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# FIRST PARLIAMENT OF UPPER CANADA

(NOTES AS TO ITS FIRST MEETING PLACE.)

NIAGARA, U.C., 1792.



By JANET CARNOCHAN

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# FIRST PARLIAMENT OF UPPER CANADA

Some Notes as to its First Meeting Place and About Pioneer Buildings of the Town of Niagara, U.C.

By JANET CARNOCHAN.

To ascertain exactly the position of various houses and points of interest in early times in different countries has been a fruitful subject of discussion, has given interest to the researches of the antiquarian and the historian as well as to the careless traveller. Much ink has been wasted in written documents, as well as much time spent in wordy discussions—sometimes good-natured, sometimes acrimonious. So has it been in the past; so, no doubt, will it still be in the future, and we can only gather up from all possible sources fragments from documents, from maps, from old drawings, from books of travel, from oral tradition, from old inhabitants, sifting as we may the evidence found, noting the apparent contradictions, the points of agreement or disagreement in documents or statements from different sources.

The place where the first Parliament of Upper Canada, held in Newark 1792-1796 met, has long been a disputed point, but the old building called Navy Hall, now in the Fort George enclosure, has been generally acknowledged as having had that honor. The position of the Free Mason's Hall has also been a subject of dispute. That of the first Butler's Barracks, that of the Government House, all afford room for dispute.

In an article by Duncan Campbell Scott, F.R.S.C., read before the Royal Society, 1913, the conclusions arrived at by not only myself but others have been disputed.

The aim of the present paper will be to sum up all that has been found from maps in the possession of the Niagara Historical Society of 1784, 1799, 1816, 1817, 1819, 1831,

1835, 1851; from the drawings of Mrs. Simcoe and from her diary, from the statements of Governor Simcoe, Alured Clark, Peter Russell, papers in the Archives, statements of persons who remembered these old buildings or could quote the words of those who had seen them in early years. One difficulty staring us in the face is the fact that the town was burned almost completely 10th December, 1813, that it had sustained fierce bombardments 13th Oct., 1812, and 27th May, 1813, and during the American occupation several houses were burned, notably that of St. Andrew's Church, Sept., 1813. That some houses were saved and parts of houses, we know

And first, what is meant by the phrase, "first Parliament"? Do we mean where it met the first day or the first year, or during the five years that it met in Niagara, then called Newark, 1792-1796? It is only lately that it has been shown on definite information, that of Littlehales (military secretary), that the first day it met in Free Mason's Hall, a building on King street on the site of which (strange coincidence) the present Free Mason's Hall stands. And it is well to understand that evidence exists for many spots, Indian Council House, a tent, the Parliament Oak, Government House, Navy Hall, Butler's Barracks, all are mentioned, and some have even spoken of Fort Niagara, which was then still a British possession till 1796.

And first with regard to names, some misconceptions must be cleared away. The word Niagara in early years means Fort Niagara and not Niagara on the west side of the river, now called Niagara-on-the-Lake, but variously called West Niagara,

Butlersburg, Nassau, Newark, so-called by Simcoe in 1792, but when he removed the capital to York the inhabitants obtained an Act of Parliament in 1798 to restore the name Niagara.

Fort George often means Niagara, as shown by letters to soldiers. "The Landing" and the "West Landing" mean Queenston. Little Niagara means a point on the American side of the river above the Falls, being the upper end of the portage.

In the article by Mr. Duncan Campbell Scott the argument is that all the buildings at Navy Hall were burned in the war of 1813, and that the present building was erected in 1815-17, that Butler's Barracks fitted up for Parliament was burned before 1800, that the size of the storehouse ordered to be built in 1815 corresponds with that of the present building. These seem to be strong arguments, but they can not be proved conclusively. Before taking up these statements in order a few words must be said as to the inscription placed on the present building by the Niagara Historical Society, which reads thus:

"One of four buildings called Navy Hall 1787. One was altered for Simcoe 1792. He had one, believed to be this one, prepared for the Parliament 1792, called Red Barracks 1840, moved up 1864, almost a ruin 1911, restored by Dominion Government 1912 by petition of Niagara Historical Society."

The remark, astonishing remark, we must say, made, referring to this inscription, is, "It is difficult to say whether an interesting inscription could be devised for this building or not, but the present one is ERRONEOUS IN EVERY PARTICULAR." Here we join issue. Let us take the statements in order. (1st) One of four buildings called Navy Hall. In all the maps mentioned the building is called Navy Hall. (2nd) One was altered by Gov. Simcoe in 1792. This is certainly true by Simcoe's own statement and that of Alured Clarke and Mrs. Simcoe. (3rd) He had one believed to be this one prepared for Parliament. It certainly has been believed by many. (4th) Called Red Barracks 1840. This is certainly true.

(5th) Moved up in 1864. True. (6th) Almost a ruin 1911. True. Restored by Dominion Government 1912. Also true. Now, what comes of the statement that the inscription "is erroneous in every particular." The first statement alone perhaps cannot be certainly proved; all the others are correct.

Other statements in the article are equally open to criticism, as in speaking of the Commissariat store house built in 1815 or 1817, he says it was erected about twenty-three years after Simcoe left the country. As this was in 1796 it is difficult to see by what process of subtraction that result is arrived at, as ordinary persons would say that the difference between 1796 and 1815 must be nineteen. Again there is a looseness of statement in proving that all the buildings were destroyed. Thus Lt.-Col. Bruyeres wrote February 13, 1813: "The public buildings near the river at Navy Hall should all be removed as soon as possible and rebuilt in a place of security at some distance from and in rear of the fort. The stores they contain and the buildings themselves are so exposed to immediate destruction that no delay should take place in this service. The work which is described as so urgent, most probably they carried it out, and when the Americans opened fire on May 25th there were no buildings on the west shore below Fort George, but if there were we must believe that our log building was miraculously preserved. Col. Harvey wrote from Fort George that "every log barracks in it had been destroyed." Now Navy Hall was not a log building and it was not in Fort George but lower down and closer to the river. As a proof that the buildings were not removed at once the diary of Col Wm. Claus says: "2 a.m., 25th May, 1813, Lieut. Charleton, R. A., opened the six-pounder at Navy Hall on boats passing on the opposite side of Niagara River." Again, he says: "As all the Navy Hall buildings were removed or destroyed in 1813." This has not been proved. It was ordered, but there is no proof that it was done. Because it is said that the log barracks in Fort George were destroyed, he takes for granted that the buildings of Navy Hall, which

were not log barracks, were destroyed. And we know that statements made in the stress and strain of war time are often exaggerated. When the town was burned it is said that only two houses were left, but we know that parts of others were saved. We know that when the roof of the powder magazine containing 800 barrels of gunpowder was on fire from red hot shot Capt. Vigoreux and men who volunteered bravely at the risk of their lives ascended the roof and cut away the parts on fire, so that the building was saved.

Again, another loose statement, because Simcoe says he fitted up the King's Barracks and store houses for the legislature and officials in 1793, the article states that here the remaining sessions of the first Parliament were held. Now there is no proof given and because Russell states that the building was burned before 1800 his inference is that the Parliament could not have been held in Navy Hall. As the date of the burning is not given it might have been in 1794 and thus the Parliament would have to meet in some other place.

Let us briefly quote from different writers of 1792-1813. Mrs. Simcoe's drawing shows three or four low buildings, one of which certainly appears to be the counterpart of the present building. She says "25th July, 1792, anchored at Navy Hall at nine this morning. Navy Hall is a house built by the naval commanders for their reception when here. It is now undergoing a thorough repair for our occupation but is still so unfinished that the Governor has ordered three marquees to be pitched for us on the hill above the house."

Alured Clarke in a letter to Dundas gives the expense of fitting up Navy Hall for the accommodation of Col. Simcoe: Workmanship £116, materials £357, making £473, ordered July, 1792. He says "Navy Hall was erected for the use of the officers of the Naval Department serving on Lake Ontario, but did not receive the repairs it stood in need of during peace, and in its best state could be considered a paltry residence for the King's representative. However, such as it was it was the only one which offered as a shelter

until a better one or more commodious could be provided."

Simcoe in a letter to Dundas, September, 1793, says: "Last year I fitted up the King's Barracks and store houses to contain the offices of Government and to accommodate the Legislature of the province who must for some time have their annual assembly at that place. These temporary buildings I thought it a great pity having to refit as it is more probable they will be required hereafter for various Government purposes."

Peter Russell's statement of 1800 of military property: "Navy Hall underwent a thorough repair with very considerable additions. This house was for some time the residence of the Governor. Another house was built for the staff, both of these houses are now, or were till lately, occupied by the military stationed at Fort George. The house, generally called Butler's Barracks, underwent a thorough repair, and two wings were added for the legislature to meet in. This house was since burnt."

Count Rochefoucauld de Liancourt, who was entertained by Governor Simcoe for nineteen days, says, that he lived in a miserable low house.

Mrs. Quade, the daughter of Dominick Henry, the lighthouse keeper, who was born at the lighthouse keeper's house in 1804, and lived in Niagara till 1831, when visiting Niagara in after years on crossing the river from Youngstown, always said to her children: "There is the old Parliament house."

Rev. J. McEwan, born in Niagara, 1800 said he always understood that Parliament met in a building between Butler's Barracks and Navy Hall. This would mean the Indian Council House, afterwards fitted up with additions as a hospital in 1822.

Col. Clarke, in his diary, states that Parliament first met in a marquee tent between Butler's Barracks and Navy Hall.

There must be some truth in the story that the legislature, on one hot day, sat under a tree, afterwards called the Parliament Oak. (Lately cut down from decay.)

What can be gained from the various maps must now be told. In the map of Township No. 1 (Niagara),

1784, showing the mouth of the river, appear several buildings marked Navy Hall; and Rangers' Barracks appears higher up, but of course, there is no Fort George. In the map of 1790 there are four buildings marked Navy Hall, and Rangers' Barracks appears to be on the hill, about in a line with what we call the "Slip" where boats were launched.

In the map of 1799 in the enclosure marked Navy Hall appear three buildings, if not four, as one appears to be divided into two parts, or else the two buildings are so close together as to appear one, near "King's Wharf." If drawn true to scale of 200 feet to one inch the size of the buildings can be determined. Eight buildings can be counted in Navy Hall or near it, and in the enclosure of Fort George there are twelve buildings.

In the map of 1816 by Colonel G. Nicolls, R. E., showing American entrenchments thrown up by the Americans in 1813 across the common reaching to St. Mark's Church this can be traced yet. In Fort George are marked four splinter proof barracks, the old magazine at the far end and another powder magazine at the end nearest the town. This is the only map on which the words Navy Hall do not occur, but there can be traced the outline of two buildings.

In the map of 1817, by H. H. Wilson, R. E., appears the one building marked Navy Hall. At Butler's Barracks there are fourteen buildings, near it the Indian Council House, and farther on the Commandant's house, and in Fort George several buildings.

In the small map of 1819 made by Captain Vavasour to settle a dispute with John Grier, the same building is marked Navy Hall, and several buildings are marked in Fort George.

In the map of 1819 (March) by Arthur Walpole, R. E., there is the same building marked Navy Hall, and at Fort George there are seven buildings and outside, three, one of which is the powder magazine. At Butler's Barracks there are seventeen buildings besides eight small military huts behind. Farther over is marked the Indian Council House and an orchard.

In the map of 1831 by J. G. Chewitt, the same building is marked store, Navy Hall, also Ferry House. In Fort George are five buildings, at Butler's Barracks fourteen, farther on the Hospital and Engineers' Quarters, but it must be remembered that the Engineers' Quarters were also where the Queen's Hotel now stands.

In the map of 1835 by Col. G. Nicolls, R. E., in the space marked Navy Hall the same building is called Com. Store, the Ferry House of Andrew Heron is marked and in Fort George the old magazine and one at this end and the words, old log buildings, guard house and several marked in total ruins. At Butler's Barracks there are 15 buildings and farther on the Colonel's house marked Engineers' Quarters.

In the map of 1851 the same building is marked Red Barracks.

It is thus seen that the words Navy Hall are used in almost every map where the building appears. If the name was not used for the building why not say "site of Navy Hall." It may be replied, of course, that the name is given to the spot where Navy Hall originally stood but it is singular that the word should be so persistently used if it is another building.

With regard to other buildings it may be shown how difficult it is to locate them, and how easy to arrive at a false conclusion without having local knowledge. Thus the name Government House, certainly applies to two houses a mile apart. In the same way Ranger's or Butler's Barracks does not always mean the same place but also a mile apart. The site of Freemason's Hall has also been a subject of discussion. The exact spot where Brock was buried has been variously given and while seven cities disputed for the honor of being the place where Homer was born at least three buildings are given as that into which the body of Brock was carried in Queenston.

And first with regard to the position of Freemason's Hall. At a meeting of the Land Board, 24th June, 1791, permission was given to erect a tavern at the east corner of the town next the river and a Freemason's Hall next to it. From this it was long believed that the building was on the

same site as that of the Gleaner Printing office, nearly opposite Mrs. Elliott's. Later investigation in the Crown Land offices shewed that in the list of lots in town in 1794 that No. 23, at the corner of King and Prideaux streets, is marked "The Lodge," which could hardly mean at that time anything else than Freemason's Lodge, which belief was confirmed on further examination in the Parliament buildings by finding the statement, Lot 33, Freemason's Lodge. How explain this? Two explanations present themselves, first that although permission was granted for the lower site a change was made and another location selected, the second explanation that next to it means next corner to it as the words in the first grant are "east corner of the town and the next to it." When the building was destroyed we know not but in a later map, No. 33 is marked as the property of Mr. Dickson which would lead to the inference that the Freemason's Lodge had been destroyed. We know from Littlehales' statement in 1792 that Parliament met there and from Mrs. Simcoe in 1793 that divine service was performed there, and in July 1793 the Indians met there for consultation with Simcoe and his advisers. The present building was erected about 1816 partly from the ruins of the town, was used as a store, as a hotel, as a barracks, as a school, and was long called the Stone Barracks. Some years ago it was bought by the Freemasons and it is remarkable that now the "Lodge" stands on the site of the first Freemason's Hall of over a century ago.

Government House. All early inhabitants state that Government House stood near the corner of King and Market streets, and the foundations may yet be seen. The whole square of four acres was the property of D. W. Smith and there is a picture of it and description of what was called the finest house in the town. We read that Simcoe built a Government House, but the heading of the documents printed in the Upper Canada Gazette reads Government House, Navy Hall. How explain this? Did the fine house of D. W. Smith become Government House? In 1798, after the capital

was removed to York, D. W. Smith offered his house for a Grammar School, but this was refused (although a lower price was named) as being in the range of Fort Niagara.

Butler's Barracks. Here again difficulties meet the delver in historic lore. The present buildings called Butler's Barracks appear in maps of 1816, 1835, etc., but in earlier maps the words Rangers' Barracks appear near Navy Hall and on the hill nearly in line above what has been called the "Slip" where boats were launched, and here the diligent searcher for military buttons has found more Butler's Rangers' buttons than elsewhere. In a picture showing the lighthouse and river bank appears a building with flag flying which must have been in that neighborhood and in the picture of the Battle of Fort George appears a building on the hill with flagstaff, which could not have been seen from the lake if at Fort George. Was another building erected in the place of that burned before 1800? The statement that the buildings shown in the maps of 1835, etc., were erected in 1817 and that everything was burned in 1813 seems to be contradicted by two statements, that of Dr. Dunlop and that of the York Gazette. Dr. Dunlop in his account of the War of 1814 states that on the days after the battle of Lundy's Lane 25th July, 1814, that he waited on over two hundred wounded at Butler's Barracks.

Gen. Turquand as stated in the York Gazette, March, 1815, gave a ball in Butler's Barracks. We know that when the Americans left in December, 1813, although they burned the town, they left their tents standing and also the buildings at Fort George.

On the other hand, as showing the diverse accounts given, Mrs. Cox who was here when the town was burned and when it was taken, said that there were no buildings there except a large barn, and that she remembered hearing the sound of the bullets striking it, fired by the Americans.

Gen. Brock's burial place. Here again accounts differ. In St. Mark's Register, Rev. R. Addison records, "Gen. Sir Isaac Brock and Col. John Macdonell; they were buried to-



gether in the northeast bastion of Fort George." Others mention that he was buried in the bastion of which he had ordered the construction, generally believed to be that near the garrison gate. Nearly all the oldest inhabitants agree on this spot, but two who asserted he was buried near the sycamore tree which is nearly west. It has always been understood that the body of Brock was taken to Government House, and that the funeral crossed the common to Fort George. Of course, Brock lived at Fort George, but his letters are dated differently, sometimes Niagara, again Fort George, and sometimes Navy Hall.

A statement lately made is that Brock, on the morning of 13th October, when galloping to Queenston, called at the house of Jno. Powell to

bid farewell to Miss Sophia Shaw, his affianced, who was then visiting her sister, Mrs. Powell, and that he drank a cup of coffee there. Now to us this does not seem probable. The residence of Jno. Powell is not on the road to Queenston, was distant a mile, and in an opposite direction, and it is not likely that a cup of coffee would be in readiness at that hour in the morning, still less that he would wait for it. He was too good a soldier to delay, with the sounds of the enemy's cannons plainly to be heard.

From all this it is evident how difficult it is to reconcile statements made as to events and places a century ago, particularly when fire destroyed so much, and accounts are so contradictory.

