“The fostering care of Government”: Lord Dalhousie’s 1821 Survey of the Eastern Townships

J. I. LITTLE*

For the Eastern Townships of Lower Canada prior to 1829, when the region was finally granted its own electoral constituencies, petitions were virtually the only means of expressing the popular will. Numerous petitions from the largely American settlers of the area, however, met with a deaf ear in the Legislative Assembly, as French-speaking members did not want to facilitate English Protestant settlement in the colony. A survey dispatched in 1821 by order of the recently appointed governor of British North America, Lord Dalhousie, provided one opportunity for selected local spokesmen to articulate grievances, particularly about obstacles to settlement. The survey was never published and the questionnaire was limited in scope and distribution, but it offers additional insight into how and why this borderland between New England’s northern boundary and Lower Canada’s seigneurial zone remained a settlement frontier whose social institutions were still largely undeveloped nearly 30 years after it had first been opened to colonization.

Pour les Cantons de l’Est du Bas-Canada d’avant 1829, année où l’on consentit enfin à la région ses propres circonscriptions électorales, les pétitions étaient pour ainsi dire le seul mode d’expression de la volonté populaire. L’assemblée législative faisait toutefois la sourde oreille à de nombreuses pétitions de colons majoritairement américains de la région, les députés de langue française ne voulant pas faciliter l’établissement de protestants anglophones dans la colonie. Un sondage réalisé en 1821 sur ordre du gouverneur récemment désigné de l’Amérique du Nord britannique, Lord Dalhousie, donna l’occasion à certains porte-parole locaux d’exprimer des doléances, surtout au sujet des obstacles à l’installation. Le sondage ne fut jamais publié et son questionnaire, restreint, ne fut distribué qu’à petite échelle, mais il aide un peu mieux à comprendre ce qui fait en sorte que cette région

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limitrophe située entre la frontière nord de la Nouvelle-Angleterre et la zone seigneuriale du Bas-Canada est demeurée une terre de colonisation dont les institutions sociales restaient encore largement sous-développées près de 30 ans après son ouverture à la colonisation.

ON AUGUST 14, 1822, Governor-General Lord Dalhousie recorded in his diary, “In consequence of some outrages committed on our American frontier against a newly established Custom House at the village of Sherbrooke, ... (there smuggling, coining, forgery are matters of trade openly carried on), I have sent a detachment of troops to give countenance to the Magistrates, & a circuit court of two Judges will follow in a month hence.” The customs house had been recently moved to Sherbrooke after being sacked by a mob in the border town of Stanstead, and local authorities would be engaged for many years in the struggle to suppress the counterfeiting of American banknotes as well as cross-border smuggling. Aside from concerns about law and order, however, the government displayed little interest in the Eastern Townships, the freehold tenure region south of the St. Lawrence between Montreal and Quebec City. While the parish and seigneurie provided a limited institutional structure for the rest of the colony, the post-Loyalist American settlers of the Eastern Townships (there were very few Loyalists and relatively few British in the region) were left largely to organize their own communities. When asked about the needs of his area in the survey ordered by Dalhousie in 1821, one prominent settler stressed that “the fostering care of Government is particularly necessary in a new settlement where civil and religious institutions should be planted and nourished.”

The unofficially recognized leader and associates system under which crown land was initially granted beginning in 1792 had been designed to establish a basic economic infrastructure for each township — with the township “leader” and his financial backers being compensated with

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much of the land. The result, however, was that large tracts fell into the hands of absentee speculators with connections to the government, a development that was all too familiar to the pioneer settlers arriving from New England where back-country outbursts of armed protest against the “great proprietors” were having limited results. Although the 1844 census records over 40 per cent of the Eastern Townships settlers as non-proprietors, most of whom were doubtless squatters, there were no land riots in this region. One reason was presumably the coercive power of the British military, as illustrated by Dalhousie’s dispatching of troops to Sherbrooke in the incident noted above, but this could only be a temporary measure. There were few active justices of the peace in the region, as the 1821 survey revealed, and the militia had proven to be quite independent-minded during the War of 1812. Given this situation and the slow pace of settlement, the absentee proprietors tended to favour negotiation and compromise over legal coercion. Furthermore, the former New Englanders could not claim to have been betrayed by a government against which many of them had fought during the War of Independence; radical sectarianism failed to take root on this northern extension of American settlement; and there was no system of local government to provide an organizational framework around which a protest movement could coalesce. Serving to some extent as the “safety valve” described by Frederick Jackson Turner, the Eastern Townships was for a number of years a frontier society with minimal external commercial links and no great discrepancies in wealth or social status, aside from a small number of unpopular English officeholders living in the village of Sherbrooke where they exercised limited legal authority over the population.

The Yankee settlers had a resourceful and independent outlook that resisted outside interference and the centralization of authority, but they did petition the government for road subsidies that would provide access to external markets, and they did demand institutions of local regulation and governance. Canadian historians have insisted in recent years that the locally elected school commissions and municipal councils introduced

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in the 1840s were established by a small metropolitan elite eager to impose its values on society as a whole, but this was a reciprocal process in which petitions demanding such reforms were circulated by local notables, and the many farmers who appended their signatures were quite capable of thinking for themselves. In his detailed study of collective petitioning in Lower Canada and Maine, Steven Watt refers to the practice as an important manifestation of informal politics by ordinary citizens, and Carol Wilton, in noting that a higher percentage of Upper Canada’s population signed petitions than voted in provincial elections, argues that petitions were the most important form of political activism in the early nineteenth century. For the Eastern Townships prior to 1829, when the region was finally granted its own electoral constituencies, there was virtually no other means of expressing the popular will.

One partial exception was the 1821 survey dispatched by order of the recently appointed governor, Lord Dalhousie. This survey has hitherto been overlooked by historians, perhaps because it was never published and the questionnaire was limited in scope and circulation, but it did enable selected local spokesmen to articulate grievances, and its numerical data do complement the informal enumerations recorded prior to the first official census reports in 1825 and in 1831. The 1821 survey thereby offers additional insight into how and why this borderland between New England’s northern boundary and Lower Canada’s seigneurial zone remained a settlement frontier whose social institutions were still largely undeveloped nearly 30 years after it had been first opened to colonization.

When Lord Dalhousie was appointed governor-in-chief of British North America in 1820, he had already established a strong record as a promoter of colonial improvement in Nova Scotia. One of his first initiatives after arriving in Quebec City was to visit settlements in eastern Upper Canada, the Ottawa Valley, and southwestern Lower Canada (not including the Eastern Townships), and in his speech from the throne the following December he advocated reforms that would remove obstacles to settlement by those arriving in the “great tide of emigration to these Provinces.” Careful not to alienate the French-Canadian majority in the Legislative Assembly, Dalhousie added that he was aware that “Lower


10 Early settlers did organize Masonic lodges, but these were in decline by 1821 due to the anti-Masonic hysteria in Vermont. See Little, Loyalties in Conflict, p. 59.
Canada possesses in itself an abundant population to settle these waste lands, and yet unconceded seigniorial territories,” and he recommended the construction of Catholic churches and access roads as well as other inducements to colonize the townships.11 The French-speaking MLAs had turned a deaf ear to numerous petitions from the American settlers of the Eastern Townships because they did not wish to facilitate English Protestant settlement in the colony, yet they were concerned that the St. Lawrence seigneuries were becoming overcrowded. In response to Dalhousie’s speech from the throne, the Assembly appointed a Special Committee on Crown Lands in 1821.

The committee of nine collected testimony from government administrators, politicians, entrepreneurs, notaries, seigneurs, large landholders, and other notables concerning the availability of crown land for settlement. It also distributed a questionnaire to all the parish priests in an attempt to ascertain the surplus of the agricultural population in the seigneuries.12 The closest British North American equivalent to this initiative was Robert Gourlay’s *Statistical Account of Upper Canada*, which had appeared a year earlier. Both reports were very critical of the administration of crown lands — in fact, the Lower Canadian committee favoured extending seigneurial tenure into the townships north and south of the St. Lawrence, though it admitted that there were also abuses within this system. Whereas the Lower Canadian committee members relied largely on the personal observations of selected individuals, however, Gourlay provided the quantifiable information that, in the words of Jean-Guy Prévost, gave “consistency and strength of conviction to the picture presented” and ensured that there was a basis for comparison between the various territories and communities.13

The Lower Canadian committee members were not unaware of the value of numerical data, for they complained that the Assembly’s attempt to organize a census for the townships south of the St. Lawrence had been repeatedly blocked by the Legislative Council.14 Furthermore, the first nine of the fourteen questions they sent to each

14 *JLALC*, vol. 33 (1824), Appendix R.
parish priest were quantitative ones concerning the number of landholders, number of agricultural labourers, size of properties, amount of vacant land, birth rate, and so on. In fact, Sir John Sinclair’s famous *Statistical Account of Scotland*, which had inspired Gourlay’s survey if not the Lower Canadian one, was also based on information provided by the local clergy. Sinclair had posed questions related to agricultural improvement, however, and he would publish a synthesis in 1825.\(^5\) There would be no such analysis of the reports provided by Lower Canadian curés, which were published in 1823,\(^6\) for the Assembly committee was rather exclusively focused on condemning the land granting system that committee members blamed for the overcrowded conditions of the seigneuries.

The fact that the Eastern Townships was entirely ignored by the Assembly committee, apart from the interviews of several non-resident proprietors and agents, may explain why Dalhousie instructed that a separate questionnaire be sent to some of the leading men in the region. He was obviously not sympathetic to American expansion into the colony, and he never took the trouble to visit the region, but he did wish to facilitate settlement by British immigrants and (if his speech from the throne was sincere) landless habitants. The growth of the Eastern Townships population, estimated at 18,000 by Surveyor-General Joseph Bouchette in 1812, had subsequently slowed as a result of the ensuing war with the United States, followed by four years of severe summer frosts, so that a census taken 13 years later, in 1825, would report only 22,610 inhabitants (see Table 1).

Dalhousie clearly had a general idea of the problems faced by the settlers of the region, for they had been outlined in the booklet produced by another Scottish aristocrat, the Reverend Charles Stewart.\(^7\) Stewart’s *A Short View of the Present State of the Eastern Townships*, which was first published in Montreal in 1815 and reprinted in London in 1817, stressed that roads needed to be improved with a system of local taxation replacing statute labour. He also argued that local courts were particularly necessary because of the proximity of the American border, that registry offices were required to secure title to land, and that the people of the region were entitled to their own representatives in the Legislative Assembly. To those who claimed that the Eastern Townships should have been left vacant as a buffer zone between Lower Canada and the United States, the liberal-minded Stewart replied that the American

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\(^6\) *Lettres des curés des paroisses respectives de Bas-Canada dont il est fait mention dans le cinquième rapport du comité spécial sur les terres incultes de la couronne* (Chambre d’assemblée, February 15, 1823).

\(^7\) See Little, *Borderland Religion*, pp. 46–50.
The fostering care of Government

Table 1: Survey Data for Select Townships in the Eastern Townships, 1819, 1821, 1825

<table>
<thead>
<tr>
<th>Township</th>
<th>Pop. 1819</th>
<th>Pop. 1821</th>
<th>Cleared land (1821)</th>
<th>Reserves settled (1821)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stanstead</td>
<td>3,620</td>
<td>4,000*</td>
<td>3,160</td>
<td>13,150</td>
</tr>
<tr>
<td>Barnston</td>
<td>1,150</td>
<td>1,372</td>
<td>1,409</td>
<td>4,320</td>
</tr>
<tr>
<td>Compton</td>
<td>1,250</td>
<td>850</td>
<td>965</td>
<td>7,000</td>
</tr>
<tr>
<td>Hatley</td>
<td>2,145</td>
<td>1,184</td>
<td>1,387</td>
<td>6,630</td>
</tr>
<tr>
<td>Orford</td>
<td>80</td>
<td>60</td>
<td>202</td>
<td>500</td>
</tr>
<tr>
<td>Brompton**</td>
<td>350</td>
<td>180</td>
<td>214</td>
<td>1,800</td>
</tr>
<tr>
<td>Ely</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>350</td>
</tr>
<tr>
<td>Windsor**</td>
<td>70</td>
<td>98</td>
<td>138</td>
<td>500</td>
</tr>
<tr>
<td>Shipton</td>
<td>1,530</td>
<td>806</td>
<td>834</td>
<td>3,750</td>
</tr>
<tr>
<td>Tingwick</td>
<td>0</td>
<td>35</td>
<td>8</td>
<td>170</td>
</tr>
<tr>
<td>Melbourne**</td>
<td>640</td>
<td>451</td>
<td>479</td>
<td>3,008</td>
</tr>
<tr>
<td>Dudswell</td>
<td>220</td>
<td>125</td>
<td>151</td>
<td>554</td>
</tr>
<tr>
<td>Bury</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Chester</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Inverness</td>
<td>84***</td>
<td>11</td>
<td>0</td>
<td>70</td>
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<tr>
<td>Totals</td>
<td>11,139</td>
<td>9,177</td>
<td>8,947</td>
<td>41,942</td>
</tr>
</tbody>
</table>

* Reported to be the number three years earlier, but a local census taken in January 1822 reported only 2,875 inhabitants.
** The means between values in the two reports for 1821 are recorded here.
*** Together with Ireland and Leeds. Ireland was reported to have 165 inhabitants in 1825 and Leeds 84.

Sources:
1819 Ivanhoë Caron, “Colonization of Canada under the British Domination (From 1815 to 1822),” in Province of Quebec, Statistical Year Book (1921), p. 537.
1821 LAC, RG4 A1, Civil Secretary’s Correspondence, vol. 199, nos. 160, 180, 181, 188, 192, 203, 210, 211, 217, 218, 232; vol. 200, nos. 12, 19, 25, 40, 50, 51.
1825 Journals of the Legislative Assembly of Lower Canada, vol. 41 (1831–1832), Appendix Oo.

Colonists had proven their loyalty during the recent war. In any case, he argued, the fact that most of the future influx would likely be from the United States made his recommendations to strengthen physical, cultural, and political ties with the rest of the colony all the more imperative. 18

Dalhouse would have found most of the same suggestions in petitions by local settlers recently printed in the Journals of the Legislative Assembly.
Assembly. In January 1820, for example, 45 residents of Hatley township submitted a petition complaining of the “inconvenience and expense in bringing out the Grand Voyer to establish Roads and Bridges.” (For a public road to be opened, proprietors had to petition to have it homologated by the district grand voyer, an officer whose position dated to the French Regime and who was based in far-away Trois-Rivières.) Fully aware of the colonial officials’ concerns about law and order in the border region, the petitioners also stressed “the difficulties and expense of bringing to justice Culprits that fly from the United States, and pursue their evil practices almost with impunity amongst people who speak the same language, and whose local habits afford them an asylum.” They requested that the region become a separate judicial district, or at least that circuit courts be held in some of the more populated townships. They also asked that “some more effectual means be provided for the conducting of accused Felons to the Cities of Montreal and Three Rivers, than that of sending them from one Officer of Militia to another.” This duty was “extremely burdensome to the few Officers who do their duty on Commitments by being obliged to furnish the Prisoner and Party with provisions and the means of conveyance, under the discouraging conviction the prisoner will not arrive at his final destination.”

Later in 1820, 129 petitioners from the townships of Shipton, Kingsey, Simpson, and Wendover, all on the eastern shore of the lower St. Francis River, asked that the government invest £2,000 in building a 35-mile road from the village of Richmond to Grantham Ferry, where the road built in 1816 provided access to the St. Lawrence. Their chief means of conveying produce to market, the petitioners claimed, was via the St. Francis by barges or scows of about three tons burden, and the four or five men who navigated each of these crafts had to pass over six rapids as well as unloading and transporting them and their cargo around three waterfalls. Traffic was frequently suspended for four to five weeks during dry seasons and again when the river was too high to

19 See Jean-Pierre Kesteman, Peter Southam, and Diane Saint-Pierre, Histoire des Cantons de l’Est (Saint-Foy, QC: Presses de l’Université Laval, 1998), pp. 101–102. According to Caron, the 1796 law making inhabitants legally responsible for all local roads was not recognized outside the seigneurial zone, and attempts to pass legislation to remove all doubts in the matter succeeded only in 1823 (Caron, “Colonization of Canada,” pp. 538, 541).
20 JLALC, vol. 30 (1820–1821), Appendix P, no. 3.
21 The petition, which was submitted in October, stated that the road built in 1816 connected Hatley township to Richmond, but then passed through unsettled townships cut off from the St. Francis by swampy land until it reached Grantham Ferry. As a result, this section had become impassable. The petitioners also mentioned a road on the west side of the St. Francis from Melbourne to Drummondville, but claimed that it was inaccessible to them because of the lack of ferries. The Quebec City agent who presented the petition to Dalhousie claimed that it included the names of only those who could write, and that “there are a great number of poor peasantry in these Townships.” JLALC, vol. 30 (1820–1821), Appendix P, no. 7.
make the return trip: “last summer the expense of transport from Richmond was twenty dollars per ton down and thirty dollars per ton for the return cargo, independent of risk and the damage sustained in the frequent unloading and loading at the portage and exposure to the elements.” The petitioners calculated that “cattle” (meaning oxen) would be able to haul produce for less than half that amount. Horses were used during the winter, at a cost of 2s 6d each way for 1,400 pounds, but the rapidity of the river meant that it was usually February before a winter road of minimal safety could be formed on the ice, and it was generally impassable by the end of March. The result of the economic isolation, the petitioners claimed, was that farmers had little incentive to cultivate more land than was necessary for their own subsistence. They also observed, however, that local trade goods, particularly potash and cattle, were beginning to flow southward to the United States. American manufactured products of up to £50,000 annually were purchased in return, “the duties of which are lost to the Province and thrown into the Coffers of the Government of the United States.”22

The committee of the Assembly appointed to investigate this petition rejected it on the grounds that the inconveniences described were simply a reflection of the recent settlement of the area and that, “according to the laws of this Country, the proprietors of Land are liable to the opening and making of the Roads which are necessary to them.” Declaring the matter to be merely a local one and completely ignoring the problem of absentee proprietorship, the committee stated that the road network would automatically improve as the population increased.23 This was more than a local matter, however, because the St. Francis valley remained a vital outlet for settlers as far south as the Vermont border. As for the January 1821 petition of the inhabitants of Hatley praying for political representation, another committee of the Assembly declared that it could not proceed because it had “not been able to procure all the necessary documents regarding the Population and local circumstances of that part of this Province, on account of the extraordinary accumulation of business during the present Session.”24

23 JLALC, vol. 30 (1820–1821), February 16, 1821, p. 177. During the summer of 1821 the local settlers did invest between £300 and £400 on the project, including one bridge of 325 feet in length, but they petitioned the government for £630 to extend the road 18 miles through the townships of Simpson and Wendover, which had only five and three resident families respectively. JLALC, vol. 31 (1822), January 8, 1822, p. 69.
24 JLALC, vol. 30 (1820–1821), March 5, 1821, p. 251. Unlike the Hatley petition of January 1820 printed in Appendix P of the JLALC, this one was not printed. See also the petition presented in January 1821 from the longer-established area west of Lake Memphremagog. In addition to complaining of the “remoteness of Courts of Justice” and the “inefficiency of the Road Law,” it demanded registry offices and accessible electoral polls, noting that the lines of Richelieu and
Though the grievances expressed in such petitions were obviously not a priority for the Legislative Assembly, Dalhousie ordered that a circular letter be sent to leading Eastern Townships settlers in April 1821, informing them, “From your long residence and general knowledge of the Country, you have been named as one capable of affording the information required, and His Excellency entertains no doubt of an intelligent and early reply.” There were ten questions, focusing primarily on the amount of land settled and unsettled as well as held by absentees, on local regulations and administrative and judicial institutions, and, finally, on churches and schools. Question 5 — “To what do you attribute the unsettled state of your Township?” — was the only one that invited respondents to provide more than factual information. As we shall see, it was not the climate or the physical limitations of the region that local respondents blamed for the slow pace of development, but political and administrative factors.

Because the survey was not published, there is no way of knowing how many questionnaires were distributed, but only 14 replies covering 15 townships can be found scattered throughout the civil secretary’s correspondence for 1821 and 1822. The townships in question are mostly to the east of Lake Memphremagog in the central St. Francis valley, though three very thinly settled ones on the Craig Road to Quebec City were also included (see Figure 1). The fact that there are no reports from two of the most heavily settled townships in the area, Ascot and Eaton, undermines the survey’s value as a census of the district’s total population, but it does take us a step beyond the complaints registered in numerous petitions and newspaper articles by providing quantitative evidence, rudimentary as it might be, of the government neglect that the region was experiencing at the time.

James Barnard reported on Brompton, Windsor, Melbourne, and Ely, as well as his home township of Shipton, but there are also second reports on Brompton, Windsor, and Melbourne, with a local resident in each case reporting figures quite close to those of Barnard. The only other respondent to cover more than one township was Charles Lothrop, who reported on Dudswell as well as Bury, although the latter

Buckinghamshire counties, as well as the judicial districts, ran diagonally across the townships and were “merely ideal, and known only on the Map.” JLALC, vol. 30 (1820–1821), January 15, 1821, pp. 93–94.


26 The responses are in LAC, RG4 A1, Civil Secretary’s Correspondence, vol. 199 and 200.
Figure 1: Map of the Eastern Townships, taken from H. H. Miles, *Canada East at the International Exhibition, 1862*, p. 31.
township had not yet been settled. As one would expect, these were prominent local men, some of them township leaders or their associates who had initiated settlement in their respective townships. James Barnard, for example, was an associate of Elmer Cushing, the controversial leader of Shipton township. Another Shipton resident and friend of Cushing was the notorious former counterfeiter, Stephen Burroughs, who submitted a report on neighbouring Tingwick. None of these men was a political radical, and at least two were staunch conservatives, namely Selah Pomroy, pioneer settler and magistrate in Stanstead, and Lieutenant-Colonel Henry Cull, Hatley's English-born township leader. There is no indication that any of the respondents held the public meetings that Gourlay claimed were essential to the information-gathering process, but, unlike the radical Scot, they did not need to establish their legitimacy.

The total population reported for the 15 townships was 9,177, with no inhabitants in Bury and Ely and only 16 in Chester and Inverness, demonstrating that settlement remained largely concentrated in the area between the middle St. Francis valley and the American border. If reports for Ascot and Eaton had been submitted, or survived, the total population number would have been considerably larger — for these townships were reported to have 756 and 769 inhabitants, respectively, in 1825 — but the fact remains that Stanstead was still much the most populous township at this time. Pomroy reported that there had been 4,000 people in Stanstead three years earlier, in 1818, and that “Since then increase by Emigrants has been small, but natural increase very considerable.” He appears to have been exaggerating, however, for a local census taken in January 1822 reported only 2,875 inhabitants, and there were still only 3,160 residents in 1825.

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32 LAC, RG4 A1, Civil Secretary’s Correspondence, vol. 199, no. 210, Selah Pomroy to Lt. Col. Ready, Stanstead, May 24, 1821.
33 According to the 1822 census, reported by the local preventive officer, William Hamilton, there were 517 males, 478 females, 814 sons, 826 daughters, 138 male servants, and 102 female servants.
As one would expect, Stanstead also had by far the most land improved and cultivated in 1821. The 13,150 acres reported were about 30 per cent of the total for all the townships recorded for 1821, though considerably less than the 16,677 acres recorded in the local census of the following year. While the Compton respondent reported only 850 residents, which was well below the populations of 1,372 for Barnston and 1,184 for Hatley, he claimed that 7,000 acres had been improved, which was considerably more than the 6,630 acres for Hatley or 4,320 acres for Barnston. The accuracy of the Compton report as far as population and improved land are concerned is therefore rather questionable. The acreages per inhabitant for the other townships are, however, reasonably consistent with each other when one takes time of first settlement into account.

The survey also asked for the amount of unsettled land in each township, but the number of respondents who reported that they did not know makes it impossible to calculate a total. It varied from only 17,500 acres in Stanstead to 57,180 acres in neighbouring Barnston and 59,600 acres in Tingwick, where only 170 acres had been improved. More revealing was the amount of land owned by absentee proprietors, though this could also be only guessed at in some cases. Stanstead reported that there were few absentee proprietors aside from the former governor, Robert Shore Milnes, who had been granted 21,406 acres in that township in 1807. Milnes had also received 13,546 acres in Barnston, where 30,000 acres were reported as held by absentees in 1821. Other townships were in a still worse position, with all of Ely’s land granted although it had no inhabitants, Tingwick reporting all 59,600 unimproved acres as owned by absentees, Brompton reporting 51,000 acres of 53,200 unimproved acres having the same status, and Dudswell reporting all but 5,467 acres held by non-residents. Given that one of the main complaints was that these non-residents had no local agents and had shown little interest in either developing or selling their land, it is perhaps not surprising that 223 families were leasing crown and clergy reserves despite the vast amounts of undeveloped land in the Eastern Townships. Stephen Burroughs claimed that only “characters of desperate fortunes” would settle on the reserves, a rather ironic statement given his own history, and Selah Pomroy reported that the 75 lessees in the more densely settled Stanstead had not “flourished in the same proportion as others” due to the temporary leases and high rents. There were also 30 such

Agricultural statistics and numbers of shops and mills were also recorded. JLALC, vol. 31 (1822), January 18, 1822, p. 95.


lessees in each of Compton and Shipton, 26 in Hatley, and 21 in Barnston. Given the Yankee agrarian dread of economic dependence, either as tenants or waged workers, these leaseholds are firm evidence that the landholding system was retarding colonization of the region even before 1825 when the Erie Canal provided New England land-seekers with greatly improved access to the American Midwest.

As for social institutions, the picture painted by the survey respondents was also a discouraging one. None of the townships had passed any by-laws, which is not surprising given that town meetings had long been proscribed by the government for fear of their democratizing influence. Town minutes have been found only for Newport township, and they end in 1814. In fact, when Sheriff Coffin of Trois-Rivières was informed in 1816 that delegates from Hatley and Compton were planning to hold a meeting to draw up a petition concerning roads, he wrote to the civil secretary: “I fear that the Republican mode of proceeding alluded to (if not arrested) may create impressions highly dangerous to the future Peace of the Country.” Informal meetings obviously took place, however, to organize the building of local roads and schools and to deal with other public matters. In 1823, for example, a society was established in which an annually elected committee of three would levy assessments on members for the relief of the poor and sick in the southeast quarter of Stanstead township.

In addition to being responsible for criminal cases, courts of quarter sessions had administrative functions such as the regulation of markets, but they were organized at the broader judicial district level, so none was yet held within the Eastern Townships. Most townships in the 1821 survey did not report even a single justice of the peace, the very foundation of the criminal system, despite the fact that property qualifications were not a major impediment. In 1821 there were said to be only six magistrates in all fifteen townships: two in Stanstead, two in Hatley, one in Compton, and one in Melbourne. Considerably higher numbers were listed in the general commissions of 1821, which suggests that some were

36 Little, *State and Society*, pp. 119–120.
37 Quoted in Little, “British Toryism,” p. 24. The Executive Council concluded that, because the meeting was convened by magistrates, it could not be considered unlawful.
38 *British Colonist and Saint Francis Gazette* (Stanstead), November 20, 1823.
40 Fyson, *Magistrates, Police, and People*, pp. 58, 75–76. The 1821 questionnaire uses the term “magistrate,” not “justice of the peace,” but it was clearly not referring to stipendiary magistrates because none would be appointed in the region until after the Rebellions (Little, *State and Society*, pp. 49, 54). On the role of the justices of the peace, see Fyson, *Magistrates, Police, and People*, pp. 33–34.
not well known or particularly active. In any case, the population per
justice ratio was higher in the newly established St. Francis Judicial
District in 1823 than in any other outside Montreal, and there was
clearly a sense that more magistrates were needed in a region whose
economy depended largely upon credit and where criminals sought
refuge from American justice.

Donald Fyson states that there was little prejudice against appointing
American-born settlers to the magistracy, but they certainly did not
receive their share of the region’s patronage appointments. Several indi-
viduals who had been recommended locally as justices of the peace were
rejected because their loyalty was questioned by the most influential
man in the region, the English half-pay officer and owner of extensive
land holdings, William Bowman Felton. Felton reported in 1821 that
the residents of Ascot and Compton had been “induced by misrepre-
sentation” to recommend D. D. Evans, who had since proven to be “a very dis-
loyal, ill affected subject, openly manifested by his conduct in publicly
celebrating the 4th of July (American Independence).” Also recommended
as a commissioner of small causes had been an itinerant preacher in
Compton named Gillson, as well as Elisha Thomas of Barnston who,
according to Felton, had been exiled from the United States for counter-
feiting and other offences. Felton, who had recently become lieutenant-
colonel of the local militia battalion and who would be appointed to the
Legislative Council a year later, assured the governor that “respectable
people” abstained from such recommendations, “knowing that Bottles of
Rum will at any time obtain signatures to any representation.”
Furthermore, “the principle, as introduced from Vermont savours too
much of democratic practices and if countenanced by you will assuredly
place the country at the disposal of factious and unprincipled demago-
gues.” Felton instead recommended his brother-in-law, Charles Whitcher,
and offered his own services for the neighbouring townships, adding that
no other appointments were necessary except for Hatley. Whitcher had
already been appointed “peace commissioner” in 1819, and Felton

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41 For the townships lying within the District of Montreal, the 1821 commissions of the peace listed five
justices of the peace in St. Armand (technically a seigneurie, but lying within the Eastern Townships),
five in Hatley, four in Stanstead, three in Dunham, two in Bolton, two in Stukely, one in Shefford,
and one in Stanbridge, for a total of 23. Nearly all had been on the commissions list for at least
three years. My thanks to Donald Fyson for this information. In Magistrates, Police, and People
(pp. 72, 107), he notes that many of the more than 25 justices appointed along the American
border by 1810 acted only rarely and that subsequent instructions to exclude such individuals
were still unevenly applied in 1821.

42 Fyson, Magistrates, Police, and People, p. 57; Matthew F. Farfan, “Court Reform in Early Nineteenth

43 Fyson, Magistrates, Police, and People, pp. 58, 86–87; Little, State and Society, p. 23.

44 On Felton, see Little, “British Toryism.”

would be named to the same position in 1821, but he complained that “the want of power in the commissioners — who are not vested with the authority of magistrates — to commit for any crime whatever, is seriously felt.”

Nor could the British authorities count on clergymen to play a role in social control, for the survey respondents reported only two places of worship — one in Stanstead and one in Hatley. A church had been commenced in Melbourne “some years ago,” but it was still in an unfinished state. Most frequently mentioned were Wesleyan Methodist missionaries from England, and Henry Cull reported that in Hatley, where there was an Anglican church, two American Baptist preachers were “assisted by those of their respective congregations who have anything to communicate for the benefit of society.” The American itinerant preachers who visited the region generally held their services in schools, most of which were built and managed through local community effort.

According to the 1821 survey, there were eight schools in Hatley, all taught by Americans who were “either the best qualified that can be found in town, or some transient person of good behavior.” They were employed between three and six months during the winter for about $20 a month without board, or $12 a month plus free board on a rotating basis with families who could afford to accommodate them. During the summer, women taught at a reduced rate for children too young to attend in the winter. Teacher salaries were paid in grain or other produce, “collected by a Rate made by a Committee in the school district according to the number of children each family sends.” In addition to the eight schools in Hatley, there were thirteen in Stanstead, two in Shipton, one in Melbourne, and one in Brompton, for a total of only 25. Daniel Thomas, who reported on Melbourne for the 1821 survey, identified himself as master of that township’s Royal Institution for the Advancement of Learning school, adding that he occasionally employed “one of my most favorable scholars” to teach in places most distant from the government school house. The Anglican-controlled Royal Institution schools were not particularly popular in the Eastern Townships, however, and only two other public or government schools are mentioned in the survey.

51 On the schools of one township during this era, see Kathleen H. Brown, Schooling in the Clearings: Stanstead, 1800–1850 (Stanstead: Stanstead Historical Society, 2001).
As noted above, question 5 invited the respondents to offer their opinions about the “unsettled state of your Township.” Not surprisingly, those opinions tended to echo the petitions also noted above. Stanstead may have been much more developed than the neighbouring townships, but its population appears not to have been growing, and Selah Pomroy provided one of the more detailed responses. He complained that the Eastern Townships had no representation in the Legislative Assembly, the road act was not appropriate “to the circumstances of the Townships,” the lack of courts within the region caused “enormous bills of costs in civil suits” resulting in “the ruin of many,” and it was almost impossible “to prosecute for misdemeanors or breaches of the peace or even the most atrocious acts of felony [sic].” The lack of local courts was of less concern in the less developed townships, though Henry Cull of Hatley reported that “there is a great defect in mode of forwarding accused persons to Prison. Not one in twenty ever arrives at his destination.” He also complained of the want of authority to prevent settlers “from being swindled out of their property by the store keeper giving a preference to his Creditor in the United States, and making a general sweep from the too credulous Farmers in Hatley who last Autumn lost about £100 by the measure.” Finally, Daniel Thomas reported that, as the only magistrate serving an area extending eight leagues on either side of Melbourne, he was forced to shoulder “a very great burthen.”

Another of Pomroy’s complaints was that the large grant of land to Governor Milnes retarded development of Stanstead township because none of it had been offered for sale even though settlers had been living on it for many years. Pomroy was no radical agrarian, but he clearly realized that New Englanders would only be attracted by the opportunity to establish an independent freehold, and, as a local merchant, he would have resented the draining of surplus capital to parasitical absentee proprietors. In a similar vein, James Barnard reported that Ely township was no longer populated because “after undergoing the hardships and privations incident to forming a settlement in the Wilderness, after having expended all their means in making improvements,” the ten families who had settled there “have been under the necessity of abandoning them.”

Obviously referring to the need for a municipal system, Stephen Burroughs noted the want of “every means to induce the Proprietors of

57 LAC, RG4 A1, vol. 200, no. 51, Barnard to Ready, Richmond, June 16, 1821. There were still no settlers in Ely in 1825.
this land to unite their strength in opening roads, building mills, and performing other things absolutely necessary for the prosperity of a new settlement.” He also deplored the want of “any legal power of making by-Laws for the internal regulation and amelioration of the situation of the Inhabitants.”58 Roads to external markets were crucial to economic development, and, echoing the petition from Hatley noted above, Henry Cull of the same township complained of the “want of power to lay out roads” without incurring the expense of “bringing a grand voyer 120 miles into the woods.”59 Daniel Thomas of Melbourne also criticized the provincial road act for leaving absentee proprietors “exempt from any burthen in making roads,” with the result that the monies spent by the Commissioners of Internal Communications were of little use.60

Another major concern was the lack of registry offices where notarized mortgages and land deeds could be recorded. In his report for Shipton, James Barnard wrote that “no Title for purchasers is considered safe except the Sheriff’s. The trouble, expense and length of time necessary to obtain a Title in this way is sufficient to deter Settlers of moderate means from purchasing.”61 Cull complained, as well, that freehold lands were “being subjected to the Feudal Laws of Canada of mortgages and other incumbrances without any resort for the Purchaser to be assured of the validity of his title, as hath lately been seriously experienced.”62

Conclusion
Unlike Robert Gourlay, who organized Upper Canadian township meetings to gather information from the public, Lord Dalhousie sent his survey questions to select individuals who could be trusted not to stir up political agitation in the discontented Eastern Townships. While Gourlay’s survey had 31 questions, Dalhousie’s had only 10, and they did not make it possible to quantify such variables as “the progress of

59 LAC, RG4 A1, vol. 200, no. 25, Henry Cull to Ready, Hatley Township, June 7, 1821. Although the grand voyer for the District of Montreal reported in 1817 that all the townships in his district had elected a sous voyer “according to law,” there is no mention of such officials in the 1821 survey, and in any case they apparently did not have the power to homologate roads (LAC, RG4 A1, vol. 166, DeLery to L. Montizambert, Assistant Secretary, July 1, 1817). In 1829 W. B. Felton made the same complaint about the charge upon the inhabitants of bringing the grand voyer from Trois-Rivières, with the result that his brother-in-law, Charles Whitcher, was appointed deputy grand voyer with responsibility for the St. Francis District (Little, “British Toryism,” pp. 21–22).
improvement.” One of them — question 5 — did closely echo Gourlay’s invitation to speculate on what “retards the improvement of your township.”63 The 1821 survey was obviously not an objective source of information, given that it was not in the interest of the respondents to paint a rosy picture of conditions in the Eastern Townships, but it did add to the evidence of how the region was suffering from political neglect and economic isolation. Dalhousie was clearly less concerned with appeasing the American settlers than with acquiring basic information on a region that he hoped to colonize with British immigrants and French Canadians, but the petitions submitted by local settlers and the 1821 survey persuaded him to advocate a trunk road to the Montreal market, to condemn the crown and clergy reserves as impediments to settlement, and to recommend the appointment of more magistrates as well as the establishment of more courts.64 Several years would pass, however, before such recommendations began to be implemented, and the absentee proprietor problem would persist until municipal governments with the power to tax landed property were introduced in the 1840s.

One view of the 1821 survey circulated on Dalhousie’s orders might be that it was a preliminary step toward the scientific census enumerations to which Bruce Curtis refers as a means for forcefully asserting “the state’s sovereign authority to configure and represent social relations.”65 Like the questionnaire sent by the Assembly committee to the colony’s parish priests, however, its usefulness depended upon the cooperation of local notables, and the government failed to produce a synthesis of the quantitative information provided in the responses. Furthermore, the settlers of the Eastern Townships had recently submitted their own census report to bolster their demands for political representation, and the questions posed by Dalhousie’s questionnaire reflected the concerns and demands of a population that had begun submitting protest petitions as early as 1803.66 While historians such as Ian McKay assume that the

66 LAC, RG4 A1, vol. 82, petition signed by O. Barker, chairman, and Samuel Lothrop, clerk, Ascott [sic], September 21, 1803. An estimate based on militia rolls and published in the Quebec Gazette in 1819 claimed that the population had reached 26,916, a number that was doubtless inflated because Oliver Barker of the “corresponding committee” that submitted the informal census admitted that the aim was to prove that the Eastern Townships was entitled to three Members of the Legislative Assembly (Caron, “Colonization of Canada,” p. 537; Kesteman, Southam, and Saint-Pierre, Histoire des Cantons de l’Est, pp. 112–113). On the early petitions, see Farfan, The Stanstead Region, pp. 29–30, 34–46.
introduction of self-governing institutions in the 1840s was “a revolution from above,”\textsuperscript{67} the people of the Eastern Townships had been demanding them for years, and, with the inhabitants of the seigneuries, they would play a significant role in determining their final shape.