



The Law Society  
of Upper Canada

Barreau du  
Haut-Canada

FINDING AID FOR

**John Smith fonds**

**PF15**

## Summary

The "John Smith fonds" Fonds contains:

0 Subgroups or Sous-fonds

5 Series

0 Sub-series

0 Sub-sub-series

15 Files

0 File parts

12 Items

0 Components

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**PF15**

## **John Smith fonds. -- 1759-1891. -- 13 cm of textual records**

### **Biographical/Sketch/Administrative History**

John Smith (fl. 1853-1880) was a business agent and attorney in Dereham Township, Oxford County, Ontario.

### **Scope and Content**

Fonds consists of records created and maintained by business agent and attorney, John Smith. The fonds primarily documents his dealings with two clients, Robert Gourlay, and his daughter, Helen Gourlay. These dealings centre on land transactions and disputes with tenants over land owned by the Gourlay's in Dereham Township, Oxford County, Ontario. The fonds documents the lives of Robert Gourlay and his family, through correspondence and various publications maintained by Smith. There is a possibility that Alexander Duncan or Justice Riddell added records to those originally maintained by Smith. The fonds is divided into five series based on format: correspondence and notebook, financial records, legal records, published material and poem, and sketches.

### **Provenance**

The records in this fonds appear to have been owned by Alexander R. Duncan, grandson of Robert F. Gourlay. At an unknown date, Duncan transferred the records to Justice William Renwick Riddell. The records were received by The Law Society of Upper Canada Archives in 1984.

### **Restrictions**

No restrictions on access.

### **Arrangement**

The arrangement of the fonds was imposed by the archivist, as there was little distinguished order to the records as originally received.

### **Title Notes**

Title based on content of the fonds.

## **PF15-1 Correspondence and notebook. -- 1759-1891. -- 3.5 cm of textual records**

### *Scope and Content*

Series consists of correspondence created or maintained by John Smith, primarily in his capacity as a business agent and attorney. The correspondence focuses on his business dealings with several individuals, including Robert Gourlay, Helen Gourlay, and Alexander R. Duncan, grandson of Robert Gourlay. The correspondence also documents the personal relationship between Helen Gourlay and Mrs. Smith. Also included is correspondence from Robert Gourlay to Helen Gourlay, which was maintained by Smith. The series also includes transcribed copies of correspondence sent by Alex Hamilton to his aunt, Jean Hamilton Henderson, mother of Gourlay's first wife. Also included is a letter by Robert Gourlay to King George IV, written while incarcerated in Cold Bath Fields House of Correction. Several files contain the original envelope in which the correspondence was mailed. Included in the series is a notebook containing transcribed religious texts, as well as an 1824 letter by Robert Gourlay, written while incarcerated in Cold Bath Fields House of Correction. The creator of the religious text transcriptions is unknown.

### *Restrictions*

No restrictions on access.

### *Arrangement*

The files in this series were created from loose records. Files are arranged alphabetically.

### *Title Notes*

Title based on content of the series.

984045-001 Copies of correspondence sent by Alex Hamilton (1813, 1827). -- [186-?]

### *Restrictions*

No restrictions on access.

### *Title Notes*

Title based on content of file.

984045-002 Copies of correspondence sent by John Smith. -- 1857-1866

### *Restrictions*

No restrictions on access.

### *Title Notes*

Title based on content of file.

984045-003 Correspondence received by Helen Gourlay. -- 1850-[186-?]

### *Restrictions*

No restrictions on access.

### *Title Notes*

Title based on content of file.

984045-004 Correspondence received by John Smith. -- 1853-1880

### *Restrictions*

No restrictions on access.

### *Title Notes*

Title based on content of file.

984045-005 Correspondence received by Mrs. Smith. -- 1870-1891

### *Restrictions*

No restrictions on access.

### *Title Notes*

Title based on content of file.

984045-006 Notebook. -- 1759-1824

### *Restrictions*

No restrictions on access.

*Title Notes*

Title based on content of file.

984045-026 Letter from Robert Gourlay to King George IV. -- 20 Oct. 1825. -- 4 p.

*Scope and Content*

Item is a letter from Robert Gourlay to His Majesty King George IV. The letter was written by Gourlay while incarcerated in the House of Correction, Cold Bath Fields. There appears to be a partial letter by Gourlay to an unknown correspondent on the first page and top of the second page.

*Restrictions*

No restrictions on access.

*Title Notes*

Title based on contents of the letter.

## **PF15-2 Financial records. -- 1855-1864. -- 1.5 cm of textual records**

*Scope and Content*

Series consists of financial records created and maintained by John Smith, in his capacity as a business agent and attorney. The series primarily documents his business and legal dealings with two clients, Helen Gourlay and Robert Gourlay. The series includes promissory notes, bills, lists of account transactions, receipts, a list of lands and names of tenants, a valuation of land for rents, and a cheque.

*Restrictions*

Access by permission of the Archivist.

*Arrangement*

The financial records and legal records were separate when received by the archives. Files in this series were artificially constructed from these loose records. File are arranged alphabetically.

*Title Notes*

Title based on content of the series.

984045-007 Financial records re: Helen Gourlay. -- 1859-1864

*Restrictions*

No restrictions on access.

*Title Notes*

Title based on content of file.

984045-008 Financial records re: Robert Gourlay. -- 1855-1861

*Restrictions*

No restrictions on access.

*Title Notes*

Title based on content of file.

984045-009 Miscellaneous financial records. -- 1860

*Restrictions*

No restrictions on access.

*Title Notes*

Title based on content of file.

## **PF15-3 Legal records. -- 1855-1868. -- 3 cm of textual records**

*Scope and Content*

Series consists of legal records created and maintained by John Smith, in his capacity as a business agent and attorney. The series documents his legal dealings with two clients, Helen Gourlay and Robert Gourlay. These dealing centre on land transactions and disputes with tenants over land owned by the Gourlay's in Dereham Township, Oxford County, Ontario. The series includes leases, powers of attorney, subpoenas, affidavits of disbursement, admissions, a bond to sheriff, a report, an arbitration bond, an examination and award for court case, and a writ.

*Restrictions*

Access by permission of the Archivist.

*Arrangement*

The financial records and legal records were separate when received by the archives. Files in this series were artificially constructed from these loose records. Files are divided by client, and arranged alphabetically within each grouping.

*Title Notes*

Title based on content of the series.

984045-010 Leases re: Helen Gourlay. -- 1860, 1866

*Restrictions*

No restrictions on access.

*Title Notes*

Title based on content of file.

984045-011 Legal documents re: Helen Gourlay. -- [186-?], 1864

*Restrictions*

No restrictions on access.

*Title Notes*

Title based on content of file.

984045-012 Power of attorney - Helen Gourlay and Jean Gourlay to John Smith and Samuel B. Freeman. -- 1864

*Restrictions*

No restrictions on access.

*Title Notes*

Title based on content of file.

984045-013 Legal documents re: Robert Gourlay. -- 1855-1868

*Restrictions*

No restrictions on access.

*Title Notes*

Title based on content of file.

984045-014 Power of attorney - Robert Fleming Gourlay to John Smith. -- 1861

*Restrictions*

No restrictions on access.

*Title Notes*

Title based on content of file.

**PF15-4 Published material and poem. -- 1840-1879. -- 5 cm of textual records**

*Scope and Content*

Series consists of published material maintained by Smith, the majority of which was authored by his client, Robert Gourlay. The series consists of published booklets, published correspondence, broadsides, a newspaper, and a legislative amendment. The back cover of the booklet "Wrongs in Canada" contains an 1863 letter to John Smith by Robert Gourlay. The series also includes a poem in Robert Gourlay's hand, bearing the notation as Robert Gourlay's last poem.

*Restrictions*

No restrictions on access.

*Arrangement*

Files are arranged alphabetically.

*Title Notes*

Title based on content of the series.

984045-015 The banished Briton and Neptunian. No. 1.. -- 1843. -- 16 p.

*Scope and Content*

Booklet

*Restrictions*

No restrictions on access.

984045-016 Chronicles of Canada: being a record of Robert Gourlay, Esq. now Robert Fleming Gourlay, "The Banished Briton". No. 1.. -- 1842. -- 40 p.

*Scope and Content*

Booklet

*Restrictions*

No restrictions on access.

*Title Notes*

Concerning the convention and gagging law, 1818. Mr. Gourlay's arrest and trial, etc.

984045-017 Circular re: Edinburgh town council proceedings. -- [1856?]. -- 27 p.

*Scope and Content*

Report

*Restrictions*

No restrictions on access.

*Title Notes*

Title based on content of item.

984045-018 The Commonweal, and Canadian Farmer's Joint Stock Press. -- 21 May 1842

*Scope and Content*

Broadside

*Restrictions*

No restrictions on access.

984045-019 First prize design for laying out the Meadows - Edinburgh, as a public park, compared with a design yet unprized.. -- [1855?]. -- 13 p.

*Scope and Content*

Report

*Restrictions*

No restrictions on access.

984045-020 Legislative amendment re: Act to define the Elective Franchise, to provide for the registration of votes, and for other purposes therein mentioned. -- 1858. -- 2 p.

*Restrictions*

No restrictions on access.

984045-021 Published correspondence re: Robert Gourlay. -- [1854?], [1859?]

*Restrictions*

No restrictions on access.

*Title Notes*

Title based on content of file.

984045-022 Robert Gourlay's "last poem". -- [1863?]

*Scope and Content*

Piece of card on which Gourlay wrote a poem, "Last winds".

*Restrictions*

No restrictions on access.

*Title Notes*



Title based on inscription at top of card.

984045-023 The Spectator. -- 22 Mar. 1879. -- 32 p.

*Scope and Content*

Newspaper

*Restrictions*

No restrictions on access.

984045-024 Wrongs in Canada. -- 1863. -- 6 p.

*Scope and Content*

Booklet

*Restrictions*

No restrictions on access.

984045-027 The banished Briton, mediator & appellant. -- 1 Aug. 1840. -- [2 p.]

*Restrictions*

No restrictions on access.

### **PF15-5 Sketches. -- [186-?]. -- 3 items**

*Scope and Content*

Series consists of three pencil sketches maintained by John Smith. The sketches depict the Scotch Church at Queenston from the veranda of Mrs. A. Hamilton's house; house of Dr. Hewat, the indian doctor at Tuscarora; and, a view of Brock's Monument at Queenston Heights.

*Restrictions*

Access by permission of the Archivist.

*Title Notes*

Title based on content of the series.

984045-025 Sketches. -- [186-?]

*Restrictions*

No restrictions on access.