

**A CHAPTER IN THE  
HISTORY OF  
CLEVELAND**

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A Chapter in the History of Cleveland by C. M. Burton

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**C. M. BURTON**

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# HISTORY OF CLEVELAND

*by*  
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C. M. BURTON.



DETROIT.  
THE WILSON-SMITH CO.

1895

## The Western Reserve Historical Society:

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One day in the summer of 1894, I obtained information that at a certain house on the Canadian side of the Detroit river, at a place, styled by the owner "Strabane," there was a quantity of letters and documents in the possession of one of the old families. At the earliest practicable moment, I visited the place and hastily examined such papers as the possessor was willing to permit me to see. Within a few days thereafter I again visited him and obtained permission to take a few of the papers with me to copy. Among these papers I found the Indian deed referred to in the following pages, and feeling that it might be of interest to your society I wrote to your late president, Judge C. C. Baldwin, of my find. \*I received an immediate reply from Judge Baldwin, in which he stated that the existence of the deed had been suspected by him for many years, and that on one occasion he had gone to Montreal to see if he could find evidence of its existence, but that my letter had given him the first certain knowledge of its contents. I continued my visits to my Canadian neighbor for some time, and finally succeeded in purchasing from him all of his documents, and they are now in my possession. When my purchase was consummated, I again wrote to Judge Baldwin and he came to Detroit to make a personal examination of such of the papers as pertained to Cleveland. He was greatly pleased with what he saw, and at his request I prepared the following paper, which

contains the substance of that portion of these documents. The papers I obtained, however, do not relate exclusively, nor even very largely, in proportion to the whole, to this subject. They are the correspondence of a man largely interested in business and political affairs, and relate to the entire northern part of Ohio, Vincennes, Detroit, Mackinac, Upper Canada, the first parliament at Niagara, the Canadian election at Detroit before Jay's Treaty and other matters, and in all respects constitute the most valuable set of private letters I have ever seen. There are between 3,000 and 4,000 of them, and they extend from 1760 to the date of the death of their collector, in 1818. There are letters from Vigo, at Vincennes, Arthur St. Clair, Jr., William and Angus McIntosh, John Askin, Jr., Joseph Brant, Alexander Henry, Commodore Alexander Grant, John Anderson, nearly all of the Moravian preachers, Zeisberger, Heckenfelder, Senseman and others, Wm. Henry Harrison, Gov. Wm. Hull, Judge Augustus Brevoort Woodward, Major Ancrum, General England, Arent Schuyler DePeyster, Henry Bird, Isaac Todd, James and Andrew Magill, D. W. Smith, and many Indian deeds and other official documents. This collection is of so recent an acquisition that I have not yet had time to arrange and bind it, as I propose, but I have pretty thoroughly examined it. Regarding the portion incorporated in the annexed essay, I would say that, of course, I do not possess all the correspondence and papers written on that subject, but I hope that what I here produce will be added to by others who possess information on the same subject, until ultimately the entire transaction of this Indian purchase may be made a matter of written history, and that we may thus add a chapter to the story of Cleveland.

Respectfully yours,

C. M. BURTON.

DETROIT, February, 1895.

## A CHAPTER

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Detroit, until the commencement of the present century, was the most important of all the Western posts in that great tract of territory which is comprehended under the titles of New France and Louisiana, Canada, and later under the name of the North-West Territory. It was the most important place west of Montreal, west of the Alleghanies. Cadillac, its founder, foresaw its commercial importance in 1701, and although, before coming to settle here, he had been in command of Mackinac, he knew that Detroit would soon outstrip that place in trade and population, and wrote to Pontchartrain (Minister under Louis XIV), that Michillimackinac (as Mackinac was then called), would be so completely deserted in a few years that the Jesuit priests there would have no one to bury them when they died, but that their bodies would be food for vultures and wolves.

Cadillac and the succeeding commandants were empowered to sell and convey lands about the post of Detroit, and they made many transfers of farms and village lots. The number and extent of these transfers have never been fully determined. Indeed, it was supposed that there were only a very few made under French rule, but my own investigations have recently unearthed some seventy-five deeds made by Cadillac alone, and further searches now being made by me, will, I believe, disclose several hundred, and perhaps form a complete record from Cadillac's day till the English conquest



in 1760. These early deeds were recorded by the Royal Notary, and his records were either kept as his private property, or sent to the home government in Paris to be buried in the rapidly accumulating and unassorted mass in the Foreign Department or Department of Marine.

When the British took possession of the country in 1760, the record of transfers was carried on in much the same manner as under French rule, except that the records were kept as the property of the public and not the private books of the notary. From 1760 until the formation of the County of Wayne in 1796, when the Western country was surrendered to the United States under the terms of Jay's treaty of 1794, these records in Detroit filled four or five volumes and were retained by the British when they retired from the post. A part of these records, but not all of them, were, a few years since, returned to Detroit and placed in the registry office, and of them I have a complete copy.

In the early part of the present century, and about the time of the destruction of the village of Detroit by the fire of 1805, the United States Commissioners on land claims opened an office in Detroit and recorded such evidences of title as the old French people brought for that purpose. There were six small volumes of these records, and some years ago I had an abstract made of them, but not a complete copy. The originals have disappeared, and I have so far been unable to get trace of them. These books contained the transactions, not only of Detroit, but of the surrounding country, including a large share of the Western Reserve, so called, and in that connection a few words respecting the Reserve may not be out of place. The Western Reserve has occupied a very peculiar situation in the political formation of the Old North-West and of Ohio. The charter of Connecticut was granted by Charles II., King of England, in 1662, and through it Connecticut claimed to have the right to possess, not only the present State of Connecticut, but a large portion of New

York and Pennsylvania, and she even maintained that her western boundary was the ocean, extending, as the charter reads, "From Narragansett Bay on the east, to the South Sea on the west part, with the islands thereto adjoining."

In 1781 New York released to the general government all the lands to which she had claim west of a meridian extending through the western extremity of Lake Ontario.\* The western boundary line was surveyed in 1790 by Andrew Ellicott.†

The western line of Pennsylvania, agreed to in 1779 was fixed in 1784 by the report of commissioners appointed to establish the boundary line between Virginia and Pennsylvania, and the line so fixed was confirmed by the cession of Connecticut in 1800.‡ This served also to determine the eastern boundary of Connecticut's western possessions, and when the United States called upon her to surrender those possessions, so that the government might make provisions for the payment of the Revolutionary War debt, and furnish homes for soldiers, Connecticut made the required transfer, reserving only that portion which is now termed The Western Reserve. This deed of cession is dated September 13, 1786.§ Of the Reserve 500,000 acres were set apart for the fire sufferers, intending by this designation to include those people, more particularly of New London, Norwalk, and Fairfield, Connecticut, who suffered from the depredations of the British during the Revolution, and the balance of the Reserve was disposed of to the Connecticut Land Co., for \$1,200,000, or something more than 40 cents an acre.

The jurisdiction of the Reserve remained vested in Connecticut, and the formation of the Territory North-West of the Ohio River by the United States in 1787, could not change the right of Connecticut to govern the Reserve by her laws, nor could the appointment of Arthur St. Clair as

\*Boundaries of the United States, by Henry Gannett, United States Geological Survey, 1885. Bulletin 13, page 72.

†ib. 75.

‡ib. 80, and Hinsdale's Old Northwest, page 109.

§See Appendix.

Governor of the North-West Territory give him authority to control that portion of the new territory. Although the question of jurisdiction had never been raised, a hint that it might be, at any time, was thrown out by the introduction, by Mr. Livingston, on the 4th of January, 1796, in Congress, of a resolution for the appointment of a committee to investigate the title to these lands "lately claimed and sold by the State of Connecticut." Some influence was brought to bear upon Mr. Livingston, for a month later, and before any action had been taken by Congress, he withdrew the resolution with the explanation that the interests of individuals might suffer while the matter was pending before the House, and that under the circumstances he thought it better not to proceed with the resolution. Nearly three years after this, and on the last day of the year 1798, Uriah Tracy, senator from Connecticut, introduced a measure, which, after some alterations and a re-introduction in 1800, became a law in April of the latter year,\* authorizing the President to transfer the legal title of the Reserve to the Governor of Connecticut, in order to confirm the title of the purchasers from the State, on condition that the State would relinquish all claim to jurisdiction over the Reserve to the United States. Thus for the first time, in the year 1800, the Western Reserve was a part and parcel of the Territory North-west of the Ohio River.

Meanwhile, however, another complication had arisen, for the proper investigation of which it will be necessary to retrace a few years of the time we have just passed over. At the close of the Revolutionary War, England was in possession of Detroit, Mackinaw, and all the other Western posts, and she agreed to surrender these to our government upon the execution of the final treaty of peace in 1783. One obstacle after another was placed in the way of the final execution of this part of the treaty, and it was not until thirteen years had elapsed—not until 1796—that these posts were finally

\*This act is to be found in Annals of Congress for 1800, page 1495.