

GASPÉ OF YESTERDAY

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PROCURATION

 OF

 CAPTAIN AZARIAH PRITCHARD

 THE ELDER

 TO RECOVER LOST LOYALIST LANDS

KEN ANNETT

PROCURATION TO RECOVER LOST LOYALIST LANDS OF CAPT. AZARIAH PRITCHARD

FOREWORD

The Historical Section of the SPEC issue of February 3, 1982, presented, in a second part of CLAIMS OF THE LOYALISTS OF BAY CHALEUR, evidence on the claim of Azariah Pritchard, late of Derby, Connecticut to the substantial losses he had suffered as a Loyalist.

Captain Azariah Pritchard, the Elder, of the Regiment of King's Rangers, was undoubtedly one of the more colourful of the Loyalists that came to settle in Gaspesia. His stirring career provides much in the way of high adventure and drama that would grace a motion picture or best-selling biography. It is to be hoped that work now in progress will serve to make his life story better known.

Captain Pritchard was in Gaspesia in 1783, a year prior to the arrival of the main body of Loyalist Settlers, and returned in 1784 on the Snow, "LIBERTY". He settled on lands at New Richmond. The following DEED OF PROCURATION, made some forty-five years after his arrival in Gaspesia, reflects a life-long preoccupation in recovering the lands and possessions that he had lost through the American Revolution. His concern and efforts were shared by other of his fellow Loyalists in Gaspesia.

GASPÉ OF YESTERDAY presents this DEED as yet another window on the Loyalist past - and in particular as a glimpse of the family of Capt. Pritchard in pre-Revolutionary days.

18 Octobre 1828. PROCURATION - A.Pritchard à Pierre Pelletier.

On this eighteenth day of the month of October in the year of our Lord one thousand eight hundred and twenty eight, Before us the undersigned Public Notaroes duly commissioned and sworn in and for the Province of Lower Canada , residing at the City of Quebec in the said Province, personally came and appeared Azariah Pritchard, Esquire, formerly of the Town of Derby in that one of the United States of North America called the State of Connecticut and now of Richmond in the Bay of Chaleur in the said Province of Lower Canada, farmer and one of His Majesty's Justices of the Peace, who did and doth hereby make, name, constitute and appoint Pierre Pelletier, Esquire, of the said City of Quebec, merchant, hereinto present and accepting hereof, to be his true and lawful Attorney for him and in his name and to his use to enter into and take possession by all lawful ways and means of a certain Estate called the Cohorse Land, containing about five hundred and fifty acres of Land, situate, lying and being in the Town of Leeds in the State of New Hampshire, bounded in front by the River Connecticut, also of one fourth of a Grist Mill situate, lying and being on the River in the Town of Derby, State of Connecticut aforesaid, sold by Jabez Pritchard to him, the said Constituent -

Also of a piece or parcel of Land containing about twenty-five Rods by four Rods, situate at a place called the Narrows of New Boston, fronting on the Nauticut River, in the said State of Connecticut -

And also a Farm of about fifty acres of Land, comprising meadow and orchard, known by the name of the North End, situate and being about one league distant from the said Town of Derby, with all houses, buildings, lands, utencils and other the appurtances and things thereunto appertaining or in any wise belonging -

And also of all other Lands, Estates, Houses, Buildings or other property, real, immoveable or personal of any description whatsoever, situate, lying and being in any part of the United States of America of whatsoever description the same may be and wherever situated, belonging or in any wise appertaining to the said Constituent.

And also to ask, demand, recover and receive of and from one, Beecher, of the Town of Kent in the said State of Connecticut, executor of the Last Will and Testament of the late James Pritchard, in his lifetime

of the said Town of Derby, the father of the said Constituent, and of all and every other person or persons whomsoever whom it doth, shall or may concern, all legacies or sums of money or other property whatsoever left, granted, bequeathed or given and payable to him the said Constituent in and by the Last Will and Testament of the said James Pritchard his father, deceased, and all other sums of money, goods, chattels or effects, due, payable and belonging to him the said Constituent for and in respect of the said Legacies by and in virtue of any other Will and Testament -

And also the said Constituent doth hereby give full power and authority to his said Attorney to transact and manage all his affairs in the said United States of America and to ask, demand and sue for, recover and receive all debts and demands, sum and sums of money whatsoever which now are due and owing or which shall hereafter become due and owing, payable or belonging to him by virtue of any Bond, Note, Deed or other kind of Security whatsoever or on the balance of of any accounts or for rent of the aforesaid premises or otherwise from and in respect of the same, or upon any other ways or means whatsoever.

And also the said Constituent doth hereby give full power and authority to his said Attorney to contract and agree for the letting or sale, and to let, or sell and dispose of as he shall think fit, for the most benefit and advantage, all, every and any ,lands, tenements and hereditaments of and belonging to him, the said Constituent in the United States of America aforesaid, with all the Houses, Buildings, Utensils and things thereunto appertaining or in any wise belonging, and upon the letting or sale thereof to sign, seal and execute all or any such contracts, agreements, covenants, conveyances and assurances and to do and perform all such acts and things for perfecting such letting, sale or sales thereof, or of any part thereof, as shall be requisite and necessary in that behalf: and upon receipt of the rent or of the monies arising from such sale or sales to give sufficient releases, acquitances and discharges for the same.

And also the said Constituent doth hereby further give full power and authority to his said Attorney to name, appoint and substitute one or more Attorney or Attornies under him for all or any of the purposes aforesaid, the same at pleasure to revoke and others to appoint -

And generally to do, transact, manage and perform all matters, business, affairs and things whatsoever relating to the said premises as fully and amply to all intents and purposes whatsoever as he, the said Constituent, might or could do if he were personally present, the said Constituent hereby agreeing and promising to ratify, confirm and allow all and whatsoever his said Attorney or his substitutes shall legally do or cause to be done in and touching the premises by virtue of these presents.

The said Azariah Pritchard hereby agreeing to give and hereby giving and granting unto the said Pierre Pelletier one just half of all property, sums of money or other things whatsoever which he may recover and receive by and in virtue of the present Power of Attorney, to cover and to idemnify him of all expenses which he may make by and in virtue hereof.

In consideration whereof the said Pierre Pelletier doth hereby bind and oblige himself to advance and pay all sums of money necessary and required in the execution of the present Power, at his own risk and peril and to keep the said Azariah Pritchard free and clear of the same.

Done and executed at the said City of Quebec in the Office of Edward Glackemeyer, one of the undersigned Notaries, the Day, month and year first written above.

In faith and testimony whereof the said Azariah Pritchard and Pierre Pelletier have hereunto affixed their seals and set their signatures with us, the said Notaries, these presents being first duly read according to Law.

(Signed) Azariah Pritchard
Pierre Pelletier
Ed. Glackemeyer, N.P.

NOTES APPENDED

Benjamin Davis, Town of Derby, State of Connecticut, holding a Deed of the Cohorse Land, about 550 acres.

A Deed and Bill of Sale from Jabez Pritchard left in the care of L... Hotchkiss, Esq. of same town. of 1/4 of a Grist Mill on the little River.

Land 35 rods by 4 rods fronting on Noticut River at a place called the narrows of New Boston.

50 acres of land one league from Darby, known by the name of the North End, meadow and orchard.

a legacy left by James Pritchard to Azariah Pritchard, his son, administrator lives in the Town Of Kent, State of Connecticut, his name is Beecher.

[The above notes, evidently in the handwriting of Azariah Pritchard, appear to have been for the guidance of the Notary in drafting the POWER OF ATTORNEY]

On this Eighteenth Day of the
Procuration Month of October in the year of our
& Pritchard Lord, one thousand eight hundred
pre Pelletier and twenty eight, Before us the
undersigned Public Notaries duly
commissioned and sworn in and for
the Province of Lower Canada, residing
at the City of Quebec in the said Province
personally came and appeared Azariah
Pritchard, Esquire, formerly of the Town
of Derby in that one of the United
States of North America called the State
of Connecticut and now of Richmond
in the Bay of Chaleur in the said
Province of Lower Canada, Farmer
and one of His Majesty's Justices of
the Peace, who did and doth hereby
make, name, constitute and appoint
Pierre Pelletier Esquire, of the said
City of Quebec, Merchant, to be his
true and lawful Attorney for him
and in his name and to his use
to enter into and take possession by
all lawful way, and means, of
a certain Estate called the Bohere

Hereunto
present and
accepting hereof.
P.P.
E.S.
A.P.
—

Land containing about five hundred
and fifty acres of Land, situate,
lying and being in the ~~said~~ Town of

~~Derby, State of Connecticut aforesaid.~~
Leeds in the [#] State of New Hampshire,
bounded in front situate, lying and being on the little
by the River River in the ~~said~~ Town [#] sold by
Jabez Pritchard to him the said
C. J. Courtlandt in

¹⁸⁵³
of Derby, State of Connecticut - also of a piece or parcel of Land
aforesaid - containing about twenty five Rods
by four Rods, situate at a place
called the Narrows of New Boston,
fronting on Naaticut River, in
the said State of Connecticut,

and also a Farm of about fifty acres
of Land comprising meadow and
orchard, known by the name of
the North End, situate and being about
one league distant from the said

[#] with all Town of Derby [#]
houses, buildings, and also of all other Lands, Estates
lands, tenements and other the Houses, buildings or other property
appertanances real, immoveable or personal [#] of
and things [#] any description whatsoever situate,
hereto [#] lying and being in any part of the
appertaining or [#] United States of America of whatsoever
in any wise [#]
belonging [#]

description the same may be and
 wherever situated, belonging or in
 any wise appertaining to the said
 Constituent.

and also to ask, demand, recover
 and receive of and from one Becher
 of the Town of Kent in the said State
 of Connecticut, executor of the last
 will and Testament of the late
 James Pritchard in his life time
 of the said Town of Derby the father
 of the said Constituent and of all and
 every other person or persons whomsoever
 whom it doth shall or may concern
 all legacies or sums of money or
 other property whatsoever left, granted
 bequeathed, or given and payable to
 him the said Constituent in and by
 the last Will and Testament of
 the said James Pritchard his father
 deceased and all other sums of money,
 goods, chattels or effects due, payable
 and belonging to him the said
 Constituent for and in respect of the
 said Legacies or by and in virtue of
 any other will and Testament

and also the said Constituent doth hereby give full power and authority to his said attorney to transact and manage all his affairs in the said United States of America and to ask, demand, sue for recover and receive all debts and demands, sum and sums of money whatsoever which now are due and owing, or which shall hereafter become due and owing, payable or belonging to him by virtue of any Bond, bill, note, deed or other kind of security whatsoever or on the premises or balance of any accounts, or upon any other way or means whatsoever and in respect of the same

And also the said Constituent doth hereby give full power and authority to his said attorney to contract and agree for the letting or sale, and to let, or sell and dispose as he shall think fit for the most benefit and advantage all, every or any messuages, lands, tenements and hereditaments of and belonging to him the said Constituent in the United States of America aforesaid

W. P. J.
 C. J.
 A. J.
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with all the Houses, buildings,
utensils and things thereunto
appertaining or in any wise
belonging; and upon the letting
or sale thereof to sign, seal and
execute all or any such contracts,
agreements, covenants, conveyances
and assurances and to do and
perform all such acts and things for
perfecting such letting, ~~or~~ sale or
sales thereof or of any part thereof as
shall be requisite and necessary in
that behalf; and upon receipt
of the rent or of the monies arising
from such sale ~~and~~ or sales to give
sufficient releases, acquittances and
discharges for the same.

And also the said Constituent
doth hereby further give full power
and authority to his said attorney
to name, appoint and substitute one
or more attorney or attorneys under
him for all or any of the purposes
aforesaid, the same at pleasure to
revoke and others to appoint —

And generally to do, transact,
manage and perform all matters

The said Azariah Pritchard hereby business, affairs and things whatsoever
 agreeing to give relating to the said premises as fully
 and hereby giving and amply to all intents and
 and granting unto the said Pierre Pelletier one just
 the said Pierre Pelletier one just Constituent might or could do if he
 half of all property were personally present the said
 sums of money or other things what Constituent hereby agreeing and
 other things what Constituent hereby agreeing and
 owned which he promising to rectify, confirm and
 may recover and receive by and in allow all and whatsoever his said
 virtue of the present attorney or his substitutes shall legally
 Power of attorney to do or cause to be done in and
~~to~~ indemnify him touching the premises by virtue of
 of all expences - these presents -
 which he may make by and
 votes hereof -

Done and executed at the said City of Quebec in the office of Edward
 Gluckemeyer one of the undersigned
 Pierre Pelletier Notaries the Day, month and year
 hereby bind and oblig himself to
 advanced and pay all sums of
 money necessary and required in hereunto affixed their seals and set their

In faith and testimony whereof the said Azariah Pritchard, ^{Pierre Pelletier}

On this Eighteenth Day of the
 Month of October in the year of
 our Lord one thousand eight hundred
 and twenty eight Before us the
 undersigned Public Notaries duly
 commissioned and sworn in and for
 the Province of Lower Canada
 personally came and appeared Archibald
 Campbell Esquire, His Majesty's Notary
 of and for the Province of Lower Canada
 and James McDonald Merchant,
 both residing at the said City of Quebec

who severally declared that they have
 for many years known and been
 well acquainted with Azariah
 Pritchard, Esquire, the Constituent
 named in the Power of attorney,
 that they know him to have come
 from the United States of America many
 years ago and that he has long been
 a resident Farmer at Richmond in
 Bay of Chaleur in this Province

foregoing

And we the said Notaries do
 hereby certify that the signatures of
 the said Azariah Pritchard, writes

and subscribed to the said foregoing
 Power of attorney is of the true and
 proper hand writing of the said
 Azariah Pritchard, he having
 subscribed the same in the presence
 of these appearers and also in our
 presence.

In testimony whereof the said
 appearers have hereunto set their
 signatures, and affixed their seals,
 together with us the said Notaries, also
 hereunto subscribing, these presents
 being first duly read according to Law:
 one marginal

James M. Donald

[Handwritten signature]

Ed: G. Schmeyers

[Handwritten initials]



On this twenty fifth Day of the month of August in the year of our Lord one thousand eight hundred and twenty nine, Before us the undersigned Public Notaries duly commissioned and sworn in and for the Province of Lower Canada, personally came and appeared Pierre Pelletier Esquire of the said City of Quebec Merchant, the lawful attorney of Azariah Pritchard Esquire, formerly of the Town of Derby in ~~that~~ Connecticut, one of the United States of North America and now of Richmond in the Bay of Chaleur in the said Province of Lower Canada, former who did and doth hereby ⁺⁺ make, ordain, authorize, constitute, and ~~appoint~~ and substitute and by these presents (by virtue of the power and authority to him in that behalf given by the said Azariah Pritchard by the Power of Attorney herunto annexed) doth make, ordain, authorize, constitute

residing at the City of Quebec in the said Province
P. P.

C. J.
A. P.
- 11 -

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declarato have
of of

C. J.
A. P.
- 11 -

appoint and substitute Francis
 Parsons, Esquire of Hartford in the
 said State of Connecticut, Attorney at
 Law, in his place and stead, to act
 as and be the Attorney of the said
 Azariah Pritchard and in his name
~~to exercise all and every the powers~~
 & manage and transact all and every
 the affairs, ~~business matters and~~
~~things~~ concerns, matters and things
 mentioned in the said power of
 Attorney and to exercise all and
 singular the powers and authorities
 in and by the said power of Attorney
 given and granted to the said Pierre
 Pelletier by him the said Azariah
 Pritchard; and further to substitute
 and in his place put and substitute
 as Attorney or Attornies of the said
 Azariah Pritchard one or more
 person or persons, the same at pleasure
 to revoke and others to appoint.

And the said Pierre Pelletier
 doth hereby give full power and
 authority to the said Francis Parsons

and things in and to the premises —
 requisite and necessary, as fully and
 amply to all intents and purposes
 as he the said Pierre Pelletier might
~~himself~~ or could do himself, by virtue
 of the said annexed Power of
 attorney or otherwise, hereby agreeing
 to ratify all and whatsoever the
 said Francis! Parsons shall
 legally do in the premises by virtue
 of these presents —

Done and passed at the said
 city of Quebec in the office of Edward
 Mackeney one of the undersigned
 Notaries the Day, month and year
 first above written —

In faith and Testimony —
 whereof the said Pierre Pelletier hath
 herunto affixed his seal and set
 his signature with us the said
 Notaries these presents being first
 duly read according to Law —
 marginal notes are good and
 words expunged are null and void.

P. Pelletier

Ed. Mackeney