

THE HYATT PAPERS: AN INTERPRETATION

Introduced and transcribed by

Stephen Moore

Sherbrooke

As with most military confrontations, the hostilities arising out of the American Revolution produced a significant number of political refugees. In making the decision to remain loyal to the British crown, many Americans found themselves displaced from their homes and businesses, ridiculed and persecuted by their fellow colonists. As a result, most fled to what remained of British North America: what was then Quebec and Nova Scotia. One of the principal points of entry for those travelling by land and inland waterways was the outlet of Lake Champlain where it empties into the Richelieu River in what is today the Province of Quebec. Along the banks of the river and in the area adjacent to Missisquoi Bay, hundreds of loyalists from the Hudson River Valley and northern colonies congregated in safety and in anticipation of government reconciliation.

In return for property confiscated and/or military service in support of the crown, the loyalists sought compensation from government representatives. In addition to short term needs such as food and related supplies, the loyalists also requested grants of land for the permanent resettlement of their families and the re-establishment of their livelihoods. Up to this point in time, settlement in the old colony of Quebec had been concentrated along the St. Lawrence River and its principal tributaries. The more outlying areas remained unsettled and were considered for the most part, wastelands. Included among these wastelands was the territory in the southeastern part of the colony, now known as the Eastern Townships. The mountainous foothills and uplands of the area were viewed by many loyalists as representative of the topography of New England and New York; a landscape that was familiar and appealing, their ancestors having farmed similar terrain for generations. The colonial government on the other hand, initially prohibited settlement in the area, wishing instead to retain the territory as a wilderness impediment to the northward spread of

republican ideologies emanating from the independent American colonies. As a consequence of this policy, loyalists were encouraged to relocate to other sections of the colony, notably, the upper reaches of the St. Lawrence River Valley and the Gaspé Peninsula. Grudgingly, most loyalists complied. A handful of loyalists, though, remained in the area and continued to lobby for lands in the eastern sections.

In 1791, the government reversed its policies and with the introduction of the Constitutional Act, began the process of opening up the Eastern Townships for settlement. The territory was subdivided into approximately ninety townships, each measuring about 10 miles square. The individual townships were granted to groups of settlers, consisting of a leader and a minimum of fellow associates. Among the first to apply for lands in the region were the remaining loyalist holdouts still residing in the upper Richelieu Valley near Missisquoi. Included in this group was a loyalist by the name of Gilbert Hyatt.

Having served with the King's Loyal Americans under General Burgoyne, Hyatt submitted a petition for the Township of Ascot based upon his military record. After nearly a decade of delays caused by government changes in regulations and deliberate posturing in respect to the whole subject of land grants, Hyatt was eventually granted Letters Patent for Ascot in 1803. To his dismay, however, he received only a portion of the township. As well, some of his associates were disqualified outright and others received less than the normal anticipated 1200 acres. Hyatt was unable therefore to cover the costs he had incurred in settling the township. By his own account, he had spent a personal fortune on such endeavors as the construction of a road from Missisquoi, the establishment of a grist mill on the falls of the Magog River, the settlement of a number of families and the surveying of the township. Because these costs were never recovered, Hyatt was forced to sell off most of his grant and to exploit the commercial opportunities of his mill site in what is today the city of Sherbrooke. Deprived of the land to which he was entitled and thus the financial security that it represented, Hyatt travelled to Quebec City on numerous occasions to plead his case. While there, he submitted many memorials to the government, though all to no avail. His claims rejected, Hyatt was forced to live out his life in financial despair and relative obscurity.

In the fall of 1991, Glenn Taylor, a resident of Phoenix, Arizona and a direct descendant of Gilbert Hyatt, donated a collection of

private papers to Bishop's University. Handed down from generation to generation, the collection consists of various papers relating to the Hyatt family including petitions, deeds, military certificates and government documents. While the selection of papers contained in the collection are but a mere fraction of the total number of documents that can be attributed to Gilbert Hyatt, they nevertheless constitute a representative sample of the type and variety of legal documents that Gilbert and other family members were witness to in their daily lives during the early days of settlement in Ascot Township. The following examples that make up part of the collection, reflect some of the overall problems associated with the initial settlement of the region and more specifically, the inequities that often characterized the land grant system during the 1790s and 1800s.

* * *

Explanatory Notes on the Transcription of the Hyatt Papers

In transcribing the Hyatt Papers, the following procedures and practices were employed:

1. all original punctuation was retained
2. because of different handwriting styles, capitalization was not retained but altered to conform with today's standard
3. of those documents consisting of text that is both printed and handwritten, the non-printed text (ranging from individual letters to whole paragraphs) is enclosed in double quotation marks
4. text that is segregated in the original documents by brackets is identified in the transcripts by: []
5. the use of () in the transcripts implies inserted information as in the following examples:
 - (sic) spelling error
 - (_____) indiscernible word or words
 - (de)privation missing letters or syllables
 - (signed) signature
 - (double entry) words written twice

The first item consists of a list of applicants for land grants in the Township of Ascot, dated 1796. In effect, it is a list of 45 associates and their leader, Gilbert Hyatt, each of whom petitioned for specific lots within the township. Because of changing government regulations, varying aspirations of individual applicants and the inability of some to meet minimum conditions and requirements, the makeup of the list of associates often changed over time. Hyatt's original petition for example, contained over 200 associates while the final list of grantees recorded only 30 individuals in 1803.

The repetition of family names on the following list reflects the interrelationships that often existed among associates of a given township; relationships that were based upon family ties, joint military service or common links to a former community. As the document suggests, the Hyatt family was well represented among the list of associates, with five brothers named in addition to Gilbert. As well, Gilbert's mother's maiden name was Canfield, thus establishing the identity of another family member on the list, Enos Canfield.



List of the Speculators of the Town of Annett

<i>No. Lots</i>	<i>Cont. with</i>	<i>Names</i>	<i>Remarks</i>
3	8	Gilbert Hyatt	Leader
9	6		
12	7		
19	7		
2	8	Joseph Hyatt	
1	5	Abraam Hyatt	
8	7	Isaac Hyatt	
5	7	Jacob Hyatt	
6	1	Cornelius Hyatt	
7	7	Edw ^d Lobdell	
13	0	Thomas Lobdell	
15	6	James Lobdell	
10	6	Moses Knapp	
1	4	David Moe	
2	4	Joseph Merihew	
14	6	John Merihew	
		Tho ^s Merihew	
4	5	Clam A Moe	
		Abraam Moe	
14	7	Joseph Moe	
		Franis Wilcox	
3	6	Clement Wilcox	
4	6	Joseph Wilcox	
3	5	John Wilcox Sr	
		John Wilcox Jun ^r	
7	4	John Wilcox 3	

No Lots	Rank	Names	Remarks
11	6	Stephen Wilson	
3	2	Thos. Wilson	
1	3	Abiram Vantide	
25	7	Chas. Dorman	
26	7	Sam. Dorman	
10	6	James Dorman	
		Philip Cook	
		Sam. Bickham	
12	4	Joel Leonard	
12	5	John Ward	
		Uri Colgrove	
5	7	Enos Campfield	
16	6	John Newton	
15	4	Benj. Benedict	
		Samuel Hubart	
7	7	Willard Hubart	
		Levi Presbrey	
2	3	Jacob Mc	
10	4	Belus Ward	
1	1	Phillip Dillenback	
2	1	Henry Dillenback	
17	7	Jonathan Spall	
6	7	W. Kinder	

Hyatt Papers: file # 1, article # 24**format:** two remnants of one folio - handwritten**subject:** list of associates for Ascot Township, dated 1796**folio title:** List of Associates and their petitions (?) or Lot(s)
Ascott (sic) 29th Feb^{ry} 1796**folio text:**

A list of the Associates of the Town(ship) of Ascot

N. ^o Lots	Concession	Names	Remarks
3	8	Gilbert Hyatt	Leader
9	6	"	
18	7	"	
19	7	"	
7	6	"	
2	8	"	
1	5	Joseph Hyatt	
8	7	Abram Hyatt	
5	1	Isaac Hyatt	
6	1	Jacob Hyatt	
7	7	Cornelius Hyatt	
7	4	Ebnez. ⁿ Lobdell	
13	8	Thomas Lobdell	
15 (13?)	6	James Lobdell	
10	6	Moses Knapp	
1	4	David Moe	
2	4	Joseph Merihew	
14	6	John Merihew Tho. ^s Merihew	
4	5	Elam A Moe Abram Moe	
14	7	Joseph Moe Francis Wilcox	
3	6	Clement Wilcox	
4	6	Joseph Wilcox	
3	5	John Wilcox Seig. ⁿ (sic) John Wilcox Jun. ⁿ	
7	4	John Wilcox 3 (i.e. the 3rd)	
11	6	Stephen Wilcox	
3	2	Tho. ^s Wilcox	

1	3	Abram Vontine
20	7	Ebnez. ⁿ Dorman
26	7	Sam. ¹ Dorman
15	6	James Burns
		Philip Cook
		Sam. ¹ Peckam (sic ?) Jun. ⁿ
12	4	Joel Leonard
12	5	John Ward
		Uri Colgrave
5	7	Enos Canfield
16	4	John Newton
15	4	Benj. ⁿ Benidict (sic ?)
		Israel Hubart (sic ?)
7	7	Bildad Hubart (sic ?)
		Levi Presbrey
2	3	Jacob Moe
13	4	Beluv (?) Ward
1	1	Philip Dillenback
2	1	Henry Dillenback
17	7	Jonathan Ball
6	7	V (?) Kindell

In 1800, the colonial government decided to award the Township of Ascot to Gilbert Hyatt as the following document attests. Calling for a warrant of survey and subdivision of the township, the government officially issued Letters Patent two years later. According to the document, only 24 associates were under consideration at this point in time.

Hyatt Papers: file # 2, article # 01

format: one leaf - handwritten

subject: Order of Council regarding the surveying and subdivision of Ascot Township, dated 1800

leaf title: Ascott (sic)
Order of Council for a Warrant of Survey and Subdivision in favor of G. Hyatt & 24 Associates
3^d March 1800

leaf text:

Extract from the Minutes of Council
Council Chamber Castle of S.^t Lewis
Quebec 3rd March 1800

Present

His Excellency Rob.^t S. Milnes Esq.^t Lieut. Governor in Council

Ordered also that a Warrant of Survey and Subdivision of the Township of Ascott (sic) do issue in favor of Gilbert Hyatt and his 24 Associates returnable before His Excellency in Council subject to such further order as shall be deemed expedient.

A true Extract
(signed) H. Ryland

marginal note: Rec^d Monday 17th March 1800
and paid 2/6 fee thereon
(initialled) S.J.

The following document from the same year, reflects both the documentation and costs involved with the land granting system during this period. It consists of a statement of patent fees relating to the land granted to Hyatt and his associates, amounting to in excess of £72 on a total of 20,160 acres of land.

Hyatt Papers: file # 4, article # 21

format: one leaf - handwritten

subject: statement of fees regarding the issuing of patents for Ascot Township, dated 1802

leaf title:

Note

Fees due on the Township of Ascott (sic)

4.th Dec.^r 1800

For Mr. Hyatt

leaf text:

Note of Fees to be provided by Mr. Hyatt
for the Township of Ascot

Ex.^c Council office fees on

Dist.^r return 30 ass^o a(t) 2/6 ea(ch) 3 - 15 - 0

Patent fees on 19,200 acres

add 5 pct 960

20,160 at 3 - 6 - 8

(___) 67 - 4 - 0

Copy of patent etc 1 - 0 - 0

Enrollment -10 - 0

72 - 9 - 0

With the issuing of Letters Patent in the spring of 1803, the government formalized its decision to grant Gilbert Hyatt only part of the Township of Ascot. Almost immediately, Hyatt was put in the position of having to exploit his mill site on the Magog River in an attempt to recapture some of the capital he had expended over the previous decade in establishing his claims to the township. The following deed demonstrates how Hyatt relinquished title to two riverside lots in order to secure the operation of a blacksmith shop in the vicinity of his grist mill. By attracting various artisans, Hyatt hoped to inflate the value of real estate in the burgeoning community of Hyatt's Mills and thus the value of his Ascot land grants.

Hyatt Papers: file # 1, article # 23

format: one folio - handwritten

subject: deed of obligation of Gilbert Hyatt to Felix Ward

folio title: Bond

Gilbert Hyatt to Felix Ward
for two pieces of land

folio text:

Know all men by these presents, that I Gilbert Hyatt of Ascott (sic), in the County of (blank) in the District of Three Rivers, and Province of Lower Canada am holden and firmly bound unto Felix Ward of the town, county, district and province aforesaid in the sum of one thousand Spanish dollars, to be paid to the said Felix Ward his certain attorney, his heirs, executors, and administrators, to the which payment well and truly to be made I bind myself my heirs, and assigns, jointly and severally firmly by these presents, sealed with my seal. Dated this nineteenth day of November in the forty third year of His Majesty's reign and in the year of our Lord one thousand eight hundred and three.

The conditions of this obligation are such, that, whereas Felix Ward hath promised to build a shop and carry on the business of smithing. The above named Gilbert Hyatt hereby promises and agrees under the above penalty to give the said Felix Ward, his heirs, etc. a good executed deed of two certain pieces of land herein after described agreeably to the laws, of said province whenever the same shall be demanded and which the said Gilbert Hyatt voluntarily declares himself the lawful owner having never before bargained away the same, the said pieces, being a part of lot number nineteen in the seventh range of lots in the said Township of

Ascott (sic), described as follows, [viz] first piece beginning at a post standing on the southerly side of the outlet of Lake Memphremagog 174 feet south 69 degrees west of a large rock on the same side of the river and running thence south 85 degrees west 40 feet to a post, thence north 5 degrees west 30 feet to a post, near the water side, thence north 85 east along the shore 40 feet to a post, thence south 5 degrees, east 30 feet to the place of beginning be the same more or less.

Second piece,

Beginning at a post one chain seventy four links south 10 degrees west of the edge of a rock upon the south side of Memphremagog River a little below the falls, about midway of the floom (sic) that conducts the water to the grist mill, thence running south 10 degrees west three chains fifty links to a post, thence north 80 degrees west two chains fifty links to a post, thence north 10 degrees east three chains twenty five links to a post, thence south 85 degrees east two chains fifty links, to the place of beginning, containing about one hundred and thirty five square rods of ground be the same more or less. Surveyed by Joseph Kilborn on the delivery of the deeds of the above and within described, lands, this obligation null, and void otherwise in full force. Signed and delivered in presence of the witnesses whose names are hereunto annexed, agreeably with the within dates.

(signed)

Gilbert Hyatt

Ebenezer Dorman

Peter Stone

And whereas the principal motive and intent of this sale & conveyance is to enable the said Felix Ward to carry on his smith trade on this part of the said Township of Ascott (sic) and the piece of land herein first before described [an(d) which the s.^d Felix Ward hath already erected a shop] was & is by them the said Gilbert Hyatt & Felix Ward destined and appropriated for that purpose It is therefore covenanted & agreed by & between the said parties (____) and these presents are made (_____) that the said Felix Ward nor his h(eirs) or assigns shall not convert the said piece of land herein first described & the shop now erected thereon so any other use whatever than that for carrying on the said blacksmith trade on pain of the nullity of these presents and that in case his heirs or assigns should not carry on or cause to be carryed (sic) on the said trade on the said premisses (sic)

Because of constant delays brought about by government policy changes, bureaucratic indecision and ineptitude or deliberate stalling tactics, settlers often found themselves in legal limbo, unaware of their present or future status. When the government decided in 1803 to grant only part of the township of Ascot to Hyatt and his associates, Hyatt (and his associates) fully believed that after appropriate appeals, the remaining lots would be handed over as well. This belief is reflected in the following deed of obligation in which one of Hyatt's associates, having decided perhaps to seek his fortunes elsewhere, expressed the desire to satisfy his legal obligations to Hyatt through arbitration.

Hyatt Papers: file # 1, article # 13

format: one folio - handwritten

subject: deed of obligation from Nehemiah Hadley to Gilbert Hyatt and arbitration

folio title: Bond
Hadley to Hyatt
In arbitration
1804

folio text:

Know all men that I Nehemiah Hadley of Ascott (sic) in the Province of Lower Canada, am held & stand firmly bound unto Gilbert Hyatt of the same Ascott (sic) in the full sum of one hundred pounds provincial currency, to the which payment well & truly to be made to the said Hyatt his heirs & assigns; I the said Hadley do hereby bind myself my heirs, executors & administrators forever by these presents. Witness my hand & seal this twenty eighth day of July AD 1804. Be it remembered that whereas the said Hadley is now situate upon the moiety half of the lot numbered fourteen in the fourth range, for a deed of which the said Hadley now hold(s) & a bond against Jon.^o Ball, & the said Ball holds a bond against the said Hyatt for the same & as said lot is not included in the charter of A.(scot) Town(ship) & as the said Hyatt has made application to the government of said province for a grant of the same half lot on account of, & in the name of the said Hadley for said westerly half, & a determination of government has not yet been made known & the before named parties, & the said Hadley being uneasy in his situation, has called for the penalty of his s.^d bond, & as the damages ultimately falls upon the said Hyatt, & as said Hyatt & Hadley does (sic) not agree upon

terms of settlement in the case, have agreed to refer the same to the judgement & decision of Lee Terrill, Ebenezer Dorman & Moses Nichols, who after hearing the parties upon the same, are to make up their judgment or award in the case, upon the following principals, [which award shall be final between the contending parties]. viz. To say how much damages, if any, shall be awarded to the said Hadley & how the same shall be paid, & when, & whether said Hadley shall even have any priviledge of any thing heretofore done or said, & shall hereafter be done or said in the name of the said Hadley, by the said Hyatt, in procurring said half lot, & also to say whether or not, said Hadley shall give said Hyatt a bond & deed to said Hyatt, said half lot, in case said half lot shall be granted to said Hadley by government, in consideration of duties etc being done by said Hadley upon the same.

Done in the presence of

(signed)	Lee Terrill	Nehemiah Hadley
	Ebenezer Dorman	
	Moses Nichols	

We the undersigned having taken the before named promises into consideration, do agree that M.^r Hyatt give M.^r Hadley two hundred dollars one half to be paid upon the first day of January next & the other half upon the first day of January next after, one half of each payment to be made in neat stock, & the other half in merchantable wheat, & that N.^a Hadley give said Hyatt a bond to deed first half lot to said Hyatt in case it is ever granted by government to N.^a Hadley

(signed) Lee Terrill
Ebenezer Dorman
Moses Nichols

Unfortunately for Hyatt and his family, the inequities of the 1803 decision were never emended. Despite endless appeals Hyatt never received title to the remaining lots. Even after Gilbert's death in 1823, the family continued to plead his case to the government as demonstrated by the following petition submitted by Gilbert's wife, Anna Canfield. By this point in time, however, the family was willing to accept any form of compensation.

Hyatt Papers: file # 3, article # 03

format: one leaf - handwritten

subject: petition from Anna Hyatt for compensation in respect to the expenses incurred by her late husband, Gilbert Hyatt, for surveying the Township of Ascot, dated 1824

leaf title: (none)

leaf text:

To His Excellency

The Honorable Sir Francis Nathaniel Barton, Knight Grand Cross of the Royal Hanoverian (___) Order, Lieutenant Governor in and over the Province of Lower Canada, etc. etc. etc.

May it please Your Excellency

The memorial and petition of Anna Hyatt, widow of the late Gilbert Hyatt Esq^r in his lifetime of the Township of Ascot and province aforesaid

most humbly showeth

That during the late American Revolution the said Gilbert Hyatt, actuated by the most sincere sentiments of loyalty, left his native country, the then Colony of New York, and came into the Province of Quebec, and immediately entered into the service of His late Majesty in which he continued to serve faithfully until the peace of 1783. Shortly after which he together with many others of His Majesty's faithful old loyal subjects, being encouraged to expect portions of His Majesty's wastelands, settled themselves at Missiskoui (sic) Bay where after some length of time by persevering industry he procured a decent property

That in the year 1792 from the encouragement then held out by the Proclamation of the then Lietenant Gover.^r General Allured (sic) Clarke inviting such of His Majesty's loyal and faithful sub-

jects who were or might desirous of settling themselves on and obtaining portions of His Majesty's wastelands in the Province of Lower Canada to come forward and apply for the same. In consequence of which the said Gilbert Hyatt with (___) others his associates was induced to apply for a portion of His Majesty's wastelands and obtained a Warrant of Survey for the Township of Ascot and penetrated into a pathless wilderness the distance of eighty miles with his surveying party, where with incredible fatigue, hardship, (de)privation, and expense he completed the survey of the whole Township of Ascot, under the full assurance of obtaining a grant of all the lands comprised in his survey. Immediately after completing the survey, at great expense in assuring a passage into the wilderness for the purpose of making a permanent settlement in his township with his family, he effected this arduous undertaking, where he resided twenty seven years, constantly using all his exertions, and induring (sic) incredible hardships and inconveniences in order to promote the individual and general prosperity of the Townships, until his excessive fatigues brought him to a premature end, something more than a year since, leaving from all the land granted to him but two hundred acres, for the maintenance and support of Your Excellency's memorialist and petitioner and six children and considerable debts to be paid even out of this slender remnant of a more ample fortune. In point of fact Your Excellency's memorialist and petitioner's husband sunk the bulk of his fortune in this unhappy business - not thro' any want of due exertion or calculation on his part, but thro' a series of events which proved highly detrimental to the interest of the Townships and such events [regarding the applicants] as could not either before seen or guarded against by any human sagacity prudence or foresight on his part -

After paying the money for the survey of the whole of the Township of Ascot he received a grant for one moiety only, so that in reality the sum of one hundred and fifty pounds have been advanced to Government twenty seven years since for which he has not received even a normal compensation towards the survey of the ungranted lands -

Under consideration of the above described nature Your Excellency's memorialist & petitioner feels a confidence in applying to the justice of Your Excellency in her cause, and begs permission to solicit a return of the monies or a remuneration therefor, for the expense which her late husband paid out for the sole benefit of Government in surveying that part of the Township of Ascot

which still remained in the hands of the Crown meaning 75 (pounds) together with the lawful interest which may have accrued since; or any other provision which Your Excellency in great wisdom and justice may think her case may warrant such as an equivalent in a suitable portion of the yet ungranted lands in said Ascott (sic) - And your mem.st & pet.^r as in duty bound will ever pray

Ascot 22nd Dec^r 1824

widow of the late G. Hyatt Esq^r

The government's decision to grant only part of the Township of Ascot in 1803, left Hyatt financially destitute. Because he did not receive the amount of land anticipated, Hyatt was unable to cover the costs incurred in settling the township. Having expended his own personal fortune, Hyatt was forced to live out his remaining years in a lifestyle that was subordinate to what he had been accustomed to before the war. The following document records the share of Gilbert and Anna's estate apportioned to one of their sons. The list is meagre, suggesting that the Hyatt's enjoyed a relatively modest lifestyle at best.

Hyatt Papers: file # 1, article # 11

format: one leaf - handwritten

subject: inventory of Charles Hyatt's share of the estate of his parents, Gilbert and Anna Hyatt, date unknown

leaf title: Cha^s Hyatt
Inventory

leaf text:

Copy of Charles Hyatt's
Share of the Personal Estate of
Gilbert & Anna Hyatt

9 chairs	\$ 3.60
1 sleigh + harness	20.00
1 yoke irons + chains	7.25
1 account book	1.00
1 bed	10.00
	\$ 41.85

The last document which is presented originated from the government. It is a response to a petition submitted by one of Gilbert Hyatt's sons, Charles. The document demonstrates that even as late as the 1830s, the family had not abandoned its goal of emending the wrongs of 1803. But as the government official argued, too much time had elapsed in the interim to evaluate whether or not any injustice had indeed been perpetrated on the family.

Hyatt Papers: file # 1, article # 22

format: one folio - handwritten

subject: deed of obligation from Nehemiah Hadley to Gilbert Hyatt and arbitration

folio title: (none)

folio text:

Know all men by these presents that I Nehemiah Hadley of the Township of Ascott (sic) County of Buckinghamshire District of Three Rivers in the Province of Lower Canada am held and stand firmly bound and obligated to Gilbert Hyatt of the township county district and province aforesaid in the penal sum of four hundred Spanish dollars the payment whereof well and truly to be paid to the said Gilbert Hyatt. I hereby bind myself my heirs and assigns. Signed with my hand and sealed with my seal this twenty fifth day of June in the year of our Lord one thousand eight hundred & five -

The conditions of this bond are stated in an award of arbitration given in writing by Lee Terrill Ebenezer Dorman & Moses Nichols arbitrators dated the twenty eighth day of July 1804 and signed by them the said arbitrators -

The condition of this obligation is such that whereas the said Hadley being now settled & resident on lot number fourteen in the fourth range of lots in the said Township of Ascott (sic) which said lot is not included & granted in and by the Letters Patent for the said Township of Ascott (sic) reference to which said lot is made in the aforesaid award of arbitration Know that I the said Nehemiah Hadley do hereby bind and oblige myself my heirs and assigns to give and execute to the said Gilbert Hyatt a good deed in due form according to law and usage in this said province whenever and if ever the said lot is shall or may be granted or assigned to me and furthermore promise by these presents to give all the assistance in my power [whether present of future] to

