

LEE DICKSON GENEALOGY: Following the trail of land claims through the 1st Heir and Devisee Commission Papers

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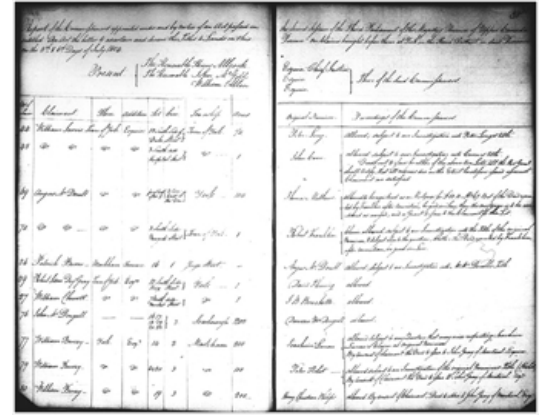
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As mentioned in the August column --- www.bit.ly/1KQbfUk -- father and son team of Thomas and John Mathews were granted family lands: farm lots in York Township and town lots in the Town of York.

While John improved his lands to gain patent and his father Thomas accomplished the same with his town lot: Thomas sold his 100-acre assignment of family lands, namely the front half of Farm Lot 5, Concession 2, east of Don; to Robert Franklin, a free black man.

Today, this lot is bounded on the south by Danforth Avenue, west by Woodbine, north by the north side lots of Barker and east by the east side lots of Gledhill.

Franklin, an employee of Peter Russell, receiver general for Upper Canada, was literate and likely acted as agent for Russell along with other legal duties. Granted a town lot in York and other lands in his own right, one of his petitions reads: "he served in the Siege of Charles Town in the Forces under the Command Sir Henry Clinton and that he has received 200 Acres of Land in this Province which he has improved."



Heir and Devisee Entrybook of Commissioner's Reports 1803-1804, Register C.

The transaction between Mathews and Franklin does not appear in the usual records, however, the story unfolds in the 1st Heir and Devisee Commission Papers.

The 1st Heir and Devisee Commission Papers are found in the collection of the Library and Archives Canada. Digitized and archived online, the easiest way to access them is to search Archives of Canada Genealogy & Family History Land Digitized Microforms -- www.bac-lac.gc.ca/eng/discover/Pages/browse-product-type.aspx . Alternately, the microfilm is available at numerous repositories, including the Archives of Ontario.

The 1804 Commissioner's Reports outline the land claims of Angus McDonell, Esquire, a prominent lawyer and politician: the lots in question being Thomas Mathews' farm lot assignment sold to Franklin and Franklin's Town Lot on Newgate Street. Franklin then sold the lots to McDonell.

The proceedings of the Commissioners notes "the Report says allowed to be registered as Mortgage for £62.10 Halifax currency, but if the Deed executed by Franklin after conviction, be good in Law, then the Mortgage is to be considered as merged, and a Grant is to issue to claimant for this Lot."

The remarks: "Entered to Thomas Mathews, under an Order in Council of the 8 Oct'r 1796 for family Lands 100 Acres – it has not been described."

Notice posted in the office of Thomas Ridout, clerk of the Surveyor General's Office of Angus McDonell's intent to claim land is found in the Township Papers.

With the untimely death of Angus McDonell in 1804, his brother Alexander McDonell, Esquire, attorney, became heir-at-law. In 1805, Alexander claimed the lands through the Commission and was granted patent in 1807.

To be continued.

Toronto Artist Lee Dickson has been a practicing artist since the '70s. She is also a professional general and visual records researcher and a genealogical specialist in Ontario Land Records and the United Empire Loyalists. She can be contacted at www.leedickson.ca and research@leedickson.ca