



The Historical Society of St. Catharines

P.O. Box 23104, 124 Welland Ave., St. Catharines, Ontario, L2R 7P6

Founded in 1927. Our Mission and Goal is to increase the knowledge and appreciation of the history of St. Catharines and vicinity.

Our Society is affiliated with the Ontario Historical Society.

Our website is: <http://stcatharineshistory.wordpress.com/>

June 2009 Newsletter

33rd Annual Oille Fountain Potting Ceremony

Saturday, May 23 - 11:00 a.m.

Plan to attend this special Society event to be held at the Oille Fountain located at the corner of King and James Streets in downtown St. Catharines. Descendants of the OILLE family are invited to attend. A geranium will be planted in the urn atop the fountain.

Thursday, May 28 – 7:30 p.m.

Society Lecture by Sharon M. Chandler, Jim Lawrason and Ellin Landale - topic: "Air Commodore Len Birchall" – to be held at the St. Catharines Museum.

William Hamilton Merritt Birthday Commemoration

Friday, July 3 – 7:00 p.m.

The Society will commemorate the July 3rd birthday of William Hamilton Merritt with a short ceremony to take place at the Merritt Statue at the corner of St. Paul Street and McGuire Street. A post ceremony function is also being planned.

At the Annual Meeting, the following were elected to the Board:

Your 2009 Board of Directors of the Historical Society of St. Catharines

President - John Burtniak - tel. 905-227-5120

Past President - Bill Stevens - e-mail bibmstev@computan.on.ca - tel. 905-934-8966

Vice President - Paul Lewis - e-mail paul_e_lewis@ridley.on.ca - tel. 905-684-9918

Secretary – Elizabeth Finnie – e-mail finnies@sympatico.ca - tel. 905-684-4416

Treasurer - Chris Loat - e-mail chris_loat@ridley.on.ca - tel. 905-685-6939

Director - Membership - Mary Leighton - e-mail Leightonbarry@yahoo.ca - tel. 905-934-7733

Director – Publicity - David Sharron – e-mail david_sharron@hotmail.com - tel. 905-684-5355

Director - Director - Joe Muskat - tel. 905-687-3359

Director – John Calvert – jcalvert57@hotmail.com – tel. 905-228-3188

Director – Gail Benjafield – egailb@sympatico.ca – tel. – 905-685-6039

Note: Your membership is now valid for an additional 8 months! - see page 2 for details

The Society gratefully acknowledges the support of the Ontario Ministry of Culture.

Membership Notes:

*** Constitution Amendment**

At the Annual Meeting held on April 23 the following amendment to the constitution was approved:
Article 4.0 Membership

4.2 "The Membership Year is September 1 to August 31"

Note: the Fiscal Year will remain the calendar year.

* **Membership Dues** – as a result of the recent Constitution Amendment shown above, the Board of Directors has decided that membership dues received for the calendar year of 2009 will be extended to include January 1 to August 31 of 2010. Renewals will be requested in the June 2010 *Newsletter* for the 'new' membership year September 1, 2009 – August 31, 2010.

* **Special Thanks** to Brenda, Paul and Maurice for their years of service to the Society as Board Members. Special thanks also to Herb Harder for his valuable assistance at the meetings.

* **Early Bird Winner** - Membership renewal Early Bird Winner was John Jackson.

* **Happy Birthday** - Congratulations to our member Harry James who turned 100 last February!

* **September Program** – Our speaker for the September 24 meeting will be Wesley Turner.

In Memoriam

The Society was saddened by the passing of member Donald Baird on March 18. Our sympathy is extended to his wife Joan and their family. Donald was a regular at our meetings and will be missed. Donald was a surveyor by occupation and was the Land Registrar for Niagara North prior to retiring.

Meeting Report of February 26 - The Myth of Laura Secord by Alun Hughes

(Abbreviated from report by David Sharron found on the Society's web site)

Professor Alun Hughes of Brock University methodically retraced the famous and heroic trek of Laura Secord using primary evidence in an effort to remove the myth and to uncover what most likely happened on that historic event. Visit the Society web site to read the rest of the report. Attendance: 67

Meeting Report of March 26 - The Datebooks of Ransom Goring by Mary Friesen

(Abbreviated from report by David Sharron found on the Society's web site)

Mary Friesen introduced the Society to the Goring family of Niagara. Mary has written a book entitled "*Renascetur: The Datebooks of Ransom Goring*". Renascetur was the family's motto and means "They will rise again" in Latin. Visit the Society web site to read the rest of the report. Attendance: 41

Meeting Report of April 23 – The Home Front by Graham Phair

We thank Graham for filling in on short notice due to our scheduled speaker being unable to attend. Graham's marvellous power point presentation featured scenes from the *Standard* collection dealing with Home Front activities of the Second World War. Once again prior to the meeting, members were able to view the latest Museum exhibit. Visit the Society web site to read the rest of the report. Attendance: 36

Newsletter Notes

The Historical Society of St. Catharines *Newsletter* is published up to 4 times per year by the Society. The purpose of the *Newsletter* is to inform the membership of issues pertaining to the Society and items of historical interest. Comments and queries should be directed to the Society postal address. Opinions and comments expressed in the *Newsletter* are those of the writer and do not necessarily reflect those of the Society. Subscription by paid membership only. Bill Stevens produced this issue.

Next Issue: September 2009 - Deadline for submissions for the next issue is August 1, 2009.

The Boundary Waters Treaty

Recognized as the world's first environmental agreement and a model of bi-national governance, the 1909 Boundary Waters Treaty continues to guide the Governments of United States and Canada in this joint Stewardship of trans-boundary natural resources. The legacy of progressive co-operation and the priceless shared water for which the Treaty was negotiated will be the focus of the Centennial Celebration of the Boundary Waters Treaty, the main celebration day to be Saturday, June 13 at Niagara Falls. Niagara was one of just two areas specifically mentioned in the 1909 treaty. More historical information and an extensive list of activities on both sides of the border can be found at the following web site:

www.oursharedwaters.com

Here are just a few of the events taking place during Boundary Waters Week of June 5 – 14, 2009

June 5 – World Environment Day

June 5 - Onghiarra Environmental Film Festival, Niagara on the Lake, Ontario www.onghiarafilmfest.com

June 5 – 7 – “Bridge to Bridge” – *A Tent Chautauqua*, including “Dining on the Docks” – Heritage Arts Fort Erie

June 5 – 7 – *Mysteries of the Great Lakes* – IMAX Theatre, Niagara Falls, Ontario

June 9 – Binational Tourism Alliance Launch of the water-themed 2009 ‘Doors Open’ at the Buffalo Canoe Club (location tent) with Boat Dance, Fort Erie, Ontario www.btapartners.com

June 11 - International Joint Commission Remedial Action Plan (RAP) Assessment Workshop (evening) – Niagara Falls, Ontario www.ijc.org

June 11-13 – UN Association of Canada hosts a Model IJC at Niagara University, Lewiston, New York

June 12 - Canada Post BWT100 Stamp Ceremony Niagara Falls, Ontario

June 12 - SUNY-Buffalo Conference -- “Beyond the Boundary Waters Treaty: Governance, Ecosystem Management and Connecting Channels” www.law.buffalo.edu/baldycenter

June 12 – IlluminAqua – an evening concert set on a floating stage – pods of fire illuminating the old Welland Canal – Merritt Island, Welland, Ontario www.illuminaqua.com

June 13 - Centennial Celebration: 1909 Boundary Waters Treaty!

* 10:00 a.m. – Ceremony on Rainbow Bridge, Niagara Falls
* 1:00 p.m. – 4:30 p.m. and 7:30 p.m. – 10:00 p.m. – Entertainment on the Centennial stage at Oakes Garden Theatre, Niagara Falls, Ontario

* noon – 5:00 p.m. – Environmental Fair at Oakes Garden Theatre, Niagara Falls, Ontario

* Guided Hike in the Glen – registration required – Niagara Parks Commission www.niagaraparks.com

* Hydro Heroes Quest to Quench World Thirst Bike Ride, Toronto to Niagara Falls Ontario www.hydroheroes.com

* 10 pm - Falls Fireworks Finale

June 13 - Welland Dragon Boat Festival, Welland Recreational Waterway, Welland

June 14 - Miss Buffalo Nature Cruise and Buffalo Lighthouse Tour www.penndixie.org

June 14 -15 - United Nations University – International Network on Water, Environment and Health Lake Twining Second Policy Workshop, Niagara Falls, Ontario www.inweh.unu.edu/inweh

Looking Ahead... On Wednesday, May 12, 2010 the Stadacona Band (Atlantic) will visit St. Catharines as part of the program “Sailors and Songs” - A Musical Tribute to a Century of Canadian Naval Service. The traveling musical road show plans to bring 105-minutes of large-scale musical entertainment to 53 towns and cities across Canada between April and November 2010. Canada's Navy has been a national institution for 100 years and has impacted the lives of citizens from sea to sea to sea. This musical tour will seek to rekindle these relationships and build new ones.

Some Summer Events of Historical Nature

June 20 - Laura Secord Day at the Homestead in Queenston, regular admission charge, first-person performance of Laura's wartime experience

June 21 - Heritage Designation of St. John's Anglican Church Cemetery. Located on Main Street at corner of Cole Farm Boulevard in Port Dalhousie Ward.

June 27 - The 18th Annual Laura Secord Walk – by the Niagara Bruce Trail Club – walk from Laura Secord's homestead in Queenston to DeCew House. Details can be found on web site <http://people.becon.org/~nbtc>

June 29 - Lecture by Corey Burant: "*Lake Gibson Corridor Development*"
Followed by the Annual Pie Social – by Thorold and Beaverdams Historical Society
Meetings commence at 7:30 pm and are followed by refreshments. Admission is *free* and a warm welcome is extended to all. Chestnut Hall is located at 14 Ormond St. N. next to the Thorold Public Library (parking in the rear). For further details call: (905)984-4435

July 1 - Canada Day Celebration at Fort George
Activities all day beginning with breakfast and ending with fireworks over Fort George

July 5 - Chippawa Battlefield Memorial Service – 5:30 – 6:30 p.m - free - at Chippawa Battlefield

July 5 - Celtic Gathering – Mather Arch, Fort Erie – details on www.friendshipfestival.com

July 8 - At five minutes and six seconds after 4 a.m. on the 8 th of July this year, the time and date will be: <u>04:05:06 07/08/09</u> - this will never happen again!
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July 18-19 - Echoes of Niagara's Past: A Timeline weekend at Fort George
Be part of over 200 years of Niagara's military history and heritage as living history re-enactors take the stage. From Loyalist soldiers to those of WWII, visitors can experience the sights and sounds of Canada's military past.

July 25 - 10th Anniversary of the St. Catharines Dragon Boat Festival, Henley Island, Port Dalhousie (races from 9 a.m. to 6 p.m.) For more information contact the St. Catharines Museum at 905-984-8880 Ext. 400 or go to the web site www.stcatharinesdragonboat.org Volunteers are always welcome.

July 26 - 12:30 p.m. – Lundy's Lane Battle Commemorative Service at Drummond Hill Cemetery, Niagara Falls. Annual commemorative service honouring those who lost their lives in the Battle of Lundy's Lane. Refreshments at the Battleground Hotel, across the street (Lundy's Lane).

July 31 through August 3 - Canal Days Marine Heritage Festival – Port Colborne

August 8 & 9 - Old Fort Erie – 1814 Siege of Fort Erie - Witness the battles of 1814 which turned Old Fort Erie into Canada's bloodiest battlefield. On going events throughout the weekend at Canada's largest 1812 re-enactment. Camps and Fort Open for 10:00 a.m. each day - Camps and battle free to the public. Admission to Fort is Regular Admission Price: \$9.25 Adults; \$5.25, Children 6-12; 5 and under Free.

August 15-16 - Fife and Drum Muster and Soldiers' Field Day at Fort George - a gathering of military musicians who demonstrate their expertise of music from the past. Various visiting music corps join our very own Fife and Drum Corps to provide a weekend full of entertainment. This weekend also features a competition of military skills of the Infantry and Artillery from Fort George and other historic sites. For more information, contact Parks Canada at 905-468-6614. Regular Admission fee.

Pensioners of the War of 1812

In 1875 the Canadian Parliament voted to distribute \$50,000 in \$20.00 increments to all Canadian militia veterans of the War of 1812 who were still alive and residing in Canada. Of the approximately 2554 eligible recipients, who applied, the following veterans are shown as living in St. Catharines.

(first line) name - age in 1875 - residence - 1812-1815 rank - corp or division

BESSEY, John – age 79 - St. Catharines - private - Lincoln

Land Claim Certificate notes that he served in the Flank Co. 1st Regiment Lincoln Militia.

Born in Niagara and in the census of 1871 - 21 (A) Grantham Township - age: 74 – religion: NC – origin: English – occupation: farmer. Married on 04 December 1844.

He died 28 April 1885 in Grantham and is buried in Old Section ‘F’ Victoria Lawn Cemetery – Monument Inscription: John BESSEY 1797 – 1885 / His Wife Magdalene SMITH 1793 – 1872

HARTWELL, Joseph K. - age 79 - St. Catharines - private - Leeds

Land Claim certificate notes that he served in the Flank Co. 2nd Regiment Leeds Militia.

Census of 1871 - 021 (B) St. Catharines – age: 74 – born: USA – religion: EP – origin: English – occupation: labourer. In the 1875-76 Directory for St. Catharines he is listed as Col. Joseph K. HARTWELL living at 16 Yates Street. Burial: unknown

HAYNES, Adam – age 79 - St. Catharines - private - Lincoln

Born in 1796. Census of 1871 - 21 (D) Louth Township –age: 72 – born: Ontario – religion:

Wesleyan Born Methodist – origin: German – occupation: farmer. Adam was the son of Adam a U.E. Loyalist and his wife Elizabeth FROELICK; Adam married Magdalene SCHRAM.

Burial: Maple Lawn Cemetery, Third Street, Louth – Inscription: Adam Haynes died Feb. 23, 1884 – 88 y’rs 2 mo’s & 19 days

HILL, Solomon – age 82 - St. Catharines – private - 4th Battalion

Census of 1871 -21 (B) St. Catharines – age: 63 – born: Ontario – religion: PR – origin: English – occupation: INS Manager

Land Claim certificate notes that he served in the 2nd Flank Co. 4th Regiment Lincoln Militia
Burial: unknown

JONES, William – age 78 - St. Catharines, Private, 1st Lincoln

Census of 1871 -21 (A) Grantham Township - Jones William F. – age: 73 - born: Ontario – religion: Wesleyan Methodist – origin: English – occupation: farmer. His wife’s name was Elizabeth. Burial: unknown

OUSTERHOUT, Henry – age 79 - St. Catharines - private - Lincoln

Census of 1852 (the surname is spelled OSTERHOUT – born: Upper Canada – occupation: farmer. His wife’s name was Hannah. Burial: St. David’s United Church Cemetery – Monument Inscription: OSTERHOUT, Henry d. Nov. 3, 1875 Age 80 y’rs.

TINLIN, James - age 84 - St. Catharines - 1st Lincoln

Land Claim certificate notes that he served in the Flank Co. 1st Regiment Lincoln Militia
Census of Louth Township in 1852 shows him as a carpenter, born in Scotland. His wife’s name was Margaret COON. Burial: unknown

Note: Government Sessional Papers of 1877 show JONES and OSTERHOUT as dead and not receiving their \$20.00.

Honour Roll of Members of the St. Catharines Sports Hall of Fam

1990

Jack Gatecliff, Walt McCollum, Rudy Pilous, Ashton Morrison, Roy 'Pung' Morton, Stan Mikita, Peter Neumann, Leroy Pickard

1991

Rex Stimers, Lloyd Alguire, Vic Teal, Bill Whitaker, Jack Lowrey, Neil Campbell, Gerry Cheevers, Dennis 'Duke' Diggins

1992

Tom Garriock, Marianne Allen, George 'Mooner' Manoogian, Douglas 'Percy' Favell Sr., Joseph Thomas James 'Joe' Cheevers, Brian Cullen, Warren Dell

1993

Craig Swayze, George Howard, Bill DeMars, Joe & Rose Engemann, Peter Cameron, Bobby Thorpe

1994

Walter Marsh, Jim Minards, George 'Toughy' Hope, Frank 'Geezil' Madsen, Douglas Cove, Christine Jurgenson, Marilyn Bodogh

1995

Angie Pastore, Doug Favell Jr., Ed Dixon, Frank Martin, Fred Conradi, Joe McCaffery, Douglas J. 'Ozzie' Hill, Bill 'Whitey' Frick

1996

Peter Bicknell, Marty Calder, Steve Oneschuk, Wendy Wiebe, Wilfred Garrett, Alen Kellogg, Tim Rigby, Marg Schram

1997

Susan Erskine, Edgar L. 'Ed' Moir, George Stauffer, Davey Moore, Helen Chyplik, Edward 'Ted' Howe, Douglas Court

1998

Joan Gray-Brunshaw, Harvey Hutcheon, Jack Rountree, Bill Sadler, Ross Wilson, Elmer Vasko, J. Stan Elliott, David Howes, Benny Newman, Armand Difruscio

1999

Chris Critelli, Marvin Edwards, Carl 'Gus' Madsen, Ivan Little, Douglas McNichol, Ronald French, John Newman, Dale House

2000

WBC Burgoyne, Brian Bellows, Gerry Hinton, Hector Pothier, Mike Martyk, Jim Lamore, Ted Collins, Jerry Fitzgerald

2001

Harry Edmonstone, Jim McNulty, Gil Boa, Karen Strong, Jim Robertson, Dennis Hull

2002

James Douglas, Ken Hodgkins, Bob Davis, John Stevens, Harry Argent

2003

Clint Page, Chester Warchol, David Dore, Bill 'Lefty' Allen, Virginia Thompson

2004

Tom Smelle, Carl Smelle, Donald 'Nip' O'Hearn, Craig Woodhouse, Levio 'Red' Ferracuti

2005

Bob Luey, Jimmy Joy, Terry O'Malley, Doug Robinson, Al McDonough

2006

No inductees

2007

Peter Berge, Gloria Campbell, Dean McBride, Rob Stoddart, Hap Walters

2008

Ken Croft, Norm Defelice, Bob Gear, John Mouradian, Neil Stevens

2009

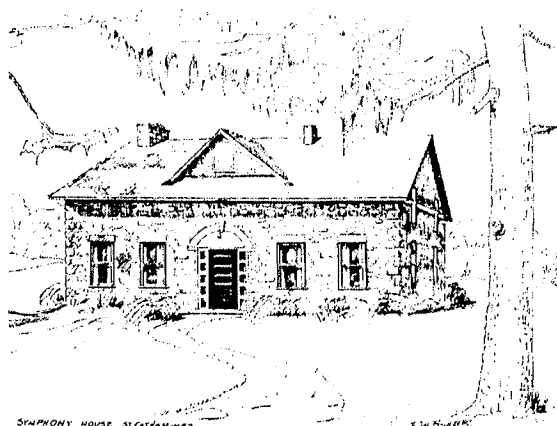
Bruce Erskine, Mariane Groat, Robert 'Buff' McCready, George 'Clicky' Taylor, Mark Walters

Looking back... with Alun Hughes

THE THEAL HOUSE AT BROCK UNIVERSITY

The old stone house lies directly ahead as you enter Brock University from St. David's Road. It's a small building, partly obscured by trees, and easy to miss as the road sweeps by to the right. Indeed, many people who work at Brock don't seem to be aware of its existence. Yet this is by far the oldest structure on campus, and it is one of the oldest buildings in St. Catharines.

For many years the house was called Symphony House, this for the St. Catharines Symphony, which was a tenant in the 1970s. Before that it was variously known as the Turney House, Wright House or Field House. But it is now officially called the Theal House — appropriately so, for it was almost certainly built by one Samuel Theal, and the Theal family lived in the house for several decades.



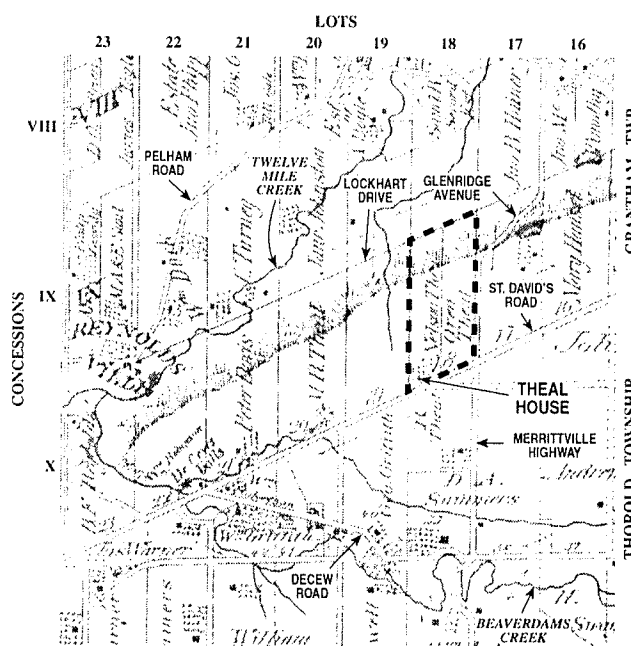
The Theal House in 1976, by R.W. Fisher

The Theal House Neighbourhood

Several Theals are named on the map opposite, a composite of the Grantham and Thorold township maps from Page's *Illustrated Historical Atlas of the Counties of Lincoln & Welland*, published in 1876. The house is shown nestled in an orchard facing St. David's Road, in the western half of lot 18, concession 10 of Grantham (the highlighted lot). The owner is Nelson Theal, grandson of Samuel. His brother Oren has the eastern half, and an uncle Moses Richard Theal has lot 20 to the west. Another Theal, possibly a third brother Richard, has the northern half of lot 39 in Thorold to the south.

The area shown on the map has changed dramatically since 1876. The bulk of Brock University's buildings now occupy lots 18 and 19, and other university buildings are located on the east side of Glenridge Avenue in lot 17. Brock's playing fields lie in lot 20, and a major parking lot occupies part of lot 39 in Thorold.

The land south and west of the campus has also changed significantly. What was once the broad shallow valley of the Beaverdams Creek above DeCew Falls is now largely under water. In the late 1870s the creek's lower reaches were flooded to create collecting ponds for the new St. Catharines Waterworks, and in the early 1900s two huge reservoirs — Lake Moodie and Lake Gibson — were established to store water for the DeCew Generating Station at Power Glen (labelled by its former name Reynoldsville on the map).



The Theal House neighbourhood in 1876

The hydro reservoirs had a major impact on St. David's Road, which the map shows running all the way westward to DeCew Falls. In 1876 it was part of a continuous route linking the Niagara River at Queenston with the Short Hills. It was also the boundary between Grantham Township to the north and Thorold Township to the south, and between Lincoln and Welland Counties. Today it separates the Cities of St. Catharines and Thorold. It is no longer a through route, however, for it was sliced in two by an expansion of Lake Moodie in the 1940s. Today only the Osage Orange trees that flank what is now in part a dirt road hint at its former status.

The Beginnings of Settlement

If the landscape has changed a great deal since 1876, it also experienced major changes before then. When European settlement began in the late 1780s the area was a forested wilderness. It was also uninhabited, for the native Neutral Indians had been

wiped out by the Iroquois over a century earlier. The only recognizable features on the map would have been the Niagara Escarpment, the Twelve Mile and Beaverdams Creeks, and the old Indian trails now followed by Pelham and DeCew Roads.

The defeat of the British in the American Revolutionary War had created an urgent need to provide land in the Niagara Peninsula for the many Loyalist refugees, discharged soldiers, former Rangers and loyal Natives congregated along the Niagara River. The authorities responded with a 21-month program of surveys, commencing in June 1787, to divide the land into townships and the townships into 100-acre lots. Grantham Township, with its distinctive parallelogram-shaped lots, was laid out by Daniel Hazen early in 1788, and Thorold was surveyed by Augustus Jones later that year.

The lots in Grantham were arranged in rows or concessions, numbered south from Lake Ontario, which places the Theal house in lot 18 of the 10th or southernmost concession. The original owner of this lot, and lot 19 to the west, was George Turney, who had served as a cadet with Butler's Rangers in the Revolutionary War. Though he did not receive legal title to the land (in the form of a Crown patent) until 1799, his name appears on maps in the early 1790s, and he no doubt "owned" the land, probably by virtue of a Land Board certificate, from that time.

It is not likely that he lived there, however. At first he probably resided at the nearby Turney family homestead in lot 22 of concession 9, and soon after marrying in December 1801 he moved to land he had been granted in the north-east corner of Thorold Township. In 1805 he sold lots 18 and 19 in Grantham, while retaining his Thorold land.

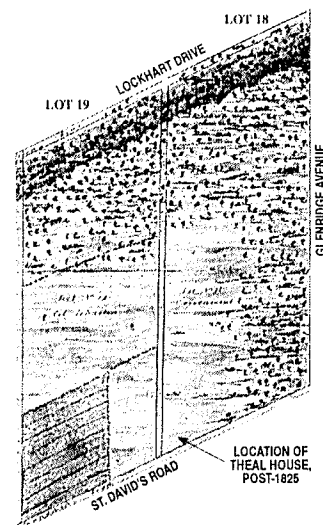
The buyer was Thomas Lane, who financed his purchase by taking out a mortgage, with Turney as mortgagee. Lane already owned 150 acres of adjoining land in lots 19 and 20 of concession 9, and the new purchase gave him a total of 350 acres. Where he lived is unknown, but it was most likely on his existing land below the Escarpment. Certainly there is no evidence of anyone living on lots 18 and 19 in concession 10 until much later.

Treason in the War of 1812

From this time on these lots have a very convoluted history, because when the War of 1812 broke out in June of that year Thomas Lane turned traitor and fled to the United States. Given that Lane's land is presently occupied by Brock University, named in honour of Upper Canada's great hero in the War of 1812, this has to be considered somewhat ironic. (It would be even more ironic if Lane had enlisted in the American army and shot the fatal bullet that killed Isaac Brock at the Battle of Queenston Heights, but evidence for this flight of fancy is non-existent.)

Lane was American born, and was considered a traitor because he had sworn an oath of allegiance to the Crown and had obtained land as a result. There were hundreds more like him, and in 1814 the government responded with legislation declaring those who had fled the province "to be aliens born, and incapable of holding lands," which meant that their property was to be forfeited to the Crown.

The total amount of land confiscated was almost 45,000 acres, roughly equal to the combined areas of Grantham and Thorold Townships. After the war this had to be returned to private ownership. Overseeing the process were the Commissioners of Forfeited Estates, a five-member board created by act of the legislature in 1818. The Commissioners were to prepare a register of those who "wickedly and traitorously [adhered] to the enemies of His Majesty," make an inventory of the forfeited lands, investigate and assess any claims others might have on the lands, and finally dispose of them by public auction, the proceeds to be used to compensate those who had suffered losses during wartime.



Detail of Johnston's map of 1822 showing lots 18 and 19

Lots 18 and 19 were auctioned separately. The first to go was lot 19, which was sold in 1820 to Alexander Wilkinson of Cornwall, who also acquired most of Lane's land below the Escarpment. Two years later Wilkinson resold to Colonel William Johnston, an Englishman whose regiment (the 68th Foot) was stationed at Fort George. That same year Johnston commissioned a detailed large-scale plan of his land, surveyed and drawn by Claudius Shaw. Lot 18, though it did not belong to Johnston, was included in the map, and marked as government property. Then in 1829 lot 18 itself was auctioned to merchant William Woodruff of St. Davids.

There ensued, on both lots, a period of great confusion as to who rightfully owned what. The problems were greatest on lot 19, but the emphasis in the remainder of this essay is on lot 18 containing the Theal House.

Samuel Theal

The sale to Woodruff in 1829 must have seemed straightforward enough, until it was discovered that lot was already “owned” by someone else! This was Samuel Theal, who claimed to have purchased the lot in 1825 from George Turney Jr., son of the original patent-holder. (The elder Turney, a Captain in the Lincoln Militia during the War of 1812, had been killed at the Battle of Chippawa in 1814.)

We know something of Samuel Theal from a petition for land submitted to the Lieutenant-Governor in 1818. In this Theal says he was born in the Province (later the State) of New York. (From other sources we know that the place was probably Westchester County and the year 1764.) His father had fought for the Crown in the Revolutionary War as a Captain in DeLancey’s Corps, and was killed in action. Samuel himself had also served, but having allied himself with the losing side had to relinquish most of the family property, which he said was of “considerable value.”

He came to Upper Canada in 1811, and was promised land by none other than Isaac Brock, who was then serving as President (or interim Lieutenant-Governor) of the province. A condition was that he had to fetch his family first, which he did the same year. But then the War of 1812 intervened, Brock was killed and nothing was done. Samuel served in the militia during the war, and was still without land when it ended, though in 1818 at the time of the petition he was living somewhere in Grantham.

The outcome of the petition is unknown, but it is known that on January 6, 1825 George Turney Jr. transferred ownership of lot 18 to Samuel Theal by deed poll, for a payment of £25. Interestingly, the legal instrument recording the transaction describes Theal as now being a resident of Thorold, but again no details are given.

Unravelling the Confusion

How could all this happen? How could George Turney Jr. sell lot 18 to Samuel Theal in 1825 when his father had sold it to Thomas Lane in 1805 and it had later been confiscated by the government? And how could the Commissioners for Forfeited Estates auction off that same lot to William Woodruff in 1829 when it was on record as having been sold to Samuel Theal four years earlier?

The source of the problem was the original Turney-Lane transaction of 1805, for there were serious concerns regarding its validity. There were four issues in particular: firstly, the instrument of sale had been lost, probably when the district record office at Niagara was burned in 1813; secondly, Lane may have paid off very little of his mortgage debt to Turney; thirdly, Turney’s widow had not signed a dower renouncing her claim; and finally,

no proof existed that Turney had ever transferred the title deed to Lane. It did not help that neither of the principals was around to provide answers, Lane having fled the country and Turney having been killed in the war.

Sufficient doubt existed to persuade the younger Turney that lot 18 was rightfully his as his father’s legal heir, to dispose of as he wished. And so he sold to Theal. His motive was clear — he needed money to buy alcohol. He was known to have a drinking problem, and in 1828 even applied for a tavern license because he was “inconvenienced” by not having one. By 1830 he was in prison for debt, this despite the fact that four years earlier he had sold his Thorold land to his brother John for the handsome sum of £500.

Matters obviously came to a head when the Commissioners sold lot 18 to Woodruff in 1829. It was recognised that Theal might have a valid claim, and in 1830 “An Act for the Relief of Samuel Theal” was passed by the legislature allowing him to “traverse an inquisition” (that is, to challenge an investigation, most likely that which led to the confiscation of Lane’s land in 1817). He was successful, and in March 1831 the Commissioners sold him the lot for the token amount of 5 shillings.

WHEREAS under the operation of an Act of the Parliament of this Province passed in the fifty eighth year of His late Majesty’s Reign, entitled, “An Act for vesting in Commissioners the Estates of certain Traitors,” and also the Estates of persons declared Aliens, by an Act passed in the fifty-fourth year of His Majesty’s Reign, entitled, “An Act to declare certain persons therein described Aliens, and to vest their Estates in His Majesty, and for applying the proceeds thereof towards compensating the losses which His Majesty’s Subjects have sustained in consequence of the late War, and for ascertaining and satisfying the lawful debts and claims thereupon,” the Estate in One Hundred Acres of Land, being Lot number Eighteen, in the Tenth Concession of the Township of Grantham, in the District of Niagara, originally granted to George Turney, of the said District of Niagara, deceased, and since sold by George Turney, eldest Son and Heir at Law of the said George Turney, deceased, to Samuel Theal, of Grantham, in the said District of Niagara, claiming to be the legal proprietor thereof, has been vested in the Commissioners appointed under and by virtue of the said Act, and sold by them as therein directed as the property of one Thomas Lane, who withdrew himself from this Province during the late War with the United States: *And whereas* the said Samuel Theal has by his Petition set forth that the said Lot never was in the Seizin of the said Thomas Lane, but that the same has been returned through mistake from its contiguity to the property of the said Thomas Lane: *Be it therefore enacted* by the King’s Most Excellent Majesty, by and with the Advice and Consent of

Portion of the Act for the Relief of Samuel Theal

The decision was good news to George Turney Jr., for it vindicated his sale of lot 18 to Theal. He concluded that he was now free to sell lot 19 also, and two months later, in May 1831, he did just that. This time, however, things were not so simple, for the Commissioners had already auctioned off lot 19 and it now belonged to William Johnston. But with Johnston having returned to England, Turney saw his chance and “sold” the lot to Walter Dittrick, who just happened to be renting the land from Johnston! The situation in lot 19 was very complex and dragged on for many years, culminating in a judicial inquiry in 1860 which found for the Johnston family. From this we learn key facts about what transpired in both lot 19 and lot 18. As for George Turney Jr., he is believed to have died in 1833 at the young age of 30; drink was probably a factor, but we have no way of knowing for certain.

The Building of the House

This brings us back to the Theal House, and the question of who built it, and when. As previously indicated, there is no evidence of anyone living on lot 18 prior to the War of 1812, and nothing would have been built when it was under government control. The house has to postdate Samuel Theal's acquisition of the land in 1825. Two pieces of evidence support this conclusion.

The first relates to the younger Turney's sale of his Thorold lands and his sale of lots 18 and 19 in Grantham, both of which involved roughly the same acreage. The Thorold sale, which included a house, netted him £500, but the Grantham lots went for a mere £85, suggesting strongly that there was no house involved. The second is the fact that no house is shown on lot 18 on William Johnston's detailed 1822 map of his estate (though buildings do appear elsewhere on the map).

In 1834, three years before he died, Samuel Theal transferred ownership of the lot to his son Zalmon, but there is no mention of the house in the instrument of sale. This in itself is not unusual, but the absence of the house from Tremaine's large-scale *Map of the Counties of Lincoln and Welland* in 1862 is somewhat puzzling. Zalmon Theal's will makes clear that he was living in the house when he died in 1869, and of course it appears on Page's map of 1876. This suggests that the house may have been built by Zalmon Theal in the mid sixties, but other evidence suggests a much earlier date.

Census returns show Samuel Theal living in Grantham in 1828, and family tradition says it was on lot 18. While this could have been in a log cabin, evidence from the Theal House itself suggests that this was his home. Of the original house only the outer walls remain today (at some point the interior was gutted by fire). But independent assessments carried out by two expert architectural consultants, Peter Stokes and Jon Jouppien, point to an early construction date, the former to pre-1850 and the latter to pre-1840. We can therefore conclude with some confidence that it was Samuel Theal who built the house, probably soon after 1825, and that its absence from Tremaine's map was an oversight.

The Theal House is one of the area's oldest examples of domestic architecture. While there are older houses around, like the John Brown House on Pelham Road and the Anthony Upper House on Lundy's Lane, they are all much "grander" than the Theal House, which Jon Jouppien has described as "a fine example of the art of our vernacular, 19th century, Niagara rubblestone work." The stone may well have been hauled from the Escarpment by Samuel Theal himself, possibly from the quarry that once existed above the waterfall at the rear of the Schmon Tower.

There is another old quarry on the Brock campus, now occupied by Facilities Management, and this too owes its origin to a Theal. When Zalmon Theal died in 1869 lot 18 was split between his sons Nelson and Oren, as shown on the Page map, and in 1875 Nelson initiated excavation of the quarry for the manufacture of lime and cement, though the work was done by others under a lease arrangement.

The Brock Connection

There is more to the Brock connection than the obvious fact that the Theal House is located on the university's property, for Theal family members remained in the house until 1909, and between them owned more of Brock's land for a longer period than anyone else. Not only that, the person who first proposed the establishment of a local university was a direct descendant of Samuel Theal, namely his great-great-granddaughter Florence Egerter. It was she who drafted the key resolution passed by the Allanburg Women's Institute in 1957 asking "the Provincial Government to favourably consider the placing of a University" in the Niagara Peninsula.



John Robarts, Premier of Ontario, Florence Egerter, Emma Bearss, and Arthur Schmon, Chair of the Brock University Founders' Committee, at an inaugural dinner in 1963

In 1966 there occurred what was called "the first ceremonial use" of the Theal House, the presentation to the university of a miniature painting of Isaac Brock by the Province of Ontario. Since that auspicious start the house has had a chequered existence, and only a few years ago the university administration evicted the last occupants and mused about tearing it down. While this is no longer a threat, the house remains empty, its long-term future uncertain. It is hoped that Brock will both recognize this important part of its heritage and find a fitting new use for the only campus building that dates from the same era as the university's namesake.

Principal Sources (in addition to those cited in the text): *Statutes of Upper Canada*, 1814-33; Registry Office land documents, 1799-1909; *Report, Commissioners for Forfeited Estates*, 1829; *Grantham Township Papers*; *Thorold Township Book*; Grantham and Thorold township plans; Nahri, *Early Niagara District Court Records*; Brock University fonds; Dittrick, Theal, Turney and Woodruff family records; Esther Summers files.

Credits: Theal House drawing (*Centennial Symphony Of Cooking*); Johnston map and dinner photo (Brock University Special Collections)

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