

The Weekly Monitor.

WEDNESDAY, OCTOBER 26, 1881

THE BASE LINE OF THE ANNAPOLIS TOWNSHIP LOTS.

A gentleman formerly connected with the Crown Land Department has furnished us with the following particulars concerning this subject, which we present to our readers as a matter of present interest, as it has been reported that the proprietors of some of these lots have determined to extend their holdings southward to the township line, a distance of one-half mile from the base line.

The township of Annapolis, in the form of a large number of proprietors as tenants in common, one of the conditions of the grant being that at least four families should settle themselves within the boundaries of the township, not later than May 1st, in the following year, 1760.

As a matter of fact thirty-nine families, among whom were the Whitmans, Kents, Mores, Hoopers, Messengers, and others arrived early in that year, and commenced the work of settlement.

The grant under which they took possession described the limits of the township as follows: Beginning at the mouth of Saw-mill Creek, thence south two degrees magnetic seven miles; from the same point eastward, following the western boundary of the lot owned by the late Mr. John M. Mores, to the mouth of the Nictaux river, thence up the last named river one mile to a tree marked—

thence south two degrees east seven miles; the southern extremities of these eastern and western boundaries to be joined by a straight line, and to form the southern limit. It will be seen that by these notes and bounds, about 130,000 acres of land would be included, or about 30,000 more than were to constitute the township. In 1765 it became apparent to the Government as well as to the settlers that many of the grants had been neglected or refused to leave their homes in Massachusetts, to become settlers on the lands granted to them here.

The first or western division of the grant had been laid off into lots, shares, or rights of thirty-two rods in rectangular width, from Saw-mill Creek to the eastern boundary of the lot owned by Abner Mores, leaving the portion from the latter point to the eastern township boundary to be divided among the absentees, or otherwise, as should be determined. Our informant, in the absence of positive proof to the contrary, thinks the government resolved to allow the settlers who had fulfilled the conditions of the grant to make a division of the eastern section among themselves, on condition that they would surrender the grant of 1759 and take a new one. At all events a new grant was issued in 1765, diminishing the extent of the township, by reducing its breadth by two miles, thus making it five miles wide instead of seven.

This action, however, does not appear to have exactly met the difficulty to be overcome, for, at a somewhat later period, it became apparent that many of the lots were still unoccupied or had been abandoned, and a proposition was made by the occupiers offering to take the vacant lots and permit the government to cut off a half mile from the rear of all the lots by a base line parallel to the southern boundary of the township, which line, together with the township line, seems to have been immediately run out by a surveyor, and from that day until recently the former has been recognized as the south limit of the settlers' lots, and the government have ever since exercised the rights of ownership in the half mile by granting portions of it from time to time.

The inference to be drawn from the conduct of both settlers and government, as of that portion of these lands, and the exercise of ownership rights over them by the latter, is that some legal method was, at the time, adopted to confirm the arrangement then made, and the inference is confirmed by other circumstances. As we have before stated, the grants of 1759 and 1765, conveyed the lands to the grantees as tenants in common, and the settlers soon felt the ill effects of this method, and found it necessary, in order to buy and sell, to take means to break up the tenancy in common, and this they were informed could only be effected by Writ of Partition, or by an act of general consent of all the tenants. The former method was known to be both expensive and subject to delay, while the latter was attended with less delay, they therefore adopted the latter, and at a subsequent trial of Mores against Kent, held in the October term of the same year, the same Judge refused to admit the paper as of any legal value whatever. This conduct of the Judges formed one of the charges in their impeachment before the Legislature at their next meeting. In all these trials there was no question as to the boundaries of the lots. The deeds given before this period generally describe them as extending as far southward as they should go, but afterwards they are described as bounded on the south side by the base line now established. This, coupled with the fact that such a line was run about that time, traces of the original of which are yet extant, goes far to make the inference referred to almost a certainty.

But another difficulty has arisen which complicates the matter in a different way. It is held that when the Great Seal of the Province is set to a grant, the title of the Crown passes to the grantee, with whom it remains, until by an Inquest of Office or process of Escheat it may be again re-vested as before. But in this case it is alleged that no record of such Escheat of the first grant of 1759 is to be found, and the second grant is therefore of force in which case the lots could be extended (by the resident heirs only) to the distance of seven miles, or the first township line. All other occupiers, it appears to us, would be restrained by the descriptions in the deeds by which they claim.

It is very probable that a record of the Escheat of the first grant may yet be found, and perhaps further evidence of the Act by which the old inhabitants consented to and accepted the present base line, as shown by some of the old deeds still remaining, may be recovered, in which event all attempts to extend the lot would prove entirely futile and illegal.

—The "Empusa" is expected to leave Annapolis on the 29th inst. Mr. Corbit has taken the contract to lighter and stow the cargo.

—The sudden pressure on our advertising columns has obliged us to materially reduce our reading matter this week.

—At Middleton Station, N. F. Marshall has six hundred barrels of potatoes ready for shipment, and two hundred and eighty barrels of apples for the Empusa.

—Thousands upon thousands of barrels of potatoes and apples are being shipped and are awaiting shipment at the different stations throughout this valley, on the line of railway.

—During last week we had two or three days of the most charming weather. It afforded our farmers an excellent opportunity to harvest a large portion of their apple crop.

—The enterprising firm of Messrs. Healy, Pickles and Allen, are about about two or three thousand dollars worth of new machinery to their wood-ware manufactory at Round Hill. Success to them.

—The Zoe, of the Nova Scotia Direct Line, arrived at St. Kitts on Saturday, from London, and will be due at Annapolis about the 5th and at Halifax on the 10th November to load fruit for London. The Crook, of the same line, sailed from Halifax on Monday last for London with a full cargo.

—The Pope has instructed his Bishops, and through them the clergy, not to interfere in elections.

—W. A. Calneek, Esq., is to take charge of the school in the Chesley section (Granville) during next term.

—Advertisers should send in their favors, if possible, not later than early Tuesday morning.

—The men tried for the charitable murder case in Ottawa, were acquitted by the jury on the case, notwithstanding that the judge charged strongly against the prisoners.

—A vessel with a load of coal for Capt. Fraser arrived in port yesterday. Several fishing craft are also lying at the wharves.

—Mr. D. D. Beal, of Ingilville, has a two year old grail which bore three year three hundred apples—the three weighed altogether 123 lbs.

—J. W. Beckwith has made the largest advance in the season on eggs this week. What will be done with him? Here we are on the verge of winter, and prices are so high that we cannot afford to buy eggs to suit down for Christmas.

—Trickett has challenged Hanlan to row a three mile race on Creve Coeur Lake, near St. Louis, Missouri, for \$1000 a side and the winner to take the other side. Race to take place on or about the second of next month.

—On the 1st of November next, Mr. L. M. Longley, B.A., now in charge of the Lawrence town public school will take charge of the position made vacant by the resignation of Mr. Jay, the principal in the academy at Annapolis, and Mr. A. D. Brown, now of the Nictaux public school, is to take charge of the preparatory department.

—The new iron railway bridge was tested on Saturday last, by running over it at full speed a locomotive with loaded cars attached. The bridge only settled about 1/4 of an inch, and was declared perfectly satisfactory by Mr. Innes, the manager, and by the superintendent of the road. Quite a crowd of people were present.

—HEARD FROM.—We are pleased to be able to state that Mr. Mitchell, of Hampton, reported supposed to be shipwrecked, is now safely at home, as heard from. A letter was received by his family during the latter part of last week, which stated that he is at a place called Rockland, in the county of Kent, land Co., N. B., on the Pettaucod river. We did not learn any particulars.

—EXAMINATIONS.—Public school examinations take place here this week. The primary department will undergo examination to-morrow afternoon, commencing at 1 o'clock, and the advanced department on Friday morning, commencing at 9 o'clock. It is the duty of every parent and friend of education in this section to be present.

—ROBBERY.—Last week Mr. Jesse Dodge's Store, at Belleville, was burglariously entered and between \$100 and \$150 stolen therefrom. Entrance was effected by thrusting in the back door, the fastenings of which were broken. The fastenings of the door were broken, and a man possessing great strength could have forced them. No clue of the perpetrator has been discovered. This makes the fourth time that Mr. Dodge has suffered loss in the same way.

—During last week the Land League has been proclaimed in Ireland as an illegal and criminal organization, and all its meetings will be dispersed by force. This stern decree has had the effect of the stoutest hearts being broken. A Dublin correspondent of the Associated Press says: "It is all over with the League. The greatest consternation prevails among those directly or indirectly associated with the League."

—Cold weather is rapidly coming upon us, and in order that all may be protected from the necessary protection in the United States and Canada by the following will be sent to the proprietors of the paper, Messrs. SOBELL & DAY, 21 Beaver St., New York.

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