

J-Bundle 11
No. 41

Canada Land Petitions, "J" Bundle 11, 1816-1819
(R.G. 1, L 3, Vol. 296)

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To His Excellency, Major General, Sir
 Peregrine Maitland, K. C. B. Lieutenant
 Governor of Upper Canada &c. &c. &c.

In Council,

The Memorial of George Johnson of Kaldimand
 County of Wentworth and District of Gore, Gentleman
 son of the late Sir William Johnson, Baronet deceased
 humbly sheweth, that a farm lot adjoining to the
 northernmost limit of the Town of Kingston, com-
 mencing at a Stone boundary on the bank of the river
 Cataragui, at the northeastern most Angle of a Town
 lot marked A, then west sixty four perches to a Stone
 boundary, then North thirty perches, to a Stone boundary
 then West, One hundred and thirty Six perches, to the
 Public road, adjoining the Easternmost line of the
 Township of Kingston, then North, Eighty one perches
 to a Stone boundary, first at the South Western most
 angle of Lot A^o 1, on the west side of the river Cataragui
 then East two hundred and twelve perches to the Bank
 of the River Cataragui, then Southwedy, along the shore,
 to the place of beginning, containing One hundred and
 sixteen acres be the same more or less, was granted in
 fee to Magdalen Ferguson late wife of John Ferguson
 of the Town of Kingston, Esquire, and daughter of
 the late Sir William Johnson; that the said

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Said Magdalen Ferguson has lately deceased, without leaving, or ever having had issue, and not having disposed of the whole of said land; that this Memorialist is the oldest and only brother of the said Magdalen Ferguson both being children of the same father and mother; and the Memorialist ought therefore, to inherit the said Estate of his said sister, as her heir; but the marriage of their said Father and Mother, although acknowledged and avowed by them, and conformable to the usages of the Nation to which she belonged, was defective in point of legal form, so that the Memorialist, however equitably entitled, cannot, according to the strict rules of law, take the said Estate, by descent, as legal heir of his ^{deceased} said sister, but the land reverts, of course, to the Crown, for want of Heir.

The Memorialist, however, is confident, that His Majesty's Government will not take advantage of a defect in the legality of the marriage of his parents, to deprive him of his inheritance, and resume the land so granted in fee as aforesaid, but that they will, on the contrary, be disposed to confirm his equitable title to the said land, and suffer it to continue in the family: —

wherefore he humbly prays Your Excellency to grant and confirm the said farm of land to this Memorialist, his heirs and assigns forever, allowing nevertheless the use of the said land to John Ferguson aforesaid

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the surviving husband of the said Magdalen Ferguson,
during his natural life, and saving to any and all
persons any legal right to any part or parcel of said
farm by virtue of any Grant or Conveyance, which
the said Magdalen Ferguson and her said husband may
according to law, have made in her life time. —

And as in duty bound, Your Excellency's Me-
morialist will ever pray.

Geo. Johnson

Nelson, District of Gore
September 1st 1818

In presence of us
Robt M Tibbin
J. Braut

I Certify that the above named George Johnson,
is the oldest, and only brother, of the late Magdalen Ferguson
above mentioned, and is the person he describes himself to be.

Robert M Tibbin

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J 11.
Petition of
George Worsell
Entered in Land Book T
pages 463 & 466

Read in Council
14 Oct. 1818.

Referred to the Survey
General to Report
By order
J. Small

By the Midland Commission in
1797 a lot adjoining the
north end of the Town of Kingston
was allowed to John Ferguson
and in the year 1798 a descrip-
tion issued for it as contg 116 acs.
By an order in Council of
the 8 July 1801. was granted
to

to Mrs. Magdalen Ferguson
"a lot adjoining the Town of
Kingston - contg. 116 acs,
"originally made out in the
"name of John Ferguson"
"which deed is ordered to be
"cancelled" -
wherefore a description
issued under the last
mentioned order, in the
name of Magdalen Fergu-
son, for the said 116 acs,
bounded as set forth in
this Petition -

Sp. Secy. J. A. Dickson
14 Oct 1818
Read again
same day
Cant. & printed.
J. M.

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