

SUPPLEMENT TO THE NEIGHBOURHOOD MESSENGER

NEWSLETTER OF THE ADOLPHUSTOWN-FREDERICKSBURGH HERITAGE SOCIETY

Supplement 1

October 2016

Supplements to the AFHS Newsletter

Occasionally the pursuit of a project results in an article too long to be included in a regular issue of the *Neighbourhood Messenger*. These tend to be more detailed pieces with fewer illustrations, not in keeping with the “light reading” of much of the other material in the newsletter. The article in this inaugural *Supplement to the Neighbourhood Messenger* is the result of such a project.

Windmills and Cannon Balls Part II

Jane Lovell



“OLD MILL, NEAR BATH”

Sketch by Arthur W. Moore

Canadian Illustrated News, September 29, 1877

The story of Upper Canada's first windmill may finally be reaching some satisfying conclusions. The windmill first appeared in the pages of *The Neighbourhood Messenger* in the lead-up to the dedication of the plaque marking the spot where the windmill once stood. The windmill's history, as known at that time, was included in the [June 2012 issue](#). While the location of the windmill could be confidently discerned, who built the windmill and when, along with its intended purpose remained unclear.

Just recently some of the last pieces of the puzzle have come to light. Genealogist and researcher Linda Corupe, while trolling through the correspondence received by the Provincial Secretary for Canada West between 1841 and 1867, came across a number of documents pertaining to James Russell. James Russell appears in various early documents in connection to the windmill. In both Canniff's 1869 *History of the Settlement of Upper Canada with Special Reference to the Bay Quinté* and the 1904 *Pioneer Life on the Bay of Quinte* James Russell is credited as owning the windmill built by Sergeant John Howell.

Evidence outlined in the June 2012 issue of *The Neighbourhood Messenger* shows that the windmill had been occupied and fortified by the Fredericksburgh Militia during the naval engagement between the British and the Americans at Bath during the War of 1812. Corroborating this evidence are several petitions from Russell's son, James Russell Jr., to Sir Francis Bond Head, the newly appointed Lieutenant-Governor of Upper Canada, in which Russell Jr. makes requests for reparations for damages done to the windmill during the war.

In his petition of 1836, more than two decades after the windmill was fortified, James Russell Jr. writes:

That your Petitioner is eldest Son and Heir at law of James Russell late of the Town of Kingston who died in the Year 1834 at the advanced age of Eighty Five and who for the long period of Fifty Years was in His Majesty's Service in the Ordinance and Royal Engineer Departments and for many Years Superintendent of the Kings Works in the latter Department in this Province.

That your Petitioner's Father was Owner of Lot Number Fifteen in the First Concession of Fredericksburgh on which he had erected a Stone Windmill and during the war with the United States in 1813 Major General Baron De Rottenburgh then President of the Province considering it important to protect the Upper Gap of Lake Ontario against the Enemy's Vessels passing there through applied to your Petitioner's Father to take down the Upper Part of the said Windmill for the purpose of placing a long Eighteen Pounder thereon (the said Mill being opposite to the Battery on the West End of the Isle of Tanty on the other side of the Gap) promising your Petitioner's Father that he should be indemnified by Government upon which he readily assented.

That a Detachment under Lieutenant of Artillery was sent from Kingston who tore down and entirely destroyed the Machinery of the Mill, which had before yielded a very considerable income, there being no other within several Miles, and your Petitioner's Father having never since being in circumstances to rebuild it he was thereby deprived of a source from which he would have derived the means of making ample provisions for his Children.

That shortly after the mill was destroyed and the Cannon ready for mounting on the Carriage (part of which still remains on the Premises) peace was proclaimed.

That the damage your Petitioner's Father had sustained was estimated by Alexander Clarke Esquire an Officer of the Army and also Captain in the Provincial Militia and a Justice of Peace as well as other competent Judges who are, Your Petitioners believes, all since dead whose estimation amounted to Three Hundred Pounds, and your Petitioners Father proffered his claim to Government but being then far advanced in Years he did not persevere with requisite energy and therefore never received the least remuneration.

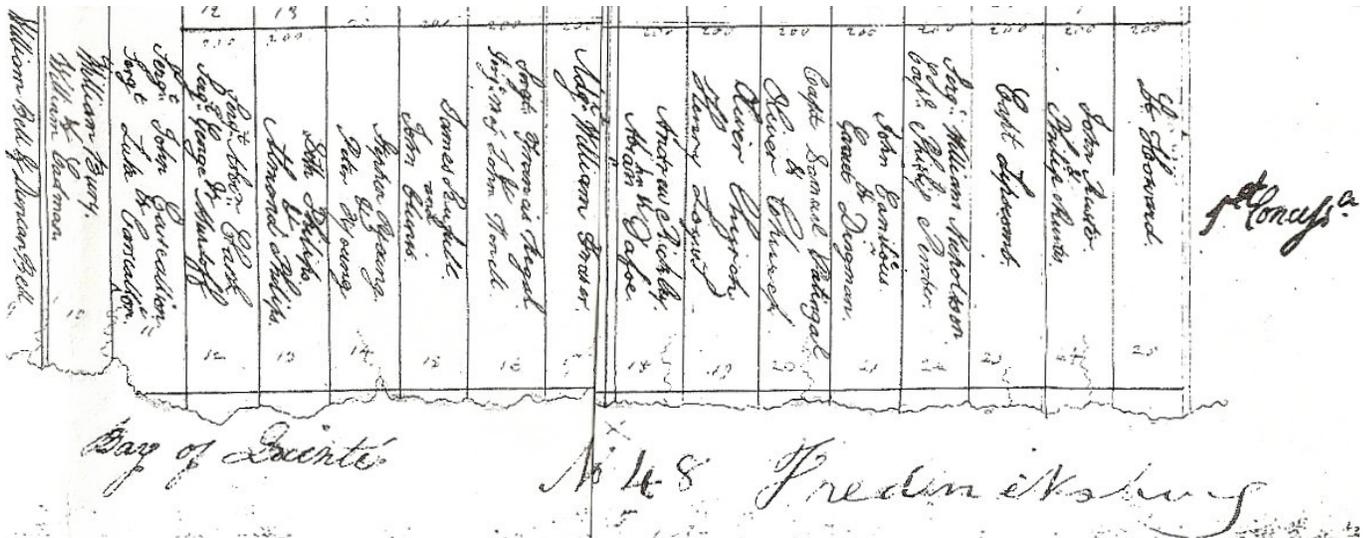
That your Petitioner has hereto amended the Affidavit of several respectable Freeholders who resided in the neighbourhood at the time concerning the principal Fact in the Statement before made.

The two affidavits accompanying the petition were sworn in Bath before Benjamin Seymour, Justice of the Peace. One was by John Clute then of Bath, but formerly of Fredericksburgh, and the other was by James Russell Jr.'s uncle, John Mordoff, also of Fredericksburgh. The contents of the two affidavits were similar but the one given by Mordoff describes the mill's machinery.

that in the Summer of the year of our Lord One Thousand Eight Hundred and Thirteen the Stone Windmill the property of the late James Russell deceased Situated in the Township of Fredericksburgh opposite the Upper Gap was taken possession of by the British Government and occupied by the troops as a Fort that the roof was taken off and Port holes made in the walls that all the wheels and other Machinery was taken out of Said building So that it was rendered totally unfit for a grist-mill

What is most startling about the newly unearthed documents is that James Russell Jr. claims not only that his father James Russell Sr. owned the windmill but also that he built it. The phrase "he had erected a Stone Windmill" could mean that he built the windmill or he caused the windmill to be built. In either case, it is clear that the windmill was erected on Lot 15 under the direction of James Russell Sr. Who owned the lot at the time is less clear, as is the connection to John Howell, to whom the building of the windmill has been widely attributed.

The 1784 Quebec Plan shows Lot 15 allocated to John Clunis (west half) and James Russell (east half), and Lot 16 allocated to Sergeant Major John Howell (west half) and Sergeant Francis Hegal (or Hogle) (east half).



Lots 10 to 25 in the First Concession of Fredericksburgh Township
 Portion of a copy of the Quebec Plan, 1784 Source: AFHS Collection

A pre-1797 map of Fredericksburgh Townships show Clunis, Russell, and Howell still on, or owning, those lots.



Lots 7 to 25 in the First Concession of Fredericksburgh Township

Portion of *Fredericksburgh Township Map* (ca. 1780s)

Source: Archives of Ontario, Item RG 1-100-0-0-708

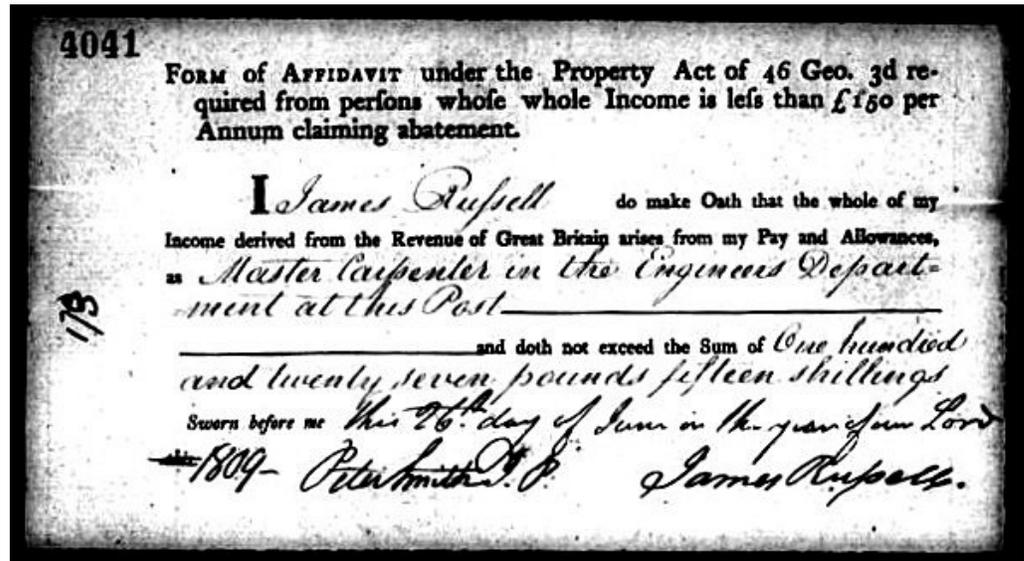
Being granted land and receiving the title to the lot was a process that often spanned a decade or more. Settlers (“nominees”) were issued tickets of location and were expected to improve the land (by clearing portions and building a shelter) before a deed would be issued. While it was intended that deeds would be issued within a year, this did not happen. The passage of time muddled the validity of the original tickets. Even though the settlers did not yet own their land and could not legally sell it, the tickets were often sold. In other cases, the original recipients of the tickets had died or had abandoned the lot. In order to effectively manage the issuing of the initial deeds two Heir and Devisee Commissions were established. Petitioners were expected to go before the Commission and present proof of right to title. Such things as wills or the ticket of location along with its record of sale were considered proof, as were witnesses who could swear before the Commission that the petitioner had a valid claim. If the Commission was satisfied with the proof, a decision was made to issue the deed. The Surveyor General then became involved and validated that the lot was not otherwise encumbered. The records of the First Heir and Devisee Commission show that Russell’s 1797 claim for Lot 16 was allowed and he thereby gained rights to the lot. Howell, as one of the original nominees for the lot, does not appear in the records. Russell made a second claim in 1803 for Lot 15. In this case, he was one of the original nominees, and his claim for the lot was also allowed.

It is likely that Russell was on Lot 15 soon after his arrival in the Midland District, possibly as early as 1784. Howell, in a 1791 petition, claims 1783 as the date he settled in the District. It is probable that both men began “improvements” on their lots at the same time, soon after arriving. Baptismal records show both Howell and Russell having children born in Fredericksburgh. Howell had sons born in 1786 and 1789 in Fredericksburgh, but by the time he wrote his 1791 petition he was living in Sophiasburgh in Prince Edward County. It appears that 1791 was a significant year for both families. Again, by looking at baptismal records, it is clear that while Russell had several children born in Fredericksburgh in the late 1780s, by 1791 his children were being born in Kingston.

While it is conceivable that Russell “had erected a Stone Windmill” after he and his young family had moved to Kingston, it is far more likely that the windmill was built while the family was living on Lot 15, and possibly in partnership with Howell who, at the time, was still living on the lot immediately to the east. This would date the construction of the mill to the late 1780s.

How the mill was managed after both Howell and Russell had left Fredericksburgh, and for how long, is unclear. As Howell is not named in the petitions for reparations for the mill it can be assumed that he had no remaining interest in the mill once he had moved to Sophiasburgh.

An affidavit, required under the Property Act under which militia men and their families were granted land, was issued to Russell in 1809. In it, Russell declares that "the whole of my Income derived from the Revenue of Great Britain arises from my Pay and Allowances, as Master Carpenter in the Engineer Department at this Post and doth not exceed the Sum of One hundred and twenty seven pounds fifteen shillings".



Source: Library & Archives Canada
Civil Secretary's Correspondence, Upper Canada Sundries,
January-June 1809, RG5, A1, volume 9, pp3554-4058

With Russell working as a carpenter for the British in Kingston, nearly two decades after moving into town from his lot in Fredericksburgh, it seems unlikely that he would also be a proprietor of a grist mill that "yielded a very considerable income", as claimed by Russell Jr. in his 1836 petition.

William Canniff states in his 1869 *History of the Settlement of Upper Canada* that "The windmill was never used much, if at all". Writing more than a half century after the windmill had been damaged by the British in preparing to mount defensive artillery, Canniff's observations concerning the windmill may have been influenced by the condition of the mill during his lifetime. Or it may be that the windmill was in fact a failed venture and had been abandoned when Howell and Russell left Fredericksburgh in 1791.

Despite James Russell Jr.'s perhaps exaggerated claims of the windmill's utility, it is clear from his petition and from the supporting affidavits that the windmill had been fitted with machinery for a gristmill. It can be presumed that even if ultimately unsuccessful, the windmill had been in operation at least for a short period as a gristmill.

Other revelations to be found in James Russell Jr.'s petition have to do with the artillery mounted in the mill. Cannons have always been a part of the story of the windmill. In his article accompanying a sketch of the ruined windmill, Arthur W. Moore wrote in the September 29, 1877 issue of the *Canadian Illustrated News* "During the war of 1812 cannon frowned from the windows of this old mill." Gwendolyn Smith, when researching her 1993 publication *Upper Canada's First Windmill*, sought guidance on what artillery might have been mounted on the upper floors of the mill. In conversation with the owner of the site of the windmill in 1987, Smith learned that some years previously the owner had been told by Dr. Herbert Clarence Burleigh, a well-regarded local historian, that the mill "had a gun which shot 50-pounders". However, in 1990 when Smith consulted Dr. Richard Preston of the History Department at the Royal Military College in Kingston, Preston had doubts that "they could have mounted even a 24lb-er in a circular windmill." Measuring 9'6" in length and weighing in at 4,704 pounds, the "long Eighteen pounder" mentioned in Russell Jr.'s petition is a more plausible candidate.

With a maximum range of 2¼ miles, these naval cannons were most accurate at a distance of approximately a mile. Russell Jr. states "*the said Mill being opposite to the Battery on the West End of the Isle of Tanty on the other side of the Gap*". The Isle of Tanty (or Tanti) is Amherst Island and is separated from Fredericksburgh by the North Channel, which is roughly 1½ miles wide at the Gap. If an 18-pounder long gun were also mounted at the battery on Amherst Island, American vessels seeking to enter the North Channel by way of the Upper Gap would surely be in range of the cannons placed at the battery and the mill.



Photo Courtesy of David Smith

Long 18-Pounder Cannon

The last point of interest to come out of Russell Jr's petition was "*That shortly after the mill was destroyed and the Cannon ready for mounting on the Carriage (part of which still remains on the Premises) peace was proclaimed.*" This suggests that the cannon was never actually installed in the mill. Major John Grodzinski, Acting Head of the History Department at the Royal Military College, suspects that this, in fact, might be the case. The summer of 1813 saw both artillery pieces and ammunition in short supply, with an especially high demand for the long-range 18-pounder long guns to replace the small short-range anti-ship, anti-crew 18-pounder carronades on board vessels of the British fleet. Grodzinski suggests that while the windmill was likely prepared to be fitted with an 18-pounder long gun, the cannon itself would not have been transported to the site until the modifications had been completed. If there had been a shortage of the 18-pounder long guns, the shipment would have been delayed or even canceled if the deployment of the cannon had been deemed more strategic elsewhere. The carriage mentioned by Russell would have been a wooden "garrison carriage" and could easily have been made locally with only the "trucks" (small iron wheels) sent on from Kingston. If the cannon had not been installed, it is possible that the carriage was never fitted with wheels. While the wheels, if installed, would have been recovered by the military at the end of the war; the carriage itself could plausibly have been left at the mill. If that were the case, the remains of the carriage (or part of it) could well have been in evidence at the ruined windmill, despite the 20 years between the cessation of hostilities and the writing of Russell Jr.'s petition.

A final comment on the accuracy and veracity of the details of Russell Jr's petition: Russell Jr. was 11 years old in 1813, and living with his family in Kingston. The American War would have been a thrilling time for a young boy, and the dismantling of the windmill a very memorable event, even if young James had little opportunity to witness first hand any of the "action" taking place in Bath or at the site of the windmill on Lot 15. Certainly young James would have accompanied his father to inspect the state of the windmill in the years immediately following the war. Russell Jr.'s description of the degree of destruction is likely accurate, and seems to be corroborated by the affidavits, sworn under oath, by two of Russell Sr.'s neighbours. In trying to recoup £300 in reparations, Russell Jr. gives an indication of the scope of damage done to the windmill. Such a sum was very substantial for the time, and suggests extensive damage.

Russell Jr.'s 1836 petition for compensation for damage to the windmill is accompanied by a curious second petition. In it he writes:

That your Petitioner is the eldest Son and Heir at Law of James Russell who after being some time employed in the Tower of London in the Ordinance Department, volunteered his Services for America in the Engineer department and was actively employed under General Burgoyne in the revolutionary war and at its conclusion, came to this Province, in which, after serving some time as an Artificer he was appointed Superintendent of the Kings Works, and altogether served under his Majesty in America upwards of fifty Years,

That to the knowledge and belief of Your Petitioner his Father never received any Grant of Lands from the Crown to which he was entitled for his long and active services nor have his Children received any Grants to which they were entitled as Sons and Daughters of a U. E Loyalist.

Your Petitioner therefore humbly prays Your Excellency to cause grants to be made to him of the Lands to which he is entitled as the Heir at Law of his Father as well at the Son of a U.E Loyalist.

This petition is interesting for a number of reasons. First, we learn more of the nature of James Russell Sr.'s long service to the Crown. Second, and this is the curious part, we have Russell Jr. claiming that his father had not received land grants in recognition of that service. The land registry records for Lots 15 & 16 show the deeds for the lots awarded to James Russell, in 1803 and 1798, respectively. These correspond to the "allowed" decisions of the First Heir and Devisee Commissions in 1803 and 1797. The decisions of the Commission indicate only that Russell had title to the lots; it does not indicate by what mechanism. Based on the 1783 *Quebec Plan*, we know that Howell was the original nominee for Lot 16. It is likely he sold his ticket of location to Russell when he left Fredericksburgh for Sophiasburgh in 1791. The fact that Russell is shown as the nominee for Lot 15 on the *Quebec Plan* would imply that his nomination was by virtue of war service. This seems to be confirmed by his 1797 petition for further land grants.

That your Petitioner came to this Country a warranted Artificer from the Hon'ble Board of Ordinance in 1776 and has ever since been Employed as a Foreman & Master Carpenter in the Engineer Department. And having only received two Hundred Acres of Land Humbly prays that Your Honor may be Pleased to Grant him such further Quantity as his Long services may Merit

This petition was successful. The the back of the petition has been annotated with the following:

*Rec'd 25th April 1797
Read the same day
Ordered 400 Acres in Addition P.R.*

The text of the petition seems to confirm that Russell did in fact receive 200 acres as a UEL land grant. However, the *Quebec Plan* shows Russell on only the 100 acres of the east half of Lot 15. It can be assumed that Russell had purchased the ticket for the west half of the lot from John Clunis, and that it was in presenting this purchased ticket, along with the ticket originally issued to him, that Russell's 1803 claim for the entire 200 acres of Lot 15 was allowed. Confusing the matter further is the 1792 Commission decision to award Russell's wife, Lucy, 200 acres as the daughter of Loyalist George Murdoff of Fredericksburgh. It is likely that this land was taken up in Kingston, where the family was living at the time, and where Russell was allowed further lands by the Commission.

While it does appear that Russell did in fact receive a grant, it is possible that James Russell Jr. was aware of his father's ongoing petitions for additional grants and misunderstood that to mean that none had originally been granted.

James Russell Sr. died in August 1834. He left Lot 15 and the west half of Lot 16 to his son James. Title to these lots was registered in May of the following year. It is unknown when James Jr. moved to Lot 15, but a death notice for his 3-year-old daughter in 1828 indicates that he was living in Fredericksburgh at the time. It is possible that he moved to Fredericksburgh when he married in the early or mid 1820s. His becoming owner of Lot 15 and its windmill in 1835 may have been the catalyst for Russell Jr.'s petitions in 1836 for compensation for the windmill, and for additional land.

Russell Jr. was impatient for a response and followed up his two petitions a year later with a query to the secretary to Sir Francis Bond Head, the Lieutenant-Governor of Upper Canada.

the Subject of My Petitions, I forwarded through the hands of John S. Cartwright Esq. to His Excellency last year, Praying for the Remuneration for damage done My Wind-Mill during the late war – also whether I am considered to be entitled to any Lands. An answer to this will very much oblige.

Whether Russell Jr. received any response concerning reparations for the windmill is unknown. However the back of the petition had been annotated with the following:

*I do not find that the Petitioners late Father James Russell, or the
Petitioner have received any Lands or orders for Lands
S. G O 31 July 1836 J Radenhurst
In Council 15th August 1836
Not recommended. The name of Pet'ers Father does not appear to be
entered on the U.E Lists

Communicated 12 October 1837 Petitioner's address now furnished*

Given the decision of the Heir and Devisee Commission and the awarding of further lands to Russell Sr. in 1797, this the finding of J. Radenhurst, of the Surveyor General's Office, is confusing, and lends credence to Russell Jr.'s contention that his father had not in fact received a land grant as a United Empire Loyalist.

With no compensation for the damaged windmill forthcoming from his 1836 petition, James Russell Jr. submitted yet another petition in 1845. In it, he again describes his father's service and the circumstances under which damage was done to the windmill. He also summarizes his father's attempts to gain remuneration.

That your petitioner is the Eldest Son and Heir at Law of James Russel late of the Town of Kingston deceased + who held the situation of Superintendent of Works in the Engineering department for fifty years. That your petitioners Father owned lot No 15 in the 1st Concession of of the Township of Fredericksburgh in Which there was erected a Stone Wind Mill that during the Last American War in the year 1813. The Said Mill + premises were taken possession of by Her Majestys Troops by order of Major General Derothernburgh who then Commanded Her Majestys Forces in Upper Canada for the purpose of Mounting Cannon Theron and otherwise fortifying a position which Commanded the entrance into the Bay of Quinte through the Upper Gap. Major Gen'l Desothernburgh Stating to your petitioners Father at the time that the Mill and premises should be left in the same state as when taken possession of Her Majestys Troops, or Compensation allowed for all damages done while so occupied. Immediately after the close of The War in 1815 your petitioners Father had his claim £300 Currency laid before Her Majesty in Council but as no provision have been made by the Imperial Parliament for The Settlement of such claims, your petitioners Father was referred to the Provincial Government for Compensation. Your Petitioners Father died shortly afterwards and your petitioner as Eldest Son an Heir at Law by + most respectfully to Lay the Said Claim before your Excellency in Council Humbly Trusting your Excellency will cause an investigation of the Said Claim and Allow your petitioner the Amount of damages sustained or such part thereof as your Excellency may deem needs.

Russell Jr. then furnishes the signatures of 22 men from Bath and Fredericksburgh, all “well acquainted with James Russell and the facts set forth in the foregoing petition”, and recommending “the favourable consideration of His Excellency the Governor General in Council”. And all to no avail. Within six months the following reply was given:

I am commanded by the Gov. Genl. to acknowledge the rect of your Petition praying Compensation for the damage done to a Mill belonging to your late Father, from its having been occupied by the Troops during the late War with the United States of America + in reply I am to inform you that His Exely has no funds at His disposal from which He could direct compensation to be afforded to you for the loss in Question.

Conclusion

Until recently, all that was known with certainty about Upper Canada's first windmill was where it once stood. In light of the content of documents connected to land petitions, several other “facts” can be added to the story. The windmill was erected on land owned by James Russell, and was equipped with machinery for a gristmill. In the summer of 1813 the roof was removed and holes were made in

the walls to accommodate an 18-pounder long gun cannon. With peace declared before the cannon could be mounted, the defense of the Upper Gap during the War of 1812 did not include cannon fire from the windmill. No reparations were ever received by the Russell family for the damage done to the windmill during the war, and the mill was never repaired. While details in the petition documents and from other sources suggest the mill was built in the late 1780s, it remains unknown when the mill was actually built or for how long it was in operation. It is also unknown what role John Howell played in the construction or management of the mill – he might have had a hand in helping to build it, but appears to have had little to do with the windmill in other respects.

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A special thanks is extended to Linda Corupe for forwarding the original material concerning James Russell to the Society, and for her help in unearthing earlier documents and assisting in interpreting their significance.