

SIMON MC TAVISH:

MERCHANT, FUR-TRADER, ADVENTURER-UNAFRAID

"The Hunter Home to the Hill!"

In an out-of-the-way corner on the slopes of Mount Royal Park, in the City of Montreal, in the angle formed by the boundaries of "Ravenscrag" and the High Level Reservoir, the curious visitor, straying from the beaten path, will discover a crumbling-walled enclosure with rusted iron gateway giving directly on to a flight of ruined stone steps leading up to a mound, or cairn, of built-up stones filled in with earth, which is all that today exists of a stone vault, or tomb, of imposing design, presumably erected as a family mausoleum, about the end of the 18th century, beneath which the remains of Simon McTavish were supposed to rest. On a rocky eminence behind the vault, or "Tomb", may be seen a stately memorial pillar of cut stone, rising to a considerable height, bearing an inscription which time and the weather have almost defaced, surrounded by an iron railing, all as originally erected, though in a state of great disrepair. Forlorn, unkempt, abandoned, flung like an old shoe into an unswept corner, this derelict of the forgotten past is at once a stimulus and a reproach.

Little beyond the foregoing bare outline was generally known, even to the usually well-informed, while others knew and cared less. The lack of reliable data was appalling and the mass of legend and myth was overwhelming. The task of getting at the facts, which the writer has been at some pains to do, has been no light one, and the result, supported by the pictures and documentary evidence secured, and now published for the first time, is here submitted.

THE YOUNG ADVENTURER

This little sketch is in no sense a complete biography, still less a comprehensive history of the man or his time, but merely aims to present glimpses, open up vistas, by and through which this out-standing personality may be viewed, more particularly respecting his activities, death and burial in the land of his adoption. It may, therefore, be sufficient to say that he was born in Scotland in 1750, and that, following the "hiving-off" traditions of the home-land and yielding to the age - old compelling urge, and the visions of fortune, standing and fame to be won, which has ever impelled forbears and compeers to seek and win these in new and ampler fields, he came in early youth to Canada, where he secured all these in full measure.

THE LONE OF THE GOLDEN WEST

This it is that has ever tempted the fate-defying "adventurer in setting forth", from Columbus and Jacques Cartier, Champlain and Maisonneuve, "The Gentlemen Adventurers Trading into Hudson's Bay", down to the pioneer in his "prairie schooner", laden with household goods and children, the lone settler with strong right arm and keen-edged axe his sole capital, the thronging "forty-niner" and the solitary "sour-dough". Fame of fur, gold or grain, travel or trade, whatever be the magnet, they come to conquer, they remain to conserve - the individual prospers, the community thrives, the nation is established.

MONTREAL AT THE CLOSE OF THE 18th CENTURY

The story of Montreal, from its romantic founding to its latest amazing development, is one of the most stirring in all history. It has been so often, well and fully told, in French and English, that it would be impertinent for the tyro to "rush in" where the veteran has so firmly trod. "Beautiful for situation, the joy of the whole earth", it might well have seemed, even at the time when the young Scotsman first trod its narrow, unlighted streets flanked by its stone-walled, iron-shuttered, tin-roofed houses - some which have escaped the pick and shovel of the modern "improver" being yet standing - snugling within the narrow limits of the crumbling walls, for the removal of which legislation had been passed to be carried out a few years later. The town was comprised within the walled area bounded by the present McGill Street, the River, Place Viger Station, and Fortification Lane. It contained a population "estimated at about 9000", and projects were afoot to procure a supply of water to be distributed through a system of wooden pipes and to light the town with street lamps. A few buildings stood without the walls to the north, and were scattered along the roads leading in various directions through open country and farm lands, as may be seen in the views presented. If its later magnificence as seen by the poet was not then apparent, it might still be said of the embryo city that

"She stands in her beauty fair between
The Royal Mount and the River below".

TRADE AND COMMERCE

Newspapers had been and were being established and the value of advertising was early appreciated by business men, as their columns shew. Trade flourished under the stimulus of frequent shipments of Ashes, pot and pearl; Brandy; Butter; Cheese; Coffee; Coal; Fish; Gin; Iron; Lumber; Leather; Molasses; Pork; Rum; Salt; Tobacco; Tea; Wines; which seemed to have been the principal imports worthy of mention in the current price lists advertised. Following the establishment of the English Regime, commerce was largely controlled by the little coterie of British Merchants who were the precursors and founders of Montreal's commercial supremacy, as a list of names culled from the records will show, many of the bearers becoming famous as explorers and discoverers, apart from their activities in their own affairs; Sir Alexander Mackenzie, Alex Henry, Simon Fraser, Cuthbert Grant, Joseph and Benjamin Probisher, Simon McTavish, Hon. John Forsyth, John Richardson, James

McGill, John Gregory, William and Duncan McGillivray, Beniah Gibb, Hon. John Nelson, John Young, Duncan Fisher, Roderick Mackenzie, Isaac Todd, John McCord.

THE FUR TRADE

The romantic story of the founding and operations of the Hudson's Bay Company is covered in the pages of general and special historians, and will be more fully treated in the forthcoming monumental work which Sir William Schooling has been officially commissioned to undertake. Its absolute, rigorous, and intolerant sway only the most venturesome, resourceful and intrepid would dare dispute. Hence the inception by two of those old merchants, Simon McTavish and his partner Joseph Frobisher, who formed the North West Fur Company, may be accepted as one of the most daring ventures in the history of Trade. How they induced associates to join them, the peculiar organization of the new Company and its conflicts with and capturing trade from the old, the later merging into the N.Y.S. Co., the internal quarrels, and, after many years of physical and legal strife with, and final absorption by the Hudson's Bay Company, it is inopportune hereupon to enter, except insofar as, like all the foregoing, it may be introductory to the more personal aspects of the story not forth in the original, unpublished documents herein cited, copies of which are in the writer's possession.

MARRIAGE

Whether it be due to lack of attractions in maidens of their own race, or the superior charm of La Belle Canadienne of that day, the fact is that "mixed marriages", if not then seriously discouraged were at least tolerated in Church and home circles, and that l'entente cordiale was early and solemnly established, as may be seen from the following list copied from the records:

The Reverend David Charbrand Delisle, Anglican, is said to have been the first Protestant minister and, according to Rev. Dr. Campbell, performed the following marriages:

Simon Frase ^r and Genevieve Lefebvre	1770
John Porteous and Josette Cargueville	1771
James McGill and Charlotte Gaillemin	1776
Joseph Frobisher and Charlotte Jobert	1779
Alex Henry and Marie Lavoie	1784

"In 1791, Rev. James Tunstall became assistant to Mr. Delisle and on the death of the latter he succeeded to the Rectorate with Rev. Philip Toosey as Curate." It was probably under his incumbancy that the following marriages were celebrated:

Simon McTavish and Marguerite Chabouillez	1793
Roderick MacKenzie and Rachel Chabouillez	1805 - Rev. Mr. Sommerville

It will thus be seen that Simon McTavish was himself a notable example of the Bonne Entente which he further emphasized by bequests in his will of \$1000 to each of the Communities of the Grey Nuns and the Hotel Dieu. His Marriage Contract, passed before Delisle, Notary, Oct. 1 1793, shows him as a man in the prime of life, 43 years old, marrying a French Canadian girl less than half his age, a minor, requiring and receiving the full consent of her mother and relatives in the absence of her father. Although no record of the ceremony can be found in any of the Archives, it is alleged, with some probability, by Mr. John Horn, one of the "oldest inhabitants", and an antiquarian of note, to have been performed on the day following the signing of the Contract "by Rev. Mr. Tunstall, Rector of the Anglican Church". Mr. Horn further cites from correspondence which he has seen wherein the writer says of her that "she was one of the most beautiful women whom he had ever met." The Family was a notable and wealthy one. Her sister, Rachel, married Roderick Mackenzie, as before noted; one brother, Louis, was a prominent notary of the day, and another brother was Ours de Longueuil. The name and decent in direct male line is probably extinct, but many collaterals are being traced and identified by Mr. E. S. Massicotte, Provincial Archivist, in the monograph which he has in hand. McTavish himself, as his portrait shews, was a man of handsome appearance and imposing presence, in fit keeping with the dominating personality he is said to have been, and which his handwriting, shown in the accompanying facsimile of one of his letters, would seem to substantiate.

ISSUE OF THE MARRIAGE

While it is true that Simon McTavish was a subscriber to the building of St Gabriel Church in 1792 and to the stipend of the new minister, and owned one of the pews, he also, probably for his wife's use, rented a pew in the French Parish Church, but his children, William, Mary, Ann, Simon, were all baptized in the Anglican Church, and an infant, Margaret, dying only 3 days old, was buried therefrom, as the Certificates establish.

THE MANSION AT THE MOUNTAIN

Here we enter with the bosom of fact to sweep away the cobwebs of fiction, myth and legend still attaching in living memories to the so-called "Haunted House". The exact date of its inception and erection - probably soon after his marriage - is uncertain, but the main structure, which was never completely finished, was probably in situ at the owner's death. It occupied the plateau - now bounded by Peel Street, McTavish Street, and Pine Avenue, somewhat south of the latter, and slightly nearer Peel Street. It was of the most imposing appearance and dominated the whole open country spread beneath, the view only broken by the "Country House", "Burnside" belonging to his neighbor and associate, James McGill, who bequeathed his "farm" to the University bearing his name, which stood at about the corner of the present Burnside Street and McGill College Avenue, where in its ruined condition it could have been seen until recent years when it was pulled down to make room for the building of the Jewish Synagogue and the residence of the late James Baylis. There were only farm lands between this point and the distant

city walls, as may be seen from the accompanying illustration copied from a rare print in the Chateau de Ramezay. The 4 views of the Mansion, more or less authentic, the recorded impressions of earlier writers, and the recollections of citizens still living, offer substantiating testimony to its palatial character. Being of some 120 feet frontage, including the domed wings, built of cut stone, pierced by three rows of windows - 100 in all, according to Mr. John Dougall, who counted them - with high-pitched roof covered with burnished tin plates and flanked by 4 tall brick chimneys, it must, as probably intended, have moved in the beholder feelings of awe, if not envy, as he gazed in admiration at this embodiment of wealth, power and splendor facing and overlooking the City below. However this may be, one seems, in reading between the formal lines of his Will, to glean a hint of the proud owner's ambition to found a Great Family bearing his name and arms and to worthily house it, but any such far-sighted plans were brought to a sudden end through the premature death of the would-be over-lord at the age of 54 years. All work on the Mansion was abruptly terminated and the place rapidly fell into decay and ultimate ruin, everything portable being carried off by thieves, until about the year 1859 the ruined skeleton was, according to Mr. Horn, purchased by Mr. O.S. Wood, the stone being used by him in the construction of his new house, "Braehead", immediately adjoining, and the tin of the old roof employed in covering his out-buildings. All sorts of fantastic legends had become attached, as such things will, to the old ruin, and stories of ghosts, apparitions, unearthly noises, even the tragic end of the late owner within its walls, were spread abroad and firmly believed by the credulous folk of the time and persist even to this day. Where not made up out of whole cloth, these tales of spiritual visitations may be accounted for by the moonlight glinting on the bright tin roof, the gurgle of running water, or the too-ardent "spirits" accompanying the trembling wayfarer passing by the lonely unfrequented road near which the late owner slept his last sleep.

DEATH AND BURIAL

The simple facts respecting these are set forth in the Burial Certificate, signed, as may be seen, by the Anglican Rector and two French and two English Witnesses, friends of the deceased, and by the testimony of a contemporary witness living at the time with the family, given by her to Mr. P.S. Murphy and set forth in an article by him in the "Canadian Antiquarian" of April 1892, and later repeated by Rev. J.D. Borthwick in his "History of Montreal and its Streets", 1897, to the effect that Simon McTavish ^{called} in his bed at the "Farm House", situated a little to the west of the Mansion, which he occupied as a "summer residence", on July 6 1804, from the effects of a cold contracted in the Spring while inspecting the work on his new dwelling, the lady adding, incidentally, that owing to the great distance which the mourners had to travel from the City in attending the funeral, lunch tables were spread on the grounds to furnish them with entertainment!

An evidence of the esteem in which Simon McTavish was held by his contemporaries, the following Obituary Notice from the Montreal Gazette of July 9 1804 will be read with interest:

DIED

On Friday last the 6th instant, Simon McTavish Esq., at his Country Seat near the Mountain - His talents and exertions

had secured him fortune, which none deserved more nor could use better than himself. He was hospitable to strangers, befriended the poor, relieved the distressed, was a warm and steady friend, and in every respect a man of generous and dignified character.- His spirit of enterprise distinguished him beyond most men, in which he persevered with a laudable zeal productive of advantage to himself and his connections, and of great benefit to the Public.- His death will be considered as a loss to Society, and will be long and much regretted by his family and friends.

It may be of further interest to here insert an advertisement which appeared in the Gazette of November 26 1804 respecting the necessary adjustment of business matters concerning the Partnership in which the deceased was associated:

THE MC TAVISH CITY RESIDENCE

Even learned Antiquarians can be mistaken, and the legend of the so-called "Lacroix House" of 1650 attaching to this dwelling and perpetuated in the label affixed to the painting of it in the McCord Museum should now be revised and amended.

As a matter of undoubted fact, the property, 23, 25, 27 St Jean Baptiste Street, was occupied by Simon McTavish, first as tenant then as owner, as his "Town House", which, as the photograph taken some years ago, shews, and a recent visit by the writer disclosed, was a Home of some pretensions, situated as it was in the then fashionable residential district.

By Lease passed before Edward William Gray, N.P., September 27 1786, one Richard Dobie, owner of this and the adjoining property, rented to Simon McTavish for a term of 7 years the dwelling described as "a new house never occupied by any person", with ice house to be used in common, at a rental of £130 "current money of the Province of Quebec" payable half yearly commencing January 15 next. The tenant was obliged to maintain the property in every respect, make all repairs, and deliver same in good condition on expiry of lease. Attached is a memo declaring doors, windows, cupboards, keys, complete and in good order, and "marble hearths quite entire".

On the 26th of February 1795, Richard Dobie sold to Simon McTavish, described as then "of London", acting by Joseph Frobisher, his partner, on behalf of purchaser, by deed passed before John Gerbrand Beek, notary, "that certain house and lot of land... in the City of Montreal in Saint Jean Baptiste Street" consisting of a "Stone Dwelling House built in the English Taste, Stables and out houses, with an ice house and a small garden measurements uncertain and a survey to be made". The consideration was £1650 Halifax Currency, purchaser to assume Seigniorial Dues. The term was 6 years with interest at 6% with privilege of paying any or all of the principal before the due date. In the "Terrier" or Land Plan, of the Seminary made in 1796, Simon McTavish appears as owner of the property.

As will be shown later, the widow was by the Will, given the use of the House with possession of all the furniture and contents, including horses, carriages, and their equipment, and the Inventory made for the Executors by J.G. Beek, N.P., September 20 1804, of which I have a

copy, throws interesting side lights on the style of such a manage, and the extended list of bottles, cases, and barrels shows that the late owner well uphold his place among the bons vivants of the time.

The building later became a warehouse and what is left of it is now incorporated in the commercial premises of the present owners.

NOTICE

Is hereby given that the business heretofore carried on by McTavish Frobisher & Co. at Terrebonne, will in future be transacted, by Henry McKenzie and Jacob Oldham, under the firm of McKenzie, Oldham & Co., who will also manage the business of the Mills and Seigniory, and give attendance to the Lock lately constructed there for the convenience of Navigation.

Montreal, November 26, 1804

THE TOMB AND MONUMENT

The earlier and later views and plan of the Burial Plot show the important character of the whole construction as it appeared when the later picture was made. Today, however, the Tomb has entirely disappeared under a great mound built over the site and supposedly covering the remains presumably lying beneath, but when this was done and by whom or under whose authority has not yet been definitely ascertained. Miss Taylor, daughter of Hugh Taylor, executor to John McTavish, says this was done by order of her father on his departure for England to prevent vandals from breaking in. The date of the erection of the Monument can now be approximately fixed, but much uncertainty has hitherto existed respecting the building of the Tomb and, indeed, whether Simon McTavish's body was at once buried there or later, or if at all. The discovered facts and deductions therefrom would seem to establish that the Mansion and the Tomb were erected about the same time, the one to glorify the living and the other to enshrine the dead. In a lease passed by the Executors before J.G. Beek, H.P., December 31 1804, following the testator's death in the previous July, the "farm" was rented to one Lewis Charles, gardener, an old employee and one of the witnesses to the Will, for the term of 12 years at £70 per annum. Among the usual provisions of all farm leases a special clause was inserted making it incumbent upon the tenant to "care for and look after the House lately built, clear snow from roofs, remove obstructions that may prevent rain or snow water from passing through drains or proper channels and to notify the Executors of any threatened damage" and further and specially that

"The said Lewis Charles shall keep up and maintain in good order the fence and railing which encloses the Tomb of the said late Simon McTavish upon the said premises".

(Signed) W. McGillivray

Jos. Frobisher

Isaac Todd

Jas Reid

Executors for themselves

and their absent colleagues

Lewis Charles (Lessee)

J.G. Beek, H.P.

Bte Deseve

This would appear to clear up the point in question concerning the Tomb.

X The Monument bears the following inscription:

Sacred to the Memory of SIMON M'TAVISH Esq
Who died July 6 1804
Aged 54 years

This Monument is erected by his Nephews
WILLIAM AND DUNCAN M'GILLIVRAY
To commemorate their high sense of his manly virtues
And as a grateful tribute
For his many acts of kindness shown to them

Those nephews were beneficiaries to a considerable extent under the Will as may be seen, and their action was natural and commendable.

From the following extract from the original MS Journal of Joseph Frobisher, 1806-1810, preserved in the Library of McGill University, of which the St-Sulpice Library possesses a copy, it will be seen that one of the builders soon followed his deceased uncle to the grave:

- 1808, April 9 Duncan McGillivray died this morning, between the hour of one and two o'clock
- " 10 The Body was opened
 - " 11 Poor D. McGillivray was buried at the Mountain in McTavish family vault
- | | |
|-------------------------------|--------------|
| Mr. McGillivray & Judge Reid | Mourners |
| Frobisher & MacKenzie | " |
| Fraser & Holdwell | " |
| Todd & Ogden | " |
| J. Reid & Son | " |
| B. Frobisher & Hollwell | " |
| Fleury & Chaboilles | " |
| Caldwell & Jo Frobisher | " |
| Pothier, Blackwell & Wm McKay | Full Bearers |
| D. McKenzie, Garden & Thain | " |
- Sunday, 17 The Mourners and Full Bearers attended at church with their Scarfs and Hat Bands after the Will was read at D. McGillivray's own house.

This fixes the date of the erection of the Monument as some time between 1804 and 1808. Mr. Horn claims 1805 to be the exact date, but this, though probable, he does not definitely establish.

From testimony in the Court Case referred to later, it would seem that one other relative, and probably three other unnamed persons, were also buried in the same Tomb where "lie the remains" of Simon McTavish.

LAST WILL AND TESTAMENT

This comprehensive and somewhat remarkable document, although evidently prepared some time previously, was signed only 4 days before the testator's death, the witnesses testifying "that at the time the said Simon McTavish was weak of body but of sound and disposing mind and memory."

Ample provision was made for the widow in addition to her Marriage Settlement; great fortunes were left to the children, their education in England stipulated, and provision made therefor. Handsome legacies were bequeathed to his nephews and the two Religious Communities before mentioned. Important bequests were made to his sisters-in-law and his father-in-law. Relatives and friends in Canada and Scotland were generously remembered and in case any should have been overlooked, the sum of £1000 was left in trust to be distributed at the discretion of the Trustees named. Elaborate provisions were made for inheritance through the male line of the "lot of land" in Montreal and the "Estate" in Scotland, with succession "in tail" as pre-named inheritors should fail, but in these respects, as events proved, the intentions of the testator were frustrated when the Mountain Property came to his nephew, John McTavish, by whom it was sold and eventually fell into other hands. An important condition was that "It is my will and desire that none of the foregoing legacies exceeding 100 guineas be paid out of my Estate until seven years at least after my decease", unless it could be done without prejudice to the Estate, a stipulation which delayed the action taken by one of the legatees to recover, as will be shown later.

APPOINTMENT OF TUTORS TO MINOR CHILDREN

This important and necessary proceeding was taken two months after the father's death, by "Petition" to the Court of King's Bench by the widow, Sept. 13, 1804. This is interesting, not only as an early example of the "Family Council" so common in the procedure of Quebec Courts today, but as bearing the signatures of notable people of the time, friends and relatives of the family, and the Executors of the Will. The mother accompanied the children to England where they were placed in various schools and their charges paid, as shown in the expense account of the Executors later referred to.

RE-MARRIAGE OF WIDOW

While carrying out the duties devolving upon her as Tutor to her minor children in England, the widow there met the man who became her second husband, as the following excerpt from the Journal of Joseph Frobisher shows:

1808

Wednesday, April 27,

This day heard of Mrs McTavish being married to Major Plenderleath (1) of the 100th Regt in London on the 12 February last.

It has not been found convenient, or indeed necessary for purposes of this brief sketch of special and limited application, to trace the story of the family in their life and presumed death of the children and their consequent failure to inherit the entailed lands under the Will, but the activities of Major and Mrs William J. Plenderleath may be seen in the record of the "Celebrated Case", of which a brief resume is given.

(1) Lt. Col. war 1812.- here in 1825 with wife, died in England, at an advanced age;

MONUMENT TO MC TAVISH CHILDREN - INSCRIPTIONS

Since this was written, there was, by the merest chance, discovered among some old papers, by the capable and efficient Curator, Miss Muir, in the McCord Museum, a drawing purporting to be of "a monument proposed to be erected to the memory of 3 children of Simon McTavish in Chiswick Church". Taking a long shot, I wrote to the Vicar asking if such a monument was actually erected in his church and if the burials were recorded there. He turned the matter over to the Verger, F. Horne, who, after a protracted search among 25 years records of burials, discovered the registrations of all 4 and prepared the official Certificates which I have. He discovered the monument hid away in the organ loft, with the panel later erected to young Simon, informing me that they were all buried in a vault beneath the North aisle which was concreted down in 1884 when the Church was rebuilt. He had a drawing made, with great skill and much difficulty, on a step ladder with a light to illumine the pitch darkness of the loft, by his son. He copied the inscriptions as lined and spaced, remarking upon the fine cutting of the letters, and sent me the whole docket, which I will now illustrate as something quite unknown till I dug it up, incidentally remarking that this little side excursion cost me about \$25, and that apart from the drawing, all information concerning these "Acts of Civil Status" could be had in a few minutes under our system and Certificates issued immediately at a cost of 50c each.

INSCRIPTIONS ON THE MONUMENT TO THE
CHILDREN OF SIMON McTAVISH
ERECTED ON THE WALL
OF THE ORGAN LOFT
IN CHISWICK CHURCH
LONDON ENGLAND

IN A VAULT BENEATH THIS CHURCH
ARE DEPOSITED THE REMAINS OF
WILLIAM McTAVISH
WHO DIED IN HIS 22nd YEAR AT STRAND ON THE GREEN.
ON THE 4th MAY 1818
ANN McTAVISH
WHO DEPARTED THIS LIFE AT BRIDPORT ON THE 22nd MRY. 1819
IN HER 20th YEAR
AND MARY PASLEY SISTER OF THE ABOVE
WHO DIED IN HER 22nd YEAR AT SIDMOUTH
ON THE 9th JUNE 1819

Lord Make Me To Know Mine End And The Measure Of My Days
That I May Know How Frail I Am.

SIMON McTAVISH ESQ^r
4th AND LAST SON OF SIMON McTAVISH. ESQ^r
OF MONTREAL
DIED AT RAMSGATE 9th OCTOBER 1828
AGED 25 YEARS

"Quis desiderii sit pudor aut modus
Tam Cari capitis?"

(1)

(1) Horace

No.385 DR. GEORGE SELBY vs EXECUTORS SIMON MC TAVISH, 1811

It was stipulated in the Will, as may be seen, that no beneficiary thereunder of an amount over 100 guineas should be paid before the expiry of 7 years from the death of the testator which occurred in 1804.

At the earliest possible moment, however, one Dr. George Selby, a personal friend of the deceased, took action against the Executors for the payment of his legacy of £200, as set forth in his "declaration", thus setting in motion the machinery of the Law with respect to a suit which was not finally disposed of until 1839, as shown by the Judgment of the Court. The mass of interventions, Pleas, Replications, and documents of all sorts, making a most formidable "Dossier", is still carefully preserved among the dusty Archives of the Court House in Montreal, where it may be freely examined by the curious student. In 1815 the Court ordered a Report to be made upon the affairs of the Estate McTavish and appointed R. Griffin to do the work. This Report was apparently made in triplicate, one copy being filed by the Claimant, another by the Defendants, and the third, presumably an "office copy", is in the Library of St-Sulpice in Montreal. It is from this comprehensive and exhaustive Report, that we are able to know the importance of the testator in his little world of that far day, and the very great relative and actual value of the Estate he left behind him. This may be better learned by careful reading of the document, and without anticipating such study, a few of the important items in the Inventory may here be noted.

The whole Estate was estimated at a valuation of £125,000, an immense sum for those days and, having in mind the relative worth of money, considerable even in these. There were £26,000 in shares of the North West Fur Company, and £40,000 were represented in the assets of the Partnership. The "Farm of the Mountain" now covering a large part of the City, and of untold value, being entered at £9956. The "Town House" in St. John Baptiste Street was valued at £2600, and the contents, given, with its use, to the wife, at £550. The "Seigniorie at Terrebonne", was put in at £34,000, the "Township of Dorset", comprising 48,000, at £4600, the "Estate of Danardy, in Scotland, at £6500, a share of the West India Docks, London, at £1100. These, and small holdings at Terrebonne and elsewhere, comprised the Estate as reported by the Assessor, who also set out at great length and in minute detail the many disbursements made by the Executors up to date. Many of these in the earlier years deal with expenditures on the Mansion and include interesting items of amounts paid to James McGill for half the cost of a fence between their adjoining "farms", fees to Dr Selby, the protagonist in the Case, for "attendance on the family", The "rent of a pew in French Church", and "annual subscription to Scotch Church". Much space is taken up with a recapitulation of the terms of the Will, a statement of payments of legacies thereunder, and a memorandum of amounts due. A great part of the Report covering the later years is taken up with charges for the board, lodging, schooling, clothing and medical attendance of the children in England, to which the curious are referred for interesting details.

JOHN MC TAVISH, NEPHEW

No attempt has been made to bridge the gap between the termination of inheritance in the direct line and, failing this, transmission to the first named of collateral descent who sold the Mountain Property which had presumably come to him as the next heir-at-law. He was certainly in Montreal 1808-9, as Frobisher in his Journal twice mentions his name as being among the guests on two occasions when he "dined at home" during that period. We next hear of him in Baltimore, Md. where, in 1816, he married Emily Caton, of the important family of that name, who was also connected with the distinguished Carroll family. Charles Carroll of Carrollton, it will be remembered, was one of the three American Commissioners to Canada in 1775, and is a notable example of the important family connection. John McTavish, we learn through the courtesy of the present British Consul at Baltimore, "was appointed British Consul at Baltimore on the 15th October 1834, died at his post on the 21st June 1852" and was there buried. He is said to have left at least one son who bore the family name of Carroll, but no serious effort has been made to trace descendants with whom we are not here concerned. The important fact is that he left all his property to his wife, Emily Caton, who now appears in the story in connection with property rights in the Burial Plot, Tomb and Monument.

NO. 1538, EMILY CATON, widow of John McTavish, vs HUGH ALLAN, 1861

Here again we open up a mine of valuable material and as the matter is of public record we have drawn upon it freely. It is shown by deeds filed that John McTavish sold December 21st 1843 the land known as "the McTavish Property" to James Smith and Duncan Fisher, who, in turn sold it to John Torrance and James Hatchison January 17 1854, from whom Hugh Allan bought a portion for his Estate of "Ravenscrag" on which he built his Mansion and erected an 8 ft stone wall around the grounds in 1861. In all these deeds the Plot on which the Tomb and Monument were erected within a stone wall, and a semi-circular approach thereto, shown on an accompanying plan filed in Court - a copy of which is here shown - were, with the "road" leading thereto, expressly reserved and excluded. The Case, which was only decided in Appeal in 1869, is explained by the "Declaration" of Plaintiff complaining of encroachment and demanding restitution and damages, which, together with extracts from depositions of several witnesses, copies of Judgments of the Superior Court and the Court of Appeal, are of record. Evidence is given as to the number of interments, perpetual reservation of the whole plot, data as to building the surrounding wall in 1846, and the consecration of the Burial Place by the Bishop of Quebec in 1848. Judgment was given ordering Defendant, Allan, to demolish the encroaching wall, which was done, as the semi-circular piece, surrounded by a board fence, jutting into the "Ravenscrag" boundary to-day attests.

The Plot is now registered under "Cadastre No. 1799" as still belonging to "widow of John McTavish" though "hors de commerce", but there is no record of "the road" leading up to and appertaining to the Plot - now absorbed in and forming part of the Park - ever having been regularly acquired by the City of Montreal among its purchases of land for the purpose in 1873-75 or later.

DOCUMENTS

The following Documents, copied from the originals in the Archives Department of the Court House, Montreal, from which much of the data in the foregoing pages has been derived, are in the possession of the writer:

- Marriage Contract, Simon McFavish & Marguerite Cheboillez, Oct. 1, 1793
- Birth and Baptisms of 4 children - William, Mary, Ann, Simon
- Burial Certificate, infant daughter, Margaret, 3 days old
- Burial Certificate, Simon McFavish, July 6-8, 1804
- Will of Simon McFavish, July 2, 1804
- Family Council & Appointment of Tutors, Sept 13, 1804
- Court Case, No. 385, Dr. Geo. Selby vs Executors McFavish, 1811
- Declaration of Plaintiff Selby, 1811
- Report & Inventory of Estate, H. Griffin, 1815
- Final Judgment & Distribution, 1839
- Court Case, No. 1538, Emily Caton, Widow John McFavish, vs Hugh Allan
- Declaration of Plaintiff, 1861
- Testimony of Witnesses, 1861
- Judgment Superior Court, 1861
- do Court of Appeal, 1866
- Inventory of Effects "Town House" 23, 25, 27 St-Jean Bpte
Sep. 20 1804, copy, G. Beck, H.P.
- Lease of "Town House" R. Dobie to Simon McFavish, Feb. 27 1786
extracts Gray, H.P.
- Sale - - - - - Feb. 26 1795
extracts, Beck, H.P.
- Burial certificates - William, Ann, Mary, Simon
Dec. 1 1922, Chiswick
Church, London
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SIMON MC TAVISH

List of photographs for slides illustrating lecture -

- No 1 - Rare map of Montreal in 1761 - as introductory background
 2 - Montreal in 1811 - from rare print in Chateau de Ramezay
 3 - Portrait of Simon McTavish from a painting by Sir Martin Shea, President of the Royal Academy, about 1800, original in possession of A.W.Reid-taylor, France, copy given to writer by John Horn, who had it from Mt Reid-Taylor (I)
 4 - Facsimile of letter of Simon McTavish in St Sulpice Library by courtesy of Dr Fauteux, Librarian
 5 - The McTavish Mansion - traditional memory sketch
 6 - do re-drawn from sketch in possession of the late David Denne for use in Anniversary Number of the Witness
 6a- do original of same sketch by John Hugh Ross (Denne to Learmonth, to McGill, to McCord Museum) by permission
 6b - do rear view, pen and ink sketch by John Hugh Ross in Chateau de Ramezay, by permission
 7 - Section ~~Plan~~ ~~Map~~ of Montreal in 1811, showing Mansion, Farm House, Monument &c
 8 - Section of view of Montreal in 1852, do do do
 9 - View of Montreal in 1852, from rare print in possession of F.W.Cowie Esq, by permission
 10 - "Burnside", James McGill's "Country House", from sketch by W.B.Lambe in 1848, courtesy Board of Trade, owners.
 10a- "Burnside", from pen and ink sketch by John Hugh Ross, in Chateau de Ramezay, by permission, probably copy of 10
 11 - Burial Certificate of Simon McTavish, from Provincial Archives, Court House, Montreal.
 12 - The McTavish "Town House", 23,25,27 St Jean Baptiste Street, NOT the so-called "Lacroix House"
 13 - The Tomb & Monument as erected-from Hochelaga Depicta, 1839
 14 - Do with wall, from water color in McCord Museum - (circa) 1850-60 - by permission
 15 - Inscription on Monument, from Hochelaga Depicta, 1839
 16 - Plan of Mountain Properties, 1836
 16a- Monument to McTavish Children in Chiswick Church, London
 16b- Inscriptions on Monument and Tablet beneath.
 16c- Chiswick Church, exterior view
 16d- do interior view showing organ loft and North Aisle, sites of Monument and vault below
 17 - Plan of Tomb and "reservation" of ground in front - from the Archives, Court House, Montreal.
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