

be disadvantageous to you, I think this place would suit you Better than the petite Côte. do you never mean to come & see me? I am sorry on your own account that the Indians have been necessitated to eat your apples; & tho you say you have sent me none; I have received a Barrel of Cyder, without advice, the direction of which is apparently in your hand writing.

We agree very well with our new neighbors here. The *Mohawk* is now aground on a reef of rocks off the Harbour, & the troops of both nations are giving their assistance. We think it best here to go hand in hand together.

Our Chief Justice¹⁰⁴ is daily expected from Oswego. part of his baggage is arrived here, God only knows where we shall put him.

My Mother & wife unite with me in very sincere Wishes for you & all Yours, & believe me to be my dear Sir, faithfully & affectionately,

Your friend & humble Servant

D W Smith

Addressed: John Askin Esq^r Detroit River D W S.

Endorsed: Niagara Nov^r 19^h 1796 D W Smith Esq^r
to Jn^o Askin rec^vd y^e 28^h Dec^r & Answ^d y^e 6^h Jan^y 1797

MILITIA RETURNS DELINQUENT

Detroit Nov 30th 96

Sir I think it necessary to let you Know for the Information of Colonel M^cKee that I have not as yet received any return from Captain Fields to enable me Make the report required tho' I Sent him orders by his Sister the next day after I rec^d yours. these delays in the Execution of my orders are very unpleasant to me & I attribute them in a great measure to the Want of Officers being appointed to these Companies when deficient as likewise an adjutant in the room of M^r Hay. Captain Smith's note to me, sent you

¹⁰⁴ John Elmsley, an English lawyer, who was appointed Chief Justice of Upper Canada in 1796 and arrived in the province in January of the following year. In 1802 he became Chief Justice of Lower Canada, and this office he retained until his death in Montreal, April 29, 1805. See Riddell, *Life of William Dummer Powell*, 84-85; Wallace, *op. cit.*