

# An Incident on a Survey of 1807

BY R. F. MUCKLESTON, P.Eng., O.L.S.

**"Being despised by the party left the same on the 4th of May 1807"**

This is the last line in a diary written by a Party Chief, having the official title of Chain Bearer, by the name of Cyrus Marsh during the survey of the Township of Pittsburgh in 1807. The surveyor in charge was Reuben Sherwood who had arrived, at the age of ten, with his U.E. Loyalist family in the County of Leeds on the St. Lawrence River in 1784. His family was the first to settle in Leeds County.

In the 1790's, Reuben Sherwood trained with a surveyor in Albany, New York and returned to Canada in 1799. His first contract for Township subdivision was performed in 1806 when he subdivided the two Townships of North and South Crosby on the Rideau Lakes north west of Brockville. The following year he received the contract to subdivide the Township of Pittsburgh, now the Townships of Pittsburgh and Storrington, lying east of Kingston. The survey instruments used were, naturally, the Compass and Gunter's chain, the lot corners being marked by blazed trees.

Mr. Sherwood hired William Graves, Jonathan Rogers and Cyrus Marsh as Chain Bearers who were required to keep diaries of the daily events as well as keeping the field notes.

Reuben lived in the Township of Elizabethtown just east of what is now the City of Brockville. Upon receiving the orders to subdivide the Township of Pittsburgh, he travelled to Montreal, some 135 miles to the east, to hire French-Canadians as axemen. Extracts from his diary start the story:

— On Tuesday the 17th day of February — Pursuant to orders received from the Acting Surveyor-General I commenced raising a party to execute the survey of the Township of Pittsburgh. Jacob Fowler and Noah Lee entered as axemen. In the afternoon left home with my sleigh and horses for Montreal to get some Canadians for axemen.

— Wednesday, 18th of February — On the road to Montreal. In Matilda engaged Cyrus Marsh as a chainbearer.

— Thursday, 19th of February — Travelling on towards Montreal against a bad snow storm.

— Friday, 20th of February — Arrived at Montreal about 2 o'clock P.M.

— Saturday, 21st of February — Engaged five Canadians named Henrie Quenomblogue, Jean-Marie Hupe, Frederique Tim, Bonaventure LaValle and Louie Joseph Starm, and had them sign indentures

more engagements to work thro the survey of the Township of Pittsburgh in the capacity of axemen at the office of A. Grey, Notary Public.

— Sunday, 22nd of February — Canadians started forward for Elizabethtown.

— Monday, 23rd of February — On the road for Elizabethtown.

— Tuesday, 24th of February — On the way home from Montreal.

— Wednesday, 25th of February — Arrived at Elizabethtown in the forenoon.

— Thursday, 26th of February — Mr. Marsh arrived to join the party and in the afternoon the Canadians came quite leg weary.

— Friday, 27th of February — Engaged Jonathan Rogers in the capacity of chain-bearer — then went to the mills to pack flour with some of the men and set others to assist at my house to bake a quantity of biscuit.

— Saturday, 28th of February — All hands employed in arranging their snowshoes, axe, bags, etc.

— Monday, 2nd of March — About 9 o'clock in the forenoon began the march for Pittsburgh. The Chain-Bears with me in one sleigh and Mr. Marshall driving another sleigh loaded with our baggage and provisions. The rest of the party on foot. The travelling very heavy on account of a considerable fall of snow the preceding day and night. The party mainly lodged at Hutchinson's Inn, Yonge — I lodged at Baldwin's in Lansdowne.

— Tuesday, 3rd of March — A cloudy morning the travelling exceeding heavy. The party did not overtake me this day. I left my load of baggage at the house of John Ryder Sr. in the Third Concession of the Township of Pittsburgh and went in to Kingston and lodged.

— Wednesday, 4th of March — I returned to Mr. Ryder's with a barrel of pork I purchased in Kingston — found all the party there except Mr. Fowler who had not yet arrived.

— Thursday, 5th of March — Sent Mr. Rogers with four Canadians to open the western boundary line from the road in the front of the Third Concession to the lake shore. The party were not able to trace the old boundary line after they came within about a mile of the lake shore.

(The first three Concession of the Township of Pittsburgh had been surveyed in 1787 and Reuben was required to survey the remainder of the Township. This accounts for his reference to the old boundary line and front of the Third Concession.)

Cyrus Marsh enlarges on the happenings of the journey to Pittsburgh. The story begins to unfold in the following extracts from his diary:

— Monday morning 2nd March — a fine clear morning, the snow about 2 feet deep. Started from home with the following party Jonathan Rogers and Cyrus Marsh, Chain-Bearers, Jacob Fowler, Louis J. Starm, Henrie Quenomblogue, Jean-Marie Hupe, Frederick Tim. Mr. John Marshall with another sleigh, Mrs. Sherwood, Clara and Betsy Bissell in company all in good health and excellent spirits. Heavy travelling. Monday night stayed at Baldwin's tavern after a very disagreeable day's travel. The remainder of party not being able to reach so far by 7 miles owing to the heaviness of the road.

— Tuesday morning, 3rd March — Hazy morning — waited for some sleighs to open the road they being much drifted. Arrived at Captain Jone's where Jonathan Rogers, Cyrus Marsh were sworn as Chain-Bearers at half past 10 o'clock a.m. in which room we see a natural chimney formed in a rock by nature with no artificial alterations and which answered the purpose extraordinarily well — 12 o'clock cloudy and like for rain.

— Tuesday night stayed with Mr. Sherwood and his wife at Robert Walker's tavern, Kingston and returned to Mr. John Ryder's at 3 o'clock where we found the remainder of our party. Weather hazy and much like for rain.

— Wednesday — Received same day one barrel of pork of Esquire Marshall and returned to Ryder's and found the remainder of our party and not being able to fit all matters to our mind we shall dispense with the same until time.

— Thursday, 5th — Clear morning. Mr. Sherwood busy in arranging business in Kingston. Started from town half past two, returned to Kingston and brought 112 lbs. of flour. Returning after to George Kilburns. Mr. and Mrs. Sherwood took a ride in a sleigh with me to Sam McLean's. The colt which we had in the sleigh caused Mrs. Sherwood to leap over the back of the sleigh twice but through the goodness of Providence she arrived safe in due time at Mr. George Kilburn's.

— Friday, 6th — Clear morning. Started from Joseph Bissell's and came to Mr. Ryders'. Nothing particular occurring this day excepting a number of falls which I received owing to my being unacquainted with snowshoes but had the good luck to keep way with old snowshoe men but much

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fatigued at night.

— Saturday, 7th — Clear morning. Started from John Ryder's with Mr. Rogers — brother chainman — and brought up our chain to said Ryder's at four o'clock p.m. and found Mr. and Mrs. Sherwood and Mrs. Bissell on their way to Elizabethtown.

— Sunday morning, 8th — Hazy and very likely for rain. Mr. Rogers and myself not being able to prevail on the Frenchmen to go on the line on account of their religion — and to mend the matter they all went a'hunting. Mr. Rogers and myself went to Kingston to meeting and happened to meet Mrs. Walker in good health. Half pound pepper bought of Mrs. Ryder, price 4/4. One pound tobacco for Mr. Rogers 2/8.

— Monday morning, 9th — Cloudy morning very like rain remain cloudy and wet. But in the rain started on the line from John Ryder's and opened the chain 157 chains after being much bothered in finding the course between 3 and 4.

— Tuesday 10th — Clear morning. Went on the line and on tally 17 found a small brook. We camped at sunset where for this first time in my life I took my blanket and lay down on some hemlock boughs where I spent a very disagreeable night on account of my indisposition and the thickness of the branches we lay on.

— Wednesday morning, 11th — Clear and pleasant. We continued on north line. Returned to camp in evening. Found Mr. Fowler with a good kettle of pea soup which relished very well after a hard day's work and no dinner.

— Sunday, 15th — Clear morning. Hands at Mr. Keller's. Mr. Sherwood gone to Ryder's and Mr. Rogers in the woods a'hunting deer. Mr. Rogers and myself went to Mr. Franklin's. Breakfasted with Mr. Sherwood and by his request went to Mrs. Ryder's. After much persuasion had the good luck to set the old Methodist with all her goodness to bake two ovens full of biscuit which Joseph brought to Keller's and desirous to show Mr. Graves a sketch of the Town which we are now surveying (he being a hand which joined the party yesterday) but the old Dame said Mr. Sherwood had ordered Mr. Rogers to keep the keys and said Rogers had left them in her hands and between the two I had no access to the trunk.

— Thursday morning, 19th — Marsh fined to get oven wood. He agrees to the sentence without murmuring but the best of the joke is not yet known to them and "as Hattie says" never won't. Then . . . in the Fifth Concession Mr. Sherwood and Mr. Rogers being in rear of the party Mr. Jule Sherwood, (Reuben's dog) wishing to do something to please his poppa, he took to the bush and killed a large buck which Mr. Rogers, Jean and Frederick brought

to our camp at sunset on Loughborough Lake.

— Saturday morning, 21st of March, . . . poor Jule had the ill luck to get badly wounded by a Portupeak (Alias) hedgehog, as a compensation to the faithful dog Mr. Rogers and myself and two of the party went and killed the above named animal and one of our Frenchmen is now a 'singeing his feathers.

— Thursday, 26th of March, — A fine morning. Mr. Rogers not yet returned from Mr. Ryder's Roused the party at sunrise to make ready for our departure to the north. Mr. Sherwood's tooth cured instantly by the following curious antidote. Instead of metallic points it was cured by seeing a number of very funny foot races on snow shoes by Marsh and the Canadians and no doubt the sport was a infinite service to Marsh as he feels quite another person this morning.

— Saturday, 28th of March — A pleasant morning. The spirit of shoe-making rages to that degree that Mr. Sherwood has already taken an apprentice. Viz Mr. Graves and thinks he is very tractable, no doubt the enterprising spirit which now prevails will in the course of this survey prove very beneficial to the party.

— Monday morning, 30th of March — Louie Joseph Starm and Frederick Tim just returning from Mr. Ryder's with provisions, which came very fortunately as we were entirely out and we have been obliged for several days to do as in the days of old, when a little leaven leaveth the whole loaf and a few peas has made a whole pot full of soup. But now stand; pea soup, for you are a dead man.

— Tuesday morning, 31st of March — A very snowy, tedious morning . . . Mr. Rogers and myself discovered a small pond of water about 1 acre in circumference to the south of the line with a very curious outlet in the rock, about 80 feet in length and about six feet in width and height and a natural bridge of rock o'er our line to pass, said water falls into a deep valley below running to the north east. Continued snowing all day. Snow fell on the lake about 15 inches. We all remained in camp and had a very disagreeable day.

— April 1st, Wednesday — A hazy day. The bushes very much loaded with snow, a very dreary prospect for our business this day. Mr. Rogers and the hands went on the line, the day proving very tedious especially for the season of the year, Mr. Sherwood and myself stayed in camp all day, did some mending, fitted our camp to prevent its smoking which had, for 24 hours almost put our eyes out, but at present it is very comfortable. About sunset Mr. Rogers, Mr. Graves came to camp. Jean and Henrie returned before night owing to the tediousness of the weather. Mr. Sherwood not being contented without showing some of his native skill has following the trade of his countrymen

and with a very dull axe and a common knife made a very curious spoon without any other pattern than barely the outlines of the Canadians mouth for whose use he intended the spoon.

Reuben Sherwood's entry for April 1st is very interesting since it indicates the hardships that the survey party was now undergoing:

— Wednesday, 1st of April — A clear morning — the woods most terribly loaded with snow; my Frenchmen almost out of their wits for fear they should starve to Death in the woods the snow being then near four feet deep on a level and the last light snow of yesterday on top of the crust fifteen inches deep — I sent the party on to continue the picket line due east and every step they went in to their knees snowshoes and all — In the afternoon the wind blew snow from the trees so that they were obliged to return to camp — and I had work to content their minds and make them believe we should be able to compass the outside round of the Township before we should starve to Death having at this time but three days provisions with us.

And now returning to March's diary:

— Friday morning, 3rd of April — Cloudy. The bushes are very much loaded with snow. The bushes full of snow/The morning hazy/All things go very slow,/ The party being so lazy. . . left our chain and went to Mr. Sweet's, got in at dusk. Mrs. Sweet had the goodness to give Mr. Sherwood, Mr. Rogers Mr. Graves and myself a good cup of tea which, after a trip of about 15 days, was a cordial to our weary limbs. We had a very hard day's work over rocks and ledges such as I never wish to explore again. However we have such a party of enterprise on our survey, that under the tuition of our friend Mr. Sherwood, we have all branches of the most fashionable kinds agoing forward. Such as Suwarrow, Moccassens, Suwarrow spoons and Mr. Sherwood not being able to keep away with the fashions of the Town, until! What do you think was Suwarrow'd next? Why, gentle reader, I will rather than to keep you in suspense sell you a pair of the most elegant Suwarrow snow shoes and do you think that our friend had not the policy to get a good day's work done by his chainmen instead of about two miles they chained above 5 miles? The plan was this. He placed the Suwarrow's on Bonum and he sent on to follow us, rather than to be overtaken we exerted ourselves to the utmost which brings us to Mr. Sweet's to keep this night.

Note: After much research I have been able to discover that Suwarrow was a form of boot made by the earlier settlers. It will be noted that the form of Marsh's Diary is beginning to change and he begins to write long passages of verse.

— Saturday morning, 4th of April — . . . Mr. Rogers and myself went to the  
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Indian Camp, left our snowshoes for Daniel to repair. (disappointments) First — road longer then we expected. Second — No squaws handsome enough to kiss. Third — Mr. Rogers found a hedgehog in a log on his way to the line this morning which he intended to have feasted upon to-morrow but alas! Peter's squaw was to nimble for him; for while we were chaining up, the Suple savages had espied out poor Portupeak's living place (and much to the grief and disappointment of my friend, Rogers) had bore it in triumph away to her Tawney Sanup, and to behold (as we passed) their camp Mr. Rogers directed to the door of their hut by the scent of the quills as they were singeing the hog, how he wished to have been present at the killing so that he could have partaken a part in the war song.

— Sunday morning, April 5th, — A fine clear morning or rather not stormy. Mr. Sherwood in the settlement among white folks and here I and Mr. Rogers sit hearing Mr. Fowler and Joseph quarrel. After breakfast Mr. Rogers and myself went to Mr. Sweet's, ground our hatchet, then took the rounds, first to Mr. Hotchkis's second to Mr. Mitchell's then back to Mr. Hotchkis's where Mr. Sherwood and Mr. Rogers and myself dined . . .

— Monday morning, 6th of April — Mr. Sherwood gone to the Furnace. (Furnace Falls, now Lyndhurst, where there had been the first blast furnace and iron Foundary in Eastern Ontario). Clear, pleasant morning. List of grievances this day. Henry sick, John mad, John reconciled by a new pair of painted snowshoes. Mr. Rogers and myself with three of the party opened the line and chained three miles and on our return to camp where Mr. Graves and Henry stayed all day, Joseph and Henry quarreled. Joseph has gone off and says he will go in the woods no more, returned at night. Thus ended the first lesson.

— Wednesday morning, 8th of April — The weather good? Our party well/Where Sherwood is I cannot tell./We rise at 5 and drink our tea,/In hopes this day the road to see,/All nature now looks sweet and gay,/At 7 we start upon our way,/And if the route proves good this day,/We sure shall cross the King's Highway./At high noon we stop to dine?/All seated by a lofty pine./Although our fare's not of the first,/I'm very sure tis not the worst./For bread and meat we plenty have,/Such as the Omniscient hand doth give/May he this bounty ever send,/And to the friendless be a friend,/Kind nature's works we here do view,/And every chain shews something new,/And while we pass from hill to plain/Our motive surely must be gain?/And when our toil and labour's o'er/We'll get our pay and work no more./

At 5 o'clock we see the road,/Where oftentimes before I've trod,/Now hard to work, all hands do go/To dig and shovel off the snow?/Where we will then our tent prepare/With hopes some comfort there to share./We'll spend the night in hopes we may/Rise in health another day./

— Monday 13th, — Some grog I think we had better take/Since 'tis so hard to keep awake/Our party being so thin this day/Since we can't go let us here stay/-Marsh one pint rum.

At about this time the weather started to warm up and the snow started to melt rather rapidly and as Reuben states "the snow changed to water very fast — we were to our knees in snow water many times". By April 19th he states "the snow wasting very fast — still in some places it is eighteen inches deep — we proceed but slowly on this account". It then began to rain on the 20th of April and continued till the 25th of April. Sherwood's entries for the 20th and 21st of April follow.

— April 20th — Rainy morning the party all in camp. On Number 24 near the front of the Fourth Concession found a curious fall of water; say twenty feet and at the head of the shute stands a natural arch'd bridge of about ten feet in width the creek being about twenty feet wide — over which loaded carts or wagons might pass secure.

— April 21st — Opened and marked the line to the eastern boundary thro water and snow, no Stingo (whisky) this day to relieve us — bad sad times for water and snow. Jonathan Rogers tells of this particular period in his diary.

— Monday, 20th of April — A rainy morning. Some of the party engaged in the old trade of mending, some in sleeping, Joseph in cooking — no person can imagine how great our satisfaction was to see it rain for we never had the satisfaction of proceeding on our business from about the 5th or 6th of March until the 17th of April without snowshoes and no person may suppose that rain was not a terror to us after having so long a rout and fatigued with lame legs and unjointed ankles . . . returned to camp through considerable rain. Prepared our camp for the impending storm of rain. Mr. Marsh quite out of tune, the rest of the party in good order. A little whisky is a fine substitute for rain and wet feet.

— Tuesday 21st of April — A fine clear morning . . . Mr. Graves, Marsh and myself took the line and continued it through to the east side of the Town distance of three miles and then returned to camp and instead of whisky which was our expectation took pea soup for comfort — this moment arrived John and Frederick a little Eye Water or Stingo. Nothing remarkable happened in the course of the day on only the old story in water and snow head over heels D'ysee.

— Wednesday 22nd of April . . . And run as far as we could and then

returned to camp and found Mr. Marsh after his grate tramp after the axe — cursing and swearing ripping and tearing.

Marsh's account of the Wednesday April 22nd is as follows.

It can easily be seen that Marsh is finding it difficult to get along with his fellows.

— Wednesday morning, 22nd, . . . Now as the sun comes o'er the ridge/We all prepare to leave the bridge/Where nature has with all her store?/Produced very few, such more./As to the west we jog along/All peace it is our party among /We travel on in hope to meet/Friend Sherwood and him there to greet/In health and happiness this day?/Then all proceed upon our way./

— 5 o'clock — But as it happened when we come/Sherwood had not arrived from home/But soon he came, then all hands too,/Another line for to pursue,/At 12 o'clock the news was this,/The axes counted?/One amiss/Rogers as we all do know,/To search the axe had ought to go,/As he the charge on him doth take/More careful for the future'd make./But Marsh is doomed through swamp and snow/To streak it off like Elk or Roe,/While Rogers stands behind the camp/And laughs to see poor Marsh in swamp./But laugh he may for all I care/The more he laughs the better he'll fare.

Rogers recounts an hilarious incident that happened on the 26th of April. His diary reads — . . . I continued the line a little further and then returned to camp very wet and no whisky — the weather dull and cloudy and like for rain. Joseph returned with a little Eye Water which we wanted very much and a fine load of biscuit and very angry with Mr. Sherwood for his kindness for he gave him so much rum that he fell down every five rods into the water and wet himself and everything that he had along with him and for my part I was mad enough at Joseph for I expected a clean shirt and dry one but to my disappointment found it very much to the contrary for I found that Mr. Sherwood's goodness had wet our shirts. So we closed the day in harmony.

Rogers' entry of the 3rd of May gives us insight into Marsh' state. The entry reads, in part, . . .

— Sunday, 3rd of May — . . . and then returned to camp and found Mr. Marsh there quite out of tune. Henry returned about 2 o'clock p.m. Mr. Sherwood having the goodness to send us a bottle of Brandy which was a great comfort to us and Mr. Marsh refusing to drink gives me reason to suspect that he is near turning the corner or so near that he can look round the same but Graves and myself is such old grog burners that a bottle of brandy is not a dread to us at all so I must bid you good night.

Marsh's entry for the 3rd of May is rather brief:

— Sunday, May 3rd, — Clear, cool  
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## Historic Flashback

# Death Penalty Faced Survey Monument Vandals

How often during our surveying career are we reminded by luncheon speakers of the provisions of Section 4 of an Act enacted by the Legislature of Upper Canada (38 Geo.III, Cap.I, passed July 5, 1798), which provided the death penalty without benefit of clergy for knowingly and wilfully pulling down, defacing, altering or removing any survey monument!

As each must have pondered at one time or another over the principles upon which this severe penalty was based, the following extract from the Russell Papers being part of Chief Justice John Elmsley's report on the Acts passed in the Session of 1798 to the Honourable Peter Russell, Administrator of the Government of Upper Canada, during the official term of Lieutenant Governor John Graves Simcoe, bears out the attitudes of that day responsible for its enactment:

### FROM JOHN ELMSLEY TO PETER RUSSELL

I have the Honor to lay before you my Official Report of the Grounds & reasons of such of the several Acts passed during the late session of Provincial Parliament, as originated in the Legislative Council. In doing which I shall observe the same order as in my Report of last year.

#### I. An Act to ascertain and establish on a permanent footing the boundary lines of the different Townships of the Province—Mr. Duncan.—

The object of this Act, as well as the means by which it is to be attained, are sufficiently clear from the Act itself.—In old Countries disputes about boundaries are as rare, as disputes about titles are frequent. In a new Country the case is reversed, and the titles are generally as clear as the boundaries are confused. There may be some expense and trouble in carrying the Act into execution, but there is every reason to hope that its operation will eventually be extremely beneficial.

It may perhaps appear at first sight that death is too severe a punishment for the offence of knowingly and wilfully putting down, defacing, altering or removing the Boundaries which are to be erected under this Act, but in this respect also, reference must be had to the Country for which the Law is made.

Land marks in an old Country seldom do more than discriminate the property of two or three individuals, and are so well known, that the removal of them is no more than the destruction of a hedge, or the filling up of a Ditch, the loss of either would be immediately perceived and the uncertainty of limits occasioned by it as immediately remedied by recurring to other sources of Evidence. But in a Country of perpetual forest, the Boundaries or Monuments provided by this Act, will for a great many years be the only Standards to which resource can be had, and whoever will cast his eye upon the plan of any of the Townships into which this Province is divided, will see that the removal of one of them will involve confusion not only the Concession at the End of which it stands, but perhaps several other Concessions, the course of whose lines it may govern, and the Settler after many years of Labour may discover that the whole of his Industry has been laid out on lands which do not belong to him. In short the Crime appeared both in its principle and in its consequences to bear so close an Analogy to the Crime of forgery that there was but little difficulty in subjecting it to the same punishment.

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morning. Mr. Sherwood took Henry and went to Mr. Ryder's after pease. I, being unwell, stayed in camp. The rest of the party on the line at about 2 o'clock p.m. Henry returned with some eggs on which he and myself made a very good dinner.

Marsh's last entry of the 4th of May reads as follows:

— Monday, 4th of May — Cloudy morning. Mr. Sherwood at Mr. Ryder's. Sent word by Henry for me to come in the morning. Joseph and Frederick start for William Kilborne's to fetch biscuit. Being despised by the party left the same on the 4th of May, 1807.

I imagine that this is most likely the first recorded incident of a member of a survey party getting "bushed" on surveys in Ontario. Poor Marsh was not cut out to

be a surveyor.

The above story has been pieced together by studying actual diaries which I have in my possession, diaries which were written in the field at the time of the survey. I also have all of the field notes that the Chain-Bearers compiled in the field during the course of this survey. As a matter of interest, I have Reuben Sherwood's original field notes, written in pencil, of his sub-

division part of a Township in New York State which he performed when he was article to the Surveyor in Albany. The date of these field notes is 1796.

Many stories can be written, based on these old diaries and others which I have, which tell us much about the type of country, the people who lived there at this time and the trials and tribulations of these early surveys.

## Four Kinds of Surveyor

1. The Land Surveyor who doesn't know and doesn't know he doesn't know. This man will not learn and cannot be helped—ignore him for he is a clod.
2. The Land Surveyor who knows— but doesn't know he knows. This man can learn—help him for he lacks confidence.
3. The Land Surveyor who doesn't know and knows he doesn't know. This man is eager and willing to learn—he must be helped for he is a jewel.
4. The Land Surveyor who knows and knows he knows. This man has learned and needs no help—get out of his way.

WISCONSIN SOCIETY OF LAND SURVEYORS MARCH 1970 NEWSLETTER