

H. Bundle 17
No. 68

Upper Canada Land Petitions, H Bundle 17, 1831-1833
(RG 1, L 3, Vol. 234)

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In Council 10th June 1832.

As it does not appear from any document, altho a Bond may have been given by Clark to Wood for the sale of the Lot in question that the condition of Sale has been performed by the parties in possession, or their predecessors, the Council do not feel warranted in recommending any interference with a matter which appears to be more a subject for legal investigation where both Claimants can be heard and evidence or Oath be adduced in support of the respective rights.

John Hatcher P.E.C
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To His Excellency Sir John Colborne, Kt., Lieutenant
Governor of the Province of Upper Canada, and Major General
Commanding His Majesty's Forces therein, &c., &c.
In Council

The petition of Peter Harrison, in the Township of
Crawley, in the Midland District. Petitioner

Humbly sheweth—

That your petitioner, nearly a century ago, purchased
from Isaac Wood, the then occupant, the East half of Lot number
thirty five, in the fifth concession of Ernest Town, on condition
that he should keep the said Isaac Wood, in both train, and
clothing, during the term of his natural life. That said
Wood is a man, now about sixty years of age, of strong
constitution, and active habits, without a family— That
on your petitioner paying twenty pounds, and for, and under
the above considerations, the said Isaac Wood, executed
a deed of surrender, and quit claim, of the said Lot of
Land, to your petitioner, which had no sooner been accomplish-
ed, than a person named Daniel Clark brother in law to
said Isaac Wood, considering that your petitioner, under the
circumstances, would be compelled to fulfil the agreement,
for the maintenance of Wood, has come forward, and
perfected a claim, to the said Lot of Land, and now claims

et

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as his property; though it is well known, and will more
fully appear by the accompanying Affidavits, that if ever
he had a claim, such claim has long ceased. That the father
of the said Isaac Wood, was in possession of the said Farm
for upwards of Twenty seven Years, and at his Death left
it to his son Isaac, who continued in possession of the
same up to the present transaction — That there is up-
wards of Fifty Acres cleared on said Farm, and the place,
has acquired its present value, entirely through the industry,
expertness, and means, of the late William Wood, the father of
and the present Isaac Wood, and that the said Daniel Clark
has in no wise, contributed towards its improvement,
or value; and if what is stated in the accompanying Affidavits
be true, and of which there can be little doubt, had long ago,
given up, and transferred, all his claims, to the said William
Wood — That your Petitioner, who is a poor man emigra-
ted to this Country from Ireland, and has a wife & three
small children, depending upon him for support, finding
that the said Daniel Clark, was taking steps to get into the
possession of said Lot of Land, and to assert his claims to the
same, under his agreement, as also to compel him to the
maintenance of said Isaac Wood. ~~And~~ considerable expense,
loss of time, and trouble to himself, got the accompanying
Affidavits, and came up to Court to submit the matter to
the consideration of your Excellency in Council — That on
your

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Petitioner's arrival in York, he applied to a Mr. Mastland
a Clerk in the Surveyor General's Office for advice, and for assistance
to make good his claim - when Mr. Passchurst, informed
him he could do nothing for him, as he was employed by
said Daniel Clark - That your petitioner then applied to
the Honble Mr. Mastland, who informed him, he considered
his claims just, but could not further interfere in them,
than to write to the said Daniel Clark and inform him
that if he was not satisfied, to leave the matter to arbitration
amongst his Neighbours. - That Mr. Mastland did write
such Letter, and handed it to the petitioner, adding if Clark
did not comply, with what was desired, he would put among
the petitioners Name on the Map, for the grant - That
on petitioner being again at the Surveyor General's Office, he
mentioned to Mr. Passchurst, what Mr. Mastland had done
who went, with the petitioner back to Mr. Mastland's Office
and after having had some conversation, with Mr. Mastland
Mr. Mastland, requested the petitioner to hand him back the
Letter he had ~~been~~ given him, which he accordingly did -
and Mr. Mastland kept the Letter, and informed ^{him} he could do
nothing further for him, in the business -

That your petitioner therefore humbly prays your
Excellency in Council will be graciously pleased to take
his case into consideration, and cause his Name to be put
down, for a Grant for the said Lot, or to have the matter
left

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to arbitration, in the neighbourhood, of the premises, where
all the attendant circumstances are best known; or to
give to him such other relief, or redress, as by your Excellency
in Council may seem most proper

And your petitioners as in Duty bound will ever pray &c.

York 12th June 1832

Robert Harrison

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Full
Petition No 118
Robert Harrison

For
12 June 1832

Robert Harrison
General of the
for the information
of the Honble the
Executive Council

Robert Harrison
12 June 1832
I have had your copy
reference to the
Executive Council

In Council
Resolved on 29th June
1832 that the
said, who is a
from the late
General of the
to the Honble the
Executive Council
date 19 December
1831.

The description
of the land
is contained in the
return of the
Commissioner
of the
12 June 1832

Robert Harrison
12 June 1832
I have had your
reference to the
Executive Council

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