

his heirs and assigns forever; saving nevertheless, to Us, our Heirs and Successors, all mines of gold and silver that shall or may be hereafter found on any part of the said parcel or tract of Land hereby given and granted as aforesaid; and saving and reserving to Us, our Heirs and Successors, all White Pine Trees, that shall or may now or hereafter grow, or be growing on any parcel or tract of Land hereby granted aforesaid."

Although the Mitchells settled on the grant given them and had all their required settlement duties done long before the following date, the final Deed of Land was not issued until 1836.

The rather alliterative stipulation concerning "Mines and Minerals and White Pine Trees", was often repeated in the settlement with no feeling of rancour, but often with amusement.

Another condition of tenancy, probably originating with Col. Talbot, who was determined to build roads necessary for intercommunication, was that every settler should "Chop down, chop up and roll out", the trees and logs on his own frontage, for a certain number of feet. It is said that some wag took the orders so realistically, that he took his axe out to a big pine tree, chopped one stroke downward in the bole of the tree, then took a swipe upward, after which he laid himself down on the ground and rolled out the required number of feet. He had done his duties. He had "chopped down, chopped up and rolled out", what more was to be required.

Ephraim Cole Mitchell and Mary McCall prospered in their new home. Soon the first small house, which was probably of logs, was replaced by a commodious clapboard farmhouse, which sheltered three generations and was later succeeded by a handsome red

brick residence. It is an interesting fact that the stones used in the two huge stone fireplaces, in the first sizable house, were later used in the basement walls of the brick residence, which was the home of Ephraim Mitchell's grandson, Walter A. Mitchell.

The restrictions regarding white pine trees must have been removed, for Ephraim C. Mitchell cut and sold the lumber from many huge pine trees, as the miles of pine stump fences of a quarter of a century ago could testify. Only the clear stuff was saleable and the remainder of the trees were cut in lengths which could be rolled into great log heaps and burned. Logging bees were frequent in the neighborhood, where every man turned out to help his neighbor pile and burn this timber, which now would be worth untold wealth. The main object was to get the land cleared in ~~order~~ order to grow grain, fruits and vegetables for the subsistence of the family.

To-day there is not an old pine left on the Mitchell place and the writer ventures to say there is not one left in the whole of "Saw-log" Bayham. There is not even a stump left remaining of the old stump fences. Where the pines, the oaks and chestnuts once reared their lofty heads, clear, finely cultivated fields wave with the green gold of tobacco leaf, or ripple in the breeze with bowing heads of growing grain.

The timber was so huge in Ephraim Mitchell's day that it was a great task to get the logs hauled to the rollway on the Big Otter Creek, which apparently was then a much more consequential stream than it is at present. Oak logs as well as pine were floated down the Otter Creek to Port Burwell, for the thriving stave and shipbuilding trade which flourished at that Port on Lake Erie, before the steam railroads put the boats out of business.

A story was told to the writer, of an oak spar being cut off the E.C. Mitchell place that was so large that it took fourteen yoke of oxen to haul it to the rollway. A similar story has been told as having occurred at another place, but this story was told as having been an eyewitness incident, which the writer does not doubt. Perhaps fourteen yoke of oxen was the longest string of the clumsy beasts that could be handled at one time and a similar incident may have happened elsewhere, or it may be the grapevine route spread the news and the story became a legend.

As a child, the writer has seen and could still point out the exact spot where the old rollway was situated. The logs were stamped with the owner's mark and rolled into the Otter, where they floated down to Lake Erie.

From an old newspaper clipping, we gain some important facts. These do not deal directly with the history of the Mitchell family, yet indirectly, the facts contained therein had much to do with Ephraim Mitchell's prosperity and is of great historical interest.

"From 1840 to 1855 lumbering was the industry of the municipality. - - - During the early part of that period, oak trees were put under contribution and the business was staving. The shipments to the Quebec markets were about 100,000 pipe and 400,000 to 600,000 West India staves per year. The pine, however greatly outnumbered the oak and though an extensive raid was organized against them, they furnished much employment until about the year 1872. In 1849 there were 29 saw mills in the township. - - - Untold millions of feet of excellent lumber found its way over the water waters of Lake Erie to the busy marts of

the world. From two to four hundred vessel loads were sent out per year. Much also was sent uncut, in rafts, sometimes two miles long. Another clipping states that from 1834 to 1875, forty-two vessels were built and launched at Port Burwell. Some of these ships went to the old world and were sold, and all would compare favorably with those of the same class built in any other port.

In 1849 there were twenty-nine saw mills in the township and in 1851 the first steam whistle sounded in Port Burwell.

Ephraim Cole Mitchell-1786-1872 and Mary McCall Mitchell-1787-1873, had five children:

Thomas Walsh Mitchell-1811-1901.

Simpson Mitchell-1812-1885.

George Mitchell.

Elsie Mitchell-1817-1908.

Mary Ann Mitchell-1822-1909.

There were 28 grandchildren and 50 great grandchildren.

Their descendants, all told, sum up to about 300 at the present day.

#### THOMAS WALSH MITCHELL

Thomas Walsh Mitchell, eldest son of Ephraim Cole Mitchell and his wife Mary McCall Mitchell, was named for the veteran surveyor and staunch United Empire Loyalist, Thomas Walsh, of Norfolk, Long Point Settlement.

Thomas Mitchell was born at Vittoria, in Charlotteville, and remembered well the McArthur raid on the neighborhood in November of 1814. Thomas, aged four, had a new overcoat, which his mother had made - probably she had spun the yarn and woven the cloth - and it was a rather precious article to young Tommy. When the raiders were getting pretty close, the little lad cast

about in his mind, to think of a safe place to hide his coat. It may be said, with truth that the freebooters took and destroyed everything they could lay their hands on, even to ripping up feather beds and pillows and scattering the feathers to the four winds.

The best place Tommy could think of for secreting his coat, was to put it in a bag of corn up in the attic. He covered it well with corn and felt that it was safe, but alas, there was no nook or cranny of the house that was not ransacked. The gangsters soon found the corn stored in the attic and carried it off to feed their horses. Away went young Tom's coat to his lifelong sorrow.

Thomas Mitchell was active in the Rebellion of 1837-8. Political feeling had been running at fever heat during that fateful summer and fall of 1837, but most of the Loyalist settlers thought it would cool down and stop short of armed rebellion. In this they were mistaken, as history will tell.

After the fiasco at Montgomery's, Dr. Duncombe, of St. Thomas and Burford, gathered a number of the rebel element among the settlers, to his leadership and proceeded to Brantford to join McKenzie. This occasioned considerable uneasiness on the part of the Loyalists. Doyle McKenny, of Bayham, a prominent Loyalist, sent the following historic communication to Mr. Edward Ermatinger, of St. Thomas:

Dec. 11th. 1837,

Sir:

We have been waiting these two days anxious to know what is to be done-----The rebels from Bayham started last night for Hamilton or Toronto, we do not understand which. They received a letter from James Malcolm, of Oakland, to meet them

near Brantford West -----has got all the men of Bayham to go he could, with a promise of 200 acres of land -----What is wanted here is orders and arms. We have but guns and less ammunition, but the boys are manifesting every manly feeling---- Captain Medcalf and about twenty is now with me and we will be about 60 at 2 or 3 o'clock this afternoon".

It was at this crisis that Thomas Mitchell did a Paul Revere ride to call out the Loyalists from one end of the settlement to the other. The beast that carried him on this historic ride was a swift and sturdy little grey mare belonging to Jeremiah Moore, a veteran mill man of early Bayham. Mr. McKenny got his sixty or more men all ready and anxious to do their best to quell the rebellion.

The thing that burned Tom Mitchell up was a boast made by Dr. Smith, an early medical man who lived in later years near Springfield, Ontario. McKenzie had promised two hundred acres of land to everyone who joined him in the Rebellion and Dr. Smith had bragged that he was going to have the E.C. Mitchell place when McKenzie came to power. Young Tom could not abide such threats and made haste to join the volunteers at the first opportunity. He probably would have done his best to break up the rebellion anyway, for the Mitchells were ever loyal citizens to constituted authority, but this threat was an added incentive.

It is not known certainly whether Thomas Mitchell went to Oakland with the volunteers, but presumably he did, for we find him later in 1837-8 with the Militia at Port Burwell, doing patrol duty, as it was feared the Rebels, with their American sympathizers might effect a landing at that Port.

There was great excitement at Port Burwell, for the inhabitants were looking for a raid any time, therefore when, on

late New Year's Eve, there was a great volley of gunfire, the cry went up from every home, "The Yankees are coming! The Yankees are coming!" This proved to be a false alarm, for it was only the Militia men, in facetious mood, "Shooting New Years", that is, shooting the old year out and the New Year in, with a volley of musketry.

In 1838, when the Bayham volunteers had been disbanded, Thomas Mitchell married Nancy Catharine Eichenberg and settled on the ninth 9th. concession of Bayham. "The North Woods" as ~~it~~ that section was designated locally.

Thomas and Catharine, when they were settled on their own place, wasted no time in gathering together a small herd of cattle and a flock of sheep. Oxen were a "must" in the pioneer days. Oxen were more dependable <sup>than horses</sup> in handling the huge timber which must be cut and cleared away before a crop of grain could be grown. Horses were not plentiful, but came in course of time.

Thomas Mitchell was a fine shot, either with rifle or shotgun, and no game laws interfered with the sportsman in those days. Deer were plentiful, so plentiful that in many cases, only the hide and saddle were taken, the hide to make the very necessary leather and the saddle for food.

At one time a wounded fawn came up with the cattle to the farmyard. The suffering animal was cared for during the winter and when it had recovered its strength and health, was liberated in the spring, when it could fend for itself.

Wild turkeys supplied a change of diet and clouds of passenger pigeons darkened the air. Many were the hunting stories Thomas related to his grandchildren in later years. One story the writer remembers was of a wild turkey so large that when taken by the head and thrown over the hunter's shoulder, dragged