

## Chapter 5 New Settlement People

**I**t is a pity we can never truly know the relief John and Elizabeth felt at having their family reunited, though tempered it must have been by the loss of the one child. It is true that five years of uncertainty and danger lay behind them, but their situation was hardly enviable, with seven children to feed and another on the way. John redirected his energies from tracking his children to finding a place to live and the means to feed themselves. In the light of the Swan Creek disaster a plot of land for a garden was necessary at the very least. But how and where? They were a long way from Kennedy's Bottom. And in any case that home had never been theirs. Elizabeth was in no condition for a long journey, the lack of horses and cash narrowing their options. Until they found land of their own they might subsist on the income from the kind of shirtmaking and blacksmithing that had sustained them through their captivity. The west side of the river would soon revert to "Congress", so they might consider moving to the east side to Upper Canada, which was still British territory and likely to remain so.

John learned that the act of settling on "the King's Land" was not just a matter of squatting. A magistrates certificate was required. For this John sought out Mathew Elliott, the JP who was nearest to hand.<sup>1</sup> Elliott was at home in Detroit conferring with Prideaux Selby<sup>2</sup> on the matter of making a purchase of Chippewa land at Chenail Ecarté for the Ottawas.<sup>3</sup> Yes, Elliott would recommend him. Assuming the document was written in the form prescribed by Simcoe it would have had these words:

The bearer \_\_\_\_ of \_\_\_\_ years of age, born in \_\_\_\_ professing the Christian Religion, and by trade a \_\_\_\_ having been this day examined by me, and taken the oaths prescribed by law, is recommended for a location of two hundred acres of land within this county, provided it does not appear from the surveyor's books that he has had any prior grant of land in any district of this Province.

But before settlement could take place the land had to be properly surveyed. So John set off for Chatham to find Abraham Iredell, the surveyor of the District of Hesse, to show him his certificate and to request his recommended 200 acres.

Iredell had been appointed surveyor of the district only recently.<sup>4</sup> He was tasked at the

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- 1 Magistrates certificates were issued for only about two years. In 1794 Simcoe became convinced that the land boards were inefficient and unnecessary, and so on 6 November abolished them. In future, he directed, petitions for land would be addressed to the Governor, Lieutenant-Governor, or person administering the Government in Council, through the Clerk of the Council. Or at the district level, petitions could be made to magistrates or JPs. These persons were empowered to provide the prospective settler "whose loyalty, industry and morals shall appear to entitle (him) to the benefits of his Majesty's Bounty" a "recommendation" for land. The procedure turned out to be unworkable and in 1796 was changed. Third Report of the Archives, Ontario, 1905, cix. John Quick's has clearly not survived.
  - 2 Although illiterate, Elliott had been appointed a JP of the District of Hesse in July 1788. Selby came to Upper Canada as a lieutenant in the 5th infantry and later became a JP of the Western District. From 1809 until his death in 1813, he served as a member of the Executive Council and at the time of his death was Receiver-General.
  - 3 Chenail Ecarté is one of the channels through which the St. Clair River drains into Lake St. Clair. It separates St. Anne's Island from the mainland. The next, larger, island to the west is St. Mary's or Walpole Island—which name the Indian reserve is presently known by. The initial purchase was 12 miles square.
  - 4 Iredell had lived in Philadelphia County, Pennsylvania, and been a lieutenant in the corps of Guides and Pioneers (a surveying group). Having been accused by the Americans of high treason he fled to

moment with the survey of lands in the Chatham area, and was not yet familiarized with the district as a whole. I can imagine John requesting an assignment and being told there wasn't one available. Had Iredell consulted the records of his predecessor, Patrick McNiff, he would have known that the surveyed land in the first concession along the Colchester shoreline had already been taken up. He would have suggested that for safety, John should put down close to an existing settlement where the soil was known to be good—so why not *behind* (that is, to the north of) the New Settlement, on land that would eventually make up a second concession? Any improvement he made he could claim when the land was eventually surveyed by virtue of the certificate. So John came away prepared to put down on unsurveyed land to which he had no title.

It must have been a day in the late fall of 1795<sup>5</sup> when John, Cornelius, Joseph and John Junior, set out to find a suitable place to make their pitch. I imagine them crossing the Detroit River by canoe and walking the trail to Amherstburg. They crossed the new bridge over the Canard River and passed the Huron cornfields, now stripped by their Indian owners. Below Captain Bird's lot, the intended site of new military blockhouses (present Fort Malden) they followed the trail that wandered by the riverbank through a maze of blackened tree stumps.<sup>6</sup>

The highlight of the trek was the sight of the fine house and outbuildings on the Elliott plantation. Capt. Elliott held no less than 2000 acres on Elliott's Point, the site of an old Huron village. Cleared and cultivated by his slaves kidnapped from Kentucky fifteen years earlier, it must have looked magnificent. The house was neatly placed about two hundred yards from the river in full view of the waterway and the Island of Bois Blanc (present Boblo). Chippewa and Delaware milled about a large wigwam called the council house that stood at the bottom of a fine dressed lawn near the river. Indian families camped on Bois Blanc amidst basswood and tulip trees in tents they had collected (so it was rumoured) at St. Clair's defeat. Canoes with Indians in colorful clothing slipped back and forth across the narrow strait. The air was hazy from the smoke of campfires.

Beyond the mouth of the river, the trail snaked east across the sands of Bar Point and then broke down into a track winding warily through tangled brush and swamp across the tip of Knapps Island.<sup>7</sup> John and his boys were fortunate, dressed as they were in deerskin leggings and leaky shoe packs. The last two years had been exceptionally dry, and in spite of the recent rains the lake water was low. Having crossed the wetlands the going was easier. They made good time on the ancient Indian trace along the lakeshore.

Before they knew it they were passing derelict cabins on their left. These hovels had been built by loyalists and disbanded soldiers who had fought with Caldwell in Butler's Rangers in upper New York Province. The lots had been drawn up in 1787 after the land had been purchased from the Huron.<sup>8</sup> The intervening eight years had been difficult. Many had failed in their attempt to obtain short-term provisions and tools from the British government, preoccupied as it was with other matters. Beset with crop failures, many had traded, sold, or abandoned their lands and moved on.

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Upper Canada. OHS, 7, 116. He was appointed deputy surveyor in June, 1795. He died in Chatham in 1806.

5 Prideaux Selby states in his letter of 30 January 1799 that Quick went on the land "above three years ago" (footnote 24).

6 This is, of course, entirely imagined. They may well have traveled to Colchester by boat.

7 Road petitions from residents of Colchester contain sketches of roads and trails that may interest local historians. The rear of letter 7-C-100, dated 1827, has a sketch of "the road from Amherstburg" following the lakeshore all the way from Amherstburg to Colchester across the mouth of Knapps Island. A dotted line described as the "Road to be opened" is drawn running E-W along the 2nd concession, being the present road (Highway 18 around Holiday Beach Provincial Park). PAO, Ms166(2), Municipal Records of the Western District, Road Petitions.

8 The confusion regarding the surveying of these lots and the ownership of them has been described by E. J. Lajuenesse in *The Windsor Border Region* (Champlain Soc., U. of T. Press, 1960).

John Quick knew a few of the settlers already—those he had seen, met, or heard about in Detroit. John Cornwall already had a good-sized field in corn. A private in Butler’s Rangers, he had come to Detroit in 1779. His crop of 1794 had helped avert starvation among the Indians at Swan Creek after the Battle of Fallen Timbers. Just beyond the village reserve on Lot 66 lived Benjamin Knapp, his wife and five children. Knapp had been with the rangers too and had wintered at Fort Niagara in 1783.<sup>9</sup> Further east along the shore lived the Mungers, Scratches and Tofflemires, who had all been captured at Ruddles’s Station in Kentucky in 1780. For the past five years they had worked at carving farms from the bush. A rough untutored people they spoke better German than English.

Once the group were fairly certain they had seen the western boundary of the village reserve, John turned the group north and cautioned the boys to look out for the blazes on the trees that would mark the northern boundary.

The group worked north all the while eyeing the ground beneath them: the soil was mostly sandy and fertile-looking. The north part of the reserve was marshy and open, a kind of common where settlers cut hay; but the area further north was heavily timbered, a mark of good land. Black walnut, white walnut, chestnut and hickory trees stood tall and very straight. The ground rose slightly as they made their way through the fallen leaves.

Eventually they came upon a post marking the rear of the front concession at roughly the presentday intersection of the Gore and Dunn Roads. John reckoned that the bush to the north of this point should be within the future second concession, but to be certain, he led the group a few yards further north and east along a natural track through the woods. Having stepped off what he thought was a safe distance, he put down his pack and untied his axe. The boys followed his example.<sup>10</sup>

It took them about a week to build this first cabin. Every day, from dawn til dark, they cut timber. At night they slept in the tents of Russia sheeting they brought with them. The cabin was no shanty like the shacks they had passed on the lakeshore. With four men on axes they had the manpower to put up a good solid house closed in on all sides. Beginning in Jersey fashion they cut round logs and placed them unstripped on a level piece of ground to form a rectangle, about 20 feet long by 18 wide. On top of the rectangle they built a box about 12 feet high. For a roof they laid long strips of bark. A door was cut out of the east side, facing away from the prevailing wind. As it was nearing completion John returned to Detroit to fetch the rest of the family. Elizabeth and the girls plastered the spaces between the logs with a mixture of mud and dried leaves. It may lacked windows but it was every bit as good as their house on Kennedy’s Bottom and the houses they had seen in the Maumee River valley. The family was excited at the prospect of their new beginning.

Each day that first winter they worked at clearing a little ground for the spring planting. For long hours they felled trees and burned brush. Leading the boys on John cut his way north and west, clearing a rectangular area that was free of the swamp and that straddled the trail.<sup>11</sup> By the springtime a whole acre was ready for the planting of Indian corn, pumpkins, beans and squash between the stumps. Lacking draft animals the planting of corn was Indian-fashion, with the hoe in hills. The neighbors were impressed at the progress of this new family. They would describe John Quick as a man of industry and good character.

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9 “Benjamin Knap (age 22) private, Mrs. Knap (age 23), and children Daniel (age 3 mo.) and Rachel (age 2)” received rations in Col. Butler’s Company of Rangers, Niagara, 3 November 1783. PAC, MG21, B-105, 369. The record “Benjamin Napp, wife, 2 girl children under 10 yrs” is in a list of persons who have subscribed their names in order to settle and cultivate the Crown lands opposite to Niagara, 20 July 1784. PAC, MG21, B-168, 36.

10 He stopped just a few yards northeast of the spot presently occupied by the farm buildings on the west half of Lot 8 in the Gore. The word gore means a leftover piece of land (usually between two townships) quite often triangular or otherwise oddly shaped.

11 The clearing can be seen on Thomas Smith’s 1806 sketch in Figure 2.

We must suppose that until that first crop of Indian corn came in they lived pretty much hand-to-mouth. John had no cash so store-bought provisions from Amherstburg merchants were out of the question.<sup>12</sup> Goods were scarce and prices high. To exacerbate matters, in September and October the drought of the previous summer gave way to heavy rains.<sup>13</sup> It seems reasonable to suppose a few cobs of corn came their way from neighbors like the McCormicks and the widow McKillop, but they survived most probably on game and the hominy Elizabeth boiled “Indian style” in a kettle outside. No child had sufficient clothing so each one wore all that he or she owned day and night. From a distance they would have resembled a family of Shawnee.

Newly-broken land is fertile but it does have its problems. Their first crop of corn was heavily damaged by forest animals. Squirrels by the thousands emerged from the bush to strip whole fields. Hundreds of raccoons, wild turkeys, wolves and even bears foraged for food in broad daylight, unafraid of the humankind they had never seen before. Adults and children were out in the fields from morning till night banging on plates to frighten them away. Thousands of squirrels were seen to drown crossing the Thames River in their frantic quest for forage.<sup>14</sup>

It could be argued that our family’s survival depended on these animal invasions, as many of them ended up in Elizabeth’s stew pot. A woman who has survived five years with the Shawnee has ways of putting a meal together. The family also ate fish. Whitefish were caught in large numbers and eels hunted in the fall Indian-fashion. At night they would take a canoe and a torch out on the lake. The torch held to the water’s surface attracted eels within range to be killed by a whack of a club on the water’s surface. When no other meat was available they trapped muskrats in the swamps. But muskrat was a last resort as its strong oily flesh was palatable only to the hungriest. Between 1794 and 1797 the area was affected by near drought conditions and the ravages of the hessian fly. This pest attempted to eat what wheat did manage to grow on the poorly-drained soil crowded with tree stumps, brush and weeds of every description.

The conditions were not so serious as to prevent children being born. Alexander came along in about 1795, and Elijah in 1796.<sup>15</sup> It was truly a miracle that all the children survived in the prevailing conditions. Elizabeth had borne a child in a Shawnee village and would have learned from the experience.

By the spring of 1797 John had yet to be properly located by a surveyor. He decided it was time to petition for his improvements. The power of magistrates to recommend settlers had been rescinded by an order-in-council in July of the previous year (thus invalidating the magistrates certificate). He went to Malden to solicit the advice of Mathew Elliott on the new procedures. Elliott’s secretary, George Ironside, wrote a letter for him to deliver to the Honorable Peter Russell, Administrator of Upper Canada. Dated “Detroit River”, 13 April 1797, it reads in part:

... Your Petitioner has resided in the vicinity of Detroit for seven years last past, & that during that period he has behaved himself as a good Subject & done everything in his power for the Interest

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12 I have yet to find John Quick’s name in a merchant’s ledger. Farmers bartered with Amherstburg merchants, such as John Askin, among others. Henry and Jacob Tofflemire sold Askin Indian corn and butter (Corn sold for 6/- a bushel “Indian measure”). In 1797 Wendel Wigle and Leonard Scratch delivered cattle at Malden for Askin and received flour in exchange that was ground in W. Nichols’ boat mill there. PAC, Askin Papers, 65, Blotter 1786 - Blotter 1797/8. But John Quick’s name does not appear. Perhaps he traded with the neighboring McCormick’s. But the McCormick’s journals and day books prior to 1821 are lost (except for one of Alexander’s—Chapter 4 footnote 37).

13 Flour, when it could be had at all in Amherstburg, was selling for more than \$4 a bushel and very inferior grades of salt pork cost \$26 a barrel. OHS, 10, 81.

14 As observed by the Moravians at Fairfield. Eugene F. Bliss ed., *Diary of David Zeisberger* (Cincinnati, 1885), 2 Vols., 2, 459.

15 The birthyears of Alexander and Elijah are only known to within a couple of years. Both would have to have been born prior to 1797 to be consistent with John’s claim of having “ten children living” in his land petition of 1797. For more information on this point see Table 2 of Chapter 6.

of Government & long wished to become a permanent settler in the Province. That he has a wife & Ten children & has never received any of the vacant lands of the Crown.<sup>16</sup>

The usual practice in petitioning for land was to identify the lot by number. But John was unable to do so because the lots had yet to be surveyed.<sup>17</sup> This business of survey was to plague him for longer than he could know.

His petition moved slowly. It was all of a year later, on 26 February 1798, when it was read in council. A grant of 200 acres was recommended to him under the “new regulations”; but no fiat (or equivalent document) would emerge from the attorney general’s office, the reason being that the lot was lacking an identifying number.<sup>18</sup>

As it happened Quick was not told that an order-in-council had been made in his favor. Had he been so informed he would have hustled to Chatham to have Iredell enter his name and the location he was clearing. Neither was Iredell informed about the order-in-council by the surveyor general’s office. The upshot was that by the summer of 1798 Quick’s name and the lot he was clearing had yet to appear in any surveyor’s records. According to law the land was unassigned and free to be assigned to anybody else; and this is exactly what happened.

His troubles began in July 1798 when Iredell was ordered by the surveyor-general’s office to locate 1200 acres in the Western District for Richard Cornwall as a reward for the man’s work as master shipbuilder on the lakes. Cornwall, getting on in years and a bachelor without children, decided to settle his rewards on his nephew John. John Cornwall was a loyalist from Connecticut, due for a grant of 1800 acres in his own right as a member of the Legislative Assembly.<sup>19</sup> Iredell responded by entering John Cornwall for a number of unassigned lots in Colchester and Camden Townships, a total of more than 3000 acres. One of them was none other than Lot 1 in the Gore, the one adjoining Lot 8 on the west, and the one on which the Quick family had already cleared a sizeable cornfield at considerable labor.

It was Iredell himself who advised Quick he might lose this improvement. The surveyor set out with two hired men from Sandwich by boat on 5 November 1798 to survey the boundaries of Cornwall’s lands. In the course of this work chaining north from the lakeshore, he came upon the family’s clearing and met John Quick. A few days later at his home in Chatham he made the following notation in his diary:

Novr 5h. Beginning on the Shore of Lake Erie, on the West Side of the Reserve; Thence North 158

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16 PAC, RG1, L3, 422, UCLP “Q” Bundle 4, No. 1. This is consistent with our story in Chapter 4. George Ironside had been a trader at the Glaize in the period 1790-94, and no doubt remembered John Quick and his history as an Indian captive. More information on Ironside has been given in Chapter 4, footnote 24.

17 The letter was intended to be signed by a JP in that a space was left for the signature, but it was not signed. Elliott, in his capacity as MP for Essex, was a regular traveler to York for sittings of the House. No doubt he did carry this petition, along with others, to York in June for the opening of the House, which sat for a grand total of one month, from 5 June to 5 July. The petitions of John Quick and Philip Huckleberry, the latter dated 8 May, were received by the Land Board on the same day, 12 June, a week after the House convened.

18 Early in 1798 the Executive Council, meeting in York in the Houses of Parliament, issued so-called New Regulations concerning land. All grants made after 22 December 1797, would be subject to a fee of 6 pence an acre, except those made to privileged persons. The privileged, exempt from the fee and still eligible for grants under the Old Regulations, included UELs, their sons and daughters and military claimants. The regulations were intended to deny grants to land speculators and to generate much-needed tax funds. A “fiat” was an order issued by the attorney general addressed to the surveyor general authorizing a grant of land to the individual named on the fiat. These papers were issued between about 1801 and 1818. After 1818 the attorney general’s fiat was replaced by the warrant. PAO, Index to Records of Lands and Forests.

19 PAO, RG1, A-I-2, Surveyor-General’s Letter Books, “Letters Written”, 9 (1797-1799), 122.

chains to a Post,

(Nov) 6th. rear of the 1st Concession, 34 chains.

John Quicks House 10 Chains East of the Line on the Reserve.<sup>20</sup>

When questioned on his business Iredell passed along the kind of information any new settler would have dreaded.



Figure 1. *Doing Chores.* From Edwin Tunis, *Frontier Living* (World Publishing Co., 1961). Used by permission.

I can picture the surveyor demonstrating in words and gestures just how the Quick family had cleared its way across the east line of the reserve and into the north parts of lots 71 and 72. He had to admit that the five-acre clearing from which John and his boys had already harvested at least one crop of Indian corn lay on land he had assigned to John Cornwall Esquire.

Well, what was John to do? Iredell reminded him that he was only now in the process of surveying Cornwall's lands, so Cornwall did not yet have the patent. And though John's magistrates certificate was now invalid, the fact it existed at all would support a petition he might submit for the land. John explained he had petitioned the previous year through Mathew Elliott and nothing had come of it as far as he knew. Perhaps he should petition again? They both agreed that he should at least get the title to Lot 8, the land containing the cabin and outbuildings on which they stood. As John pondered these things the survey party pressed on to the McCormick settlement on the next lot to the north.<sup>21</sup>

As it happened Cornwall and Quick were not exactly friends. Cornwall, loyalist and stalwart member of the Anglican church, had little time for people he described as democrats,

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20 Surveys Branch, Dept. of Natural Resources, Toronto, Field Notes Transcribed from Original Books, 3, Abraham Iredell's Survey Diary (1 July - 31 December 1798). According to my calculation this chaining of the Quick's cabin places it exactly 2244 feet north of the present intersection of the Gore and Dunn Roads and 660 feet east of that point.

21 David, Alexander McCormick's half-breed son, had built the McCormick's first cabin on lot 7 just north of the Quicks in the fall of 1798. His father was then away in Ireland pursuing an inheritance. For more information on the McCormicks see footnote 25.

Presbyterians and “shouting” Methodists (a description, it seems, at least partly fitted John). More importantly, he had heard Quick had born arms “against his King”, had not long been released from captivity, and was a man whose “loyalty must ever be doubtful”.<sup>22</sup> When John approached him to sound him out on the survey, the man attempted to take advantage of him in canny Yankee fashion. Land was a commodity to those who had a lot of it and was much like money in the bank. Would Quick be interested in buying the lot? Say for £100? Twenty-five pounds now and the rest in two years? John seems to have agreed to this outlandish price, fully twenty times grantees fees. He returned in a quandary as to where he might find £25 cash money.

Cash money was scarce in the New Settlement—so scarce that letters of credit were often used instead. Person A wanting an article from person B, when cash was not available and barter was inappropriate, would “pay” for the article with a letter of credit. The letter would be issued by a merchant with whom A and B had dealings and who was willing to advance the credit to person A. Person A having accepted the letter would then be indebted to the merchant. John Quick approached John Bell, a farmer who kept a small storehouse (and with whom, no doubt, John Cornwall also dealt). After listening to John’s story Bell agreed to issue a letter for £25 worth of goods and to debit John Quick for that amount. John brought away the letter unsure he was doing the right thing.

But an option soon emerged. Since September 1798 a petition had been circulating among the residents of the lakeshore lots complaining of the manner in which they had been surveyed.<sup>23</sup> (The irregularity of the shoreline had resulted in the previous surveyor, McNiff, giving some settlers more than 200 acres, others less.) Someone would have to deliver the petition in York. Now whether Quick had decided to go to York already to deliver his petition we cannot know. Suffice it to be said that Quick agreed to take the residents’ petition with him. Since he had never been to York before he had to return to John Cornwall for advice. Cornwall was the member of the Legislative Assembly for Essex and the person who was expected to represent people like himself. He had connections in the town who might prove useful. Cornwall agreed to furnish John with a letter of credit on Thomas Barry, a York merchant, with whom he had dealings in the past.

But Quick would not get off that easily. Within the week Philip Huckleberry heard of John’s plans and pressed on him \$10 to pay the fees on his own 200-acre grant. With a packsack stuffed with provisions and warm clothing prepared by Elizabeth, John set out for the post office in Sandwich to hitch a ride with the winter express sleigh.

On his way to Sandwich he stopped in at Selby’s to tell him about his land troubles. Selby listened sympathetically and penned a letter for the Surveyor General, David William Smith, who just happened to be his old friend from their army days together in the 5th Regiment in Detroit. The letter reads:

Sandwich, 30th January 1799

Dear David

The Bearer John Quick is an honest Man and a good Subject & goes to York to lay his situation before

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22 I have reconstructed this story of Quick and Cornwall’s feud from copies of John Cornwall’s letter and petition and John Bell’s deposition in PAO, McCormick Family Papers, Hiram Walker Collection, HW20-148. These probably came into the McCormick family via Mary, John Cornwall’s daughter, who in 1809 married William, Alexander McCormick’s eldest son. John Cornwall was not noted for progressive views: he voted “nay” on a motion in the Legislative Assembly on 27 June 1799 to bring in a bill “for the relief of the persons called Methodists”. McCormick papers, *ibid*.

23 PAC, RG1, L3, 92, UCLP “C” Bundle 4, No. 66, (1799). This petition is actually dated 1 September 1798. John Quick’s name does not appear among the list of cosignees, but it does appear on the reverse of the document. The notation reads “Colchester and Gosfield Recd 18 February 1799 of John Quick”.

the Council - it seems he fixed himself on unlocated lands, in the Second Concession in the Lake Erie Townships above three years ago in consequence of a Magistrates recommendation which was delivered to Mr Iredell before he went on the Land and Quick says that about 8 or 9 Acres of his Cleared Ground has lately been surveyed for Mr Cornwall -

If you can give him any advice or be of any service to him, you will do a benevolent action to a very deserving Man who has a Wife and Ten Children living.<sup>24</sup>

Selby sealed the letter and wished Quick well.

In the meantime, Iredell too had been impressed with Quick's character in the little time they had talked. On 24 January from his home in Chatham he included the following paragraph in a letter to Smith:

There is two families settled on the reserve. Quick has made a considerable improvement, and has a wife and fourteen children, who have all been prisoners with the Indians a number of years - They settled three years past, naked in a manner, supposing it to be in the rear of Lots no. 71 & 72 the man is much discouraged - he bears a good character in the neighborhood & is industrious...<sup>25</sup>

In a second letter written on the same day he added:

I neglected to mention that 7 or 8 acres of John Quick's improvement falls on the land surveyed to Mr. Cornwall - John Quick informs me, that he was advised by Mr. Selby & Capt. Elliott to settle himself upon any vacant land, having lodged with me a recommendation from Capt. Elliott for a grant of 200 acres, in the winter 1795 - thinking himself secure in any improvement he might make.<sup>26</sup>

Iredell sealed these letters and set out for the post office himself.

On 4 February Iredell and Quick met again, this time on the verandah of the Sandwich post office. Iredell had arrived the previous day from Chatham, but after seven o'clock in the evening when the postoffice was closed. The mailbag was sealed and the postmaster would not violate the seal (and the law) to open it. Iredell thought a moment and hired John to carry the letters.<sup>27</sup> John was a man he could trust. And in any case, he probably told him of the enclosures that would aid in his petition. So John set off along the St. Clair trail<sup>28</sup> with a number of important items on his

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24 PAO, RG1, A-I-6, 3, Letters Received, Originals, Surveyor-General and Commissioner. This letter is filed by mistake in the PAO under the name "John Zuick".

25 Iredell was mistaken in that Quick (in his words) had 10, not 14, children. PAO, RG1, A-I-1, Surveyor General's Letter Books, "Letters Received", 56 (1799), No. 8, 418-419. As to the second family the letter reports "McCormack (sic: McCormick) went on last Spring: he has about four or five acres cleared". Based on this letter F. C. Hamil in *The Valley of the Lower Thames, 1640 to 1850* (U. of T. Press, 1951), 26, places the Quick and McCormick families on the village reserve of Chatham; but the reference is to the village reserve of Colchester.

26 "Letters Received", *Ibid.*, 56 (1799), No. 8, 420.

27 Surveys Branch, Dept. of Natural Resources, Toronto, Field Notes Transcribed from Original Books, 3, 105-108, Abraham Iredell's Survey Diary (1 January - 30 June 1799). William Hands was the postmaster from 1800 to 1834. A photograph of his house and postoffice which stood on Main Street, Sandwich, is in F. Neal, *The Township of Sandwich* (Record Printing Co., Windsor, Ont., 1909), 37.

28 In 1799 the road linking Sandwich with York was long and rough. There were no roads at all through the interiors of Essex and Kent Counties that were capable of passing sleighs. The first section of the stage road out of Sandwich followed closely the bank of the Detroit River and then swung west along the beach of Lake St. Clair to the mouth of the Thames River. It was interrupted in many places by creeks and rivers flowing into the lake, the largest of which, apart from the Thames, were the Ruscom, Puce and Belle Rivers. This part of the road, washed away by the lake many years ago, was virtually impassable in the summer months. The road followed the bank of the Thames River from its mouth through the villages of Chatham, Moraviantown and Delaware. Once past London the express follow-



person: a survey petition, \$10 for Huckleberry's grant fees and letters of support from Selby and Iredell.

It would be a charge to be able to state exactly where in modern-day Toronto Thomas Barry's hotel stood. The best we can say is that Quick probably followed Cornwall's advice. Some two weeks later he went looking for a clerk to draw up his second petition for land. This document, addressed to the Honorable Peter Russell and dated York, 19 February 1799 states in part

... Your Petitioner has a family consisting of a wife and Ten Children: three of whom are sons from the age of 17 to 20: that your Petitioner settled in the above Township under a magistrates certificate ...But having been some time ago informed that the recommendations of magistrates were not allowed Your Petitioner applied for 200 Acres ...That having settled as abovementioned tho' by the permission of His Excellency Lt. Governor Simcoe who on account of your petitioners numerous family - had allowed him to settle immediately on any vacant lands - Your Petitioners improvements which consists of about 40 acres cleared, with dwelling house outhouses, fall on two lots - tho' not more than 200 acres of good land can be found in both there being much swamp.<sup>29</sup>

He wasn't kept waiting long. The petition was read on 22 February with him in the council room explaining his case.<sup>30</sup> Lots 1 and 8 in the Gore were recommended to him. However, impatient for action from the surveyor general, and after coming so far, he wasn't prepared to return and trust the order-in-council would be written up and make its way through the system. He had delivered Selby's letter. He knew that although his petition of 1797 resulted in a recommendation, no document (fiat or warrant) was ever issued. So the next day, with Yankee presumption, he approached John Small, Clerk of the Executive Council, to ask him to please inform the surveyor general of the order-in-council in order that the latter might enter him for the lots in the land books without delay (that is to say, so he could see it being done with his own eyes). Small wrote out the following in a memo dated 23 February addressed to D. W. Smith:

John Quick was recommended yesterday by the board for lot 1 in the Gore, and the lot in the rear of the reserve for the village in the Township of Colchester be granted to him, so as to secure his improvements - 200 acres of this quantity under N. R. -<sup>31</sup>

In a postscript he added, apparently irritated with John's persistence,

I should not trouble you with the above mem. - But the express not gone, I found his Honor would not confirm anything of the sort and the man anxious to return provided you would enter him for the lots.

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ed the new Dundas Road into York. W. Breithaupt and M. W. Wallace in OHS, 21 (1924) and 25 (1929), respectively.

29 PAC, RG1, L3, 422, UCLP "Q" Bundle 4, No. 3. Perhaps John Quick really did meet Simcoe, and perhaps Simcoe really did influence Elliott, at least indirectly, to issue John a magistrates certificate. Simcoe was in the Detroit River area on the following occasions: 18-23 February 1793; 2-6 April 1794; and 26 September - 14 October 1794. If a meeting did happen, it most likely took place during the last period when, just after the Battle of Fallen Timbers, thousands of Indians and their families massed at Swan Creek begging provisions. In the circumstances, Simcoe might very reasonably have advised an indigent man with a wife and 10 children (and one whose loyalty impressed him) to "go on the land" and grow food. Notice of the reading of the two petitions survive in the records of the Council. PAC, CO42/327/320.

30 The council sat in one of the two rooms of the newly-constructed houses of parliament. The brick building stood on the south side of Front Street in present Toronto at the foot of Berkeley Street between Parliament Street and the bay.

31 The abbreviation "N.R." means New Regulations. PAO, RG1, A-I-1, Surveyor-General's Letter Book (1799), "Letters Received", 4, No. 8, 413.

John paid the \$16<sup>32</sup> for half of his own patent and survey fees and the \$10 for Huckleberry's patent fee. In return, he was instructed to tell Huckleberry that he had still to pay his survey fees. Smith wrote these additional instructions in a followup letter to Iredell:

John Quick having made it appear to the Council that his improvements fall upon the Land in the rear of the Reserve & on the first lot to the westward thereof; those two lots have been secured to him accordingly; you will endeavour therefore to accommodate Mr Cornwall as nearly thereto & as well otherwise as practicable. You will run an East & West line between Quick & McCormick & complete Quicks 200 acres to the southward of that line, the width of the Reserve. I should wish the Marsh in the triangle would suit Mr Cornwall on No 7 adjoining Mr R Cornwall's land. You will send me down Quicks Certificate as recommended by Capt. Elliott to cover his 200 acres now secured by the Council on account of his improvement & his family to the extent of 400 acres.

This survey for Quick may be executed as you are Surveying the remaining part of the Township.<sup>33</sup>

John then returned home, satisfied that his land claim was secured. Unhappily, as we shall see, Iredell would forget or otherwise neglect to complete the surveyor general's instructions!

Meanwhile the family was busy with the clearing and planting. Though now all together as a single family unit and free from the wanderings and dangers of Indian life, their lives differed little in essentials from their existence on the frontiers of Kentucky, Virginia, or among the Shawnee.<sup>34</sup> They lived each day, as did all the other settlers, amidst drudgery, hunger and the potential for sickness they little understood. To provide food for his family, John drove on his sons to clear away the trees as fast as was possible, to burn brush, and plant a crop. The Indian troubles were over now for good, but measures of protection were still necessary. It wasn't unusual for a half-starved white or a Chippewa Indian to emerge from the woods in the darkness of night to scavenge for a hog or a bushel of corn. Family legends have John surrounding the cabin with a stockade of logs in this critical period. Vigilance was necessary, especially in the autumn when bands converged on Amherstburg for councils and annual presents from the British Indian Department. Particularly skillful were the Huron under Chief Doyentête, who could slip through the woods to snatch a piglet or a stray calf. As far as is known this activity, though

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32 By dollar was meant the unit of currency of New York State not the actual coinage, which (apart from a few eagles and half-eagles, i.e., \$10 and \$5 gold coins) did not circulate in Upper Canada. "New York Currency" was a money of account. In this system 12 pence = 1 s; 8 s = 1 dollar and 2 1/2 dollars = 1 pound. According to William Renwick Riddell, *The Life of William Dummer Powell* (Mich. Hist. Comm., Lansing 1924) these fees were pocketed by the Attorney General, Provincial Secretary and Clerk of the Executive Council to augment the small salaries they received from London.

33 PAO, RG1, A-I-1, 35, Surveyor' Letters, Originals, No. 49. It is quite possible that John, himself, delivered this letter to Iredell's cabin as he passed through Chatham on his way home. In any case, he took the precaution of having the letter copied. He would have this copy with him when Thomas Smith surveyed his land in 1805. Iredell neglected to carry out the directions in this letter, or was prevented from doing so, for his diaries and letters make no mention of them. Most likely he had lost Elliott's certificate years before. Because the surveyor-general's orders were not carried out at this time, Cornwall continued to press his claim. He did not desist until 1806, when in compensation he was granted another lot in the township. An internal memo of the surveyor-general's office of the same date (23 February 1799) states: "Solomon Quick left 16 dollars to pay his 1/2(?) patent fee & survey for 200 acres - the warrant to be taken out of the Council office - & left also 10 dollars to pay the recr General for 200 acres granted to Philip Huckleberry - this warrant to be taken out. the survey money to be sent down -". PAO, RG1, A-I-2, Surveyor-General's Letter Book (1799-1800) "Letters Written", 10, 373. This memo mistakenly identifies John Quick with Solomon Quick.

34 Their furniture was homemade. A bed made by Joseph Quick was preserved by the Hawkins family of Colchester. It once formed part of the exhibit in the "pensioner's cottage" at the Fort Malden National Historic Park Museum, Amherstburg.

unsettling to the farmers, went on without actual conflict between the races and subsequent loss of life.

By 1800 the children were marrying and starting their own families. Sarah, at perhaps sixteen, was the first to leave the homestead. On 13 January she and Philip Huckleberry were married by licence by William Harffy, JP, in Sandwich.<sup>35</sup> The Huckleberrys settled first on Lot 10 in Colchester and would later move to Lot 13 in the bush of the second range of the Gore. The following year Elizabeth, also about sixteen, married William Buchanan, a newcomer from Scotland, who with much hard work had carved a small clearing from the second concession.<sup>36</sup> In 1802 Mary married James Ramsey, the son of Henry Ramsey.<sup>37</sup> Also in 1802 or thereabouts Cornelius married Elizabeth Knapp, the daughter of Benjamin and Catherine Knapp.<sup>38</sup> Elizabeth was also about sixteen.

We have seen, then, that for the decade 1795-1805, John Quick was helped enormously in the clearing of his land by his four oldest sons. But they grew up very quickly. By the winter of 1804

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35 PAO, Hiram Walker Coll., Office of the Clerk of the Peace, Sandwich, Marriage Register A, 27. They were married by licence by Wm. Harffy JP "...there being no parson or minister of the Church of England living within eighteen miles of Either of them..." John Quick and Justus Allen, an Amherstburg resident, were witnesses. John Quick had the marriage registered on 11 February. According to his first petition for land Philip Huckleberry entered the "Detroit River area" in about 1788. PAC, RG1, L3, 224(a), UCLP "H" Bundle 4, 1798, No. 30. Why he happened to turn up here and where he came from is unknown. He had no family that leads one to suspect that he too may have escaped from a period of captivity. He lived on Grosse Isle for about 10 years, probably as a tenant of William Macomb. For a time he worked for Thomas Williams. BHC, Macomb, Edgar and Macomb Ledger, No. 1, 103. Huckleberry is an uncommon name. Philip may have been related to the George Huckleberry who was the head of a family in Springhill Twp. Fayette County, Pennsylvania, in 1772. James Veech, *The Manongahela of Old* (Pittsburgh, 1858-1892, reprinted by McLain Printing Co., 1971), 200. William Harffy was a hospital mate 1781-1786. He was garrison surgeon at Fort Miamis during the Battle of Fallen Timbers tending to the many cases of malaria. He died in Amherstburg in June 1802.

36 This record (which probably occurred after Harffy's retirement, see previous note) has not been found. William Buchanan was born in Kircudbright Scotland in 1774 to John Buchanan and Janet Thompson. He had brothers Gordon and John. In 1804 in his petition for land he declared he was 30 years of age, had been 7 years in the province, and had a wife and 3 children. PAC, RG1, L3, 34, UCLP "B" Bundle 7, 1802-1806. He seems to have been something of a progressive. In 1807 he initiated a petition to the House of Assembly requesting additions and repairs be made to the "District Goal" in Sandwich with funds raised by a tax on "all curricles, caleches or other pleasure carriages within the district". Though read in the House the petition was ignored. Elizabeth and William may have been married by Prideaux Selby, JP. In February 1801 Selby toured the farms near Point Pelee where on 21 February he wrote in his journal "baptised several Children down the Lake (see Register)". PAO, Prideaux Selby's Naturalist's Journal, 1800-1801. The register has long been lost.

37 It bears noticing that the girls were married in birth order. This marriage record has not been found (see previous note). Henry Ramsey, James' father, was an ex-Butler's Ranger and an early resident of Grosse Isle. BHC, Macomb Ledger, 83. At this time he owned Lot 33 of Colchester just inside the Gosfield Township line. He lost his first wife on 14 May 1796 in Amherstburg, and was left with four small children, one boy, James, and three girls. His first wife was Judith Hicks who had also been an Indian captive. Judith was captured along with her sisters Elizabeth, Agnes and Ann, and a brother, on the Kenawha River near Point Pleasant, West Virginia in 1777. Elizabeth married Henry Bird, captain of the garrison at Detroit and moved with him to England. Agnes married Edward Hazel, reputedly one of the cruelest of Butler's Rangers. Ann married Alexander Wilkinson another resident of Colchester. Elizabeth's memoirs are preserved in PAC, MG23, 18, Henry Bird Papers. They were edited and published by her granddaughter, Louisa J. Marriott in *Elizabeth Hicks, A True Romance of the American War of Independence* (N.Y., 1902), reprinted in Garland 104.

38 This marriage record has not been found (see footnote 36). When Cornelius petitioned for land in 1804 he declared he had a wife and 1 child. PAC, RG1, L3, 422, UCLP "Q" Bundle 6, 1802-1804, No. 2. This meant he had been married around 1802.

they were thinking of applying for their own grants of land. On 10 January 1804 Cornelius and John Junior rode to Amherstburg to have George Ironside write letters of petition for them. They declared they had “property in the Province to the amount of Fifty pounds province Currency consisting of one yoke Horses and one yoke Oxen with the necessary Utensils for Farming”, and were desirous to occupy and improve a vacant lot of 200 acres of the Crown. Two days later Joseph made the same journey for the same object. In his petition he declared he had “one yoke of Oxen, one horse and other stock”. Thus if the brothers were not all claiming the same yoke of horses and oxen, they were fairly well provided for going out on their own.<sup>39</sup> Perhaps Ironside composed the same form letter for the three of them. It bears remembering that 1804 was only nine years after their settlement.

### Early Court Records of Upper Canada, 1789-1820

Our family may have lived in the backwoods but that is not to say they lived beyond the reach of English law. In 1788 what is now Ontario was divided into the Districts of Hesse, Nassau, Mecklenburg and Lunenburg. Twelve years later the German names were changed to Western, Home, Midland and Eastern Districts. Each district was responsible for the management of local affairs through its own District Court of General Quarter Sessions of Common Pleas. Riddell has traced the history of the court (footnote 32). Most of the records seem to have survived (Table 1). Page numbers refer to the Fourteenth Report of the Ontario Bureau of Archives (1917) in which they are printed.

Table 1. *Court Records of Upper Canada, 1789-1820.*

Court Record	Dates	Source
Common Pleas	16 Jul - 24 Sep 1789	25-75 *
District of Hesse	24 Sep 1789 - 19 May 1791	missing
	19 May 1791- 5 Sep 1792	75 - 155*
	5 Sep 1792 - 12 Sep 1793	missing
	12 Sep 1793 - 31 Mar 1794	155 - 177*
* this court was abolished on 9 July	1794 to be replaced by the Court of King's Bench	
Prerogative Court District of Hesse	1789 - 1790	Kent Co. Museum
Oyer & Terminer and General Goal Delivery	3 Sep 1792 - 10 Sep 1792	178 - 190*
Common Pleas	11 Oct 1799 (letter)	PAC, MG9, D8-33
Western District	13 Jan 1801 - 13 Jan 1802	
Oyer & Terminer	22 Sep 1800 (Powell's notes)	PAC, C-4502, 501-512, 544-546
Western District Common Pleas	W. D. 1820 - ?	PAO, RG22, Series 7, Ms166(1)

The District of Hesse (later the Western District) may have been a rough place but it was not without law. Capital crimes were rare. One example occurred in May 1795 when a Ramsey family was murdered by Chippewa—apparently in revenge.<sup>40</sup> The most numerous crimes heard

39 The sources of Cornelius, John Junior and Joseph's petitions are, respectively, PAC, RG1, L3, 422, UCLP "Q" Bundle 6, No.2, 1804; "Q" Bundle 7, No.1, 1804; and "Q" Bundle 6, No. 3, 1804. Each man was recommended as "a proper person" by Mathew Elliott. The petitions were granted by orders in council on 16 June 1804, and on that day in cash or by credit through Elliott, the settlement fee of £5 sterling and the survey fee of £1.7.6 were paid. This would indicate at least a modest prosperity.

40 The murdered were David Ramsay, a second man, a woman and a child. An Indian apprehended was found to have clothing that belonged to one of the slain men. He was the son of a man who had been

before the Court of Common Pleas in Sandwich were assault and battery, profanity, and damning the king. An assault and battery might warrant a fine of a few dollars or a public whipping and three months imprisonment. But damning the king and crying “huzza for the United States of America”, a heinous insult to the local loyalists, could bring a fine of fifty dollars and six months in “goal”. However, gaol sentences were an embarrassment to the authorities as the gaol consisted of three rooms in a brokendown cabin with the “goaler” occupying one of them for sleeping quarters.<sup>41</sup> Another capital case is described in *The Case of Jack York, 1800*.

### The Case of Jack York, 1800

In 1800 the most talked-about felony in the New Settlement was the burglary committed on the house of Jacob Tofflemire by Jack York, one of James Girty’s slaves.<sup>42</sup> (Girty and Tofflemire’s houses were described as “a few acres” apart.<sup>43</sup>) It was alleged that during the course of the crime that took place when Jacob was away Jacob’s wife, Ruth, was raped by York.

The case was tried in Sandwich with Judge William Dummer Powell presiding. Ruth testified that at ten or eleven o’clock on the “star-light night” of 20 August, she was awakened by the “light coming into her Room near the door”. She got out of bed, peered through a crack in the door “made by taking the mud from between the logs” and saw a prowler outside. She put on a petticoat and took up her husband’s gun, which was kept near the bed. Fifteen minutes later she heard a noise and “when she found the Gimblet, which secured the door inside, taken out - she asked who he was & threatened to shoot him if he opened the door”. Whereupon he did open the door and entering, knocked her down “with a large Kick”. She was unable to get off a shot before being overpowered, so she said.

Various people were called to testify including “Hannah, a black woman” who lived with York, evidently York’s mistress, and “James, a black man” who claimed “there are no negroe men within ten miles of Stofflemire’s (Tofflemire’s), but the three with Mr. Girty”. Hannah Boyle, Ruth’s friend, to whose house she ran for help after the incident, described the bruises she saw on Ruth’s body. When questioned she thought York “very saucy”.

In his defence York stoutly proclaimed “That by her (Ruth’s) own desire, one evening that her husband was supposed to be lost, he wandered for an hour together with her in the woods, in search for him, and never offerd any thing improper, in word or deed.” James Girty swore he saw Jack enter his shack to go to bed, and would have seen the man leave had he done so. James explained how he came to observe York’s movements: “he got ease to his Pains by leaning against a stump, as he then did, and that He could hear the least noise - ”. “He remembers it well as he has more pain in cloudy weather - ”.<sup>44</sup> What was more to the point, perhaps, Girty valued the prisoner at £120 and was in no hurry to waste him on the hangman.

After deliberating for a few minutes the jury returned a verdict of guilty. Though Ruth’s character was not an issue three observers found it necessary to pass on the following to the judge about her:

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killed by Ramsay some years earlier. It is not known if David was related to Henry Ramsay, James Ramsay’s father. David was something of a legend in the Long Point area. J. H. Coyne, *David Ramsay and Long Point in Legend and History*, (Trans. of the Royal Soc. of Canada, 1919), 2, 111.

41 As described by Walter Roe, Clerk of the Court, on 11 October 1799. PAC, MG9, D8-33.

42 Details of the case survive in the notebook of William Dummer Powell. PAC, C-4502, 501-512/544-546 (footnote 32). The first Parliament of Upper Canada abolished slavery by act passed on 31 May 1793. According to the act, existing slaves would remain the property of the owners until death. Children of slaves born after 9 July 1793 would be freed at 25 years of age. Any slave entering the province whether in the company of his master or not would be freed.

43 This curious use of the acre, a French measure of length, persisted until about 1812. It was a little more than 3 chains and 16 links, or about 209 feet.

44 This was Simon Girty’s brother. Mrs. Sarah Munger, daughter of Simon, recalled “James Girty for two or three years before his death, had his wrists much distorted & partly out of joint - couldn’t work, & only use his hands very slightly: Mrs. Munger contends it was not rheumatism, but God’s punishment inflicted on him for his cruelties: He never desired to take prisoners alive, but kill them - hence his cruelties were charged on Simon Girty.” Draper20S211.

Captn McKee, & Mr. Ironside indian Storekeeper and Mr. Hands a Trader gave the Prisoner a good character from long acquaintance, and the former said that Ruth Tofflemire, had been an indian Prisoner, redeemed by his father, and had lived in his kitchen, and he did not think her credit good - this was not upon oath. - <sup>45</sup>

York was condemned to death, which sentence to be carried out as soon as the goaler could find an assistant. Before this could be effected, however, he mysteriously “escaped”.<sup>46</sup>

Farming was important to the people for their very existence. As the population rose game became scarcer. In the winter of 1805 the snow was so deep and thick in the woods that deer could be trapped and killed with little trouble. But in the following spring there was no game at all. Hungry wolves entered farmyards to kill calves and pigs in great numbers. Each year brought the farmers new learning experiences.

Much has been written about the alcohol abuse of frontier peoples in the United States and Canada. Certainly, from an early age, most men and women drank alcohol freely and many to excess. Peach brandy was cheap and plentiful, and as the market for wheat was small, much wheat was turned into whiskey, a more saleable commodity. It sold untaxed for twenty-five to fifty cents a gallon. Whiskey was also an important article of trade with the western Indians, which tended to bolster its manufacture. In 1801 John Quick was granted a licence to work a still for a year that was able to produce 100 gallons of alcohol.<sup>47</sup> Like many other farmers who were similarly licenced, he used his product for cash sale, for barter, and for “purifying” their brackish drinking water.

In spite of, or because of, the swampy conditions good water was scarce. Many families collected water from dugouts. Dugouts, with weedy smelly waters, tended to harbor typhoid fever and debilitating bacteria.<sup>48</sup> “Ague”, “malignant fever” and “consumption” were common. In similar situations the Indians suffered from scarlet fever, smallpox and tuberculosis, caught from the whites. Malaria in the summer was common to white and redmen alike, being spread by the mosquito, the as yet unknown carrier. Insects in the summertime tormented the people by day and night. The unhealthy situation is revealed in the diary of the surveyor and ex-merchant, Thomas Smith, who in 1805 surveyed the rear concessions of the three connected townships.<sup>49</sup> It is useful to study this diary to understand the procedures of surveying as well as the conditions under which it was carried out.

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45 The three were Thomas McKee, son of Alexander, George Ironside and William Hands. Ruth Tofflemire had been an Indian prisoner. In February 1790 or 1791, when her father Francis Riley was away, she, her mother and her family were attacked by Indians at a sugar camp above Wheeling West Virginia. The Indians tied Mrs. Riley to a tree and then attacked the family cabin. William, a boy nearly grown, was killed while attempting to save a child. Moses, about 17, escaped. The Indians captured a baby not yet weaned which they intended to return to its mother, but finding that Mrs. Riley had escaped, killed it by bashing its brains out against a tree. Joseph Cox narrative, Draper16S280.

46 York was not recaptured. He was probably sold south of the border. Riddell (footnote 32) implies Powell, who was not a part of the Amherstburg clique, suspected Girty, McKee and friends of a conspiracy.

47 Eleventh Report of the Bureau of Archives for the Province of Ontario, (1914), 751. Some of this product went to the trader, Angus Mackintosh of Sandwich, who had contracted to supply the Northwest Company with local whisky.

48 Some 40 years later, in 1845, Joseph Quick died of typhoid fever, probably caused by polluted water.

49 PAO, RG1, CB-1, Box 17 (d) Item 4. Journal of Thomas Smith.

### The Thomas Smith Survey of Colchester, 1805

Smith's survey began in March 1805. According to orders he advertised in Sandwich on 19 March for eight men to accompany him: two chain bearers and six axemen. The wages were six shillings New York Currency<sup>50</sup> per day and a ration of salt pork, bread, and a half pint of whiskey.

Smith had noone coming forward, at least not immediately. He waited until 8 April without finding a single man who would hire for the wages being offered and then set off by boat across the lake for the French-Canadian settlement at River Raisin (now Monroe Michigan) for the same purpose, and to purchase pork for the enterprise. There was no pork as the extreme cold of the previous winter had killed off half the livestock. All salt provisions had been purchased by the merchants for the Indian trade. He returned to Sandwich in his small open boat, disappointed.

On 13 April he managed to hire five men in Sandwich at the going rate: Michael Eby, Francis Le Clair, Elias Flat, Augustine Creste, and C. A. Smith. (The latter was his son who agreed to stay as long as it took for his father to find a replacement.) Smith purchased in town the necessary articles, a tent, bags, kettles and two pair of "Mogasins" and provisions. The provisions included bacon from Mathew Elliott, pork from Leonard Scratch and bread from Philip Fox. He explains in his diary the need for the whiskey ration:

The men were promised half pint of whiskey at their engagements in addition to the ration. In fact they could not drink the stagnated verminous water of the marshes without it. The ration is small in the woods where cooking must be done to disadvantage & without vegetables.

On a blustery 25 April he came upon John Quick and James Lockhart, waiting for him at the southwest angle of Colchester. He hired John Quick at six shillings York per day to carry the flags and James Lockhart at four shillings York per day. Thus the chaining began.

Torrential rains, foul drinking water, "scald" feet and ill health dogged the surveying party as it crossed and recrossed the sandy woods of Colchester. On the morning of 26 April, beginning at the lakeshore, they marked the division between Malden and Colchester as far north as the second concession (present highway 18). Then they turned east. At one o'clock in the afternoon they stopped on account of the rain and "the men wet & uncomfortable" slogging in shoe packs. The following morning after sleeping rough in the woods they "Crossed the Big Marsh with difficulty, the water in some places three feet deep a quagmire" (just west of Harrow). Two days later on 28 April, Le Clair, Creste and Lockhart were discharged "all sick". The survey was taking its toll.

On 29 April they blazed the boundary between Colchester and Gosfield and on 1 May ran the 3rd concession of Colchester starting from the Malden line and working east. Smith wrote sternly in his diary "John Quick Senior will take the hind part of the Chain in place of Elias Flat, & always to observe that the foremost man keep in the line & the Chain Horizontal". By 4 May they had started the fourth concession working west from the Gosfield line. But then it started to rain. In a downpour they stopped surveying and "set about peeling bark to make a shelter". John Quick Junior (who a day or two earlier had joined them) being sick was discharged. For the next four days it rained continuously. By 10 May, after two weeks of work, when John Quick and Lockhart would go on no longer, Smith had located a number of settlers, among whom numbered John Quick Junior, Cornelius Quick, Daniel Knapp, Philip Cummingford, and Joseph Quick.

Smith's experience with a party of different workmen in Gosfield Township over the next three weeks was little better. On 21 May, another rainy day, he wrote

The Chain men complain of scalded feet, ordered them to make strong white oak ooze to bathe them. I find that a pound of Pork in the woods without vegetables & cooked under every disadvantage is too small an allowance for a Surveyor & therefore I shall be a considerable loose in the ration calculating buscuit at 6d per lb & Pork at 2s. From the badness of the water in the two Townships & to prevent the men as much as possible from leaving me I had to continue the half pint of whiskey per day & an additional allowance whenever they got wet & uncomfortable.

It was a difficult battle. A week later when it was raining again Smith entered the following:

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50 The meaning of "New York Currency" is explained in footnote 32.

The party served 5 days like the former are unwilling to serve any longer. No appearance of an other party coming to relieve. The Chain men having sore feet & wore out with fatigue. The excessive bad weather which the Chain & myself have endured since the commencement of the survey, the woods full of water, the marshes not passable & provisions scarce, I came to a determination of quitting the Survey until a more favorable Season. Therefore left part of my Baggage, Kettles, &c., at the House of Leonard Scratch & returned with the two Chain Men to Colchester.

It is a wonder the three connected townships were surveyed at all under these conditions.

### Religion and Education in the Western District, 1802-1815

The scarcity of population meant the people on the lakeshore were in need of clergy and schooling. White people in the Thames River Valley would sometimes on a Sunday make the journey to the Moravian settlement at Fairfield (Moraviantown) to listen to the preaching of Michael Jung, and later, to Brother Denke, who ministered in English and German as well as the Delaware language. But there are no documents proving people from the lakeshore traveled such distances. The first minister of the Church of England was Richard Pollard of Sandwich, who was ordained a missionary in 1802. For a long time he confined his travels between Sandwich and Amherstburg, and had little effect on the protestants on the lakeshore who had not themselves been baptised in that church. As far as is known the first protestant minister to preach along the lakeshore was the American Methodist, Nathan Bangs. In May 1804 Bangs entered Upper Canada by way of Kingston and made his way to Sandwich. He preached in Detroit, which he reported as “a most abandoned place”.<sup>51</sup> In June he went on to Fort Amherstburg and then down the shore of Lake Erie to what he described as “a settlement made up of Americans, English, Irish, Scotch, and Dutch emigrants.” He was gratified to find that “The people everywhere flocked together to hear the word.” However,

A more destitute place he had never found. Young people had arrived at the age of sixteen who had never heard a Gospel sermon. He continued among them three months, when he left them for the Niagara Circuit, intending soon to return, but was prevented.

For the next five years the lakeshore had little ministering at all, except by the occasional Catholic priest or Pollard on a rare visit. Then in June 1809 another American Methodist, William Case, assumed his duties in the “newly projected mission of Detroit” (which included the lakeshore). Intending “to reoccupy the ground in Canada along the Thames and Lake Erie, once broken up by Nathan Bangs”, he wrote some years later the following description of the people he met in the New Settlement:

... I proceeded on through the French settlements, to Malden, where I again preached to a large and listening congregation. From thence to what is called the New Settlement, fifty miles below Detroit, on the north shore, and near the head of Lake Erie.

This settlement is composed principally of people from the States, who, during the two last Revolutionary and Indian wars, were employed with or taken by the Indians; and some of them are strangely cut and scarred with tomohawks and knives.

This country, perhaps, is the most wicked and dissipated of any part of America. They have no preaching save the Roman Catholics, and some of the Church of England, whose priests, I understand, have frequently, after service, joined their congregations at dancing and playing at cards, which renders them very popular, especially in the higher circle. Their amusements are horseracing, dancing, gambling, which, together with the destructive practice of excessive drinking, have prevented the prosperity of this country. The holy Sabbath has no preference over any other day, except that they make choice

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51 J. Carroll, *Case and His Cotemporaries; or The Canadian Itinerants' Memorial: Constituting a Biographical History of Methodism in Canada, From its Introduction into the Province, till the Death of the Rev. Wm. Case in 1855*, 5 Vols. (Toronto, 1867-77), 1, 31-32.



of it as a day of wicked amusements, visiting in parties, often dancing, hunting, fishing, etc. For drunkenness and fornication I suppose no place is more noted; and that with the savages, which are very common on the Indian lines, have made a strange and motley mixture here among their offspring. Many of the people know little of the Bible, having never learned to read. And some of these who can read have had no Bible in their families; nor did they think they needed any, for some have openly blasphemed the name of the Lord Jesus, and spoke of the Virgin Mary in a manner too shocking to repeat.<sup>52</sup>

Case stayed only three months. After a gap of two years he was replaced by Ninian Holmes, another American methodist. He and Silas Hopkins would minister more-or-less continuously to the Western District to 1815, providing great service to the non-Anglican protestants. As missionaries, their salaries and expenses were paid by their societies in the US. They persevered in spite of the ridicule from the Anglican Tories of Colchester and Malden and the accusation of being American spies.

The survey prompted many young men of legal age to petition for land. In August 1805 David Quick reckoned he had reached the age of twenty-one and rode to Amherstburg to have his petition written up. Dictating to Ironside he had “one yoaok Oxen and one pair Horses”, he asked for lot 15 in the fourth concession. I imagine this request was prompted by his father who had seen the land while chaining for Smith.<sup>53</sup>

The townships of Colchester, Gosfield and Mersea developed slowly. The area was covered by dense hardwood forests, much of it destined to be locked away securely in crown and clergy reserves, and in the hands of speculators for many years. Large areas were low and poorly drained. Until as late as 1840 the roads would remain too narrow and mud-clogged for the passage of wagons. Produce was sent to market in Amherstburg and Sandwich by driving on the hoof, by packhorse or on the lake in open boats. In 1810 the population was estimated at 200, whereas the population in the more-accessible Thames River Valley had reached 500.<sup>54</sup>

Though immigration was slow into the “backwaters” near the lake, new families did arrive from the US from time to time, attracted by the virtually free land, low taxes and British sovereignty. The Baldwin and Brush families arrived from Connecticut in 1805 to settle near the Quick homestead. Joseph and Mary (Squire) Baldwin had a family of eight: Joseph, Amos, Benjamin, William, Nathan, Russell, Cyrus, and Mary.<sup>55</sup> The two oldest sons were married and living in Connecticut at the time; they would follow later. The youngest, Mary, was eight. Joseph would die only two years later, in August 1807.<sup>56</sup> This family will figure in our story.

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52 Carroll, *ibid.*, 1, 181-182. J. S. Mair ed., “William Case, A Circuit Rider on the River Thames (20 June-26 Aug. 1809)” in *Western Ontario History Nuggets*, No. 25.

53 PAC, RG1, L3, 422, UCLP “Q” Bundle 6, No.4, 1805. Elliott did not get around to delivering the petition until 13 February 1806. On the next day the petition was granted by order in council. By 25 February David had paid all fees. This pretty much fixes David’s birthyear as 1784.

54 These estimates by the Rev. Richard Pollard (footnote 59) may be low. Certainly the number for Colchester could not have exceeded 400, as the assessment of 1824 lists 510. PAO, Ms390, Municipal Records of the Western District.

55 C. C. Baldwin, *Baldwin Genealogy* (Leader Printing Co., 1881).

56 PAO, RG22, Series 6-2, “Old” Will #63, Joseph Baldwin. This will package consists of some 26 items. One of them is a bond signed by John Quick on 19 January 1809 (five months after his marriage to Mary, Joseph’s widow), agreeing to pay her children Russel, Cyrus and Mary their share of their father’s estate. This is the action of an honorable man.

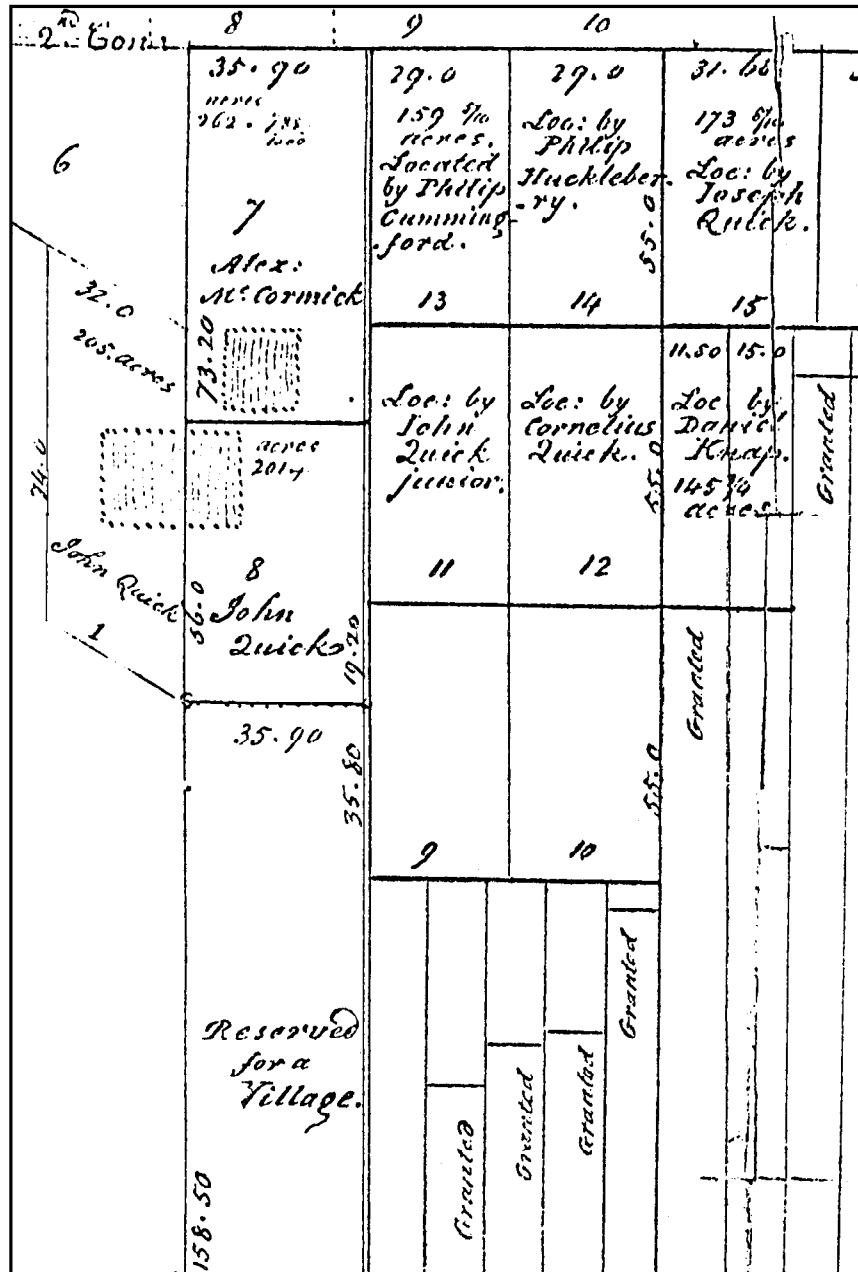


Figure 2. Detail of a map of Colchester drawn by the surveyor Thomas Smith, 6 January 1806.<sup>57</sup> John Quick's improvement after eleven years in Colchester can be seen as the dotted outline, sketched by Smith, straddling Lots 1 and 8. As best as can be determined the cabin stood in the southeast (lower right hand) corner of this cleared area.

Inexorably, trouble brewed with the expanding United States. In the decade following the American takeover of Detroit in 1796, the people on the east and west sides of the river enjoyed good relations, with people moving freely back and forth. Many families had members on both sides of the river. But beginning in 1803 tensions heightened on account of events taking place many thousands of miles away. The Napoleonic wars between Britain and France were resumed. By 1805 the two powers had reached a stalemate with France in control of much of the European continent and Britain in control of the sea. Britain attempted to blockade French ports while France in turn seized ships that were known to be trading with Britain. The United States, with

57 PAO, RG1, A-I-1, 35, "Surveyor's Letters, Originals", No. 55.

her expanding merchant marine, was caught in the middle attempting to maintain some semblance of neutrality.

Then in June 1807 the Chesapeake affair generated much anti-British sentiment. The American frigate *Chesapeake* was fired on and boarded by the British Navy looking for her seamen who had deserted to American ships. The war hawks in Congress clambered for war. In a misguided effort to force Britain and France to recognize American neutrality, President Jefferson passed the Embargo Act in December 1807, which prohibited all exports from the United States by sea or by land. This measure proved ruinous to American interests and was repealed in March 1809. It was replaced by the Non-Intercourse Act that prohibited trade just with Britain and France.

Thus in 1807 and again in 1809, war fever ran high in the United States. American newspapers and politicians cried out for the seizure of Canada. In August 1807 the people in Sandwich heard of military preparations going on in Detroit. The area between Fort Lernoult and the waterside was picketed in, so people said, and a company of negroes set mounting guard. The cavalry patrolled nightly and the militia was called out frequently. Exchanges between the merchants on the east and west sides of the river ceased altogether for a short time, a most unusual happening.

In April 1808 the Embargo Act prevented Canadian farmers from crossing to Detroit to have their grain ground in American mills. Rumor had it that large forces were coming out from England to strengthen Nova Scotia and the two Canadas. Britain secretly attempted to make contact with the Indians, who for the most part had dispersed to the far west, in an effort to enlist their support in the event of a new war with the United States.

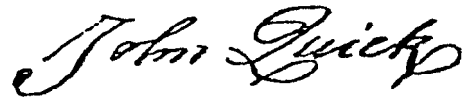
The local militia came under new scrutiny. Since 1790 the militia had undergone numerous reorganizations. In 1802 when the counties of Essex and Kent took on their present form, militias were organized for each. In Essex County, there were two groupings, the “Northern Regiment” (or Northeastern Battalion) and “Southern Battalion”, both under the authority of François Bâby “Lieutenant of Militia”. The former, commanded by Col. John Askin, assembled at Sandwich. The latter, commanded by Lt. Col. Mathew Elliott mustered at Amherstburg. By the Militia Act of 1807 every man from sixteen to sixty was liable for militia service at no pay. He was required to appear for the annual training day (4 June—George III’s birthday) or be subject to a fine.

Unlike an American militiaman, who was required to serve only on home soil, the Canadian militiaman could be required to serve on ship and outside the country but not for more than six months. He was also required to provide his own weapon within six months of his sixteenth birthday or be liable to a fine at the discretion of his commanding officer. By January 1809 the captains of the seven companies of the Southern Battalion were Laurent Bondy (1st), Ebenezer Reynolds (2nd), William Caldwell Junior (3rd), Robert Reynolds (4th), William Elliott (5th), Hector S. McKay (6th) and Jean Baptiste Barthe (7th).<sup>58</sup>

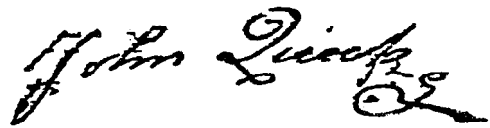
Elizabeth was not well. Sometime between 1801 and 1808, this lady, whose presence in these pages is embarrassingly slight, almost invisible, passed away. A fever is known to have affected western Upper Canada in early 1801, and perhaps she succumbed to it. She was buried in the middle of Lot 8 in a piece of dry ground behind the cabin and her grave marked with fieldstones, one at the head and one at the foot. She was perhaps forty-five years old.

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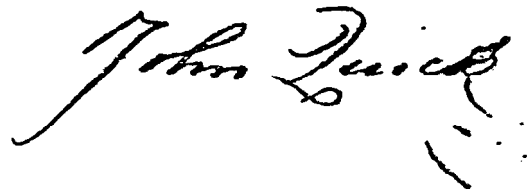
58 Upper Canada Genealogical Society Quarterly Reports, 1, #1 (1951), 5. Few militia rolls with privates’ names exist for this pre-war period. Judging from their later activities during the war John’s sons (and perhaps he himself) may have been active in Caldwell’s and Buchanan’s companies before the war.



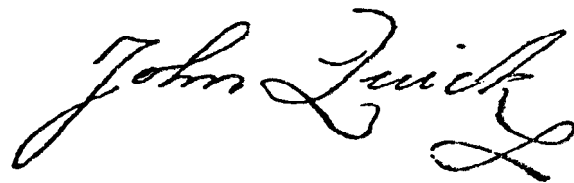
From Joseph? Smith's bill due Cornelius Quick  
witnessed by John Quick  
February 10 1772



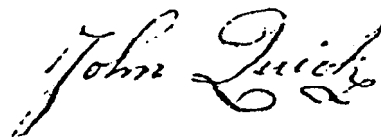
From John Quick's first petition for land  
in Upper Canada  
April 13 1797



From John Quick's second petition for land  
in Upper Canada  
February 19 1799



From Alexander McCormick's will  
January 7 1804



From John Quick's will  
August 12 1820

Figure 3. *John Quick: Fifty Years in Signatures, 1772-1820. Without going into lengthy discussion there can be little doubt these signatures were all made by the same person. The first and last connect John with his father Cornelius and at the same time prove him to be the John Quick of New Jersey and Pennsylvania who settled in Colchester, Upper Canada.*

Seven years later the close neighbors, Mary Baldwin and John Quick, widow and widower, found themselves attracted to each other. On Sunday, 3 July 1808 on the American Independence Day weekend, they were married by licence in Amherstburg. Richard Pollard<sup>59</sup>, curate of St. John's Church, Sandwich, in Amherstburg performed the ceremony. John Elliott, a family friend, witnessed the registration, as did Duncan McCall and John Boyle, the latter the publican of the tavern on Third Street where they stayed for their honeymoon.<sup>60</sup> John was then about fifty-four and Mary about forty-five. With this marriage a connection is forged between the Quicks and the Baldwins that will become more evident in the next chapter.

A week after John and Mary were married the streets of Amherstburg came alive with the sights and sounds of thousands of Indians. They had come from the far west to meet with Lieut. Gov. Gore and Matthew Elliott. Unexpectedly, the Indian leader, Shawnee Prophet, was not among them. In his place stood his older brother little known to the British. He wore a buckskin jacket and a flowing white turban and was called Tecumseh. John Quick and his family had more interesting events ahead of them.

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59 Richard Pollard of Sandwich was ordained a missionary of the Church of England on 21 March 1802. Once a month he journeyed to Amherstburg to minister to the soldiers ("an audience of 200 persons") without pay. On 11 November 1811, he was appointed Acting Chaplain to the Amherstburg garrison. By this time, 1808, the first St. John's Church had been built in Sandwich. It would be burned in 1814 by the Americans and the church books carried off. The books were returned after the war. A. H. Young, OHS, 25 (1929), 455-480. Pollard also served as probate judge and register for Essex County. He died 6 November 1824.

60 PAO, Hiram Walker Coll., HW20-203, St. John's Church Records, Sandwich, 1802-1827, 1, 51.

