manner as if all the provisions of the said Convention were herein specially recited.

ART. V. Whereas it was agreed by the first Article of the Treaty of Ghent, that " all

territory, places and possessions whatsoever, taken by either party from the other during the war, or which may be taken after the signing of this Treaty, excepting only the islands hereinafter mentioned, shall be restored without delay, and without causing any destruction, or carrying away any of the artillery or other public property, originally captured in the said forts or places, which shall remain therein upon the exchange of the ratifications of this Treaty ; or any slaves, or other private property ;”—and whereas, under the aforesaid articles, the United States claim for their citizens, and as their private property, the restitution of, or full compensation for, all slaves who, at the date of the exchange of the ratifications of the said Treaty, were in any territory, places, or possessions whatsoever, directed by the said Treaty to be restored to the United States, but then still occupied by the British Forces, whether such slaves were, at the date aforesaid, on shore, or aboard any British Vessel, lying in waters, within the territory or jurisdiction of the United States ; and whereas differences have arisen, whether by the true intent and meaning of the aforesaid article of the Treaty of Ghent, the United States are entitled to the restitution of, or full compensation for, all or any slaves as above described, the high contracting parties hereby agree to refer the said differences to some friendly Sovereign or State, to be final and conclusive on all the matters referred to.

ART. VI. This Convention, when the same shall have been duly ratified by his Britannic Majesty and the President of the United States, by and with the advice and consent of their Senate, and the respective ratifications mutually exchanged, shall be binding and obligatory on his Majesty, and on the said United States ; and the ratification shall be exchanged in six months from this date, or sooner, if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have thereunto affixed the seal of their arms. Done at London, this 20th day of October, 1818.

(L. S.) FRED. JOHN ROBINSON,
(L. S.) HENRY GOULBURN,
(L. S.) ALBERT GALLATIN,
(L. S.) RICHARD RUSH.

[3] See the Map.

[4] In 1798, by the royal instructions to Gen. Hunter, the allowance was limited to a quantity from 200 to 1200 acres.

[5] In February, 1816, an order was adopted, requiring, in addition to the former requisites, a certificate from the president of the sessions and clerk of the peace, that the U. E. loyalist, if living, retained his loyalty, and did his duty during the late war, and a similar certificate respecting the applicant, if a son, and in case of a daughter, respecting her husband, if she is married.

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