

found to come under Jay's Treaty, but there were several that wanted a year or more of coming under it. These facts being reported to Congress, they at a subsequent session passed an act giving to every settler who was in possession of land at the date of the declaration of war in 1812 against Great Britain, and who had continued to submit to the laws of the U. S., the lands he claimed. It is a matter of history, that the British took Mackinaw and subjected its dependencies to their government, including all the aforementioned places, and the most part of these claimants were ignorant Canadians and supposed themselves British subjects, not aware that if they did not within a year choose, as stipulated in the treaty, to continue British subjects, they became American citizens; and when the British government took military possession of the country during the war of 1812-15, the military officers in command considered them as British subjects, and ordered them to do military duty as militia. They were a conquered people, and feeling that they owed no allegiance to the United States, took up arms in obedience to the orders of the British officers. There were some among them intelligent enough to know their position, but had they claimed to be American citizens and refused to take up arms, surrounded as they were by hostile Indians, they would not have been safe—especially as the British officers did not believe in a British subject expatriating himself, and of course there was no law of the United States in the conquered country to submit to. Notwithstanding all these circumstances being known to the officers of the army stationed at Sault St. Marys under Major Cutler, they got up a remonstrance to the Government, representing these people as traitors; in consequence of which the patents were delayed, to the great annoyance and sometimes to the great injury of the claimants.

Sometime in the year 1820,\* Wilfred Owens of Prairie du Chien, then connected in business with the late Gov. McNair, of

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\*It was in 1819. Constant A. Andrews, who appears to have been from Pennsylvania, and was interested in the Carver claim, wrote from Prairie du Chien, Feb. 1, 1819, to Rev. Dr. Samuel Peters:—"I am now building a saw-mill in company with Batelle, on Yellow River, under a permission