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HISTORY OF
HALIFAX CITY

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History of Halifax City

CHAPTER I

Halifax, the metropolis of Nova Scotia, and the chief City of the Acadian or Lower Provinces, was founded in the year 1749, at the expense of Government, under the direction of the Lords of Trade and Plantations, and was named in compliment to George Montague, Earl of Halifax, then at the head of the Board, under whose immediate auspices the settlement was undertaken.

From the Treaty of Utrecht, in 1713, when Acadia was ceded to the Crown of Great Britain, to the year 1749, no progress had been made by the British in colonizing the country. The inhabitants consisted of a few thousand Acadian peasants, scattered around the shores of the Basin of Minas, Chignecto and the Valley of Annapolis. The Governor resided at Annapolis Royal, a small fortified port, with a garrison of two or three hundred regular troops, and was, in a great measure, dependent on New England for his necessary supplies. This was the only British port within the Province, with the exception of that of Canso, where, during the fishing season, a number of French, with a few Indians and New England fishermen, assembled, and where a captain's guard was usually stationed to preserve

order and protect the rights of property. The French population, though professing to be neutral, had refused to take the Oath of Allegiance to the Crown of Great Britain, and were continually in a state of hostility to the British authorities in the country. Their poverty and ignorance placed them completely under the control of a few designing emissaries of the French Governor at Quebec, who incited the people to resent British rule, and frequently put all law at defiance, by assuming to themselves the sole management of municipal affairs in the settlements most remote from the seat of Government. The Governors of Canada had undertaken to claim all the country from the River St. Lawrence to the Bay of Fundy, as comprehended within their jurisdiction, confining the territory of Acadia as ceded under the Treaty of Utrecht, to the Peninsula alone, and had actually commenced to erect forts on the River St. John and the Isthmus while the nations were at peace.

The necessity of a permanent British settlement and Military Station on the Atlantic Coast of the Peninsula, had long been considered the only effectual means of preserving British authority, as well as for the protection of the coast fishing, which, at this time, was deemed of paramount importance to British interests. But lately the continual breaches of neutrality on the part of the French, together with the loss of Louisburg, under the Treaty of Aix-la-Chappelle, in October, 1748, rendered such an establishment indispensably necessary to the support of the British Crown in Nova Scotia.

The scheme for settlement at Chebucto is said to have originated with the people of Massachusetts,¹ who, in calling the attention of Government to the claims and encroachments of the French, suggested the necessity for, as well as the great commercial advantages to be derived from such an undertaking, and it has also been asserted that a committee of influential citizens had been formed in Boston for the purpose of more effectually advocating the design. No authentic information on the subject, however, has been found beyond the suggestions contained in Governor Shirley's letters to the Secretary of State, in 1747 and 8, in which one extensive plan of British colonization throughout Nova Scotia is proposed and details suggested, many of which, however, did not receive the approval of Government.²

A plan for carrying into effect this long-cherished design was, however, matured by the Board of Trade and Plantations, in the year 1748, and submitted to Government in the autumn of that year, and being warmly supported by Lord Halifax, the President of the Board, advertisements soon appeared under the sanction of His Majesty's authority, "holding out proper encouragement

¹ One Thomas Coram, whose name appears frequently in the history of the state of Maine, is said to have suggested a scheme for building a town at Chebucto in 1718, and applied to Government for a grant of land, but was prevented by the agents of the Government of Massachusetts Bay, who supposed that such project might interfere with their fishing privileges, and he was compelled to abandon his enterprise. This, however, has not the weight of much authority.

² Copies of several of Shirley's letters were furnished Governor Cornwallis on leaving England, as part of his instructions.

to officers and private men lately discharged from the Army and Navy, to settle in Nova Scotia." Among other inducements was the offer to convey the settlers to their destination, maintain them for twelve months at the public expense, and to supply them with arms and ammunition for defence, and with materials and articles for clearing the land, erecting dwellings and prosecuting the fishery. The encouragements appeared so inviting, that in a short time 1176 settlers, with their families, were found to volunteer, and the sum of £40,000 being appropriated by Parliament for the service, the expedition was placed under the command of Col. the Honble. Edward Cornwallis, M. P., as Captain General and Governor of Nova Scotia, and set sail for Chebucto Bay, the place of destination, in May, 1749.³

The fleet consisted of 13 Transports and a Sloop of War. The following is a list of the vessels, with the number of settlers.⁴

³ Cornwallis was gazetted 9th May, 1749.

⁴ Smollet's History mentions 1,000 settlers with their families; this probably was intended to include the Germans and other settlers who arrived between 1749 and 1753.

Vaughan, Lieutenants in the Army; James Warren, Thos. Reynolds, and Henry Wendell, Ensigns; John Hamilton, Adam Cockburn, and Wm. Williams, Lieutenants in the Navy; John Steinfort, Dennis Clarke, William Neil, Gustavus Mugden, and John Twinehoe, Lieutenants of Privateers; Chas. Mason, Robert Beatie, Charles Covy, Samuel Budd, John Ferguson, Nicholas Puxley, William Watson, Joseph Tomwell, Henry Chambers, Nicholas Todd, Roger Lowden, Joseph Gunn, John Thompson, Robert Young, Thomas Burnside, Timothy Pearce, Richard Drake, Newbegin Harris, William Vickers, Richard Cooper, Richard Mannering, Thomas Dumster, and Robert Cockburn, Midshipmen in the Royal Navy; John Jenkins, Cadet; Rene Gillet, Artificer; John Grant, John Henderson, Edward Gibson, William Hamilton, and William Smith, Volunteers; Lewis Hayes, Purser; John Bruce, Engineer; William Grant, Robert White, Patrick Hay, Mathew Jones, Thomas Wilson, M. Rush, James Handeside, H. Pitt, George Philip Bruscowitz, Cochran Dickson, Joshua Sacheveral, Thomas Inman, John Wildman, David Carnegie, and John Willis, Surgeons; John Steele, Lieutenant and Surgeon; William Lascells, Augustus Carsar Harbin, Archibald Campbell, John Wallis, John Grant, Daniel Brown, Timothy Griffith, Henry Martin, Robert Grant, and Alexander Hay, Surgeon's Mates and Assistants; Robert Thorckmorton, Surgeon's Pupil; Mr. Anwell, Clergyman; *John Baptiste Moreau, Gentleman and Schoolmaster*; William Jeffery, Commissary; William Steele, Brewer and Merchant; Daniel

Wood, Attorney; Thomas Cannon, Esquire; John Duport, and Lewis Piers, Gentlemen; Archibald Hinshelwood, John Kerr, *William Nisbett*, and Thomas Gray, Governor's Clerks; David Floyd, Clerk of the Stores.⁶

On the 21st June, 1749, old style, the Sloop of War, "Sphinx," arrived in the Harbor of Chebucto, having on board, the Honourable Edward Cornwallis, Captain General and Governor-in-Chief of the Province of Nova Scotia, and his suite. They had a long and boisterous passage, and did not make the coast of Acadia until 14th. They had no one on board acquainted with the coast, and did not meet with a pilot until the 20th, when they fell in with a Sloop from Boston, bound to Louisburg, with two pilots for the Government of that place. Governor Cornwallis' intention was first to proceed to Annapolis, but the wind not serving for the Bay of Fundy, and the officers assuring him that in case of foggy weather setting in they might be a long time in getting to Annapolis, he concluded on proceeding at once

⁶ Governor Cornwallis in his letter to the Lords of Trade, dated Chebucto, 24th July, 1749, says: "The number of settlers – men, women and children – is 1,400, but I beg leave to observe to your Lordships that amongst them the number of industrious, active men proper to undertake and carry on a new settlement, is very small. Of soldiers there are only 100, of tradesmen, sailors and others able and willing to work, not above 200." The rest he reports as idle and worthless, persons who embraced the opportunity to get provisions for a year without labour, or sailors who only wanted a passage to New England, and that many were sick and unfit for settlers, and many without sufficient clothing. He describes a few Swiss who were among the settlers, as "regular, honest and industrious men," and observes that there are "indeed, many come over of the best sort, who, though they do not work themselves, are useful in managing the rest." "I have," he says, "appointed two or three of them as overseers of each ship's company."

to Chebucto, rather than risk the possibility of being separated for any length of time from the fleet. He also felt, that by so doing, he would save the Governor of Louisburg the bad and long navigation to Annapolis, and accordingly, he dispatched a letter to Governor Hopson, by the Sloop, apprising him of his intention and desiring him to transport his garrison to Chebucto as soon as possible. The "Sphinx," before making Chebucto, first came to anchor in Malagash Bay, where they found several French families, comfortably settled, who professed themselves British subjects, and had grants of land from Governor Mascarine; they had tolerably good wooden houses covered with bark, and many cattle, and expressed themselves greatly pleased on hearing of the proposed new settlement. It happened that the same day on which Cornwallis arrived in the Harbor of Chebucto, a sloop came in from Louisburg with a letter from Hopson in expectation of meeting him. Hopson was in great perplexity, the French having arrived to take possession under the terms of the treaty, and there were no vessels to embark his troops. It appeared he was fully under the expectation that the ships which were to bring out the settlers would arrive in time to be sent down to him for that purpose, and he had made no other arrangements. On receiving the letter, Governor Cornwallis immediately dispatched the Sloop to Boston, with letters to Apthorp & Handerik, whom Hopson recommended for the purpose, to hire vessels with all expedition to transport the garrison of Louisburg to Chebucto; also a letter directed to Governor Mascarine in case they should

meet at sea with a vessel bound to Annapolis. At the same time, a Frenchman, acquainted with the country, was dispatched overland by Minas to Annapolis, with orders to Mascarine to come down with a quorum of his Council as soon as possible, that the new commission might be opened and another Council appointed in accordance with the Royal Instructions.⁷

Governor Cornwallis' first dispatch to England, after arriving at Chebucto, was sent via Boston, and bears the date 22nd June, the day after his arrival. In this letter he says: "The coasts are as rich as ever they have been represented; we caught fish every day since we came, within 50 leagues of the coast. The harbour itself is full of fish of all kinds. All the officers agree the harbour is the finest they have ever seen. The country is one continued wood; no clear spot is to be seen or heard of. I have been on shore in several places. The underwood is only young trees, so that with difficulty one is able to make his way anywhere." "D'Anville's Fleet have only cut wood for present use; they cleared no ground, but encamped their men on the beach. I have seen but few brooks, nor as yet have found the navigable river that has been talked of. There are a few French families on the east side of the bay, about three leagues off. Some have been on board."

Governor Mascarine having received Cornwallis' letter on the 26th, on the following day, ordered Captain Davis to make

⁷ This messenger arrived on the fourth day, at Annapolis. "It is," says the Governor in his letter, "25 leagues over to Minas, (now Horton), and the French have made a path for driving their cattle over."

ready his galley and go round to Chebucto with fresh provisions. Mascarine was waiting the arrival of the new Governor at Annapolis, as appears by his letters to Governor Hopson on the 14th and 26th June, in which he says: "Get ready supplies for the new Captain General who will be here, but the fleet will be at Chebucto." The "Snow Fair Lady" arrived shortly after the Sphinx, and was dispatched to Annapolis to afford Mr. Mascarine the means of transporting his council and part of his garrison to Chebucto. On the 26th, the "Fair Lady" was in the harbour of Annapolis ready to receive Governor Mascarine and suite. On the 27th, the transport began to make their appearance off the harbour of Chebucto, and by the 1st July, they had all arrived. As their passage had been extremely good, and none of them had in the least suffered, the Governor found himself in a position to afford vessels to Colonel Hopson the moment the settlers should be put on shore.⁸ Accordingly having countermanded the order to Boston for transports, he dispatched to Louisburg the ship "Brotherhood" on the 1st July, and on the 5th, the "London," "Wilmington," "Winchelsea," and "Merry Jacks." On the 8th he received from Louisburg, copies of letters from Governor Shirley of Boston, to Governor Mascarine, giving an account of the French having commenced a fort at the mouth of the River St. John, and on the following day sent Captain Rouse in the "Albany" and a small sloop to attend her,

⁸ The settlers who came out in the transport, afterwards sent to Louisburg, were first landed on George's Island.

with orders to the commanding officer at Annapolis to furnish him with troops if required, and to proceed immediately to the River St. John, Governor Shirley having previously sent the ship "Boston" to Annapolis for the same service, there to await orders. It appears that the French had fitted out an expedition, under M. Ramey, for this purpose, a short time before the arrival of Cornwallis, and the vessel with ammunition, arms and provisions, bound to St. John River, had passed Malagash Bay a few days before the arrival of the "Sphinx" there; but having put into Port Mouton on her way, the information of their designs was communicated to the authorities of Annapolis.

Governor Mascarine having arrived with several of his Council on the 12th, the following day Governor Cornwallis opened his commission and took the oaths of office in their presence, and on Friday, the 14th July, the Civil Government was organized, and Colonel Paul Mascarine, Captain Edward How, Captain John Gorham, Benjamin Green, John Salsbury and Hugh Davidson were sworn in Councillors⁹ on board the "Beaufort" Transport, and the Commission and Royal Instructions were then read. "The formation of the Board was announced to the people by a general salute from the ships in the harbour and the day was devoted to festivity and amusement." The four first gentlemen named in the Council were officers from Annapolis; Mr. Green was from Massachusetts, and had

⁹ The table around which this Council assembled is now in the small Council Chamber in the Province Building.

been with General Hopson at Louisburg, and the two latter were of His Excellency's suite; Mr. Davidson acted as Secretary.

Early in the month of July, a spot for the settlement was pitched upon near Point Pleasant,¹⁰ then called Sandwich Point, and people were employed in cutting down the trees; but the want of sufficient depth of water in front, its great exposure to south-east gales and other inconveniences being discovered, it was abandoned for a more eligible situation to the northward, commanding a prospect of the whole harbour and on an easy ascent with bold anchorage close to the shore. Here Mr. Bruce the engineer, and Captain Morris the surveyor, were ordered to lay out the town, which was surveyed, the plan completed and the lots appropriated to their respective owners by the 14th September. The town was laid out in squares or blocks of 320 by 120 feet deep, the streets being 55 feet¹¹ in width. Each block contained 16 town lots, forty feet front by sixty deep, and the whole was afterwards divided into five divisions or wards, called Callendar's, Galland's, Ewer's, Collier's and Foreman's divisions, after the names of the persons who were appointed Captains of

¹⁰ "From seeing the place only, one would be apt to choose Sandwich Point as the best situation for a town, being very defensible and having the advantage of Sandwich River, (now known as the North West Arm), navigable a great way. This was the general opinion at first, and they began to clear there, the first day they worked, but upon examination we found the strongest objections against it." —*Governor Cornwallis' letter to Board of Trade.*

¹¹ The streets are supposed to be 60 feet broad, but none of them are found to exceed 55 feet in width.

Militia, each ward being large enough to supply one company.

Buckingham Street was the north and Salter Street the south limit, and the whole was surrounded by a strong palisade of pickets with block houses or log forts at convenient distances. Foreman's new division was afterwards added as far as the present Jacob Street. The north and south suburbs were surveyed about the same time, but the German lots in the north were not laid off till the year following.

Great difficulty was at first experienced in the erection of dwellings; the European settlers being totally unacquainted with the method of constructing wooden buildings. Frames and other materials for building were, however, soon brought from Massachusetts, and before the cold weather set in a number of comfortable dwellings were erected. Provisions and other necessary supplies were regularly served out in the camp, and every exertion on the part of the Governor made to render the settlers comfortable before the approach of winter. Several transports were detained and housed over to accommodate those settlers whose houses were not complete, and the canvas tent and log hut were soon abandoned for more convenient and comfortable accommodations.

I have, says Governor Cornwallis, in his letter of the 20th August, contracted for frames and materials for barracks and officers' lodgings from Boston. Boards are very high owing to the drought. I have got none under £4 per thousand, and shall be obliged to furnish a vast number to help the people to get under

cover, and have sent an officer on purpose to Boston to obtain them at a fair price. Many houses are begun and huts and log houses already up for more than half a mile on each side the town.

Tradition says that on clearing the ground for settlement a number of dead bodies were discovered among the trees, partly covered by the underwood, supposed to have been soldiers of the Duke D'Anville's expedition which put into Chebucto Harbor in 1746,¹² but the Governor in his letter does not mention the facts.

During the winter months the people were kept actively employed in cutting pickets for fences and wood for fuel, and for erecting new buildings. Mechanics were placed at the head of working parties to direct their labours, and by a judicious division of the people into small parties the more laborious portion of the work was executed with uncommon dispatch. Mills were also erected at the expense of Government for sawing lumber, and a mill master appointed with a salary, and every facility held out to enable those settlers, who had not yet been accommodated,

¹² The remnant of this formidable fleet which was destined for the destruction of the British settlements of Acadia and New England, put into Chebucto Harbor in distress in September, 1746. The troops it is said were encamped on the western side of the Basin, near the small Cove about 4 miles from town, which still bears the name of the French Landing. The Duke died of grief at the failure of the expedition, and the Vice Admiral Destourville, ran himself through the body, and was buried on George's Island. His remains, or what was supposed to be have been, were afterwards removed to France by his family. Several of the ships of war were sunk on the eastern side of the Basin. The hulls of these vessels were visible in calm weather about 50 years ago, but they have long since disappeared. M. Jonquiere, afterwards Governor of Canada, was also in this expedition.

to complete their dwellings on the approach of spring. The Governor in his letter of 27th July, describes the site of the Town as very advantageous. He says: "It has all the conveniences I could wish except a fresh water river.¹³ Nothing is easier than to build wharves; one is already finished for ships of 200 tons. I have constantly employed all the carpenters I could get from Annapolis and the ships here to build log houses for stores. I have likewise offered the French at Minas considerable wages to work, and they have promised to send fifty men to remain until October. As there was not one yard of clear ground you will imagine our difficulty and what we have here to do; however, they have already cleared about 12 acres, and I hope to begin my house in two days; I have a small frame and pickets ready."

The following extracts from a letter dated 25th July, 1749, written by a settler,¹⁴ affords several interesting facts relative to the state of the settlement at this time: – "On our arrival we found the Sphinx, of 20 guns, which had come into harbor a few days before us; as I write the transports are entering the harbor with the two regiments of Hopson and Warberton on board from Louisburg. The assistance, as well as the security we shall receive from them, will greatly forward our settlement; the officers have brought all their furniture, a great number of milch cows, and

¹³ At this period when the settlement was confined to such narrow limits the brook known to us as Fresh Water River, in the south suburbs, was considered to be at a distance too far from the pickets to be of much value as a means of supply to the settlers.

¹⁴ This letter appeared in one of the British periodicals for October, 1749.

other stock, besides military stores. We have already cleared about 20 acres, and every one has a hut by his tent. Our work goes briskly, and the method of employing the people in ships' companies has a good effect, and as the Governor is preparing to lay out the lots of land, we shall soon have a very convenient and pleasant town built, which is to be called Halifax. There are already several wharves built, and one gentleman is erecting a saw mill; public store houses are also building, and grain of various sorts have been sown. We have received constant supplies of plank and timber for building, and fresh stock and rum in great quantities, 20 schooners frequently coming in in one day. We have also a hundred cows and some sheep, brought down to us by land, by the French at Minas, which is about 30 miles distant from the bottom of the bay, and to which we purpose to cut a road. The French Deputies who came to make submission have promised to send us 50 men for this purpose, and to assist us as far as they are able; we have received the like promise, and friendship and assistance from the Indians, the chief having been with the Governor for that purpose. In short, every thing is in a very prosperous way. But I should be equally unjust and ungrateful, were I to conclude without paying the tribute which is due to our Governor. He seems to have nothing in view but the interest and happiness of all; his zeal and prudent conduct in the difficult task assigned him cannot be too much admired."

The plan of the town having been completed and the building lots marked out, in order to prevent dispute and discontent among

the settlers, it was deemed best that they should draw for the lots. Accordingly, at a Council held on the 1st of August, it was resolved that on Tuesday following, the 8th of August, all heads of families who were settlers, should assemble at seven o'clock with the overseers, and single men should form themselves into families, four to each family, and each family choose one to draw for them. Mr. Bruce the engineer, being present on the occasion, assisted in distributing the lots according to the arrangement, and the whole were entered in a book of registry which was to be kept for the purpose and to constitute evidence of title and possession.¹⁵

The next object of importance was the erection of proper defences for the protection of the settlement. After they had taken possession of the lots, and commenced to build, the Governor endeavoured to induce the people to work for a few days in throwing up a line of defence around their new abode; "but," says he, "there was no persuading them to do it." It was not until the 13th August when the Council voted 1s. 6d. per day to each man employed, that this necessary work was commenced by the settlers. The harbour being broad and easy of access, the difficulty of selecting proper positions for fortifications, which would command the entrance, was at first seriously felt. This had been the great objection on the part of the French to making

¹⁵ This allotment book still remains entire in the office of the Provincial Secretary, in Halifax. It was repaired in 1869 by the Record Commission, and a fac-simile copy made for use and the original placed out of the reach of injury.

any settlement at Chebucto, La Have having been chosen by them for the principal post on the Atlantic Coast, being, from its narrow entrance, more easy of defence. In Admiral Darell's plan of Chebucto, the two points that flanked the entrance to Bedford Basin were marked as the places proper to fortify. Mr. Cornwallis says, their view must have been to have the settlement within that Bay (the Basin); this would have been subject to great inconvenience. In the first place, it would have been too far up for the fishermen, it being about five leagues from the entrance of the Harbour to those points, and the beach all along as well adapted for curing their fish as can possibly be imagined; no fisherman would ever have thought of going within these forts. Indeed no ship would choose to go so far, as no finer harbour can be than that of Chebucto, which reaches from these points to Sandwich River; so that notwithstanding any forts upon these points, an enemy's fleet might be secure and indeed block up all ships within the bay. He accordingly fixed upon Sandwich Point and the high lands opposite, (now called York Redoubt), and George's Island as the most proper positions for the erection of the necessary defences. On the latter he immediately placed a guard, landed his stores and planned and proposed to build thereon his magazine for powder.

The first act of Government, after the organization of the Council on the 14th, was an audience of the three French Deputies, who had come down to meet the New Governor. They were Jean Melanson, from Canard River; Claude le Blance,

from Grand Pre, and Philip Melanson from Pisiquid. Colonel Mascarine read to the Council the oath which the French inhabitants had before taken. Being asked if they had anything to offer from their several departments, they answered that they were sent only to pay their respects to His Excellency and to know what was to be their condition henceforth, and whether they would be allowed their priests. They were assured that their religion should be protected, but that, as heretofore, no priest should be permitted to officiate within the Province, without having first obtained a license from the Governor. They were furnished with copies of the Royal Declaration, a proclamation issued by Governor Cornwallis, and the oath which had been customary, with directions to return within a fortnight, to report to the Council the views of the inhabitants of the respective districts, and also to notify the other settlements to send deputies as soon as possible. The second meeting of the Council took place on the 17th, when Mr. Wm. Steele was sworn in a member of the Board, and on the following day the Governor's proclamation was read in the camp, prohibiting all persons from leaving the Province without permission, and against the retail of spirituous liquors without license.

On the 18th, Mr. Bruce the Engineer, Lieutenants Ewer, Collier and Mr. John Duport were appointed Justices of the peace, and all the settlers having assembled in separate companies with their respective overseers, each company chose its constables.

The Governor designed opening more perfect means of communication with Minas by constructing a road, which he described as being 30 miles only, in a direct line, and to build a Block House half way, but having only two companies of soldiers with him, one of Hopson's and one of Warberton's regiment, together with about 60 of Goreham's Indian Rangers, and the 50 French, who promised to assist in the work, having disappointed him, he was compelled to postpone the object until after the arrival of the army from Louisburg. Proper access to the interior, by the construction of a good road to Minas, was deemed of paramount importance to the settlement of the country. The inhabitants of the rural districts were so insulated as to be in a great measure independent of all authority. Colonel Mascarine, on returning to Annapolis, received directions to send a Captain, 3 Subalterns and 100 men to Minas, and to erect a Block-house and Battery there, the troops to be first quartered at Grand Pre, where the Block-house was to be built, and the French people were to be hired at fair wages to assist in the work.

Capt. How, who had been sent to St. John River in the Albany with Capt. Rouse, having returned overland with thirteen Indians, three deputies from the tribes at St. John, the Chief of the Chinecto Indians, and nine others of their tribes. They received an audience on the 14th; they consisted of Francis de Salle, Chief from Octfragli; the Chief Noellobig, from Medochig; the Chief Neptune Albodonallilla from the Chignecto tribe, for himself and tribe. The negotiation was carried on

through Martin, the Indian, and André, the interpreter from Minas. They stated to the Council that they had come to confirm the treaty of 1726, and that several of them had been present at that treaty. Terms were drawn up by Mr. Secretary Davidson, and signed by the Chiefs on the 15th August,¹⁶ 1749, and Capt. How was ordered to carry it to St. John to be ratified, and to take with him presents to the Chiefs. It was accordingly ratified on the 4th day of September following, and signed by all the Chiefs and Captains at the River St. John, six in number, in the presence of Mr. How and seven other witnesses; Madame De Bellisle acting as interpreter by request of the Indians. This document is still in existence; also a copy of that of 1726, sent to Governor Cornwallis by the Governor of Massachusetts Bay. This treaty appears to have been little regarded, for in the beginning of October following, news arrived from Annapolis

¹⁶ Note. – These Indians are described in a letter from one of the Settlers, to England, dated 19th August, as quite different from the Indians of the peninsula, their faces all rubbed over with vermilion and across their nose and forehead are regularly drawn black lines. Their ears are bored full of holes and adorned with tobacco pipes and ribbons of different colours; their clothes are of the light homespun grey but intolerably ragged. The French supply them with those articles. Their squaws or women dress equally as gay as the men. They are entire drunkards, and never cease drinking spirituous liquors as long as they can get it. They came on board to the Governor in great form. After the treaty was ratified they received presents and went on board the man-of-war, where they solaced themselves with singing and dancing. As to the songs it is one continued bellowing and noise. Upon their coming off, the man-of-war gave them a salute of 17 guns, as likewise they did on going aboard. They expressed a great deal of satisfaction at the honors done them; so they were discharged and sent in one of Colonel Goreham's sloops to St. John River with presents to the rest of their tribe.

and Canso of further incursions on the part of the Indians, and Government was compelled to raise two new independent companies of Volunteers for that service, which were placed under the command of Major Gilman and Capt. Clapham, on the same footing with the Rangers under Gorham.

After the evacuation of Louisburg the population received a considerable accession; a number of the English inhabitants came with Governor Hobson and became settlers, and many from New England were daily arriving, and upwards of 1000 more from the old provinces had expressed themselves desirous of joining the Settlement before winter. The Governor therefore gave orders to all vessels in the Government service to give them a free passage. The New England people soon formed the basis of the resident population, and are the ancestors of many of the present inhabitants. They were better settlers than the old discharged soldiers and sailors who came on the fleet; most of whom died or left the country during the first three or four years, leaving, however, the most industrious and respectable among them as permanent settlers. Many settlers and traders came out for the purpose of making money; these people infested the Settlement in great numbers, and gave Mr. Cornwallis and his successors much trouble and annoyance, in demoralizing the people by the illicit sale of bad liquors, and in other ways retarding the progress of the country.

A proposition was made about this time by a French merchant from the West Indies to Governor Cornwallis to bring to Halifax

some Protestant families from Martinique with their effects, if he would give them protection and grant them lands, and the Governor was furnished with a list of their names, with what each of them was worth, which approached in all nearly £50,000. This gentleman proceeded to Louisburg to obtain for them a passport, and proposed to have his people on before winter; but it does not appear as far as any information on the subject can be gathered from the public records that any of these French Protestants ever arrived.

The Government found it necessary to check the indiscriminate sale of spirituous liquors by a license duty. On the 28th August an ordinance passed for that purpose, and all such licensed houses were to be closed at 9 p. m. under penalty. On the 31st August the Governor and Council for the first time sat as a Court of Law. This was named the General Court, all authority – legislative, executive and judicial – being vested in the Board. They met on this day for the trial of Abram Goodside, the Boatswain's mate of the Beaufort, who stabbed and wounded two men. A grand jury was summoned who found a bill of indictment; he was tried and found guilty by a petit jury, and hanged under the Governor's warrant on 2nd September, 1749. On 31st August, another Court was held for the trial of one Peter Cartal, for murder. The Acadian Deputies having returned from the country, they were called before the Governor and Council on September 6th, when they presented a letter signed by 1000 inhabitants claiming to take only a qualified Oath of Allegiance.

On the 30th August, a sloop from Liverpool, Great Britain, with 116 settlers, arrived after a passage of nine weeks. They were, however, all quite healthy, not one person being sick on board at the time of their arrival. Two streets were then added to the Town and lots assigned to these people. This was Forman's new division. We have no names of these settlers or the name of the sloop.

Information having reached the Government that the Indians of Acadia and St. John's Island, designed to molest the settlement at Halifax on the approach of winter,¹⁷ it was deemed advisable to erect outworks for its defence; accordingly the troops and inhabitants were immediately employed to construct a line of palisades around the town in connection with square log forts which were to be placed at convenient distances. A space of thirty feet was cleared without the lines, and the trees thrown up by way of a barricade, which constituted a complete defence against any attempt on the part of the Indians. Those settlers who had built their houses without the town had arms given them, and their dwellings being built of logs were musket proof; also the Ordnance Artificers, those from New England and such of the settlers as had been in the army, and such others as could be trusted with arms within the town, also received them, and an order was sent to Boston for a supply of lamps to light the streets during the winter nights. Col. Goreham was sent to the head of the Basin with his company of Rangers for the winter, with an

¹⁷ Governor Cornwallis' letter to Secretary of State.

armed sloop to assist him, and every preparation possible was made for the protection of the people during the ensuing winter.

The Indians had appeared in the neighbourhood of the town for several weeks, but intelligence had been received that they had commenced hostilities, by the capture of twenty persons at Canso under frivolous pretences, and of two vessels having been attacked by them at Chignecto, when three English and seven Indians were killed. In consequence of this information it was resolved in Council to send a letter to M. Desherbiers, Governor of Louisburg, to recall LeLoutre. On the last day of September they made an attack on the sawmill at Dartmouth, then under the charge of Major Gilman. Six of his men had been sent out to cut wood without arms. The Indians laid in ambush, killed four and carried off one, and the other escaped and gave the alarm, and a detachment of rangers was sent after the savages, who having overtaken them, cut off the heads of two Indians and scalped one.¹⁸

These proceedings compelled the government to take more active measures, and orders were given to the commanding officers at the out stations, to destroy the Indians wherever they

¹⁸ This affair is mentioned in a letter from a gentleman in Halifax to Boston, dated October 2nd, as follows: "About seven o'clock on Saturday morning before, as several of Major Gilman's workmen with one soldier, unarmed, were hewing sticks of timber about 200 yards from his house and mills on the east side of the harbour, they were surprised by about 40 Indians, who first fired two shots and then a volley upon them which killed four, two of whom they scalped, and cut off the heads of the others, the fifth is missing and is supposed to have been carried off."

met them, and a premium of ten guineas was offered for every Indian killed or taken prisoner, this offer was in consequence of the large rewards offered by the French to the Indians for English scalps. Orders were given for raising two independent companies of rangers, one of one hundred men by Major Gilman, who was sent to Piscataqua for that purpose,¹⁹ the other a company of volunteers by Captain Wm. Clapham, who with Goreham's Indian Rangers, now returned from their stations at the head of the Basin with a company of Philips' Regiment, were to scour the whole country around the Bay. The St. John Indians having kept the treaty, received from Governor Cornwallis a present of 1000 bushels of corn, and an order was also given to purchase at Minas 500 bushels of wheat, to be baked into biscuit for the same purpose. Captain How was intrusted with these and other presents, and was directed to bring back with him, if possible, some of the tribe to go against the Mic-Macs. The preparation necessary to the protection of the town against French-Indian hostilities tended to expedite the progress of the settlement; before the middle of October, about three hundred and fifty houses had been completed, two of the square forts finished and the barricade carried all around. A number of store houses and barrack buildings for the accommodation of the troops had been also erected and the Governor's residence completed. The Council met there on the 14th October. About 30 of the French inhabitants were employed on the Public Works, and in cutting

¹⁹ These men were supplied with hatchets and snow shoes for winter warfare.

a road from the town to the Basin of Minas. A number of influential and industrious families from New England and other places had already become settlers, and Halifax Harbor was the resort of a large number of fishing vessels.

About this time a destructive epidemic made its appearance in the town, and it is said nearly 1000 persons fell victims during the autumn and the following winter. On the 14th day of October, the Government found it necessary to publish an ordinance, commanding all Justices of the Peace, upon the death of the settlers, to name so many of the neighbourhood or quarter (not exceeding 12) to which the deceased belonged, to attend at the burial and carry the corpse to the grave, and whoever refused to attend without sufficient reason should have his name struck off the Mess Book and Register of Settlers as unworthy of His Majesty's bounty; again in December, another order was made commanding all householders to report their dead to a clergyman within twenty-four hours.

Owing to the frequent alarms of invasion from the Indians and French stragglers during the winter, it was resolved in Council to organize a militia force for the protection of the settlement, and on the Sunday following the 6th day of December, after divine service, all the male settlers, between the age of sixteen and sixty, were assembled on the parade, and drawn up in the following order: – "Those of Mr. Ewer's and Mr. Collier's divisions to face the harbor, those of the quarters of Mr. Galland and Mr. Foreman to face the Citadel, and those of Mr. Callendar's

division at one end of the parade." The proclamation bears date the 7th day of December, 1749. On the 16th, information arrived that a French force had been dispatched overland from Canada, to attack Halifax, and that the Indians were to co-operate with them, also, that two vessels with six hundred men were in the Bay Verte under LeCorne, and with ammunition and stores of all kinds for a winter expedition. The people having been again assembled on the parade after divine service, the proclamation was read and the settlers commanded to fell all the trees around the town without the forts and barricades. No attempt was, however, made upon the town, either by the Indians or French during the winter. These hostilities were being carried on by the Government of Canada, while the two Crowns were nominally at peace, under pretence that the Treaty of Utrecht only ceded to the Crown of Great Britain the peninsula of Nova Scotia proper.

The Governor deeming it expedient that some permanent system of judicial proceedings to answer the immediate exigencies of the Colony should be established, a committee of Council was accordingly appointed to examine the various systems in force in the old Colonies. On 13th December, Mr. Green reported that after a careful investigation, the laws of Virginia were found to be most applicable to the present situation of the province. The report was adopted. It referred principally to the judicial proceedings in the General Courts, the County Courts, and other tribunals.

Before concluding this chapter, which comprehends all that

can be collected relative to the affairs of the settlement during the first year of its existence, it will be proper to observe that in founding the City, the spiritual wants of the settlers were not lost sight of by the British Government. Preparatory to the embarkation of the settlers, a letter was addressed by the Lords of Trade and Plantations to the Society for the Propagation of the Gospel in Foreign Parts, dated Whitehall, April 6th, 1749, recommending to the Society to appoint ministers and school-masters for the new settlement at Chebucto, and for such other townships or settlements as should from time to time be formed in Nova Scotia, and requesting the Society to make some provisions for them until arrangements should be made for their sufficient support, by grants of land, etc.²⁰ The Society resolved immediately to act on this recommendation, and undertook to send six clergymen and six school-masters, when the settlements should be formed. The first missionaries appointed under this arrangement, were the Rev. William Tutty, of Emmanuel College, Cambridge, and the Rev. Mr. Anwell, who both came out with the settlers in June, 1749. Mr. Tutty officiated in the open air until the necessary church accommodation could be obtained. On laying out the town, a spot was assigned by Government for the church. The site was first selected at the north end of the Grand Parade, where Dalhousie College now stands, but it was changed immediately after for the present site of St. Paul's Church, which was erected at the expense of

²⁰ A copy of this letter will be found in the [appendix](#).

Government and ready for the reception of the missionary, who preached his first sermon there on the 2nd day of September, 1750. The pews and inside finish were not completed for several years after. The name of Mr. Tutty does not appear among those of the settlers who came with Cornwallis. He probably, however, accompanied him. Mr. Anwell came with the expedition, but his name does not again appear; he died shortly after his arrival. Mr. Tutty spoke German and administered the Lord's Supper to the German settlers in their own language. The other missionary, J. Baptiste Moreau, who came out as school-master, and afterwards went to England for ordination, returned to the settlement and went down to Maligash with the Germans, 1752. Mr. Halstead was the school-master in charge of the Society's schools at Halifax during the first two or three years.

Governor Cornwallis in 1749, assigned the lot at the south-west corner of Prince and Hollis streets for a Protestant Dissenting Meeting house. The old building known as Mather's, or as it was afterwards called St. Matthew's Church (destroyed by fire in 1859,) was soon after erected on this site. It was appropriated originally to the Congregationalists, many of whom came from New England to settle in Halifax. It was called Mather's Church after the celebrated Cotton Mather, one of the leading divines of that denomination at Boston, in early days. The Presbyterians, and all who did not belong to the Established Church, attended divine service in this building. The Rev. Mr. Cleveland, who came from one of the old colonies, was the first

minister who officiated in this building. It afterwards fell into the hands of the Presbyterians and became the property of the Church of Scotland, and the name of Mather's was changed to that of St. Matthew. This old Church was destroyed by fire, which consumed a large portion of the buildings in Hollis Street, in 1859. The lot of ground on which it stood was afterwards sold to Mr. Doull, who erected the fine stone store thereon, now known as Doull and Miller's building.

CHAPTER II

The winter of 1749-50, as has been before mentioned, was spent in continual apprehension of Indian and French invasion, and in preparations to receive the enemy. On the 7th January, 1750, a number of the inhabitants petitioned that Martial Law should be declared, but the Governor and Council did not consider the danger so great or imminent as to make it necessary. However, stringent regulations with regard to the militia were enacted, and an ordinance was issued compelling all settlers able to bear arms between 16 and 60, to be formed into 10 companies of 70 men each,²¹ and a guard of – officers and 30 men to assemble every evening near the parade to keep guard until sunrise, and all militia men called upon to labour at the fortifications, were to be allowed 1s. per day. Labourers were constantly employed in raising a barricade and continuing it to the water side, and block houses were erected between the forts.

During the winter intelligence frequently arrived from Minas, Pisiquid, and the eastern shore, of attacks being made by the Indians upon stragglers, and several young Acadians were brought from Minas to Halifax for trial, having been found in arms with the Indians. A large reward was offered for the

²¹ The Artificers formed one company by themselves, and the whole militia amounted to about 840 men. The Officers behaved well, but, says the Governor in his dispatch, "I cannot say so of the men."

apprehension of LeLoutre, the Indian missionary, and also £10 sterling for every Indian scalp or Indian prisoner. Capt. Sylvanus Cobb, an active and bold sea captain from Massachusetts, was taken into Government employ, and sent to Chignecto with his armed sloop for the purpose of surprising LeLoutre and his gang, and afterwards to search the harbors along the coast for Indians, and bring with him all he captured as prisoners to Halifax. Troops under Capt. Bartilo and others were sent into the interior and other active proceedings taken by the Governor and Council during the months of January and February for the peace of the province. A courier having been stopped at Cobequid, Priest Gourard and the French Deputies, were all brought to Halifax, by Capt. Bartilo, for examination before the Governor and Council; Gourard was detained at Government House until the courier returned, but the deputies were dismissed. He disclosed the fact to the Council that the Mic-Mac Indians of Nova Scotia went every year to Quebec, to receive clothing from the French Government, and that LeCorn had made the French of Acadia take the Oath of Allegiance to the French King. Gourard on this occasion took the Oath of Allegiance to the Crown of Great Britain, and thereupon received a licence to officiate as Priest to the Acadians, and promised not to leave the province without special leave from the Governor.

Among the municipal regulations this winter, was an ordinance that all persons found breaking the liquor license law, should be put one hour in the public stocks, and for the

second offence receive twenty lashes. These severe regulations were found to be absolutely necessary, in consequence of the demoralized state of the settlement from settlers and others who infested the town and who were not settlers.

On the 2nd February, 1750, an ordinance was passed in Council, prohibiting the recovery of any debt contracted in England or elsewhere prior to the establishment of the settlement or to the debtor's arrival in Halifax, in any Court of Law within the province, except for goods imported into the Colonies. There appears to have been some difference of opinion at the Board on the subject; the Council divided, and the ordinance was carried by a small majority.

It was proposed in Council about this time, to build a quay along the shore in front of the town, but several merchants – Mr. Saul, Mr. Joshua Mauer and others, having applied for water lots, and liberty to build wharves on the beach, the subject was referred to Mr. Morris the surveyor, and Mr. Bruce the engineer. They thought the quay was a work of time and required means from England. Licences to build wharves were therefore granted, with a reservation of the right of the Crown in case the quay should be resolved on or the frontage required for government purposes. This scheme was afterwards abandoned by Government, and the licences remained unrepealed. At this period the line of the shore was so irregular, as in some places to afford only a footpath between the base line of the lots, which

now form the upper side of Water Street and high water mark;²² at the Market the tide flowed up nearly to where the [old] City Court House stood, forming a cove, the outlet of a brook which came down north of George Street. Near the Ordnance Yard another cove made in, and this part of the shore was low and swampy many years after the batteries were built.²³

The winter passed without any attack on the settlement, and the people were all quite healthy. The number of settlers was daily augmented by almost every vessel which arrived from New England and elsewhere; every thing required was provided for

²² According to the original plan of the Town published in October, 1749, a space appears to have been reserved between the line of the lots and the shore, but no Water Street was laid out – the upper side of the present Bedford Row being the western limit. There were five forts, having each four quadrangular blockhouses, with a barrack in the centre; these were connected by wooden palisades or pickets.

²³ A number of licences to erect wharves and buildings along the beach had been granted by Government to individuals engaged in trade and the fishery, before the idea of a general Government breastwork had been abandoned. These titles continued to be held good; a number of wharf proprietors, however, obtained conformation grants from time to time as they required water extension. Mr. Charles Morris, the Surveyor-General, who had the sole management of the land office, in his reports to the Government, advised small spaces to be reserved on both sides in making these conformation grants as well as in subsequent water grants in fee, which have been found of much inconvenience to trade, and a drawback on the progress of the City. No reservation of water was originally made at the foot of the cross streets or hills. At the close of the last and the commencement of the present century, when conformation or extension water grants were asked for, he marked on his plans narrow strips or reservations on the sides of many of these water grants, which for there being in many instances inaccessible, have since proved of no value to the public and a great injury to the proprietors of water property.

them, that they should be tolerably comfortable before the cold weather set in. The winter was very fine, very few extreme bad days, no heavy snow storms, the navigation never stopped in the slightest degree. More fine days and fewer bad ones (says the Governor) than I ever saw in winter. Spring opened early with fine warm days and thaw, and the fishing schooners began early in March to go upon the Bank.²⁴ The snow lay all the winter, from the middle of January; it was, however, only three feet deep in the woods. The healthy condition of the settlers may be inferred from there never being more than 25 in the hospital ship at any one time.

By the 19th March, a place had been erected for a public Hospital, and a school building commenced for the orphan children. The French from the interior engaged freely for money to square timber for the erection of the blockhouses, and preparations were in progress for the completion of the Church.

A meeting of the Governor and Council took place on 19th April, when the French Deputies again appeared with a petition to be permitted to sell their lands and leave the country. The names of these deputies were Jaques Teriot from Grand Pre, Francois Granger from River de Canard, Battiste Galerne and Jean André.

Mr. Cornwallis was continually embarrassed by letters from the Board of Trade, finding fault with the expenses incurred in planting the settlement. £40,000 had been voted by Parliament,

²⁴ Cornwallis' letter of 19th March.

and £36,000 of excess had been demanded as a further vote; this could not be considered so great an expenditure under all the circumstances, as it included the pay and equipment of two regiments of infantry. In his replies, he says, "Not a pound shall be expended by me unnecessarily, but without money you could have had no town, no settlement, and indeed no settlers. 'Tis very certain that the public money cleared the ground, built the town, secured it, kept both soldiers and settlers from starving with cold, and has brought down above 1000 settlers from the other Colonies. Lots in Halifax are now worth 50 guineas. If there was no public money circulating, lots would be given for a gallon of rum. The money is laid out in building forts, barracks, store houses, hospitals, churches, wharves, etc., public works all that seem absolutely necessary. According to your Lordship's directions, I have discharged the two Government Apothecaries and shall discharge some of the Surgeons' Mates that may be spared. As for the saw mill, we never had one board from it – it has been a constant plague from the beginning. Thirty men have been constantly kept there ever since the affair of the Indians. Gilman has behaved so ill I shall have to discharge him from all service. I have laid in a quantity of lumber in the King's yard this spring at a reasonable price. For want of stock I have been sometimes obliged to pay £5 per M. The settlers have paid £6. I have got them lately at £3 10s., £3 and £2 15s. No new boards are given to settlers."

The salaries to the public officers of Cornwallis' Government

appear exceedingly small in comparison with the arduous duties which devolved upon them in organizing the settlement. His Aides-de-Camp, Capt. Bulkely and Mr. Gates,²⁵ had no allowance except some trifling commission on the issue of molasses and spirits.

In June, 1750, the Governor and Council assigned as a site the spot on which the [old] City Court House stands, for a market for black cattle, sheep, etc., and made market regulations. In July, the settlers were ordered to clear the streets in front of their respective lots to the centre. They had begun to clear George's Island and to erect block-houses. Seven 32-pounders had been mounted upon it, and a palisade carried all around the works. The frame of the Church, which had been brought from Boston, was erected and was being covered in, the estimated cost of finishing the edifice being £1000 sterling. The temporary barricades were removed, and the palisades carried completely round the town. 30,000 bricks had been manufactured in the neighbourhood and found very good. The meeting house for Dissenters had not yet been commenced. The town was increasing every day in settlers and the number of its houses, but no improvement of the lands in the neighbourhood had been made beyond a few small gardens. The fishery was prosperous and produced 25,000 quintals the first year.

In the month of August, 1750, three hundred and fifty-three settlers arrived in the ship Alderney; and in September following,

²⁵ This was the well-known Horatio Gates, afterwards a Revolutionary General.

three hundred German Protestants, from the Palatinate, in the ship Ann. The Governor and Council were embarrassed in providing for their support, and found it necessary to enter into pecuniary arrangements with the merchants of the town, who at this early period had formed themselves into an association for the benefit of trade. Those who came in the ship Alderney, were sent to the opposite side of the harbour, and commenced the town of Dartmouth, which was laid out in the autumn of that year. In December following, the first ferry was established, and John Connor appointed ferryman by order in Council.

In the spring of the following year the Indians surprised Dartmouth at night, scalped a number of settlers and carried off several prisoners. The inhabitants, fearing an attack, had cut down the spruce trees around their settlement, which, instead of a protection, as was intended, served as a cover for the enemy. Captain Clapham and his company of Rangers were stationed on Block-house hill, and it is said remained within his block-house firing from the loop-holes, during the whole affair. The Indians were said to have destroyed several dwellings, sparing neither women nor children. The light of the torches and the discharge of musketry alarmed the inhabitants of Halifax, some of whom put off to their assistance, but did not arrive in any force till after the Indians had retired. The night was calm, and the cries of the settlers, and whoop of the Indians were distinctly heard on the western side of the harbour. On the following morning, several bodies were brought over – the Indians having carried

off the scalps.²⁶ Mr. Pyke, father of the late John George Pyke, Esq., many years police magistrate of Halifax, lost his life on this occasion. Those who fled to the woods were all taken prisoners but one. A court martial was called on the 14th May, to inquire into the conduct of the different commanding officers, both commissioned and non-commissioned, in permitting the village to be plundered when there were about 60 men posted there for its protection.

There was a guard house and small military post at Dartmouth from the first settlement, and a gun mounted on the point near the saw mill (in the cove) in 1749. One or two transports, which had been housed over during winter and store ships were anchored in the cove, under the cover of this gun, and the ice kept broke around them to prevent the approach of the Indians. The attempt to plant a settlement at Dartmouth, does not appear to have been at first very successful. Governor Hobson in his letter to the Board of Trade, dated 1st October, 1753, says, "At Dartmouth there is a small town well picketed in, and a detachment of troops to protect it, but there are not above five families residing in it, as there is no trade or fishing to maintain any inhabitants, and they apprehend danger from the Indians in cultivating any land on the outer side of the pickets."

There is no record of any concerted attack having been made

²⁶ The Governor in his letter to England mentions 4 men killed, 6 soldiers prisoners who were not upon guard, and our people killed 3 Indians, and had they done their duty well, might have killed many more.

by the Indians or French on the town of Halifax. Many stragglers were cut off during the first years of the settlement, particularly along the western side of the Basin, where the best firewood was to be obtained. It was at length found necessary to send out an armed body when fuel or lumber was required. The enemy usually retired before a regular organized force. The Ranger companies under Goreham and Bartelo, were most efficient for this purpose; they were usually recruited in New England, where men for that service were more readily found.

The German settlers who came in the ship *Ann*, were employed in the public works at 2s. per day, besides a supply of beer and other liquors to each. It was decided that all settlers who came in the previous year, should cease to draw provisions after the 15th September, 1750. This order was afterwards repealed on 29th, and it was determined that all settlers already in the town or who should come before 1st December, should be entitled to one year's provisions from the time of their names being entered on the victualling book.²⁷

It was the intention of Government that the Germans should be sent into the interior of the province; but they having arrived so late in the season, and the want of a sufficient supply of provisions then in store to sustain them through the winter rendered it impossible, and they were retained in the town. They were very sickly, many of them old and unfit for settlers, and their passages not being paid, and there being no person to

²⁷ See victualling list in the [appendix](#).

purchase them, they were employed on the public works to work out their passage money.

About this period a gloom was cast over the settlement by the news of the murder of the Hon. Edward How, one of the Council at Chignecto. "Captain How was employed on the expedition to Chignecto as knowing the country well and being acquainted both with the Indians and the inhabitants, and furthermore he knew personally their leaders, LeCorne and LeLoutre. His whole aim and study was to obtain a peace with the Indians, and get the English prisoners out of their hands, for which purpose he often had conferences with the French officers under a flag of truce. LeCorne one day sent a flag of truce by a French officer to the water side, a small river which parts his people from the British troops. Capt. How and the officers held a parley for some time across the river. How had no sooner taken leave of the officers than a party that lay in ambush fired a volley at him and shot him through the heart, an instance of treacherous brutality not to be paralleled in history, and a violation of a flag of truce, which had ever been held sacred, and without which all faith is at an end, and all transactions with an enemy." – [Cornwallis' letter 27th November.]

The spring of 1751 the five acre lots on the Peninsula were laid out; the people engaged in clearing the land. The uncertainty from surprise by Indians, however, much retarded the work; a large space, however, was cleared around the town before winter set in.

Another vessel having arrived on the 10th June, with German Palatine settlers, they were directed to be employed at Dartmouth in picketing in the back of the town. In July, the arrival of 200 more was reported, and they were ordered to be placed at the head of the N. W. Arm and mouth of the Basin; and those who owed work for their passage, were directed to picket in their stations. Monsieur Dupacquir, who had engaged to bring out 300 Swiss, brought but twenty this year, but more were expected in the following spring.

Ninth July, a proclamation issued to forfeit all lots of the town settlers who only put up slight frames of houses, unless they immediately proceeded to board them in and finish them as dwellings.

On the 18th June, Jas. Stephens and Wm. Harris were hanged for house-breaking; this was the second public execution which took place in the town.

William Piggot had a license granted him to open a coffee house on the 8th April the same year.

In January of this year the Council passed a series of regulations for the General Court and County Courts, and ordered them to be published by the Provost Marshal by reading the same after the beat of drum through the settlement, and on the first day of the next sitting of the General Court and County Courts.

The only matters further recorded worthy of notice during the year 1751, was the dismissal of Mr. Otis Little, the Commissary

of Stores, for remissness in his office, and the resolution of the Governor and Council to pay a draft for £882, sent from Quebec, for the ransom of English prisoners taken by the Indians and carried to Canada. It appeared that Lt. Hamilton and upwards of sixty officers, soldiers and settlers had fallen into the hands of the savages, and Priest LeLoutre had agreed to ransom them for the sum above mentioned.

It may here be mentioned that several batteries have already been erected on George's Island,²⁸ and expensive earth works had been thrown up.

Towards the close of the year Mr. Joshua Mauger, a gentleman from England, who came out at the commencement of the settlement to trade and distil rum for the soldiers, was charged by government with having attempted to make Halifax the repository for Louisburg merchandize, brought up secretly and to be carrying on an illicit traffic, he being at the time agent victualler to Government. Governor Cornwallis, upon information, caused Mr. Mauger's stores to be searched for contraband articles brought from Louisburg. Much discussion ensued, and the settlement was for some time thrown into commotion, by what Mr. Mauger called in his letter to England, the high-handed proceedings of the Governor.

²⁸ This Island is called in the old French maps Isle Racket or the Snow Shoe Island, being in the shape of a snow shoe.

CHAPTER III

In January, 1752, Mr. Collier, who had been acting as Chief Justice, and Captain Frotheringham, were called to the Council in place of Mr. Salisbury and Col. Horseman, who had returned to England. On 3rd February, a public ferry was established between Halifax and Dartmouth and John Connors appointed ferryman for three years, with the exclusive privilege, and ferry regulations were also established. At the same sitting of the Council, an order was passed for the recording of deeds and mortgages, making all papers unrecorded void against those which had been registered. Col. Horseman's stone building was purchased for a prison in place of that before used.

April 29th, Charles Morris, James Monk, John Duport, Robert Ewer, Joseph Scott, John Wm. Hoffeman and Leonard Christopher Redolf were appointed Justices of the Peace. It was resolved in Council at their sitting on 12th June, that a lottery should be held for building a Light House near Cape Sambro, to raise £450. One thousand tickets at £3 each. Prizes from one of £500 to £7 the lowest. Two hundred prizes, in all amounting to £3000, 15 per cent. to be deducted from the prizes, to be drawn publicly in the Town House at Halifax, under the direction of managers to be appointed by Government.

The winter of 1751-2 had been severe, but the harbour had not been frozen or at all impeded by ice, and the spring opened

early, and preparations for prosecuting the fishery were soon in active operation.

The Government mills at Dartmouth, under charge of Captain Clapham, were sold at auction in June. They were purchased by Major Gilman for £310.

16th July – An order passed to strike off the victualling lists all the German and Swiss settlers, who had arrived in the Speedwell.

In the spring of 1752, a number of settlers arrived in the Nancy, under the charge of Lt. Young. About the same time the Marquis DeConte, a Sicilian nobleman, and a number of other foreign settlers, came to Halifax from the island of Tercera, one of the Azores, and settled in the town.

Governor Cornwallis having obtained permission to resign the Government, the Hon. Peregrine T. Hopson, was appointed his successor, and was sworn into office before the Council on Monday, 3rd August. Mr. Cornwallis, however, did not leave the province until after the 10th of October, as he appears to have attended the Council held on that day.²⁹

In September, 1752, John Baptist Cope, commonly called Major Cope, a Mic-Mac chief, head of the Shubenacadie Indians, came in with terms of peace, which were agreed to.

²⁹ On September 29th, 1752, the first fire regulations were published at Halifax, among which are found the following: Two or three Magistrates may order a house to be pulled down or blown up to stop a fire, the owner to be indemnified by the house owners of the Town. The fire wards to be appointed by the Justices of the Peace, each to carry a red staff 6 feet long, with a bright brass spear 6 inches long on it; and other regulations. This custom is still kept up in the City, or was until very lately.

This bears date the 15th September, in that year. Immediately after this document was signed, Cope left town in a vessel, having requested Capt. W. Piggot should be sent to Indian Harbour, to meet the Indians there, to ratify the Treaty. Mr. Piggot was accordingly dispatched, and brought up with him two or three Indians, who appeared before the Council, after which they were sent back to Beaver Harbour, under the conduct of Mr. Piggot, with blankets, provisions, etc. The terms of the Treaty were agreed to and confirmed in Council, and the whole was engrossed on parchment and ratified on 22nd November, 1752. The names of the Indian delegates on this occasion were, Andrew Hodley Martin, Gabriel Martin and Francis Jeremiah. Mr. Saul received directions to issue provisions, according to the allowance of the troops for six months, for 90 Indians, that being the number of the tribe under Cope, occupying the eastern part of the province.

This treaty does not appear to have been respected by the Indian Chief, who we find, not more than eight months after its ratification, refusing to respect the pass of Governor Hopson to one Anthony Cartel, who had been captured by the Indians, in one of the harbours eastward of Halifax, and carried through the country to Shubenacadie, the head-quarters of Major Cope, from whom he was ransomed by a French inhabitant. It would appear that the terms of amity, entered into by Cope and his men with the Government at Halifax, had been in some manner without the sanction of Abbe LeLoutre, who, when Anthony

Cartel was brought before Count Raymond at Louisburg, was present, and as Cartel expresses it, inveighed bitterly against Governor Cornwallis, and said if he wanted peace he ought to have written to him, and not to have treated with the tribe of Indians. That he, Cartel, might depart, having been ransomed, but that the first Englishman he caught should be retained until he, LeLoutre, had full satisfaction for himself and his Indians.

In April following, two men named John Connor and James Grace, arrived at Halifax in an Indian canoe, bringing with them six Indian scalps. They informed the Council that they and two others, having put into a place between Tor Bay and Country Harbour, in a schooner, were captured by the Indians, and carried ten miles into the country, where their two companions were murdered; that they had surprised the Indians at night, killed several, whose scalps they secured, and having escaped to the seaside, seized a canoe, and made their way to Halifax. Along the coast, both east and west from Halifax, Indian massacres had been frequent. Those persons engaged in the fishery, who were compelled to land for wood and water, were chiefly the sufferers.

Much had been said and written in Europe at the time, relative to the aggressions of the French, during the suspension of hostilities between the two nations. The Indians, from their religion and trading intercourse, more favourable to the French in Canada and Acadia, were made use of to harass the British settlers, who (though the two nations were then at peace) were looked upon with a jealous eye by the resident French population.

A French writer, (I refer to a little work, now a scarce book, published during the second siege of Louisburg), states that the English neglected to cultivate an acquaintance with the manners and customs of the Indians, and it was therefore not surprising at the time, that they should show less affection towards them than towards the French, who had great regard to their humours and inclinations.

"So strong is their aversion to despotic power," says the author, "that force will never do; they will yield to nothing but persuasion. Though they know nothing of precepts or subordination, yet they enjoy almost every advantage derived from well-regulated authority. Their laws and customs appear impressed on their hearts. In order to gain an ascendancy over them, you must gain their esteem, for they never confide in a person whom they do not value, and this esteem is very difficult to obtain."

The savages were exasperated against the English by a speech delivered by Count Raymond, at a meeting of the chiefs, in which, to suit his own purposes, he depicted the most frightful cruelties perpetrated by the English.

During the Indian hostilities, opposition on the part of the Colonists was altogether of a defensive nature. The regular troops, as well as the undisciplined militia, proving unfit for such warfare, it was found necessary to employ the New England Rangers. These were volunteers from the New England provinces, accustomed to Indian warfare, many of them Indians

and half-bloods. They ascended the rivers, penetrated into the heart of the province, and attacked the enemy in their strongholds. The Indians finding they were opposed by men equally accustomed to the forest with themselves, soon found it their interest to make peace with the British.³⁰

In 1758, it was found necessary to procure the services of 250 of these Rangers from New England, by promises of high pay and other advantages. Long accustomed to the border war with the Indians and French of Canada, they had become well disciplined, and accustomed to hardships and fatigue, and were perhaps at this time superior to all other provincial troops in America. The Provincials were troops raised in the Colonies at the expense of the Provincial Government, and were distinct from the Rangers, who were independent companies paid by the British Government. They served at Havannah, at Louisburg in the first siege under Pepperell, and with Wolfe at Louisburg and Quebec, and afterwards served to form the groundwork of Washington's army in 1775.

After the fall of Fort William Henry in 1758, it was said that the Marquis de Montcalm sent a number of prisoners taken at that place, in a vessel to Halifax. They were Provincial soldiers, chiefly from the New England provinces. This was said to have been an attempt to introduce the small pox into Halifax, many of the men being ill of the disorder on their

³⁰ Governor Cornwallis reduced the Rangers. He thought Goreham very incompetent to command them.

embarkation. Providence, however, frustrated this benevolent design. The prisoners being kept on low diet, half starved, and exposed to the cold, soon recovered, while the French in charge of the vessel, having indulged in the use of wine and strong fare, were thrown down with the disease, and nearly all perished. The vessel was brought into port by the prisoners.³¹

In the spring of 1751, nine hundred and fifty-eight Protestant German settlers arrived, and in the following year 1000 more.³² The latter were from Montbeliard, of the Confession of Augsburgh, and were placed under the spiritual charge of the Rev. J. B. Moreau. They had been induced to emigrate by promises from King George II, which it is said were never realized. Considerable difficulty appears to have been experienced by the Government in providing a suitable situation for settling so large a number of persons. The original design with regard to the foreign Protestants was to place them in the interior of the country, on the lands unoccupied by the French Acadians, it being supposed that their proximity to and intercourse with the French, would be the means of lessening the bad feeling which had been fostered by emissaries from Canada. The project was unfavorably received by the Acadians. There were, however, other difficulties in the way of its accomplishment, of a particular nature, which compelled the Government to abandon

³¹ This story was related by the late Titus Smith, who received it from his father.

³² The names of the settlers who arrived after June and July, 1749, are not to be found among the records of the country.

the object. The want of sufficient provisions to maintain so many settlers through the winter, the lateness of the season, and the helplessness of a large portion of the Germans, who were unfit for labour, induced the Government to place them in the neighbourhood of Halifax. It was at first proposed in Council to send them to the opposite side of the harbour over against George's Island, and Captain Morris was sent to survey the grounds. The mouth of Musquodoboit River was also suggested, and a survey of that part of the country ordered, but the distance from Halifax and the danger of the Indians, rendered the scheme impracticable. "All I could do," says the Governor, "was to build boarded barracks for them. They must be sustained by Government until they are capable of raising something of their own; most of them are poor and wretched, and have scarce a farthing of money among them."

These people had been collected together by a Mr. Dick, the Government agent for that purpose. He had persuaded these who came out this year to sell everything they possessed even to their bedding, before going on board; and they stated that owing to the want of bedding and other conveniences, many of them died on the passage and since their arrival. Many of these people are represented as very old, and as objects fitter to be kept in almshouses, several of them above 80 years of age. The Governor in his letter to the Board of Trade, says, "On the 26th September last, when the last of these settlers were landed, there were 30 of them who could not stir off the beach, and among

the children there were 8 orphans, who in twelve days increased to 14 by the death of their parents. These had to be removed to the public orphan house, and had the best care taken of them." Many of these settlers became discontented with their condition, and went off to the Island of St. John, where they endeavoured to settle themselves. The difficulty of procuring provisions was very great. The Government appears to have been altogether dependent on the contracts of Althorp and Hancock of Boston, and Delaney and Watts of New York, for the necessary supplies for the settlement.

In June, 1753, about 1500 of these German settlers embarked for Malagash Harbour, west of Mahone Bay, where they afterwards built the town of Lunenburg. They were accompanied by a company of Rangers under Major Goreham. The expedition was placed under the command of Col. Charles Lawrence. There were also some regular troops, under Major Patrick Sutherland, who took a very active part in planting the settlement. Lieutenant John Creighton, of Warburton's Regiment, also accompanied the German settlers, and also the Rev. J. H. Moreau, who officiated as their minister.

The Lunenburg settlers were placed under similar regulations with those at Halifax, and received Government allowance for several years after their arrival at Malagash.

After the removal of the Germans from Halifax to Lunenburg, there were but 15 German families left in the north suburbs. Not knowing any English, they formed themselves into a separate

congregation for religious worship, and built themselves a small house upon the German burial ground on Brunswick street, in which they had prayers every Sunday. In 1760, a steeple was built on this house, and the next year the Rev. Dr. Breynton, Rector of St. Paul's, preached there for the first time, and it was on that occasion dedicated by the name of St. George's Church. The congregation followed the English Church rules of doctrine and appointed their Elders and Vestry. This old building still remains in its primitive state, the only monument now remaining of the old German settlement, called Dutchtown.

In October, 1752, Mr. Cotterall was appointed to the Council, and John Duport sworn in Clerk of the Council. An order in Council and proclamation appeared on the 14th of November, forbidding persons from assembling or carrying about effigies on the anniversary of the holiday, called Gunpowder Treason, being the 16th of November, according to the alteration of the style.

At the Council held on the 22nd December, 1752, the Justices were ordered to look out for a proper place for a bridewell or workhouse, and to form a plan for the building of a block-house for that purpose, and to obtain an estimate of the probable expense, and to report rules and regulations for the government of the same. The Constables were to go about the streets on Sundays to prevent disorders, and to make a report to the Justices in the evening after divine service, and to apprehend disorderly persons during the night. Proprietors of land were obliged to fence their quota; on failure, to be liable to an action for the

recovery of the charges for fencing the same.

All proprietors of land upon the peninsula of Halifax were directed to clear half their lots by 1st May, 1753, to clear the remainder and fence the whole by 1st May, 1754, otherwise the lots would be forfeited and be disposed of to others who would improve them. And an order was made for permission to John Connors, to assign the Dartmouth Ferry to Henry Wynne and William Manthorne.

Among the local events recorded this year, was a robbery in one of the King's storehouses, which was broken open on the night of the 26th October. There was also a cartel published by Governor Hopson, for the exchange of prisoners with the French Government in Canada.

The most important circumstance of the year, however, was a charge against the Justices of the Inferior Court of Common Pleas, sent in to the Council by a number of the most influential inhabitants, charging them with partiality, and praying for a public hearing. This document was presented to the Council in December, and was signed by Joshua Mauger, Joseph Rundel, Isaac Knott, John Grant, Francis Martin, Edward Crawley, Richard Catherwood, Robert Campbell, William Nesbitt, John Webb, William McGee, Sebastian Zouberbuhler, Samuel Sellon and Isaac Deschamps. These charges came on for hearing before the Council on 3rd January following; they consisted of ten distinct charges against Charles Morris, James Monk, John Duport, Robert Ewer and William Bourn, Esquires, Justices of

the Inferior Court of Common Pleas, for the Town and County of Halifax, and were signed by the following inhabitants:

Joshua Mauger,
S. Zouberbuhler,
Samuel Sellon,
Edward Buckleton,
James Porter,
Daniel Wood,
Jonathan Gifford,
William Schwartz,
Edward Crawley,
William Jeffray,
Vere Rous,
Francis Martin,
John Brooks,
Henry Wilkinson,
William Nesbitt,
John Woodin,
James Ford,
George Featherstone,
Thos. Mattison,
Joseph Antony,
Alex. Kedy,
James Fullon,
William Murray,
Louis Triquet,

William Clapham,
John Webb,
Robert Catherwood,
John Walker,
Geo. Peter DeBreg,
Richard Hollis,
Henry Sibley,
Edward O'Brien,
Henry O'Brien,
Thos. Wynne,
John Grant,
William Vanselson,
Cheyne Brownjohn,
Richard Tritton,
Edward Lukey,
Cyrus Jannin,
John Willis,
Roger Hill,
Js. Deschamps,
Robert Grant,
William McGee,
Joseph Rundel.

This affair arose from a dispute which occurred between the Government and Captain Ephraim Cook, who had been discharged from the Commission of the Peace by Governor Cornwallis for bad behaviour, and appears to have been the result

of party feeling.

It resulted in additional numbers being added to the bench of Magistrates, and the Governor and Council availed themselves of this affair to urge upon the Government the necessity of having a Chief Justice.

The necessity of a properly organized Militia force being kept up, had become apparent, in consequence of the continual threats of hostility on the part of the Indians and native French; it was therefore resolved on 22 March, 1753, that a Militia should be raised and established for the security of the Province, and a proclamation was accordingly issued, compelling all persons (except foreigners, who were to be placed elsewhere) between the ages of 16 and 60, to serve in the Militia.

On the first day of June, another proclamation was issued for a muster of the Militia. Those of the south suburbs to assemble within the pickets opposite the end of Barrington Street, near Horseman's Fort. Those of the north suburbs, between the Grenadier Fort and Lutteral's Fort, and those of the town on the esplanade, near the Citadel Hill.

On the 12th of April, 1753, Glaude Gisigash, an Indian who styled himself Governor of LaHave, appeared before the Council, and having declared his intention of making peace, terms of amity were drawn up and signed by the Governor and the Indian Chief, on the part of himself and his people. The terms were the same as those made with Major Cope, and it was arranged that some of his tribe should come up and ratify the

treaty.

Governor Hopson went home on leave in the autumn of 1753, and the government was administered by Col. Lawrence. In one of his last letters to the Board of Trade, in reference to the disturbed state of the country, Governor Hopson says, "Your Lordships may imagine how disagreeable it is to me to see His Majesty's rights encroached upon, and those encroachments openly avowed and supported by the Governors of Canada and Louisburg, when it is not in my power to prevent it. I have barely a sufficient force to protect the settlers from the insults of an Indian war, under pretence of which the French take all opportunity to commit hostilities upon His Majesty's subjects. I am informed that the French have often been mixed among them in the expeditions, and am convinced past doubt that they are fed and protected from our pursuit, and are encouraged to disturb us as openly and in as great a degree as in time of war."

There were three still houses in Halifax in 1753. Mr. Best the master mason, and Mr. Clewley the master carpenter, having been ordered to inspect them. The return was as follows:

Mr. Richard Bowers, 2 stills in Granville Street.

Wm. Murray, 1 still in Grafton Street, reported not safe.

Jonathan Gifford, 1 still in Barrington Street.

October 16th, Mr. John Greenwood presented a petition to the Council, stating that he had paid passage for 12 men, 1 woman and 2 children, foreign settlers, with the Governor's leave. They engaged to serve him for a year, but having been removed to

Lunenburg by the Governor's orders, he lost their services; he was allowed £79 5s., the labour of 12 men for 96 days.

Governor Hopson took leave of the Council on 26th October, and received an address on his departure. He sailed for England on the 2nd November following.

On the 16th November, two Indians appeared before the Council, who had been sent from Lunenburg by Col. Sutherland. They stated they were of the tribe of Cape Sable Indians, which consisted of about 60 people with two chiefs; that Baptiste Thomas, one of their priests, was one of their chiefs, and the other Francis Jean de Perisse was not a chief, but deputed by the other chief. They stated that they had never joined with the other Indians to molest the English; that on the contrary they had always exhibited a friendly spirit, in consequence of which they had never received any assistance from the French. The Council gave them 2000 pounds of bread, 3 barrels of pork, 20 blankets, 30 pounds powder, some shot, tobacco and other articles, also two gold-laced hats for their chiefs, and one silver-laced for the deputy.

The close of this year was occupied by the Governor and Council, in investigation of the riots which occurred at Lunenburg, known as the Hoffman Rebellion. It was found necessary to send Col. Monkton with a body of regular troops to suppress the riots. Mr. Hoffman, the supposed ringleader, was brought to Halifax and imprisoned on George's Island. He was afterwards tried and sentenced to a fine of £100 or two years

imprisonment.

It may be proper to advert to the religious condition of the settlement at this period. The greater portion of the inhabitants were at this time of the Church of England. The Protestant Germans had nearly all united themselves to that Church, and sought missionaries from the S. P. G. Society.

The Rev. John Breynton succeeded Mr. Tutty in St. Paul's. In 1752, he reported that half of the population had professed themselves members of the Church, and that the actual communicants were between 500 and 600.

Mr. Breynton established an Orphan House, and the Orphan School was under his superintendence. In 1753, fifty poor children were diligently instructed. Ralph Sharrock was the school-master. In 1753, the Rev. Thomas Wood from the Province of New Jersey, was appointed to assist Mr. Breynton, and he remained jointly in charge with Mr. Breynton until 1763, when he was removed to Annapolis.

It may here be observed, that on the establishment of Representative Government at Halifax, in 1758, among the first acts of the Assembly, was that for the support of Religious Worship, which contained a clause for the free toleration of all Protestant dissenters, whether Lutherans, Calvinists, etc., completely exempting them from all charges for the support of the Established Church. By this act, the right of the parishioners of St. Paul's and all future parishes, to present their own minister to the ordinary for induction was declared, and immediately after

its publication, the parishioners of the parish of St. Paul's, in the Town of Halifax, presented the Reverend John Breynton and the Reverend Thomas Wood as joint Rectors, or "Rector and Vicar," as they were called, to the Governor, who immediately went through the form of induction, a ceremony thought necessary in order to entitle them to privileges of incumbents. The record of this fact will be found in the correspondence of the Society for the Propagation of the Gospel at that period.

During the winter of 1753-4, there had been no disturbance from the Indians, and the Government availed themselves of the opportunity of sending out proper persons to make a survey of the country around. The winter was mild and the frost not so severe as usual or of so long continuance. The valley of the Shubenacadie had been examined, but it was not found available for settlement, being the principal resort of the Indians under Cope. The Township of Lawrencetown including Chezzetcook, had also been undertaken, and further grants of land in that quarter of the country were sought for in the following spring.

The desertion of many of the lower orders of the German settlers at Lunenburg is mentioned; they appear to have gone over to the French. Governor Lawrence in his letter to the Board of Trade, August 1st, 1754, speaking of the French, says, "They have not for a long time brought anything to our markets, but on the other hand have carried everything to the French and Indians."

At this time the land was being cleared for the Battery at the

east side of the harbour, the site probably of the present eastern battery. A fort was also in progress of erection at Lawrencetown when the settlement was progressing, not having been disturbed by the Indians. This settlement had been formed by Governor Lawrence in consequence of the good meadow lands at the head of the harbour, and he granted the township to 20 proprietors and built a blockhouse for their protection. But the undertaking was not prosperous, and finally failed to answer the object intended, owing to its exposed situation and the distance from Halifax.

The arrival of the Vulture, sloop-of-war, Capt. Kenzey, from the Bay of Fundy, produced much excitement in the Town; she brought several prisoners charged with murder, who were lodged in jail to take their trial before the General Court.³³

Benjamin Street, Samuel Thornton and John Pastree, were placed on their trial for the murder of one of the midshipmen and a sailor of the Vulcan. It appeared on the trial that a schooner, of which the parties charged were part of the crew, commanded by one Hovey, belonging to Boston or some part of New England, was found trading in the Bay of Fundy and supplying the French with provisions, etc. Capt. Kenzey sent a boat aboard Hovey's shallop, under the idea that he had contraband goods on board. The crew refused to allow the man-of-war boat to come alongside, and fired into her, killing Mr. Jolly and wounding several others. Hovey, the master, appears to have gone below

³³ Mr. Nisbett was Attorney General at the time. He had been acting in that office since the Spring of 1752.

and hid himself during the whole affair. He was discovered in his berth by the officer in command of the man-of-war boat, after the sloop had been captured. This affair occurred in July, 1754, and the trial took place before the Chief Justice in Michaelmas Term of that year. This was the first sitting at which Chief Justice Belcher presided. The three prisoners were acquitted of the murder, but it would appear they were found guilty of the minor offence, as they were sentenced to six months imprisonment, and afterwards placed on board a man-of-war (1755). Joseph Hovey, the master, was discharged, the grand jury refusing to find a bill of indictment against him.

The following appointments were made by the grand jury in Michaelmas Term, 1754: Gaugers of Casks, Paul Pritchard and Lewis Piers; Surveyors of Pickled Fish, Henry Ferguson and Daniel Hills; Cullers of Dry Fish, Charles King and E. Gerrott; Cullers of Hoops and Staves, Dennis Heffernan and Benoni Bartlett; Surveyors of Lumber, etc., Joseph Scott and Joseph Marshall; Surveyors of Cordwood, Samuel McClure, Josiah Milliken and Joseph Wakefield.

On Monday 14th October, 1754, Jonathan Belcher, Esq., was sworn in Chief Justice. The Court then adjourned to the Court House, where His Majesty's Commission was read, appointing Lt. Governor Lawrence, Governor General of the province. Mr. Belcher's appointment bears date in July. At the commencement of Michaelmas Term, the following ceremonies and procession were observed, the first of the kind ever seen in Nova Scotia.

On the first day of Michaelmas Term, the Chief Justice walked from the Governor's house honoured by the presence of His Excellency Charles Lawrence, Esq., Lieutenant Governor, and accompanied by the Honourable the Members of H. M. Council, proceeded by the Provost Marshal, the Judge's tipstaff, and other civil officers, the gentlemen of the Bar attending in their gowns, and walking in procession to the long room at Pontach's, where an elegant breakfast was provided, where the Chief Justice in his scarlet robes, was received and complimented in the politest manner, by a great number of gentlemen and ladies, and officers of the Army. Breakfast being over, they proceeded with the commission before them, to church, where an excellent sermon was preached by the Rev. Mr. Breynton, from these words: "I am one of them that are peaceable and faithful in Israel." A suitable anthem was sung, after which they proceeded to the Court House, which upon this occasion was very handsomely fitted up, where the Chief Justice being seated with his Excellency the Lieutenant Governor on his right hand under a canopy, the clerk of the Crown presented His Majesty's commission to the Chief Justice, appointing him to be Chief Justice within the province, which being returned, and proclamation for silence being made, the same was read, and directions were given by the Chief Justice for the conduct of the practitioners, and the Grand Jury appearing in Court upon the return of the precept, were sworn and charged by the Chief Justice, and the business of the day being finished, the Court adjourned. His Honor the Chief

Justice, accompanied and attended as before, returned to the Governor's house. A few days after Mr. Chief Justice Belcher, the Provost Marshal, the gentlemen of the Bar, and other officers of H. M. Supreme Court, and the gentlemen of the grand jury, waited on his Excellency the Lieutenant Governor, when the Chief Justice, in his robes of office, addressed his Excellency in the name of the whole, as follows:

"Sir, – We esteem it our indispensable duty to testify our zeal, as Chief Justice, provost marshal, grand jurors, practitioners and officers of H. M. Supreme Court of judicature, for the interest of this province, and the protection of its laws, our attachment to your person, and our respect and gratitude for your eminent services, by expressing our joy in His Majesty appointing you to the chief command of this his dominion of Nova Scotia. We shall ever consider it as essential to our fidelity in the execution of the laws, to exert our most vigilant endeavors for the ease and success of your administrations, and not only to suppress any measures subversive of your consultations for the public good, but at all times affectuate the means prescribed by you for the prosperity of the province. Our solicitude for the advancement of justice under the laws, cannot be more fervently expressed, than by the tender of our ardent wishes for your being and happy continuance in the chief chair of this Government."

To which his Excellency the Lieutenant Governor was pleased to make the following answer:

"Mr. Chief Justice and gentlemen of the Supreme Court and

grand jury:

"I have the highest sense of this testimony of your zeal for the public welfare and your esteem for me. I should be much wanting in my duty if I did not embrace this opportunity of returning my thanks for the late pious, learned and eloquent charge from the Bench, and I doubt not, gentlemen, but your vigilance and fidelity in the service of your country will have its desired effect.

"While I have the power to sit in the chair, be assured the authority of Government shall be ready to support the law, for the law, gentlemen, is the firm and solid basis of civil society, the guardian of liberty, the protection of the innocent, the terror of the guilty, and the scourge of the wicked.

"Charles Lawrence."

Governor Lawrence in his letter of 12th January, 1755, says, "I am now preparing to build three batteries of 10 guns each in front of the town, and contemplate finishing them in good time. These batteries were erected along the line of the shore. The middle or King's battery stood where the Queen's wharf now is, there was another at the present Ordnance Yard, another near the site of Fairbanks wharf, and a fourth at the present Lumber Yard, which latter still remains."

The batteries along the front of the town were completed during the summer of 1755, and a plan of them sent to England in June of that year. They were twelve feet in height above high water mark, two hundred and forty feet in length, and sixty-five in breadth. The parapet raised on these was seven feet high, and

the materials consisted of logs and timber framed and filled up with gravel, stones, earth and sand. The material consisted of 9500 logs of 25 feet, 1280 tons of square timber and 25,000 tons weight of gravel and earth, the whole expense about £5,300. The work was commenced in January, 1755, and completed late in the summer. 20 guns were mounted on these three batteries in July of that year – the other batteries were afterwards added.

An attempt was made this year to involve the Government in a dispute with the Indian tribes. Paul Laurant, an Indian Chief of the Mic-Mac tribe, appeared before the Council on 12th February, 1755, and informed them that he and another Indian Chief named Algamud, had set out from Beausejour for Halifax in order to treat of peace, but that the Chief had fallen sick at Cobequid and had intrusted him with the proposals. They demanded the whole eastern section of the Province, from Cobequid to Canso, to be set apart for them as feeding and hunting grounds. Being asked what security he could give that the Indians would keep the peace, he said he could say nothing to that, being only desired to bring in the terms. The Council dismissed him with a promise of an answer in writing. An answer in writing was drawn up and signed by the Governor on 13th February, 1755, which expressed a willingness on the part of the Governor and Council to allow them such lands as would be sufficient for their purposes. It mentioned the perfidious breaches of all former treaties on the part of the Indians, and where their conduct was complained of that the

Tribes themselves had disallowed all authority on the part of their Chiefs to make such treaties, and that the Governor and Council demanded a full attendance of Chiefs before them, with full power to treat, before any further proceedings could be taken.

On the 3rd and 4th July, the Council was engaged with the French Deputies, again on 14th, 15th and 28th same month.

The defence of the settlement was the next subject of deliberation and the protection from the incursions of the French along the Bay of Fundy and from Louisburg, both nations being at the time arrayed against each other in open warfare.

On the 18th February, 1755, Mrs. Green, wife of Hon. Benj. Green, and her family, Captain Horatio Gates and Mrs. Gates, with Captain Hale and their servants and baggage, were received on board Captain Rogers' sloop for Boston. Captain Gates had been one of the Aides-de-Camp of Governor Cornwallis, he was afterwards a General in the American Revolutionary Army.³⁴

The loss of the Mars, a 70 gun ship, occurred off the harbour in May, 1755. It was in an easterly gale and supposed to be the fault of the pilot. Guns and crew were all saved. The Mars rock at the western entrance of the bay marks the spot. The guns and stores were brought to Halifax. Admiral Holborn's letter announcing the loss of the ship bears date the 28th May, off Halifax Harbour.

30th December, 1755, Montague Wilmot and Charles Morris, having been appointed to the Council, were sworn in. The other

³⁴ See [Biographical note](#) in the last Chapter.

members were John Collier, Mr. Cotterell, Robert Monkton and Captain Rous.

A number of French prizes, taken by the fleet under Admiral Boscawen, were this summer brought into Halifax. There were in these 19,998 gallons of rum and brandy.

A Mr. Ellis had for several years held the office of Governor of Nova Scotia, and received the emoluments, but never came out. Lt. Governor Lawrence received the appointment of Governor-in-Chief on the resignation of Mr. Ellis, and Colonel Monkton became Lt. Governor; their commissions were read and they sworn into office on 23rd July, this year.

The following census of the town appears to have been taken about 1755 or 1756: —

The only other event of this year worthy of notice was the following melancholy affair detailed in Col. Sutherland's letter from Lunenburg, dated 12th September. "Yesterday," he says, "I received the melancholy account of Mr. Payzant's house being burned in Mahone Bay, and that he himself and other people who

were with him, were killed by the Indians. I immediately sent out an officer and party, which returned this morning, by whom I am informed that on Payzant's Island the house is burned, he with another young man killed and scalped, a woman servant and child also killed and scalped near the water side. His wife and four children missing. The young man was son to a family which lived on Captain Rous's Island. As his hands were tied the gentlemen immediately conjectured some further mischief was done there, and on their arrival they found the man thereto belonging, likewise scalped. It appears that Captain Rous's is the most advanced settlement, that they first came there and took the boy to conduct them to Payzant's." Mr. Payzant came to this country with a strong recommendation from Mr. Pownall, secretary to the Board of Trade. The death of James Payzant, Esquire, a clerk in the office of the Secretary of State, of the age of 100 years is announced in the London Gazette for 1757. This was probably the father of the gentleman who came out to Halifax, to whom Mr. Secretary Pownall's recommendation referred.

1756. January 26th, the term of Henry Wynne and William Manthorn's licences of the Dartmouth and Halifax ferry having expired, John Rock petitioned and obtained the same on the terms of his predecessors.

On the 30th June, 1757, Lord Loudon arrived at Halifax with the troops from New York, destined for the invasion of Cape Breton.

Saturday, 16th July, 1757, His Excellency acquainted the Council that the Earl of Loudon had this day represented to him that a fever had broken out among the troops, under His Lordship's command, occasioned by the great quantities of rum that were sold to the soldiers by unlicensed retailers, and if continued must prove of fatal consequences to the service; and unless steps were immediately taken to effectually stop the same, he would feel himself justified in ordering all liquors found in the possession of such unlicensed retailers to be destroyed. The Council empowered the Provost Marshal and his deputies to enter such houses, seize the liquors and place them in the King's store until the army and navy departed.

On the 1st November, 1757, the grand jury of the County of Halifax petitioned the Governor and Council on behalf of the inhabitants of the town, that the town should be put into some state of defence "for the preservation of the place, the inhabitants, their families and effects." They stated that the property, etc., was insecure from the want of proper defences; that the people were willing to assist in the work, and intimated that if their prayer could not be heard, humbly beg that they "may immediately know it in order to take the first opportunity of conveying themselves, their families and effects, to a place of safety in some of the neighbouring Colonies." A previous petition had been presented to the Governor, to which no answer had been returned. The names attached to the petition were, Robert Saunderson, Joseph Rundell, John Anderson, Paul

Pritchard, Hugh McCoy, Joseph Fairbanks, William Schwartz, Robert Campbell, William Pantree, John Killick, John Brooks, Henry Wilkinson, Walter Manning, John Slayter, Richard Catherwood, Joseph Pierce, Alexander Cunningham, Richard Tritson, Jonathan Gifford and Benjamin Leigh.

The boundaries of the Township of Halifax were settled by order in Council 20th May, 1758, as follows: That until said township can be more particularly described, the limit thereof shall be deemed to be as follows:

To comprehend all the lands lying southerly of a line extending from the westernmost head of Bedford Basin, across the northerly head of St. Margaret's Bay, with all the Islands near to said land, together with the Islands called Cornwallis Island,³⁵ Webb's and Rous' Island.³⁶

Minutes of Council 21st June, 1758: Mr. Josiah Marshall proposed to build a workhouse, 50 feet long, 20 feet wide and 8 feet high, in the town. The timber to be laid close, with a roof double boarded and shingled; to have 4 windows on each side, each window to have nine panes of glass and three iron grates; to have a staircase in the entry and a whipping post. The building to be placed on a good dry wall. Mr. Marshall's tender for £200 sterling, finding materials and labour, was accepted.

To Charles Morris, Joshua Mauger and Charles Proctor, Esquires. "Whereas, it has been thought proper to convert to the

³⁵ Now McNab's.

³⁶ Now known as Lawlor's and Devil's Islands.

use of the public, a piece of land called Goreham's Point and the lands next adjacent, lying in the north suburbs of Halifax, formerly allotted to sundry persons, who have cleared and improved the same and erected some buildings upon them; they were directed to value the lands and proportion each owner's extent therein, and report to His Excellency. Dec. 9th, 1758."

This is the site of the Commissioners' House in the present Dockyard.

December 9th, 1758. Peter Marquis de Conte and Gravina, convicted for intent to commit rape on a child under the age of ten years, was sentenced by the Court to walk between the hours of 11 and 12 this day from the north to the south side of the Parade, and from thence to the jail with a paper placed on his breast with his crime inscribed thereon, and to be confined for three months and fined thirty pounds; to remain in jail till the same be paid. Governor Lawrence remitted the first part of this sentence. The Marquis de Conte was a Sicilian nobleman; he had been an officer in Goreham's Rangers.

December 29th, 1758. It appears by an advertisement of this date, that Governor Lawrence had wells sunk and pumps erected as reservoirs against fires, and that they had been damaged by some unknown person. His Excellency caused them to be put in repair.

Governor Lawrence, in his letter to the Board of Trade, 3rd November, 1759, mentions that the masonry of Sambro Light House had been some time finished, and that the lantern was

then in progress of erection. That a chart of the harbour was also in progress, as also proper directions for piloting in ships with safety. Copies of these directions were enclosed in his letter.

It appears that in the year 1758, the Governor appropriated out of the old crown duty money for the Light House £1,000, for the Work House £500, for the Church £400, and for the Meeting House £100.

For the Work House £5,456, for the Church £350 18s. 6d., Meeting House £174 0s. 4d., Jail £208 11s. 9d.

Captain Rous was placed in charge of the Light House, a post which he occupied for many years. This was not Captain John Rous, the member of Council, but a relative of his from New England.

21st December, 1758. The Governor and Council appropriated the sum of £400, raised by duties on liquors, towards the church in Halifax, under the direction of Benjamin Green, John Collier, Charles Morris, Robert Saunderson and Henry Newton, commissioners for that purpose.

[Extract of letter from Louisburg, June 9th.]

"Admiral Saunders, with the squadron under his command, arrived in good condition on the 21st April off Louisburg, but on account of ice blockading the harbour, was obliged to bear away on the 26th for Halifax, whence he arrived on the first of May."

June 16th, 1759. Peter Marquis de Conte and Gravini, was released from his imprisonment, he having paid his fine. This gentleman died at Halifax. His will is recorded in the probate office.

Thursday 16th August, 1759, William Cotteral, Robert Grant and Montague Wilmot, Esquires, Councillors, being absent from the Province, the Governor appointed Richard Bulkeley, Thomas Saul and Joseph Gerrish, who were this day sworn in and took their seats.

February, 1760, two Indian Chiefs attended the Council, and were presented with laced blankets, laced hats, etc. They were informed that the same would be sent to the Chief of the St. John's Indians, and that the treaty of peace would be ready to be signed to-morrow, and if the wind was favourable they should embark on Sunday.

In Council 11th March, 1760, the Governor appointed the Hon. Jonathan Belcher, Benjamin Green, John Collier, Charles Morris, Richard Bulkeley, Thomas Saul and Joseph Gerrish, Esquires, and William Nesbitt, John Duport, Joseph Scott, John

Creighton, Sebastian Zouberbuhler, Edward Crawley, Charles Proctor and Benjamin Gerrish, Esquires, to be justices of the peace for the town and county of Halifax. Charles Morris, John Duport, Joseph Scott, Joseph Gerrish and Edward Crawley, Esquires, to be justices of the Inferior Court of Common Pleas for the county of Halifax, to the several of whom His Excellency then administered the oath requisite.

CHAPTER IV

Notwithstanding the advantages held out by Government to the settlers at Halifax, and the repeated large grants of money by Parliament, the people were rapidly removing to the old Colonies. Little progress had been made in clearing the country. The fishery, one of the main inducements of the settlement, was almost altogether neglected, and the population was reduced to much less than half its original number. They subsisted chiefly on the money expended by the Army and Navy, and were dependent on Boston for their provisions and many other necessary supplies.

In 1755, Dr. Breynton, the minister at St. Paul's, estimated the inhabitants of Halifax at 1,300, eight hundred of whom professed themselves members of the Church of England; and again in 1763, eight years later, according to the Doctor's returns to the Propagation Society, the number was still found not to exceed one thousand and three hundred souls; nine hundred and fifty of them being of the Church of England, and three hundred and fifty Protestant Dissenters and Roman Catholics.

Up to the year 1757, the enormous sum of £560,000 sterling had been expended on the settlements, and though in some respects the Colony had been considered a failure, yet in a military point of view it was of incalculable importance to Great Britain, and to its position as a naval and military depot may be ascribed in a great measure the downfall of the French power in

America.

On 30th June, 1757, Lord Loudon with his transports and 12,000 regulars and provincials arrived at Halifax, and on July following, Admiral Holborn arrived with his fleet. This armament, which was destined for an attack on Louisburg, left Halifax early in August, but having proved a failure the fleet returned to England in September, but Loudon returned with his army to New York; they both left Halifax on the same day, 16th August. Holborn arrived at Louisburg on 20th, where finding the French fleet superior to his own, he continued to cruise off Louisburg harbour until 24th September, when he encountered a severe gale of wind which scattered his fleet, several ships were lost, eight sail got safe to Portsmouth, and the rest got to New York. This powerful armament consisted of 13 sail of the line – the Newark 80 guns, Invincible 74, Grafton 68, Terrible 74, Northumberland 68, Captain 68, Bedford 64, Orford 68, Nassau 64, Sunderland 64, Defiance 64, Tilbury 64, Kingston 60, Windsor 54, and the Sutherland 50, with several others which afterwards joined them, and 16 smaller vessels of war. The naval forces amounted 10,000 men, and the land forces to 12,000, six thousand of whom were provincial troops. Loudon left three regiments at Halifax, and several of the vessels remained to winter here.

In May of this year the Governor and Council offered a bounty for sowing land with grass on the peninsula of Halifax, also for the erection of stone fences around the lots, and for raising grain

and potatoes.

Loudon was succeeded in the supreme command by Abercrombie, another incompetent – a debilitated old man who remained in command for a short time. He was succeeded by Sir Jeffrey Amherst.

In the following spring about 12,000 troops arrived at Halifax, under the command of General Amherst. They were soon followed by Admiral Boscawen from England with a large fleet consisting of 23 ships of the line and 18 frigates. This great fleet arrived in Halifax harbour in May, 1758, accompanied by 120 transports. The land forces amounted to 12,260 men. On Sunday, 28th May, they set sail from Halifax, 157 vessels in all. They were met by General Amherst, with part of the force, as they went out of the harbour. Governor Lawrence accompanied the army and took command of one of the Brigades, Colonel Monkton being left in command during his absence.

After the siege, which was protracted for two months, part of the fleet and army returned to Halifax, and some of the vessels remained to refit. The colony was sacked for provisions and the town turned into a camp for the troops. A number of the provincial soldiers and others, having enriched themselves with the spoils at Louisburg, became settlers in the town. All the ammunition and stores, with a quantity of private property, were removed to Halifax, and the town once again began to assume a prosperous appearance.

This year was also memorable as the one in which

Representative Government was established in Nova Scotia. The subject of calling a Legislative Assembly had undergone much discussion. It had been represented by the Governor and Council, to the authorities in England, that such a step at that particular time would be fraught with much danger to the peace of the colony. Chief Justice Belcher, however, having given his opinion that the Governor and Council possessed no authority to levy taxes, and their opinion being confirmed in England, it was resolved in Council on 3rd January, 1757, that a representative system should be established and that twelve members should be elected by the province at large, until it could be conveniently divided into counties, and that the township of Halifax should send four members, Lunenburg two, Dartmouth one, Lawrencetown one, Annapolis Royal one, and Cumberland one, making in all twenty two members, and the necessary regulations were also made for carrying into effect the object intended.

Much discontent prevailed in the town, and also in other parts of the province, in consequence of the opposition of Governor Lawrence to the calling of a Representative Assembly. Hitherto the Government had been carried on solely by the Governor and Council, who possessed both Legislative and Executive authority. Under the Royal instructions the Governor was directed to call a Representative Assembly as soon as the circumstances of the country would permit, but the Governor was of opinion that it would be injudicious to proceed to a

popular election until the country was better prepared for it. After repeated remonstrances from the people of Halifax and some pressure from his Council, it was on the 7th January resolved in Council that an assembly should be called, and a plan was drawn up and submitted to the Board of Trade for the sanction of the home government. We find, however, that in February following it was resolved by the inhabitants of Halifax to petition the Crown against the conduct of Governor Lawrence, not only as regards his unwillingness to establish a representative government, but his oppressive and overbearing conduct in other respects to many of the leading inhabitants. This petition was entrusted to one Ferdinando Paris, a gentleman in London, accompanied by affidavits and a power of attorney, conferring on him authority to represent the subscribers before the Privy Council and the Board of Trade and Plantations. A subscription was set on foot, and about £120 sterling subscribed, to meet the expenses of the application to Government. These documents were certified by Chief Justice Belcher as authentic, on 14th March. As these proceedings bear date in February, 1757, it is probable that the resolution of the Council of the 7th January had not been made known. The petition and power were signed by the following residents of the town who reputed themselves as a committee appointed by the people for the purpose of forwarding their views: Robert Saunderson, William Pantree, Malachi Salter, Jonathan Binney, Otto Wm. Schwartz, Robert Campbell, Henry Ferguson and John Grant. These papers

were also accompanied by a copy of an address from the people of Halifax to Lt. Governor Robert Monkton, praying that certain sums of money, collected as rum duties, etc., might be expended on the fortifications of the town as a protection to the inhabitants, and offering to contribute both labour and money for the purpose. It also complains of the "miserable management of those who have had the direction of the defences." This petition bears date 19th October, in the same year. The language of one of the letters addressed to Mr. Paris, the request on the subject of the Halifax grievances and the overbearing military rule of Governor Lawrence, bespeak much excitement to have existed in the town on the subject. The feeling appears to have prevailed principally among the leading inhabitants. We find that the list above referred to was signed by Mr. Binney, Mr. Salter, Mr. Pantree, Mr. Schwartz, Dr. Grant, Mr. Saunderson, Mr. Fairbanks, Mr. Robt. Campbell, Mr. Butler, Mr. Suckling, Mr. Vanput, Mr. G. Gerrish, Mr. Gibbon, Mr. Wiswell, Mr. Mason, and many others.

On the first of November following, the Grand Jury of Halifax petitioned Governor Lawrence that some immediate steps may be taken to fortify the town so that the inhabitants might be placed in a more secure position in case of invasion. They refer to a petition presented to Lt. Governor Monkton on the same subject, to which no reply had been made, and concluded by asking that they might know without further delay what they were to expect; that if no further security is to be

provided for the settlement they may have an opportunity of conveying themselves, their families and effects to a place of greater safety in some of the neighbouring Colonies. The names of the Grand Jury were Robert Saunderson, Joseph Rundell, John Anderson, Paul Pritchard, Hugh McKay, Joseph Fairbanks, William Schwartz, Robert Campbell, William Pantree, John Killick, John Brooks, Henry Wilkinson, Walter Manning, John Slayter, Richard Catherwood, Joseph Pierce, Alexander Cunningham, Richard Tritton, Jonathan Gifford and Benjamin Leigh.

On Monday, the 2nd of October, 1758, the newly elected members met in the Court House in Halifax, pursuant to summons from the Provost Marshall; their names were as follows:

	Esquires.
	Gentlemen.

They sent Messrs. Nesbitt, Newton and Rundell, to wait on the

Governor, who sent Messrs. Morris and Green from the Council to swear them in. They then chose Robert Saunderson their speaker, which was confirmed by the Governor, who addressed them as follows: "Gentlemen of the Council and House of Representatives: His Majesty having been most graciously pleased by his royal instructions to his Governors of this Province to direct the calling an assembly of the freeholders to act in conjunction with his Governor and Council as the Legislative Authority, when such a measure should be found essential to his service; I am to assure you that it is with particular pleasure I now meet you convened in that capacity, in consequence of a plan some time since formed here for that purpose, with the advice and assistance of His Majesty's Council, and by me transmitted to the Lord Commissioner for Trade and Plantations to be laid before His Majesty for his approbation.

"Gentlemen of the House of Representatives:

"I entertain the most sanguine hopes that you are come together unanimously disposed to promote the service of the Crown, or in other words, the real welfare and prosperity of the people whom you have the honour to represent, in every point to the utmost of your authority and capacity.

"This, I presume, you will conceive is justly to be expected, not only from the immediate regard due to the Civil Rights and Interests of your constituents, but likewise from the unspeakable obligations you are under to demonstrate in their behalf your dutiful sense of His Majesty's paternal concern for the prosperity

and security of those his subjects in those distinguishing marks of his royal favour and protection which we have from time to time so happily experienced in the fleets and armies sent out for our immediate preservation when we were under the most imminent danger of being swallowed up by a merciless enemy; also in the ample supplies of money for so many years annually granted for the support and encouragement of this infant colony; and moreover still, in the continuance of His Majesty's royal bounty for that purpose, when from the seeming inclination of the inhabitants to have an assembly convened some time ago, it might have been presumed, and indeed by an article of His Majesty's Instructions, which I shall order to be laid before you, it has been judged that the Colony has become capable of providing for the necessary support of government here, as has been usual in all His Majesty's other American Dominions.

"Gentlemen of both Houses:

"As my Military occupation requires my attendance as early as possible upon the Commander-in-Chief of the Forces to the Westward, and as the Lieutenant Governor is now necessarily employed, and will be for some time to come, upon an enterprise of importance in a distant part of the province, there is not at present an opportunity of entering upon such particulars as might otherwise call for your attention; I am therefore earnestly to recommend to your serious consideration the expediency, or rather the necessity of unanimity and dispatch in the confirmation of such Acts or resolutions of a legislative

nature, as the Governor and Council under His Majesty's Royal Instructions have found expedient, before the forming of an assembly and indispensably necessary for promoting the welfare and peaceable Government of this people.

"You may depend upon it, Gentlemen, on my return to the Government you will find me perfectly disposed to concur with you in enacting such further laws, making such amendments to the present ones, and establishing such other regulations as shall appear upon more mature deliberations to be consistent with the honour and dignity of the Crown and conducive to the lasting happiness of His Majesty's subjects where I have the honour to preside.

Charles Lawrence."

The House then resolved that the members should all serve without pay for the session. The calling of the Legislature had been delayed till the autumn in consequence of both the Governor and Lt. Governor being absent with the Army at Louisburg. Governor Lawrence came up to Halifax from Louisburg specially to meet the Legislature.

The Governor in his letter to the Board of Trade about this time noticed particularly the serious effects on the settlement of the enormous importation and retail of spirituous liquors, and expressed a hope that the Legislature would check it.

On 2nd July, 1761 (second session) the House voted £50 for a public clock in the Town.

The following year (1759) Halifax was again the rendezvous

for part of the fleet and army both before and after the siege of Quebec; not a few of the more enterprising settlers followed the camp and enriched themselves during the war, Admiral Darell with 4 ships of the line arrived in Halifax Harbor in April and left for the St. Lawrence on 5th May.

At the news of the victory, the town was illuminated, and fire works, bonfires and other public entertainments lasted several days.

Between the years 1759 and 1763 the harbor had been the constant resort of the squadrons under Lord Colville and others; the place was enlivened by the presence of a large army and navy, and at the close of the war several gentlemen of condition were induced to become settlers.

Peace having been proclaimed in 1763, the 28th day of December of that year was solemnized at Halifax as a day of thanksgiving on account of the termination of the war. Though the town possessed all the advantages to be derived from the presence of the naval and military forces, the resident population did not increase. From the notitia parochialis of the Rev. Dr. Breynton, the Rector of St. Paul's, the number of inhabitants in the town did not exceed 1300 souls. However, in 1769, six years after, the Doctor makes the following return: Inhabitants in and about Halifax including Garrison, Acadian French and fishermen, by the late public survey 5000 souls, of which 200 are Acadians and 55 protestant dissenters. The number of births that year was 200 and the deaths 190.

Among the local occurrences of the year 1759, was the trial of Thomas Lathum, baker, for the murder of Lieutenant Collins of the Royal Navy. It appeared that Mr. Collins, Captain Sweeney, Doctor Johns, Mr. Fulton and others of the Navy, had been sitting at the house of one John Field, and late in the evening proposed to go out in search of some women with whom one of them had made an engagement. They knocked at the door of one Hewitt, and inquired for Polly. On being refused admission, it appeared that Thomas Lathum, the brother-in-law of Hewitt, who lived in the neighbourhood, hearing the noise, came to his own door and demanded of the gentlemen in the street whether they intended to rob Mr. Hewitt. They replied that they were gentlemen and not robbers. Some further words provoked a scuffle, in which Fulton was dragged by Lathum into his house. The affair terminated in Lathum discharging a gun after the party, and mortally wounding Collins. Captain Sweeney had previously called the guard, who shortly after the affair arrived and took Lathum into custody. Lathum was tried on the 24th April, 1759.

The names of the grand jury, who found the bill of indictment, were Michael Francklin, foreman, Charles Proctor, Abraham Bowyer, Walter Manning, James Quinn, Nathan Nathans, J. Pernette, John Craig, Terrence Fitzpatrick, John Kerby, Jonathan Pierce, James Porter, Henry Sibley, J. Flanagan, Michael Moloney, Robert Cowie, Charles Terlaven, Jonathan Gifford and James Browne.

On the 11th March, 1760, the following gentlemen were appointed Justices of the Peace for the county of Halifax, viz.: The Hon. Jonathan Belcher, Hon. Benjamin Green, Hon. John Collier, Hon. Charles Morris, Hon. Richard Bulkeley, Hon. Thomas Saul, Hon. Joseph Gerrish, William Nesbitt, John Duport, Joseph Scott, John Creighton, Sebastine Zouberbuhler, Edward Crawley, Charles Proctor and Benjamin Gerrish, and on 30th December following, Malachi Salter, Alexander Grant, Johnathan Binney and John Burbidge were added to the number. Messrs. Morris, Duport, Scott, Gerrish and Crawley were appointed Justices of the Inferior Court of Common Pleas.

Governor Lawrence, who had been for 7 days ill, died of inflammation of the lungs on the morning of the 19th October, 1760. The Council were immediately summoned, and Chief Justice Belcher sworn in to administer the Government. A question had arisen on a previous occasion, between Mr. Belcher and Mr. Green, as to the eligibility of the Chief Justice to the office of administrator of the Government, which was decided in favour of the Chief Justice, but some years after, the question was determined by the British Government declaring that the two offices of administrator of the Government and Chief Justice, should never be held by the same person.

It was resolved in Council, that the funeral of the late Governor should be at the public expense, and a monument to his memory was afterwards voted by the Assembly to be placed

in St. Paul's Church.³⁷

The funeral of Governor Lawrence took place on the Thursday following, 24th October, at 4 p. m. The procession began from Government House as follows: —

The Troops in Garrison, the Military Officers, two field pieces 6 pounders, the Physicians, the ministers, the corpse in a coffin covered with black velvet, and the pall, to which were affixed escutcheons of His Excellency's arms, supported by the President and the rest of His Majesty's Council.

The Mourners, the Provost Marshall, the House of Assembly, the Magistrates, the Civil Officers, the Freemasons and a number of the inhabitants. The Bearers, Clergy, Physicians and all Officers, Civil and Military had linen and cambric hat-bands.

The corpse was preceded near the church by the orphans singing an anthem. The pulpit, reading desk and the Governor's pew, were covered with black and escutcheons, and a most pathetic Funeral Sermon was preached by the Reverend Mr. Breynton, Rector of the Parish, after which the corpse was interred on the right side of the Communion Table.

Minute guns were fired from one of the batteries, from the time the procession began, until the interment, when the whole was concluded with three volleys from the troops under arms.

The Supreme Court, which began on Tuesday following, was

³⁷ The inscription to be placed on this monument is given at full length in the Gazette of that day, but it was not to be found among those which cover the walls of old St. Paul's. There is, however, an escutcheon with the arms of Lawrence on the east gallery.

hung in mourning and escutcheons.

The following fulsome eulogium, to the late lamented Governor, appeared in the newspapers of the day: "The Lieutenant Governor was possessed of every natural endowment and acquired, accomplishment necessary to adorn the most exalted station, and every amiable quality that could promote the sweets of friendship and social intercourse of human life.

"As Governor, he exerted his uncommon abilities with unwearied application, and the most disinterested zeal in projecting and executing every useful design that might render this Province and its rising settlements flourishing and happy. He encouraged the industrious, rewarded the deserving, excited the indolent, protected the oppressed and relieved the needy. His affability and masterly address endeared him to all ranks of people, and a peculiar greatness of soul made him superior to vanity, envy, avarice or revenge.

"In him we have lost the guide and guardian of our interests, the reflection on the good he has done, the anticipation of great things still expected from such merits, and circumstances which, while they redound to his honour, aggravate the sense of our irreparable misfortune."

About the end of October, Commodore Lord Colville arrived in the harbor with the Northumberland and three other ships of the line and several frigates from Quebec. The Sloop-of-War England also arrived from England with dispatches and next day sailed for Louisburg and Quebec. Several transports also came

in about the same time with Col. Montgomery's Highlanders to relieve the two battalions of the 60th Royal Americans.

Among the advertisements in the Halifax Gazette of 1st November, 1760, is the following:

"To be sold at public auction, on Monday the 3rd of November, at the house of Mr. John Rider, two Slaves, viz.: a boy and girl, about eleven years old; likewise, a puncheon of choice old cherry brandy, with sundry other articles."

1759. Among the town officers nominated by the Grand Jury this year were, John Fillis, Richd. Wenman, Richd. Gibbon and Wm. Schwartz as Commissioners of the poor for the town.

Surveyors of Highways, Chas. Morris, Esq., Chas. Proctor, Esq., Mr. Wm. Prescott and Mr. John Rider.

This year an Act of the Legislature was passed to regulate the Sambro Light House at the entrance of Halifax Harbor, which had been erected the previous year at the expense of £1000. The Work House was also erected this year. Firing guns within the town and peninsula was forbidden in 1758 under a penalty.

The accession of King George the Third was proclaimed at Halifax on the 11th February, 1761, with great ceremony. The proclamation was first read at the Court House door,³⁸ then at the north gate of the town,³⁹ at Government House, at the south

³⁸ Now Northup's corner, Buckingham and Argyle Streets.

³⁹ At this period there was a fence on the north side of what is now called Jacob St. and a gate near the opening of Brunswick St., in front of the North Barrack old parade, some say further north.

gate,⁴⁰ and lastly on the Parade, where the troops were drawn up and a salute fired by the artillery. Lord Colville's fleet being in the harbour at the time, "each ship fired a Royal Salute, beginning with his Lordship's flagship the Northumberland."

The order of the procession on this occasion was as follows: – 1st, A Company of Grenadiers; 2nd, Constables of the Town; 3rd, Magistrates; 4th, Civil Officers of Government; 5th, Constables; 6th, The Provost Marshall with two deputies on horseback; 7th, a Band of Music; 8th, Constables; 9th, The Commander-in-Chief of the Province, the Honorable Jonathan Belcher, with Admiral Lord Colville and Colonel Foster, commandant of the Garrison, and the members of His Majesty's Council; 10th, the Speaker and the members of the House of Assembly, followed by the principal inhabitants. At three o'clock the company waited on the Commander-in-Chief at Governor Lawrence's head tavern, where a very elegant entertainment was provided for them, and after dinner His Majesty's health was drunk under Royal Salute from the Batteries, also other toasts, and the evening concluded with great rejoicings and illuminations, bon-fires and artificial fire works, played off by the Royal Artillery. A sermon was afterwards ordered to be preached (13th February, 1761) in St. Paul's Church, on account of the decease of the late King, and all public amusements were

⁴⁰ The situation of the south gate is uncertain: there were several south gates. It was along Salter Street, probably in a line with the old forts known as Luttrell's and Horseman's Forts.

ordered to cease for one month from that day. The 17th was accordingly set apart and the sermon preached by the Rev. T. Wood, the Curate. Part of St. Paul's church was hung in black, and minute guns were fired for an hour and a half, and the flags on the Citadel and George's Island were half-mast during the day.

On the 11th day of February, 1760, two Indian Chiefs of the Passamaquoddy and St. John River tribes, came to Halifax with Colonel Arbuthnot and appeared before the Council, and by their interpreter, settled with the Governor terms of peace, renewing the Treaty of 1725 and giving hostages for their good behaviour. At their request truck houses were established at Fort Frederick. Benjamin Gerrish, John Collier and Thomas Saul were appointed a Committee to prepare the Treaty in French and English, which was to be taken back with them to be ratified by their tribes. It was arranged that Colonel Arbuthnot should accompany them, and that they should be sent back at the public expense, after which His Majesty's health was drunk and the Chiefs returned to the quarters assigned them by the Governor. On the 13th the Treaty was ratified in Council and the Indians and the Governor and Council settled the table of the prices to be established at the truck houses. The Indians stated that the number of their tribes, men, women and children, was about 500. During the sitting of the Council on the 13th, Roger Morris, one of the Mic-Mac Indians, appeared and brought with him three Frenchmen who were lately arrived from Pictou, and another Indian called Claude Renie, who said he was Chief of the Tribe of Cheboudie

Indians. He stated that he had left 70 of his people at Jeddore; the men were out killing moose and their families were in want of provisions. It was arranged that provisions should be sent to them and that the men should forthwith come up and conclude a peace.

Treaties of peace were afterwards concluded on 10th March following with three Mic-Mac Chiefs, viz., Paul Laurent, chief of the Tribe of LaHave, Michael Augustine, chief of the Tribe of Richibucto, and the before-mentioned Claude Renie, chief of the Cheboudie and Musquodoboit Indians; the treaty was signed in Council on that day and they received their annual presents. Another treaty of peace was signed in Council on 15th October, 1761, with Jannesvil Peitougawash, Chief of the Indians of the Tribe of Pictock and Malogomish, and the merchants and traders were notified that the Indian trade to the eastward would be thrown open under regulations in the following spring. The following summer Joseph Argunault, Chief of the Mongwash Indians, with a number of followers, appeared before the Council and executed a final Treaty of peace. The members of Council and Legislature, with the Magistrates and public officers, attended on the occasion.

The Abbe Mallaird being introduced, interpreted the treaty to the Chief, who was then addressed by the Hon. Mr. Belcher, the Commander-in-Chief. The treaty was respectively signed by the Commander-in-Chief and the Indian Chief, and witnessed by the members of the Council present, the Speaker of the

Assembly and Mr. Mallaird.⁴¹ The Chief then addressed Mr. Belcher in the following manner: That he had formerly paid obedience to another King, but that he now acknowledged King George 3rd for his only lawful Sovereign, and vowed eternal fidelity and submission to him; that his submission was not by compulsion, but that it was free and voluntary with his whole heart, and that he should always esteem King George 3rd as his good father and protector. That he now buried the hatchet in behalf of himself and his whole tribe, in token of their submission, and of their having made a peace which should never be broken upon any consideration whatever. The Chief then laid the hatchet on the earth, and the same being buried the Indians went through the ceremony of washing the paint from their bodies, in token of hostilities being ended, and then partook of a repast set out for them on the ground, and the whole ceremony was concluded by all present drinking the King's health and their Haggas. This ceremony is said to have been performed in the Governor's garden, westward of the old English burial ground, where the Court House now stands. Benjamin Gerrish, Esquire, was appointed Commissioner of Indian Affairs, and additional truck houses were built and other arrangements made throughout the Province for more effectually carrying on the Indian trade.

On the 30th December, 1760, Malachi Salter, Alexander Grant, Jonathan Binney and John Burbidge were appointed

⁴¹ Note. – This document is not to be found among the papers preserved in the Secretary's office at Halifax.

Justices of the Peace for the Town of Halifax. Mr. Burbidge was a member of Assembly; he afterwards removed to the country and settled in Cornwallis township, where his descendants now remain.

The French having invaded the British settlements in Newfoundland, and captured the fort of St. John, a council-of-war was called at Halifax, for the purpose of consulting on means of the defence of the town in case of an attack. This Council was composed of Lt. Governor Belcher, Col. Richard Bulkely, Halifax Militia, Major General Bastead of the Engineers, Col. William Foster, Lt. Col. Hamilton, Lt. Col. Job Winslow, and the Right Honorable Lord Colville, commander-in-chief of the squadron. They met on the 10th July, 1762, and continued their sittings until 17th August. They recommended to Government the embodying a portion of the militia force, and that the Batteries on George's Island, Fort George, Point Pleasant and East Battery should be put in repair and guns mounted, and the erection of such works around the town and at the Dockyard as might be considered necessary for the protection of the place. The whole to be placed under the superintendence of General Bastead of the Engineers. Some of the old works were put in repair and others added on this occasion, but the cause of alarm having subsided, further expense was deemed unnecessary.

At the first settlement it had been found necessary to occupy not only every elevated position in the vicinity, but also large spaces around the town as at first laid out, for the purposes of

defence and other military objects. After the necessity for those defences had ceased, it frequently occurred that the military commanders would lay claim to the grounds as military property, and in this way obstacles had continually arisen to the extension of the town, a grievance which has continued to be felt until the present time. Those whose duty it was to plan and lay out the town appear to have been guided more with a view to the construction of a military encampment than that of a town for the accommodation of an increasing population. The narrow blocks and small dimensions of the building lots have been found to be a continual drawback on the comfort, the health and the convenience of the inhabitants, and of late years these inconveniences have been severely felt in the business parts of the city. This, however, was not the case in laying out the north and south suburbs; here the lots were of ample dimensions, and though the streets were not of the width frequently met with in modern cities, yet of sufficient dimensions to ensure comfort. It is to be regretted that the town and city authorities, during the last 35 years, have not, as in other places, exerted their authority in the arrangement and laying off of building lots, and by wholesome regulations, prevented the crowding of buildings on pieces of land not sufficiently deep to admit of proper ventilation. It is also a matter of the utmost importance to the future welfare of the city that those lands now in the hands of the military and naval boards in various directions around the city which are not immediately required for military works should be

handed over to the Civil Government for public promenades and other useful purposes.

July 18th, 1768. The Chiefs of the tribes of Indians of St. John's River, named Pierre Thomas and Ambroise St. Aubon, appeared before the Council with the following requests: They said the use of rum and spirituous liquors was too common among them, and requested that a remedy might be thought of to prevent it. They also required lands for cultivation, and that they should not be required to bear arms in case of war with any of the European powers. That some further regulations of prices in their traffic should be made, and several other matters, all of which appear to have been granted them. They desired to return home as soon as possible, that their people might not be debauched with liquor in the town.

This year (1768) Mr. Joshua Mauger retired from the office of Agent of the Province in London. Mr. Mauger came up from Louisburg with the army and resided in the town as a distiller of rum, and followed the camp for several years. He received grants of land from the government in various parts of the province. The bench at the south-west extremity of Cornwallis Island, now known as McNab's Island, was named after him. Mr. Mauger was afterwards elected a member of the British Parliament.

In the month of May of this year was presented to the Legislature the celebrated revolutionary document known as the Massachusetts or Boston Letter. This was a letter addressed by Speaker Cushin of the House of Representatives at Boston, to

the Speaker of the Assembly in Nova Scotia. It bears the date February 11, 1768, and was on the subject of the differences existing between the British Government and the American Colonies, then on the eve of revolt. This letter is couched in very moderate but firm language; it appears to have been received, however, with great indignation by the House, who declined to have it read. A memorial was presented to the Governor and Council in March, 1767, by Colonel Dalrymple, then commander of His Majesty's troops at Halifax, complaining of the undue occupation of grounds about the town, on which there had been palisaded forts and lines of defence. It appeared that Governor Lawrence had granted certain small tracts of land on which a palisaded line of defence had formerly been, and that such tracts of land could not be supposed to come into use on any future occasion for fortifications. That Colonel McKellan of the Engineers had advised the situation of the Work House with an enclosure, in the front of said line, and that a whole bastion of two curtains of Lutterell's fort were covered by it, and that Governor Lawrence had further laid out more of such grounds on which part of the palisading of Horseman's Fort formerly stood, all of which it appeared he did by an undoubted right of the power given him by the King's Commission, to erect and demolish fortifications, and therefore to convert the ground to other uses, it being no more serviceable for the former purposes. But it also appeared that none of the Barracks were ever granted or admitted into private occupation. That Governor

Lawrence had admitted the occupation of some of the ground reserved for fortification, on condition it should be surrendered when the King's service should again require it, by which it was evident that the King's rights in their lands had been sufficiently secured. Horseman's fort occupied the ground in the vicinity of the present Roman Catholic Cathedral. Lutterell's fort stood where the old Poor House and County Jail formerly stood. In June, 1763, the Council recommended the Governor to make a grant of the Common for the Town of Halifax to trustees for the benefit of the inhabitants. The Trustees were John Collier, Charles Morris, Richard Bulkeley, William Nesbitt, Charles Proctor and Richard Best. Some question having arisen as to the limits of the common, the Council were unanimously of the opinion that the lands which had been granted without the town were not within the limits of the Common as appeared by the plan thereof laid before the Lords of Trade, and which had not been disapproved of by their Lordships. No copy of this plan is now to be found.

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