GASPE OF YESTERDAY

LAND SCAM-1869

A Liverpool schoolmaster and his emigrant associates fall victim to a land scam by an English broker.

KEN ANNETT

INTRODUCTION

The account below recalls a case of international fraud concerning the false sale of land in the District of Gaspé that may have been more common than is generally recognized. So great was the desire to seek a new and better life in Canada that prospective emigrants were often "fair game" for unscrupulous promoters. Thus this account of the bitter experience of a Liverpool schoolmaster and his fellow emigrants to promised farm land in Port Daniel may be all too typical.

As it fell first to Patrick Murison of New Carlisle to unmask the fraud, a brief note on him is in order. A Provincial Land Surveyor resident at New Carlisle, Patrick Murison was linked to the family of Judge John Gawler Thompson. Mrs.Thompson was his grandmother. His mother, Eliza Wise, had married a Scottish merchant of Quebec City, Andrew Murison, and eventually the Murison children had come to live at New Carlisle. Patrick Murison did not marry. He died prematurely as a result of a fall from his horse.

The complex and fascinating relationships of the families of ROBINSON, RACEY, HAMILTON, RITCHIE, O'HARA, WILKIE AND MURISON have been ably documented by Mrs.Judy Connors Desjardins in relation to her historical study entitled: "IN SEARCH OF A GASPESIAN ERA LONG GONE BY: THE HONORABLE JUDGE J.G.THOMPSON."

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LAND SCAM-1869

Be it known and made manifest to all to whom these presents shall come, that on the twentieth day of July in the Year of Our Lord One Thousand Eight Hundred and Sixty Nine, Louis Wallace Scudamore of Liverpool in England, Schoolmaster, came and appeared before me, Joseph G.LeBel, Notary Public, duly admitted and sworn in and for the Province heretofore constituting the Province of Lower Canada, now the Province of Quebec in the Dominion of Canada, dwelling and practicing at New Carlisle in the County of Bonaventure, in the District of Gaspé, in the Province and Dominion aforesaid, severally and for himself only, alleged, afform, declare, protest and say that by a certain agreement executed at Liverpool in England on or about the...month of March last past, between one Mr.John R.Banner of the City of Liverpool,

Be it known and made manifest to all to whom These presents shall come; That on the 20 you - - Lord one thousand eight hundred and sisty mine Louis Wallace Sendamore, priverpool in England, schoolmaster, came and affected Yough gie bely holary Public ful before me, admitted and erson in heand for The Brins of heretofore constituting Inver Banada now The Province of Inebee to the Somerica colicing al canada dwelling and for 1 Bon barlisle in the County in The District of game, In The Brown afore devorally o and Some In himself only alleget and say agreement execution at and from the on or about the ih last hart. the of ma Hohen Il Banner of The

in England, Broker, and the said Louis Wallace Scudamore, the present appearer, by which said agreement the said appearer purchased from the said John R.Banner two hundred acres of land lying and being in the Township of Port Daniel, in the County of Bonaventure, in the District of Gaspé, in the Province of Quebec and Dominion aforesaid, for the sum of two shillings and sixpence an acre, to be payable as follows; to wit: three pence an acre at the date of the said deed and one shilling and five pence on or before the end of the said month of March and the remainder ten pence to be paid at once or by six yearly installments at the option of the said Louis Wallace Scudamore; and it was further agreed by the said deed or agreement that the said land should be delivered up by the said

in Ingland aforesaid, & Broker and the said Louis Wallace Landamore The pilsed appearing by which said agreement the son appearor purchased from the Said for Barner two hundred anes of land lying and being and situated in The Form ships if Port Duniel, in the boundy Bowaventure, in The District of gas in the Province of Quelee and Som aforesaid for the sum of the two shalling and sixpense an are the Paicelle and follows; to Wit: three pence an acre at The sure of the said sud, and one chilling and five pence on on before the end of the said month of hareh, and the remainder ten pince anare, - to be haid at once on by sin yearly Instalments at The option of the said comis Wallow Sendamore it is further agried by The said deed on agreement that the said land should be delivered up by the sand " I ohill Barmer

John R.Banner to the said Louis Wallace Scudamore through the ministry of one Patrick Muirisen of New Carlisle aforesaid, Provincial Land Surveyor, residing near the said Township of Port Daniel, whenever he, the said Louis Wallace Scudamore would apply to the said Patrick Muirisen for that purpose.

That the first payment, to wit, the sum of three pence for each acre was paid according to the terms of the aforesaid cited agreement,

That subsequently the said appearer with the view of taking delivery and possession of the said above mentioned land according to the said promise and understanding between the said appearer and the said John R.Banner gave up the school of which he was then

through the alliminstry of one Patrick. minisen of her barliste aforesaid, Provin. - ship of Port Daniel whenever here the said Louis Vallare Landamore would app by to the said Patrick miresen for that pupper - That the first payment, to will the sum " of three pence for each gere was paid to , according to the terms, aportail cities ap agreement. That subsequently the said appearer with the view of taking prospion of the said above mentioned land. I for the said promise and interstanding betweentin the said appearer and the said for the N Burney on . gave up the School of which he was then of so

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the Master, sold his furniture and invested a large sum of money in the purchase of several materials and things required for his establishment on the land in question and therefore entered into agreement with several persons who were to follow him, the said Louis Wallace Scudamore, to Canada for the purpose of cultivating and ameliorating the land bought as aforesaid from the said John R.Banner.

That on or about the first day of July instant the said Louis Wallace Scudamore left Liverpool aforesaid with the several persons above mentioned and arrived at New Carlisle aforesaid on or about the fifteenth day of the said month of July instant.

That the said Louis Wallace Scudamore then and there applied to the aforesaid named Patrick Muirisen to obtain delivery of the said land

Theaster, sola his furniture and invested alaye Och sum of money in the purchase of several hat In : erials and Things required for his establishment agreement with several persons who were to follow him the said Louis Waltare -Sand anna to banada. In the purpose of cultivating and ameliorating the land in The suid South and bought as aforesaid the That on or about the first day of fuly molant feat the said Louis vallare Inedanne-Alft werful terbacked for banada with the several as afores and persons above mentioned and arived at hero Carlisle apresaid . - on about the fifteenth day of the day mont . fuly Lustant. That the said Souris Wallace Sendamore

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That the said Patrick Muirisen then and there declared that although he had been instructed by the said John Banner to deliver up two hundred acres of land in the said Township of Port Daniel by the said appearer yet that he had never known that the said John Banner ever possessed any land in the said Township of Port Daniel or in any part of the County of Bonaventure and District of Gaspé aforesaid.

That the said appearer, on the statement of the said Patrick Muirisen made several inquiries about the said land in question and more particularly from the resident Crown Land agent for the County of Bonaventure and at the Registry Office of the said County

Then and there applied to The aforesaid nam- Patrich muisisen to obtain dehver Patri in minigen Then and There reclared that he had been motively by the isund John Banner to deliver up two hundred acres of land in The said Township of Port Daniel Best that he had ne ver known that the said Banner the wer possessed any land in the said Township of Port Driviel 200 in any part of the bounty of Bonaventure and District of Gaspie aforesaid. That the said appearer made reveral inquiries about the said land in quest ion and more particularly from the resident brown Lands agent for the bounty of Bonaventure and at The Rigistry Office of the seriel Bounty to

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ascertained from these officers that the said John Banner never had or possessed any land in his own name in the said County of Bonaventure or in any part of the said District of Gaspé.

That the said L.W.Scudamore is **O**bliged now to return to England at great expense and has thus suffered great damage on account and for the reasons above stated, by the fault and misrepresentations of the said John R.Banner.

And therefore the said Notary Public, at the request of the said Louis Wallace Scudamore hath protested and by these presents doth solemnly protest against the said John R.Banner, and every other person and persons whomsoever whom it doth or shall or may concern for and on account of all manner of damages, losses, prejudices and interests of not obtaining the delivery of the said land by the fault of the said John Banner which the said Louis Wallace Scudamore

and ascertained from Those officers That the said Barner never had on porsand any land in his own name in the said County of Bonaventure The Suit Sutrict of 9 damore is obliged to return d at great copiese, and has suffered great damage on account it and misreprese Banner The said holary Rublic al The Luid down's Wa hath protested and by these for 11 Whomen ay concern for and

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have or hath already sustained, or may herafter sustain ...

All which matters and things were declared, alleged and affirmed as before set forth in the presence of me, the said Notary Public and therefore have hereunto subscribed my name and affixed my notarial seal, being requested to testify and certify the premises.

Thus done and protested at New Carlisle aforesaid in the office of the undersigned Notary on the day and year first above written

mariner of damages, losses prefudices and "interests whomse ver, which The sail fours Wallace Ludamore have a hath albuildy suctained or may hereafter suctain this many he put to a sustain for or by reasons a means of the appeare it doroppointment. anotherine relating thouts, anahille matterand things were declared alleged and affirmed as before set forthe in the presence of me the said hotary Public And Therefore have herein to sutscribed my name and apprel my notorial ceal being requested to testify and certif prennes Thus done and protested at her Carlisle aforesaid in the of undersigned holang the day year fract above unit

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In witness whereof the said appearer hath to these presents set his hand and seal in the presence of and with me the said Notary in faith and testimony of the premises.

(Signature of appearer)

L.W. Scudamore

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