

# Newcastle

By Harold Atkins

In the first half of the 18th century, North America included British colonies along the Atlantic coast from Massachusetts to the Carolinas, as well as the French colony, New France. A war broke out between Britain and France in 1755. The British general, Wolfe, defeated the French general Montcalm in the Battle of the Plains on September 13, 1759. The Treaty of Paris (1763) ended the war and recognized British control of the colony of Canada. The colony consisted of New France (Quebec) and the current area of Ontario, composed mainly of a few trading posts at that time.

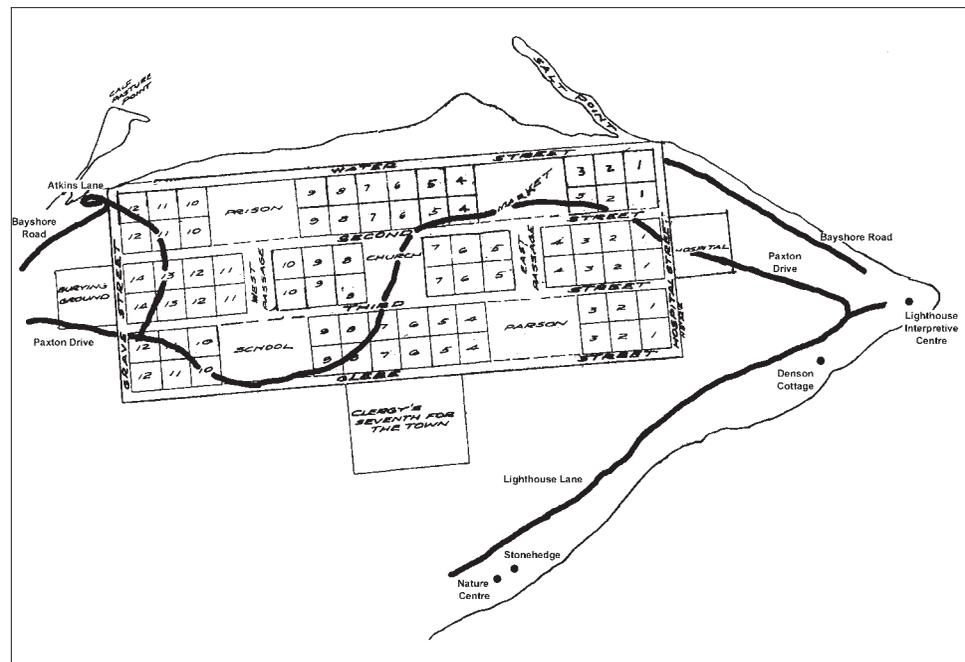
In 1774, the Revolutionary War broke out as the British colonies along the Atlantic coast fought for their independence. Many of the residents remained loyal to the British and fought against the revolutionary army. However, the Americans won their independence. The treaty signed between Britain and America in 1783, also called the Treaty of Paris, established the boundary between Canada and the United States as being the centre of the Great Lakes and connecting rivers.

Some 35,000 to 40,000 Loyalists came to Canada after the war. Most of these Loyalists immigrated to the Maritimes or to the eastern townships of Quebec. However, some came to Ontario and by 1791, there were some 15,000 Loyalists

in Ontario. The Constitution Act of 1791 divided the British colony, Canada, into two provinces, Lower Canada, now Quebec, and Upper Canada, now Ontario. Additional settlers came from Britain and the United States, until by 1812, there were about 80,000 people in Upper Canada. John Graves Simcoe was the first Lieutenant Governor of Upper Canada. Its capital, initially at Niagara-on-the-Lake, was moved in 1794 to York, now Toronto.

In 1796, it was decided that Upper Canada be divided into districts. York was to be the capital of the Home District, which included York, Peel, Simcoe, Durham and Northumberland counties. An Act of Parliament indicated that when the counties of Durham and Northumberland contained 1000 residents, those counties would be made into a separate district named Newcastle. The district capital, also to be named Newcastle, was to be located on the Presqu'ile peninsula, which had the first natural harbour on Lake Ontario east of York. In 1797, the Deputy Surveyor General, Alexander Aitkin, completed the survey of Newcastle and laid out the lots and roads as shown on the plan.

In 1802, the District of Newcastle was officially approved and a courthouse and jail were built. Both facilities were housed in a large frame building about 50 feet long, 30 feet wide and three stories high. It was placed in the care of a Captain Selleck, who moved in with his



Proposed plan of Newcastle, featuring current landmarks.

family. One-acre lots were also granted to Timothy Thompson, Thomas Ward, Joseph Gibson, and David Rogers.

The first trial in the courthouse was scheduled for 1804. A native man charged with the murder of a trading post operator on Lake Scugog, was to be the first person tried in this court. He was being transported from York to Newcastle with a number of prominent citizens aboard the Speedy. On the night of Oct. 8, 1804, the ship was lost with all aboard, just off Presqu'ile.

Due to the seemingly 'inconvenient' location of the town of Newcastle and the pleas of its residents, an Act of Parliament passed on March 2, 1805 transferred the district capital to another location. A new

courthouse was built in Hamilton Township and the settlement that grew around it was called Amherst (now Cobourg.)

The Newcastle courthouse was sold to Captain Selleck. The third floor was removed and the building was used as the family home for many years. The home has been gone for more than a century, and, though efforts have been made to find it, the original location is still unknown today. It was probably built in the area designated "prison" on the town plan. Further efforts will be made to find the location of this home, the only government building ever completed in the original town of Newcastle.

# Lost on Speedy

## CAPTAIN

**Paxton, Thomas** (1754 - 1804)

Thomas Paxton of Kingston served in the Provincial Marine on Lake Ontario. In 1797, he was promoted to Lieutenant and given command of the Speedy. Paxton was survived by his wife and seven children.

## PASSENGERS

**Anderson, John** (1783 - 1804)

John Anderson was a law student, likely serving as an assistant to Robert Isaac Dey Gray. He may have also been responsible for distributing written laws to eastern Upper Canada. Sadly, Anderson was the first student of the Law Society of Upper Canada not called to the bar.

**Baker, Simon** (d. 1804)

Baker was a servant (slave) of Robert Isaac Dey Gray.

**Cochrane, Thomas** (1777 - 1804)

Thomas Cochrane was born in Halifax. He became a lawyer but quickly was named Chief Justice of Prince Edward Island in 1800 and Judge of the Court of King's Bench in Upper Canada in 1803. The young and successful Cochrane was to judge the trial at Newcastle.

**Cowan, George** (d. 1804)

In the late 1770's, George Cowan began his own trading business near the town of Coldwater at Matchedash Bay, an inlet of Georgian Bay. Cowan was reportedly well-liked by the local natives and spoke their language fluently. In 1802, he became an official interpreter for the Indian Department. He served as the interpreter when five Chippewyan chiefs sold Penetanguishene and surrounding lands to the government for 101 pounds. Cowan was to serve as interpreter for Ogetonicut.

**Fisk, John** (1752 - 1804)

John Fisk served in the American Revolutionary War with the Connecticut Battalion. In 1801, he settled at York. He had a 210-acre farm on the First Concession of King Township, which is now Yonge Street. In April 1804, he became High Constable of the Home district. His last task was to guard Ogetonicut on the Speedy. Fisk is considered the first police officer known to be killed in the line of duty in Ontario. He was survived by his wife and six children.

**Gray, Robert Isaac Dey** (1772 - 1804)

Robert Isaac Dey Gray, the son of Loyalists, was called to the bar in 1795 and became the district judge for the Home District the following year. Gray was elected in 1796, 1800 and 1804 to represent Stormont and Russell in the House of Assembly for Upper Canada. He was also appointed as Solicitor General for Upper Canada and served as the treasurer for the Law Society of Upper Canada. Gray was to serve as the Prosecutor in the trial at Newcastle. He planned to ride to Newcastle on horseback, but the judge convinced him to ride aboard the Speedy.

**Herchmer, Jacob** (1773 - 1804)

Jacob Herchmer was the son of Loyalists. He held many occupations, such as fur trader, tax collector, town warden and merchant at York and Rice Lake.

**MacDonnell, Angus** (d. 1804)

Angus MacDonnell, of the Clan MacDonnell of Glengarry, immigrated to New York from Scotland in 1773. In 1792, Lieutenant Governor John Graves Simcoe put MacDonnell in charge of salt production at the Bay of Quinte and Fifteen Mile Creek. The salt works did not prosper and MacDonnell became a lawyer in 1794. He succeeded Robert



The sinking of the Speedy claimed at least 20 lives, from that of the accused to the lawyer who was to defend him.

Isaac Dey Gray as treasurer for the Law Society of Upper Canada and was elected to represent Durham, Simcoe and East York in the House of Assembly in 1801 and 1804. MacDonnell was to serve as the Defence Lawyer for Ogetonicut.

**Ogetonicut** (d. 1804)

Ogetonicut was a Chippewa man. His brother, Whistling Duck, was murdered by a white man. Ogetonicut was accused of murdering John Sharpe in revenge.

**Ruggles, James** (d. 1804)

James Ruggles was born in Massachusetts. He came to York and worked as a merchant on Yonge Street. He was present as the Justice of the Peace when Ogetonicut was arrested. He was likely serving as a witness in the trial.

**Stegman, John** (1754 ñ1804)

A Loyalist, John Stegman received 500 acres of land in Upper Canada from the British.

He served as a land surveyor, assessing York and the surrounding area. Stegman was the surveyor who determined that the murder of John Sharpe occurred 100 rods inside the newly formed Newcastle district. He likely had to give his testimony at the trial.

## CREW

**Cameron, John** (d. 1804)

**Gerrard** (d. 1804)

**Labard, Francis** (d. 1804)

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