

Amherst Township Lot 1: Embree

Originally compiled by Mallory Burton March 8, 2024. Last updated April 4, 2024.



Approximate location of Lot 1 shown on Open Street Map

Summary:

The Samuel Embree lot was part of 300-acre Amherst Township Lot 1 originally obtained by David Downy and sold to John Stuart. In 1840, John Stuart had sold 100 acres in the northwestern corner of the lot to David Keiver. Keiver's portion of Lot 1 lay just east of the 1816 Samuel McCully Grant on the Amherst Township line. Lot 1 also lay directly south of his father Michael Keiver's homestead and a lot owned by Joseph Gould the 2nd.

Following the death of John Stuart Sr., his son John Stuart Jr. sold 65 acres to Samuel Embree in 1846. Embree's lot was bounded on the west by David Keiver's 100-acre portion of Amherst Township Lot 1. Embree's lot was bordered on the north(west) by the easternmost portion of the original Keiver homestead on 100-acre lots 17, 16, and 15, by 100-acre lot 14 owned by the Noiles Family, and by 100-acre lot 25 owned by the Casey family. The eastern border of Embree's lot was the the bank of 100-acre lots, numbered in the 30's that ran roughly east/west in a block adjacent to Cobequid Road. The remainder of Amherst Township Lot 1, lying to the south(east) was owned by John Stuart Sr.'s son Samuel.

Samuel Embree sold the 65-acre lot to David Pugsley in 1861. In 1889, David Pugsley's son Leonard D. Pugsley sold Francis Caleb Smith Jr. the 65-acre lot plus a 10-acre lot that was likely part of Keiver's 100-acre lot 15. The property was later owned by son Francis L. Smith and then by grandson Floyd Smith.

1775 David Downy to John Stuart (Deed Book B, p. 423)

Grantor: David Downy of Barronsfield

Grantee: John Stuart of Amherst

Price: 60 pounds

Property: 500-acre share of Lot 1 in the Township of Amherst except for 20 acres of land on Young’s Island

Terms: the deed is difficult to read but it appears that part of the exchange was a release of rights on a property Downy purchased from Matthew Crawford and John Stuart involving Lot 8. In 1774 David Downy had paid John Crawford 10 pounds for a 45-acre marsh lot known by the letter [blank space] and number lot 8 (Deed Book B, p. 375). It’s possible that the Lot 8 property was offered in lieu of the 20 acres on Young Island as Lot 8 is included in later deeds involving the Keiver/Bacon homestead. Matthew Crawford signed the deed.

Boundaries: No boundary description given for Lot 1.

Note: Although John Stuart was an original grantee in the Amherst Township Grant, David Downy was not. However, I could not find a deed for David Downy’s acquisition of Lot 1. John Stuart Senior deeded the remainder of Lot 1 east of the portion he had sold to David Keiver to his sons John Stuart Jr. and Matthew Stuart. Matthew Stuart passed away and his share was deeded to his sons Edward and Thomas on condition they improve the property. (Deed Book T, p. 361). Thomas received 70 pounds for his share from Samuel Embree in the 1846 sale of the property. (Deed Book R, p. 397).

1846 John Stuart Jr. to Samuel Embree (Deed Book T, p. 312)

Grantor: John Stuart Jr. of Tidnish, Yeoman

Grantee: Samuel Embree of Amherst, Yeoman

Price: 32 pounds, 10 shillings

Property: “all that lot deeded to the said John Stuart Junior and his brother the late Matthew Stuart Junior, deceased by the executors of the late John Stuart Deceased.” No acreage given.

Boundary:

Boundaries as described in the deed	Clarification
Bounded on the North East by the rear line of the hundred acre lots lying on the South West Side of the Cobequid road	The bank of 100-acre lots that ran roughly east/ west in a block adjacent to Cobequid Road.
On the South West by Thomas Bacons land,	John Stuart Sr. had sold 100 acre of Lot 1 to David Keiver in 1828. (Deed Book Q, p. 43) David Keiver’s heirs sold the 100 acres to their step-father Thomas Bacon in 1854 (Deed Book Y, p. 321)
On the North West by William Keivers land and by Edward Niles land,	William Keiver’s homestead occupied 100-acre lots 15, 16, 17. Edward Noiles Sr. had purchased lot 14.
And on the South East by Samuel Stuarts land,	John Stuart Jr.’s brother Samuel occupied the remaining 150-acre property of Lot 1 to the south. (Deed Book L, p. 173)

1861 Samuel Embree to David Pugsley (Deed Book FF, p. 133)

Grantor: Samuel Embree of Amherst

Grantee: David Pugsley

Price: 40 pounds

Property: 65 acres

Boundary:

Boundaries as described in the deed	Clarification
Beginning at the North Angle of a lot of land Owned by Thomas Shipley,	In 1858 Thomas Bacon sold the combined Extreme Gore of the Samuel McCully Grant and the 100-acre of Lot 1 he had purchased from David Keivers heirs to Thomas Shipley. (Deed Book DD, p. 17)
Thence South Forty One degrees East until it meets the side line of lands owned by the heirs of the late Samuel Stewart deceased	Samuel Stewart, son of John Stewart Sr., had inherited the 150-acre southern section of Lot 1. (Deed Book L, p. 173)
Thence North Sixty Seven degrees East Along Said line until it Meets the South Branch of the Beaver brook so Called,	Northeast along the southern boundary of the lot being sold to the south branch of today's Lime Kiln Brook.
thence down said Branch North Westerley until it Meets the outlet of a small Brook running from the Eastward,	Following the brook downstream to the west to the outlet of another small brook
Thence Easterly up said Brook to a Birch Tree Standing On the Old French Sugar Wood path,	Easterly up the small book
Thence North Twenty Six degrees West to the Base line of lands Owned by Edward Noils and others,	Northwest to the rear line of the 100-acre lots 14 owned by Edward Noiles Sr.
Thence Along said line South Sixty Seven degrees West to the place of Beginning	Along the line of 100-acre lots 14 owned by Noiles and 15, possibly 16 owned by William Keiver's heirs.

1878 David Pugsley, Samuel Embree and Edward Shipley versus Robert Niles (Deed Book YY, p. 301)

This was an order of ejectment and recovery of \$107.90 in costs against Robert Niles. The property description was same as the 1861 deed from Samuel Embree to David Pugsley. Robert Niles owned portions of 100-acre lot 14 to the north.

1889 Leonard D. Pugsley to Francis C. Smith (Deed Book 23, p. 188)

Grantor: Leonard D. Pugsley of Choteau County, Montana Territory

Grantee: Francis C. Smith of Fenwick, Farmer

Price: 1301 dollars

Properties: a 10-acre lot and a 65-acre lot

Property 1: the 10-acre lot, possibly the southern end of Lot 15

Boundaries:

Boundaries as described in the deed	Clarification
Bounded on the North by the lands of Allan Stiles	In 1888 and 1889, Allan Stile acquired two properties originally part of the Keiver homestead on 100-acre lots 15, 16, and 17. (Deed Book 21, p. 368 and Deed Book 21, p. 366)
And running on Stiles line to land of Robert Noiles,	Running east on Stiles line to Robert Noiles. In 1867, Robert Noiles had acquired portions of 100-acre lot 14 from his brothers (Deed Book MM, p. 113 and 114). In 1873, he had also purchased 73 acres of 100-acre lot 25 that bordered lot 14 on the east from Nathaniel Casey (Deed Book RR, p. 308).
Thence running southEasterly until it strikes the base line	Possibly the base line of lot 15 on the Keiver homestead
Thence along the base line until it strikes land of Douglas Pugsley,	Douglas Pugsley still owned property within the original Keiver homestead.
Thence down said Pugsey's line to place of Beginning at the Brook, Containing Ten Acres More of less	Probably the small brook that divided Stiles' homestead from land owned by Pugsley. (Deed Book 21, p. 368).

Property 2: the 65-acre lot, part of Amherst Township Lot 1

Boundaries:

Boundaries as described in the deed	Clarification
Beginning at the North Angle of a lot of land owned by Thomas Shipley	In 1858 Thomas Bacon sold the combined Extreme Gore of the Samuel McCully Grant and the 100-acre of Lot 1 he had purchased from David Keivers heirs to Thomas Shipley. (Deed Book DD, p. 17)
Thence South forty one degrees East until it meets the said line of lands owned by the heirs of the late Samuel Stewart deceased,	Samuel Stewart, son of John Stewart Sr., had inherited the 150-acre southern section of Lot 1. (Deed Book L, p. 173)
Thence North sixty seven degrees East Along said line until it Meets the South branch of the Beaver Brook so Called	Today's Lime Kiln Brook
Thence down said branch North Westerly until it Meets the Outlet of a small brook running from the Eastward,	

Boundaries as described in the deed	Clarification
thence Easterly up said brook to a Birch tree standing on the Old French Sugar Wood path,	
Thence North twenty six degrees West to the Base line of lands formerly owned by Edward Noiles and others,	Northwest to the rear line of the 100-acre lots 14 owned by Edward Noiles Sr.
Thence a long said line South sixty seven degrees West to the place of beginning containing about sixty five acres more or less	Along the line of 100-acre lots 14 owned by Noiles and 15, possibly 16 owned by William Keiver's heirs.
Except and excepting at all times for the benefit of Robert Bacon and his heirs and assigns the right to cross and recross the said lot of land at the most suitable place for the purpose of hauling wood poles and timbers of all kinds from the adjoining lot of land lying to the Eastward and also the right of a Rollway down the bank of the said Beaver Brook with sufficient room at the top and bottom of said Bank for to load and unload all wood poles and timber brought down said rollaway ...	Robert Bacon acquired the farms formerly occupied by Albert Noiles and George Noiles, sons of Edward Noiles Sr., on Lot 14.

1896 Francis C. Smith to Francis L. Smith (Deed Book 45, p. 140)

Grantor: Francis C. Smith of Fenwick, farmer (Francis C. Smith Jr.)

Grantee: Francis L. Smith of Fenwick, farmer (his son)

Price: one dollar

Properties: several properties at Amherst Point, Nappan, Fenwick, the 10-acre Leonard D. Pugsley lot purchased in 1889, and the 65-acre lot originally part of Lot 1

1937 Francis L. Smith to Floyd Smith (Deed Book 181, p. 604)

Grantor: Francis L. Smith of Fenwick, farmer and Abbie Smith his wife also of Fenwick

Grantee: Floyd Smith of Fenwick, farmer (son of Frank L. Smith)

Price: one dollar

Properties: several properties including the 10-acre lot and 65-acre lot transferred from Francis C. Smith Jr. to Francis L. Smith in 1896

Boundaries: the only change in boundary description is the lumbering right-of-way previously granted to Robert Bacon and now granted to Jacob Porter

Notes for further research:

A 1764 map shows Lot #1 south of the Amherst Township 100-acre lots. My research shows that the lot did not extend this far to the west. To view this map online, go to the Nova Scotia Provincial Archives Historical Maps section at <https://archives.novascotia.ca/maps/> and search for "Amherst". The map is titled "Amherst Township" and dated 1764. Controls at the bottom of the page will allow you to enlarge and rotate the map. Right-click the map to download it.