

# A Crime “Shrouded in Mystery”: State, Church, and Community in the Kinnear’s Mills Post Office Case, 1899–1905

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*By examining the inquiries into the apparent theft of \$200 from an envelope posted by a local clergyman, as well as the public response to those inquiries, this study explores the culture and social dynamics of a rural, English-speaking community in Quebec at the turn of the last century. The case reveals much about the nature of the community, the role of the church, the biases of the law enforcement system, and the propensity of the rural population to continue resisting external authority at the dawn of Canada’s new industrial age.*

*Cette étude examine les enquêtes sur l’apparent vol de 200 \$ subtilisés d’une enveloppe postée par un ecclésiastique local et la réaction publique à ces enquêtes pour explorer la dynamique culturelle et sociale d’une communauté québécoise d’expression anglaise du tournant du siècle dernier. L’affaire en dit long sur la nature de la communauté, le rôle de l’Église, les partis pris du système d’application de la loi et la propension de la population rurale à poursuivre sa résistance contre l’autorité extérieure au seuil du nouvel âge industriel du Canada.*

IN REVIEWING two recent collections of Richard Cobb’s articles on Paris and the French Revolution, Julian Barnes comments on how Cobb saw the historian “as a detective who takes his time, never rushes to conclusions, learns the geography of the crime, walks the streets, takes a pastis, sniffs the air, asks seemingly irrelevant questions”.<sup>1</sup> Kinnear’s Mills, Quebec, was certainly no Paris, but its post office case does offer the historian an opportunity to play detective in a rather literal sense. While the crime was never solved, inquiries into it generated a good deal of documentary detail that provides

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<sup>1</sup> Julian Barnes, “Always True to France”, *New York Review*, August 12, 1999, p. 30.

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insight into the methods and biases of the investigating agents. Still more important, the reaction to these reports informs us about the nature of rural community, particularly the role played by the rural church, in an age of rapid transition to our modern industrial capitalist society. The Kinnear's Mills post office case was a "social drama" that, in the words of anthropologist V. W. Turner, provided "a limited area of transparency on the otherwise opaque surface of regular, uneventful social life".<sup>2</sup> Just as the prism of the strike serves the labour historian as a tool for understanding urban class polarization and conflict, so the historical documentation generated by this case offers us insights into the unsettling impact of modernizing forces upon what had been a rather economically isolated and culturally conservative community.

It should not simply be assumed, however, that such unpredictable events resulted from inexorable underlying forces, or that they reflected social life under more normal circumstances. As one historian has recently argued, the historical value of public disputes and judicial activity is that they allow "glimpses of the members of a society in action, adopting different roles in a play of which no one could be entirely sure of the conclusion".<sup>3</sup> In the Kinnear's Mills case, the script took a rather unexpected turn when the community solidarity behind the accused clergyman broke down after he had been exonerated by external church authorities. There was clearly more to this story than local resistance to outside authority, yet the cleavages produced by the conflict are difficult to identify by class or social category, reminding us of the necessity to take contingency and historical specificity seriously.<sup>4</sup> The local responses to this minor crime and the subsequent inquiries into it do shed light, however, on the role of state and church, the nature of class and community, and the socially destabilizing forces at work within rural Canada during the country's second wave of industrialization.<sup>5</sup>

### The Crime<sup>6</sup>

The evening of December 6, 1899, found the leading members of the Kinnear's Mills Presbyterian Church attending a social gathering at the home of

2 Quoted in Alan Macfarlane, "History, Anthropology and the Study of Communities", *Social History*, vol. 2 (1977), p. 636.

3 Colin M. Coates, *The Metamorphoses of Landscape and Community in Early Quebec* (Montreal and Kingston: McGill-Queen's University Press, 2000), p. 101.

4 On this point, see Nancy Cook, "The Thin Within the Thick: Social History, Postmodern Ethnography, and Textual Practice", *Histoire sociale/ Social History*, vol. 32, no. 63 (May 1999), pp. 85–102; Mariana Valverde, "Some Reflections on the Rise and Fall of Discourse Analysis", *Histoire sociale/ Social History*, vol. 33, no. 65 (May 2000), pp. 59–78.

5 For an interesting application of Marxist theory to rural social conflict, see Norman N. Feltes, *This Side of Heaven: Determining the Donnelly Murders, 1880* (Toronto: University of Toronto Press, 1999).

6 The following narrative is summarized from *In Re Inquiry Ordered Under R.S.C. Cap. 114, as to an Alleged Abstraction of \$200 from Letter Mailed at Kinnear's Mills Post Office on the 6th of December, 1899, by Rev. J. M. Whitelaw, addressed to the Rev. Dr. Warden, Toronto* (hereafter cited as White Report). It is available on microfiche as CIHM no. 25715.

the church Session clerk, Dr. William Thompson.<sup>7</sup> After tea the postmaster, James Kinnear, excused himself to prepare the mail which would leave early the following morning to be transported 12 miles to the nearest railway station at Robertson. Reverend James Whitelaw joined him to deposit some letters for the same delivery. One of the three letters, all of which were registered, was addressed to Reverend Dr. Warden of Toronto. A witness named David Frizzle overheard Whitelaw state that it contained a considerable amount of money, later claimed to be six bank notes worth \$200 enclosed in a blank piece of paper. This was a donation by the postmaster's wealthy father, James Kinnear, Sr., to be distributed to various church funds, including one for aged and infirm ministers and another for widows and orphans. After the postmaster had deposited the letters in a mail bag, he took it to its customary closet in his adjoining house. He then followed Whitelaw's steps back to Thompson's house where he and his wife remained until 11:00 p.m.

Meanwhile, Kinnear's 18-year-old son, Alexander, was bedridden with a broken leg, where he had a full view of the closet. He later testified that no one had entered that room until the mail was picked up the next morning. His 21-year-old sister, Mary, who sometimes had charge of the post office, had been out of the village until 7:00 p.m. She then spent the evening with her younger sister and a visiting cousin, having had nothing to do with the mail that evening, and was in bed until after it left the next morning.

How, then, could the envelope have arrived in Toronto with no money in it? No definitive answer was ever found, but suspicion came to rest on the shoulders of Reverend Whitelaw, who was suspected of never having enclosed the bills in the first place, and, alternatively, on the Kinnear family, who were in an excellent position to have removed them from the envelope. While the details of the case are less important than its effects, particularly given the impossibility of determining who the guilty party was, they do provide an interesting glimpse into the lengths to which the village notables would go to avoid scandal, as well as into the biases of the judicial system. The contrasting reports drafted by the state and church authorities are also a good illustration of how social biases could lead to sharply different interpretations of the same evidence.

### **The Setting**

Kinnear's Mills in Leeds Township is today a tiny picturesque village, located beside a small river, and surrounded by hills of sugar maples. Attracted by its bucolic beauty, hundreds of people from across North America visit each July 12 weekend to renew childhood acquaintances and re-establish their ancestral roots in Megantic County. What they see may remind them of the pre-industrial past, but, apart from the white clapboard

<sup>7</sup> The governing structure of the Kinnear's Mills Presbyterian Church, from bottom to top, was the Leeds church Session, consisting of minister and elders; the Quebec Presbytery meeting; and the Montreal and Ottawa Synod meeting.

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churches that once served the three Protestant denominations, little survives to indicate that this was once a relatively self-sufficient and dynamic settlement, though hardly the typically harmonious one depicted in the marketing of rural nostalgia.<sup>8</sup> Few visitors are aware, for example, that the local Orange Lodge branch, whose few remaining members they watch parading with fifes and drums, originated with a bitter struggle between Irish Catholics and Protestants in the area during the later 1850s.<sup>9</sup>

At the turn of the last century the village of Kinnear's Mills boasted (in addition to its three churches) three general stores, three blacksmith shops, a hotel, a sawmill, a grist mill, a carding mill, a cheese factory, and one of Canada's approximately 10,000 post offices.<sup>10</sup> As in the neighbouring village of Leeds, the Kinnear's Mills businesses supported a prosperous village elite — British immigrants, mostly from the Scottish Lowlands, who were deeply imbued with the values of religion, family, education, hard work, and respectability. Class consciousness aside, their conservative social values were much the same as those of the British-descended rural families who survived by mixed farming, logging, and sugar-making.<sup>11</sup> These were essentially the same economic activities that characterized the area from early settlement, and, in Karl Polanyi's terms, they remained imbedded in the local social context rather than becoming an autonomous system of relationships.<sup>12</sup>

The boundaries of this rather insular community would be stretched by such modern innovations as the telephone, which a group of business and professional men from the villages of Kinnear's Mills, Leeds, and Inverness hoped to bring to the county in the spring of 1900. Localism was still strong enough, however, to prevent them from reaching an agreement as to which railway should be the link for the telephone line.<sup>13</sup> The railways themselves

8 To promote tourism in the area, the story of the pioneer Kinnear family is now dramatized each summer by French-speaking actors. On this theme, see Thomas Bender, *Community and Social Change in America* (New Brunswick, N.J.: Rutgers University Press, 1978), pp. 144–148.

9 See Matthew Barlow, "Fear and Loathing in St. Sylvestre: The Corrigan Murder Case, 1855–58" (MA thesis, Simon Fraser University, 1998). As a native of this community, I attended the picnic many times in the 1950s and 1960s.

10 James G. Kinnear, *Kinnear's Mills: Being a Story of the Settlement of the Place and of the Life and Times of Harriet Wilson & James Kinnear and Their Descendants* (King, Ont.: James G. Kinnear, 1971), p. 65; John Willis, "L'importance sociale du bureau de poste en milieu rural au Canada, 1880–1945", *Histoire sociale/ Social History*, vol. 30, no. 59 (May 1997), p. 150, fig. 2.

11 For a still useful history of the British settlement of Megantic County, see Dugald McKenzie McKillop, *Annals of Megantic County, Quebec* (Lynn, Mass.: D. McGillop, 1902). For a more recent history, see Gwen Rawlings Barry, *A History of Megantic County: Downhomers of Quebec's Eastern Townships* (self-published, 1999). A good illustration of the township's mixed economy can be found in the Leeds Village correspondent's report to the *Sherbrooke Examiner* on April 16, 1900: "Our farmers are all busy making sugar and think it is going to be a good year. ...Mr. Willie Marshall has gone into the cattle business, making his first purchase from Mr. F. Carroll. ...Mr. Sam McKee has been sawing wood in this district the past two weeks."

12 See the discussion in Bender, *Community and Social Change*, pp. 111–114.

13 *Megantic Gazette*, April 5, 1900. This newspaper was one of the rural editions of the *Montreal Gazette*.

had only come close enough to draw industries away from these villages, while the Megantic Good Roads Association vainly attempted to convince the county council to open the winter roads wide enough for two sleighs to meet without danger of tipping over. Local merchants were also still pleading for the exclusive application of the cash system, but they had responded to the increasing intensity of market forces by investing local profits in distant stock markets, as we shall see.<sup>14</sup> With more and more families being lured from the hillside farms and villages to the burgeoning urban centres and western prairies, the population of Leeds Township had declined from its maximum of 2,754 in 1871 to 2,128 in 1901. Referring to the harvest trains, the local correspondent for the *Sherbrooke Examiner* reported in September 1900: “Quite a number from here have gone out to the Northwest on the excursion; some intend to settle there if they see any good chances.”<sup>15</sup> Thirty Megantic County families who had already done so held a nostalgic Orangeman’s Picnic at Lake Dauphin that same year.<sup>16</sup>

By the turn of the century, then, the rather isolated British Protestant community of Megantic County was feeling the pressure of outside forces, both economic and cultural. In Inverness Township, the Adderly Presbyterian church had been split along generational lines in the late 1880s, with the Young People’s Improvement Society favouring the use of an organ in the Sunday School and at Sabbath evening lectures, and the church Session (consisting of minister and elders) bowing to pressures from older members to resist this innovation despite a congregational vote in its favour. In 1898, when the Session voted to replace the old book of praise with the hymn book approved 18 years earlier by the Presbyterian General Assembly, the decision was rejected by a meeting of the Adderly congregation.<sup>17</sup> The Presbyterian Church was particularly fractious due to its democratic structure and persistent traces of beleaguered Calvinism, but the newspapers’ local correspondents described an active community-based social life, with frequent events such as the “sugar social with progressive crokinole, music and readings for entertainment” reported in April 1900.<sup>18</sup> Three months later, the Leeds Village correspondent boasted, “We sent a small contingent on ‘Scotch Day’, a larger one on ‘Megantic Day’, and nearly every one turned out for Orange Day.”<sup>19</sup> While Dominion Day has always been largely

14 *Megantic Gazette*, January 18, 1900; March 15 and 29, 1900; April 5, 1900; May 31, 1900; March 28, 1901. The local MLA at this time, John Whyte, was not re-elected because he failed to support construction of a railway through Leeds, fearing that it would damage the business of his village store. Ethel Reid Cruickshank, *Leeds and St. Sylvester: Historical Sketches* (Cookshire, Quebec: Heritage Publications, 1975), p. 148.

15 *Sherbrooke Examiner*, September 12, 1900. See also *Megantic Gazette*, September 6, 1900.

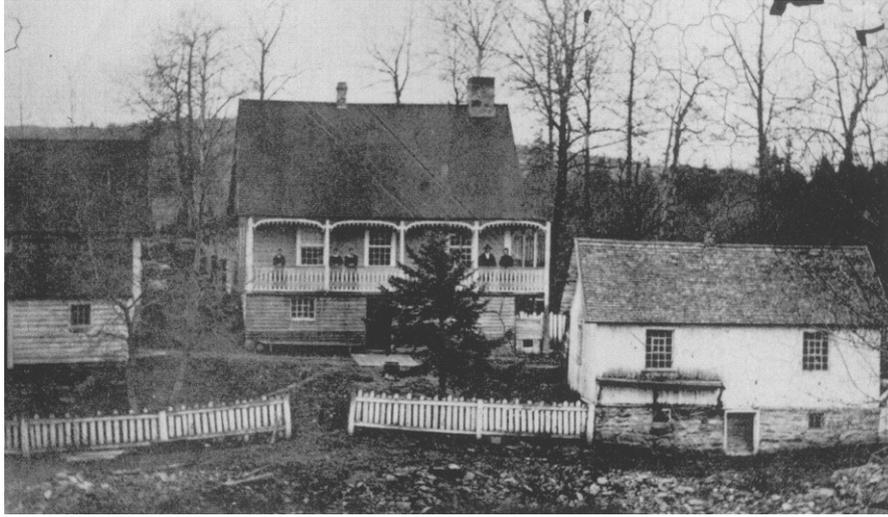
16 *Megantic Gazette*, July 26, 1900.

17 Alexander Goodwill MacDougall, “The Presbyterian Church in the Presbytery of Quebec, 1875–1925” (MA thesis, McGill University, 1960), pp. 164–169.

18 *Sherbrooke Examiner*, April 23, 1900.

19 *Megantic Gazette*, July 19, 1900.

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**Figure 1** The Kinnear home, built c.1840, with Harriet's store and post office on the right. (Source: James G. Kinnear, *Kinnear's Mills*, p. 70.)

ignored in the community, the Boer War was stirring the imperialist fervour of the staunchly Orange population. Outside forces were not all debilitating ones as far as community survival was concerned, then, and the initial response to the post office case would be one of local solidarity behind Reverend Whitelaw. As the case dragged on in its inconclusive manner, however, that united front would be undermined by internal divisions, leading eventually to irreparable damage of the community's most important public institution, the Presbyterian Church.<sup>20</sup>

### The Main Characters

The chief protagonists of this story were two of the most important figures in the village, the preacher and the postmaster, the former because of his spiritual authority, and the latter because of his membership in the village's founding family.<sup>21</sup> Postmaster James Kinnear's father, James Kinnear, Sr., was the archetypal self-made man, having left Edinburgh alone at the age of eight and accumulated a considerable fortune by virtue of hard work and astute business practices. In 1840, at the age of 22, he took over management of the saw and grist mill he had helped his uncle to build on the west branch of the Osgood River, moving into the small house (see Figure 1) in which he

<sup>20</sup> In 1901 the Presbyterians of Leeds Township (39%) were as numerous as the Anglicans (16%), English-speaking Catholics (16%), and Methodists (7%) combined.

<sup>21</sup> The following description of the Kinnear family history is summarized from Kinnear, *Kinnear's Mills*.



**Figure 2** James and Harriet Kinnear and their children in 1868 (James, Jr., is second from left in back row). (Source: James G. Kinnear, *Kinnear's Mills*, pp. 33, 81.)

and his wife, Harriet, would raise 12 of 14 children to adulthood (see Figure 2). Kinnear purchased the mill properties in 1855, paying off the £2,000 purchase price in only a year. Nine years later, he consolidated the mills into one building at a cost of \$22,000.

Kinnear's status in the village of approximately 100 residents was ensured by his loans of money to local individuals<sup>22</sup> and by his donations of land for the construction of the Presbyterian and Methodist churches, as well as for the village school. He became the village's first postmaster in 1863<sup>23</sup> and justice of the peace a year later. By the time Kinnear died in 1901, at the age of 83, his many sons and daughters had become well established in the surrounding area.<sup>24</sup> The post office case therefore represented a bitter end to a life that would otherwise have assured any good Calvinist that he was one of God's elect.

22 Pascal Binet, "La Famille Kinnear", *Le Bercaill*, vol. 6, no. 1 (1997), p. 15. Kinnear states that James Kinnear, Sr., charged 4% to 6% interest, and that "at the time of his death his estate revealed many outstanding notes and mortgages" (*Kinnear's Mills*, p. 58).

23 *ArchivariaNet*, Post Offices, Kinnear's Mills (0480). For a useful overview of the post office's development in rural Quebec and Ontario, see Brian Osborne and Robert Pike, "Lowering 'The Walls of Oblivion': The Revolution in Postal Communications in Central Canada, 1851–1911", *Canadian Papers in Rural History*, vol. 4 (1984), pp. 200–225.

24 See Kinnear, *Kinnear's Mills*, pp. 83–103.

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The business career of James Kinnear, Sr., was greatly assisted by his wife, Harriet Wilson, who took advantage of the \$1,600 inherited from her father in 1847 to establish the first general store in the village that would eventually acquire the Kinnear name (see Figure 1).<sup>25</sup> In her early years, Harriet carried two cap-fired pistols to protect herself from bandits while driving her cart along the heavily forested road to purchase merchandise and market produce in Quebec City. The will she drafted in 1896 left \$23,000 to be divided among her offspring. Harriet Kinnear's business sense failed only when she counselled against investing in the nearby asbestos mines, but she realized by 1890 that there was little economic future in Kinnear's Mills. When she and her husband died in 1901, their taxable property of \$132,174 was largely invested in shares of banks and utilities located in Quebec City, Montreal, and Toronto.<sup>26</sup>

According to the *Montreal Witness*, the Kinnears each left more than \$1,000 to the missionary schemes of the church. Harriet's death preceded that of her husband by a few months, and, in an attempt to influence her offspring from beyond the grave, she left the following admonition:

Dear Children: Your earthly mother must leave you. Your heavenly father is immortal, trifle not about your souls. This you will not repent of when you come with a near view of death and endless eternity. Live by faith and study holiness in heart and life. My blessing be upon you all. What means God gave me I have bestowed them upon you or left them to you ... the time is near. Be ye, therefore, ready. Be kind and careful of your father while you have him and let none of you forget that though I go before you to the dust, you must all quickly follow me.<sup>27</sup>

These must have been particularly moving words for James, Jr., given the suspicion that had fallen on him and his own family and the resulting alienation of most of the clan members from the church that their patriarch had largely funded. At the age of 51, with his older two children reaching maturity, James, Jr., was still living under the shadow of his strong-willed parents. After a short stint as a merchant in the town of Coaticook in 1894, he had returned to Kinnear's Mills to operate his mother's store and the post office, which were in the same building.<sup>28</sup> One might speculate that it was because James was a more pleasure-loving individual than his father, having been an avid baseball player and horseman, that his aging parents had long main-

25 *Ibid.*, p. 78; Binet, "La Famille Kinnear", p. 14.

26 Société des Archives historiques de la Région de l'Amiante, Fonds James Gordon Kinnear, J. W. Mooney to A. Brosseau, Inverness, May 7, 1902 (typescript).

27 Quoted in Kinnear, *Kinnear's Mills*, p. 63.

28 Post offices were commonly located in village stores. Osborne and Pike, "Lowering 'The Wall of Oblivion' ", p. 216; Willis, "L'importance sociale", pp. 157–159. The store and post office appear to have been moved to James Kinnear, Jr.'s own house by 1900. Kinnear, *Kinnear's Mills*, pp. 60–61, 79.

tained control over the store and post office. But the younger James would prove to be a shrewd businessman in his own right, for shortly before his parents died he retired to Toronto where he became a successful speculator in the stock market. Here, the social respectability that he never entirely achieved in Kinnear's Mills would be established by an eldership in the United Church.<sup>29</sup>

In an ironic contrast, the reputation of the other chief protagonist, Reverend James Menzies Whitelaw, was severely damaged by stock-market activities that may have been inspired by Kinnear. The Scottish-born Whitelaw arrived in Kinnear's Mills in 1890, shortly after graduating from Montreal's Morin College at the age of 29.<sup>30</sup> This was not a particularly easy posting, for the local people did not stand in uncritical awe of their ministers. The second permanent minister had alienated the people of Kinnear's Mills by separating them from the Leeds Village church in 1881. He resigned shortly thereafter.<sup>31</sup> The next minister, who served from 1882 to 1889, was much more popular. He stimulated popular piety by having church elders conduct weekly prayer meetings in the local school houses and by personally conducting a weekly Bible class in each of his churches. Parishioners nevertheless walked out of the church on at least one occasion when they felt the sermon was too long, and the Kinnear's Mills choir engaged in a brief strike when their seats were assigned to choir members from a neighbouring church.<sup>32</sup>

The fact that there was a choir reveals that Kinnear's Mills was a more modern-oriented congregation than that of strictly rural Adderley, and the progressive young Whitelaw quickly became still more successful than his predecessor, increasing church membership, attendance, and finances. Four decades later, a locally raised minister remembered him as a great preacher, "very fluent in his delivery", as well as a faithful pastor who visited his people regularly. The proof of his popularity was that the second church in his charge, known as Reid's Church, became so overcrowded that it had to be enlarged to seat 180 people despite the decline in number of the township's English-speaking population.<sup>33</sup> It was understandably difficult, then, for the people of the two Leeds congregations to believe that Reverend Whitelaw was guilty of stealing money destined for the church's own good works.

29 Kinnear, *Kinnear's Mills*, pp. 86, 91.

30 Eastern Townships Research Centre (hereafter ETRC), United Church Archives (hereafter UCA), Candlish United Church (hereafter CUC), Rev. Allan S. Reid, "Historical Sketch, Centenary Celebration, Reid's and Kinnear's Mills Churches, October 6, 1993" (typescript), p. 6; Canada, Manuscript Census, Leeds West Township, Quebec, 1891, no. 3, p. 25.

31 Leeds was united with St. Sylvestre, and Kinnear's Mills remained connected with Reid's Church. Reid, "Historical Sketch", pp. 1–4; MacDougall, "The Presbyterian Church", pp. 268–270.

32 The church Session supported the choirmaster's stand. Reid, "Historical Sketch", pp. 4–5.

33 Reid's Church was build on the farm of Joseph Reid, whose three sons became influential Presbyterian ministers. W. Stanford Reid, "The Quebec Trio: W. D., A. S., A. D. Reid" in W. Stanford Reid, ed., *Called to Witness: Profiles of Canadian Presbyterians*, supplement to *Enduring Witness*, vol. 2 (Hamilton: Committee on History, the Presbyterian Church in Canada, 1980), pp. 93–94.

### **The Inquiry**<sup>34</sup>

Our understanding of the basic events in the post office case relies heavily on the report of Judge William White of the St Francis District Supreme Court. As reported by White, when the envelope deposited by Whitelaw arrived in Reverend Dr. Warden's Toronto office two days later, Warden immediately opened it in the presence of his stenographer, only to find a letter, a Quebec Bank statement, and a piece of folded cardboard, but no money. In his ensuing note to the Kinnear's Mills minister, Warden expressed the hope that there had been an oversight since the envelope was not "bulged out", suggesting that nothing else had been included in it.

Whitelaw's response expressed shock, asked if there were any signs that the envelope had been tampered with, and noted that the postmaster had placed it on a scale to determine that it was not overweight, thereby suggesting that it must have felt close to the maximum measure allowed without paying extra postage. In an ensuing letter Whitelaw noted that Frizzle had been present and added: "Our postmaster from late past experience has suspicions, but of course, I dare not write these." He also cast some suspicion towards Kinnear by stating, "I have never seen a Quebec Bank statement to my knowledge, and postmaster said same was true of him, but I doubt that."<sup>35</sup>

As a result of this correspondence, Warden handed the envelope and its contents to a Toronto Post Office inspector, who then forwarded it to his counterpart in Quebec. Assistant Inspector Samuel Tanner Green immediately noticed that one end of the letter had been cut off and reglued, and he then travelled to Kinnear's Mills on December 20 to investigate. Reverend Whitelaw was absent, but his wife "spoke rather disparagingly of the Postmaster and his daughter". In Green's words, she stated that James Kinnear was "honest enough, but would do anything for money" and that his daughter, Mary, was "flighty" and thought herself "above" the other girls of the village.<sup>36</sup>

At the post office, Green's charge that Kinnear was responsible for the theft "was received, apparently, not only with surprise, but with indignation".<sup>37</sup> The detective could find neither any "mucilage" nor cardboard resembling that contained in the letter. He determined that the key with which the mail bags were locked was tied to the office desk, and the condition of the twine and knot suggested that this had been the case for a considerable time. Therefore, to reopen the bag one would have had to remove it from the dining-room cupboard and carry it back to the post office. Green

<sup>34</sup> The public testimony was published as an appendix to the White Report, but this appendix has not been located. Fortunately, that testimony was also published in the *Megantic Gazette*, beginning with the issue of May 2, 1901. Note the similarity of this inquiry (aside from the presence of lawyers) with the Pierreville postal inquiry described in John Willis, "Wilfrid and Sophie: Crisis at the Post Office in Pierreville, 1888", *PHSC Journal*, no. 91 (September 1997), p. 23.

<sup>35</sup> Quoted in White Report, p. 6.

<sup>36</sup> *Megantic Gazette*, September 12, 1901.

<sup>37</sup> White Report, p. 7.

did not bother to mention that this would have been very difficult for Kinnear's son, with his broken leg.

Returning to wait for Whitelaw in his office, Green noticed a bottle of glue such as might have been used in resealing the envelope. This raised the possibility that the minister had arranged for it to appear that the envelope had been tampered with after it left his hands. Whitelaw swore that he had not placed any cardboard in the envelope; when confronted with the glue, he "left rather an unfavourable impression upon Mr Green, who says that after a few moments, Mr Whitelaw said he was perfectly certain he had done nothing of the kind".<sup>38</sup> The money Whitelaw was supposed to have sent to Toronto had apparently been provided to him in early November by James Kinnear, Sr., in the form of dividend cheques payable in Toronto, which raised the question of why he would send bank notes. Also, Green learned that a cheque Whitelaw claimed to have still in his possession had actually been sent by him to Montreal to cover the purchase of 300 shares in Montreal and London mining stock.

A week later, Green returned with his superior, Inspector A. Bolduc. A careful examination of the cardboard revealed that it must have been in the envelope at the time it was stamped, for it bore a slight impression of the postmark "R" for registered letters. When David Frizzle confirmed that the envelope had been postmarked in his presence, the inspectors told Whitelaw that they were convinced he had not enclosed the money. Whitelaw refused to make a statement at once, though he later wrote that, when he had claimed not to have inserted any cardboard in the envelope, "I simply meant, of course, that I did not substitute cardboard for bills."<sup>39</sup> This explanation was crucial to his defence, but Judge White dismissed it outright.

Meanwhile, soon after the inspectors left his home, Whitelaw visited Kinnear, telling the postmaster that if he secretly handed over the \$200 the matter would be dropped. In return, Whitelaw asked Kinnear to draft a promissory note for \$5,300 which Whitelaw could draw upon in case of legal prosecution for his role in the cover-up. All this was to be arranged before the early morning when the detectives would return to take Whitelaw's statement. Later that night, according to Whitelaw, Kinnear went to his house to pay \$60 down on the \$200 and deliver the \$5,300 promissory note.

Kinnear later admitted that he had given Whitelaw the \$60, which he subsequently retrieved, and that his distraught wife, Euphemia, had agreed to provide the \$200 out of fear that he would be arrested. But he would deny having knowingly signed any promissory note. Meanwhile, the following morning, Whitelaw informed the detectives that he was prepared to write to Dr. Warden that the money would be forwarded. He refused to admit that he had not enclosed the bills in the first place, but the detectives did insist that he sign a formal declaration stating that all charges against the Post Office

<sup>38</sup> *Ibid.*, p. 7.

<sup>39</sup> Quoted in *ibid.*, p. 12.

were withdrawn. Finally, before they left Kinnear's Mills, Bolduc and Green called on James Kinnear to apologize for the charges they had made against him. A few days later, Whitelaw and James Kinnear, Sr., asked the local Member of the Legislative Assembly, John Whyte, to request of the Postmaster General that the matter be closed.<sup>40</sup>

There still remained the matter of who would pay the \$200. Euphemia Kinnear's father, Alexander Martin, initially refused to give her permission to do so, but he changed his mind under pressure from Dr. Thompson, who was married to James Kinnear, Jr.'s sister. Thompson reportedly stated that Euphemia "was in a very nervous state, and that unless the matter was settled in the way in which Mr Whitelaw had arranged, and the money provided, the investigation would be reopened, and he would not answer as to what the consequences would be, considering the state of mental agitation in which his daughter was". According to Martin, Dr. Thompson had also stated that Kinnear "would not get fair play" from a French Catholic judge and jury, who might sentence him to jail for five or six years.<sup>41</sup>

Because Euphemia did not have immediate access to the \$200, Whitelaw borrowed it from the church's mission fund and sent it to Toronto with the request that the whole matter be dropped. Three weeks later found Euphemia hesitating to reimburse the money, but she succumbed when Whitelaw threatened to lay a complaint before the church Session for breach of promise. In return, all the parties involved signed a statement agreeing that Euphemia Kinnear "pays this money, not that she feels any guilt in the matter, but merely to prevent trouble" and promising to say nothing more about the matter.<sup>42</sup>

As Judge White noted, Whitelaw had apparently "succeeded in having the matter entirely hushed up. ...Six weeks further passed; and everything still appeared safe and quiet."<sup>43</sup> Then, on March 6, came a bombshell in the form of an apparently innocent letter in the legal column of Montreal's *Weekly Witness*. The reply to the anonymous correspondent assured him that, as the bearer of a promissory note made out specifically to him, he could transfer it to anyone, that it would not expire until five years after maturity, and that value was presumed to have been given unless there was proof to the contrary. The identity of the inquirer became clearer when the letter proceeded to ask what recourse the writer would have if "something criminal" was told against him to a neighbour, when the right to "enter an action" would expire, and whether it would be necessary to prove injury "or would proof of statement being made be sufficient?" The editor's answers were that the

40 Testimony of John Whyte, *Megantic Gazette*, September 5, 1901.

41 White Report, p. 13. Alexander Martin had been a coal miner in Scotland, and with the 1861 census he was working as a mining engineer at the Harvey Hill copper mines of Leeds. Barry, *A History of Megantic County*, p. 358.

42 Quoted in White Report, p. 14.

43 White Report, p. 15.

maligned individual could sue for slander, the right to do so would expire in one year, and “If the statements were made maliciously, or without proper justification, punitive damages would be awarded.”<sup>44</sup>

Whitelaw admitted to making these inquiries, having in mind the \$5,300 note acquired from Kinnear, who had obviously placed himself in a vulnerable position by signing a document which simply stated: “Two years after this date I promised [*sic*] to pay to the Rev. James Menzies Whitelaw, my pastor, the sum of (\$5,300) five thousand three hundred dollars, for value received, interest payable half-yearly.”<sup>45</sup> We can only guess at Whitelaw's motivation in writing to the Montreal newspaper, but the second line of inquiry suggests that he felt that he was being slandered by the Kinnears and wished to silence them by reminding them of their financial vulnerability. The Kinnear family certainly had reason to resent Whitelaw's manoeuvres in the post office case, and, though it took place after the letter in question was published, it is suggestive that the Leeds Session meeting in early May called upon James Kinnear, Jr., and his wife and daughter to answer charges of “nonchristian conduct” toward their minister. When they failed to appear, they were suspended from the church until they agreed to apologize to Whitelaw and submit to the Session's authority. The meeting, attended by Kinnear's brother-in-law, Dr. Thompson, also agreed to support Whitelaw if he decided to take civil action against the family for defamation of character.<sup>46</sup>

Alternatively it could be assumed, nevertheless, that Whitelaw was considering immediate disposal of the note to a third party and was warning the Kinnears that, if they objected, he would sue them for defamation. If this was the case, as Judge White believed, Whitelaw was clearly willing to take a serious gamble with his career as a clergyman. While one might suspect that he assumed the Kinnears would pay the note for the sake of keeping the case hushed up, he would surely have realized that this was unlikely, given their hesitation to pay the much smaller sum of \$200. The date of the note would also make its purpose quite clear (a purpose Whitelaw never denied), ensuring that the clergyman's reputation would be irrevocably destroyed if he resorted to the courts to collect the money. Finally, if he was desperately in debt, it is unlikely that his daughter would have been attending college in Ottawa or that he would have taken his family on a vacation the following July, as reported by the local newspaper correspondent.<sup>47</sup>

Even as a veiled threat, Whitelaw's published letter of inquiry was a mistake on his part, for James Kinnear took immediate steps to recover the note. He declared that the only document he had signed for Whitelaw was an application to remove a girl from the Knowlton orphans' home, presumably meaning that he was vouching for the reputation of someone who wished to

44 Quoted in *ibid.*, pp. 15–16.

45 Quoted in *ibid.*, p. 16.

46 Leeds Session Minutes, May 2, 1900, pp. 131–133.

47 *Sherbrooke Examiner*, April 16 and July 20, 1900.

foster one of the British “home children”. Judge White commented: “While this statement is certainly extraordinary, it is not improbable, when one considers how clearly all the proof establishes that Mr Kinnear and his family placed the utmost confidence in Mr Whitelaw, up to the 20th of January at least, and how greatly they were under his influence.”<sup>48</sup> White clearly gave no credence to Mrs. Whitelaw’s testimony that Harriet Kinnear had wanted her son to write out a full confession in return for the \$5,300 note.<sup>49</sup>

The result of this re-emergence of the case was a formal Post Office inquiry, though five months had expired since the inspectors had filed their reports and the Post Office was off the hook for the money. The initiative came from James Kinnear, Jr., through MLA John Whyte, as a means of forcing Whitelaw to surrender the promissory note.<sup>50</sup> Whyte may also have wanted to bring closure to an affair which was beginning to tear the community apart. The Leeds Session had demanded an apology from Whyte himself, expelled the three Kinnears, and threatened to sue Alexander Martin for his remark that the Postmaster General had written to the local Member of Parliament that no money had been placed in the envelope in the first place.<sup>51</sup> Such legal threats represented an admission that church discipline, to which the Kinnears and Martins refused to submit, was losing its impact.<sup>52</sup> Community sanctions were not without influence, however, for the two families moved to Toronto soon afterward.<sup>53</sup>

The May 1900 inquiry by Inspector Hawken of the Post Office headquarters in Ottawa remained private on Whitelaw’s insistence, and the findings were not published. At the end of the proceedings, Whitelaw returned the \$5,300 note, leading Judge White to conclude in his subsequent report: “It is difficult to understand why Mr Whitelaw should, under such circumstances, surrender the note, if it had been honourably obtained.”<sup>54</sup> Here again, White was wandering into the area of unwarranted speculation, for it was surely logical for Whitelaw to try to end a controversy that was threatening his position as a minister of the Presbyterian Church.

Instead, the affair was gaining momentum, finally resulting in Judge White’s inquiry three months later, on August 21. White issued summonses

48 White Report, p. 16.

49 Testimony of Sarah MacEwan, wife of Whitelaw, *Megantic Gazette*, September 5, 1901.

50 The MLA would nevertheless deny that there had been any “political wire-pulling” in the affair. Testimony of John Whyte, *Megantic Gazette*, September 5, 1901.

51 Leeds Session Minutes, May 14, 1900, p. 135. On Whyte’s influential position in the community, see Cruickshank, *Leeds and St. Sylvestre*, pp. 147–148.

52 See Lynne Marks, “Rattling, Tattling, and General Rumour: Gossip, Gender, and Church Regulation in Upper Canada”, *Canadian Historical Review*, vol. 81 (2000), p. 401.

53 The *Sherbrooke Examiner*’s Kinnear’s Mills correspondent reported in late April that “James Kinnear, jr., and family talk of leaving here” (Kinnear resigned the postmastership in May), and the Martin family moved on July 13. *Sherbrooke Examiner*, April 23 and July 20, 1900; National Archives of Canada (hereafter NA), RG 3, Post Office Records, vol. 1067, Vacancies in postmasterships, 1898–1904, p. 72.

54 White Report, p. 17.

to nine individuals, all involved with the case, and recognized J. J. McLaren, Q.C., as Kinnear's representative, while rejecting Whitelaw's request for an adjournment so that he too could appoint a lawyer. White also initially refused to add the 17 witnesses that Whitelaw requested, arguing that the subpoenas would not arrive in time for the hearing. He changed his mind, however, when he found that most of the 17 were already present in the crowded Inverness courtroom. In the judge's words, "It soon became apparent, that if the investigation was to be productive of any good in the public interest, it was quite important that no one of the parties, compromised by the evidence, should have any ground to complain that his pretensions were not receiving fair consideration."<sup>55</sup>

After two full days, starting at 9:00 a.m and ending at 10:00 p.m., some of the witnesses had yet to be heard, and others had failed to appear, so Judge White reluctantly called the 10-day recess that Whitelaw had requested at the outset. When the inquiry reconvened, Whitelaw was represented by the Honourable T. Chase Casgrain, Q.C., who focused on the question of James Kinnear, Jr.'s integrity. Witnesses declared that Kinnear had once failed to pass along one of the semi-annual dividend cheques his father contributed towards Whitelaw's salary and raised the suspicion that Kinnear had once intercepted the provincial school examination, making it available to the teacher in advance. Casgrain also attempted to establish that the Kinnears had sent their 11-year-old daughter out of the community because of their fear that she would unwittingly disclose the truth in the case.<sup>56</sup>

Judge White gave little credence to such testimony, however, and he ensured that the proceedings were completed the same day. Not surprisingly, the report he submitted was entirely one-sided in its reasoning. White stated flatly that the letter could not have been tampered with en route to Toronto:

The manner in which the end of the envelope had been cut, and the neat way in which it had been mucilaged, would necessarily have taken considerable time, and such care as could not have been given without delaying it over at least one mail. Besides that, any one who intended to purloin the money would have adopted a safer method by withdrawing and destroying the letter itself; and, moreover, to a stranger, the registered letter which accompanied it, addressed to the Montreal Bank, Ottawa, and which arrived safely, would have presented equal, if not superior attractions.<sup>57</sup>

White's logic appears weak, to say the least. There was an entire night to

<sup>55</sup> *Ibid.*, p. 2.

<sup>56</sup> Testimony of James Thompson and Margaret Jane MacBurney, *Megantic Gazette*, August 15, 1901; testimony of Effie Kinnear and George Thompson, *Megantic Gazette*, August 29, 1901; testimony of James Kinnear, Sr., *Megantic Gazette*, September 26, 1901; testimony of Henry Morrison and James Thompson, *Megantic Gazette*, October 22, 1901.

<sup>57</sup> White Report, p. 17. This letter was not one of the three sent by Whitelaw.

remove the money in Kinnear's Mills without delaying its delivery, and it is difficult to understand why a skilled thief working in any of the post offices through which the letter passed en route to Dr. Warden could not have performed the operation in a matter of a few seconds. Since the letter was registered, a record of its progress would have been kept; therefore, simply stealing it would cast suspicion on those who worked in the last location in which it appeared. As for the registered letter that was addressed to the Montreal Bank in Ottawa, this was a red herring since it followed a different route and a letter to a bank was very unlikely to have contained cash.

As a judge, White must surely have been aware that it was not uncommon for money to be stolen from envelopes by post office clerks and letter carriers subjected to a low-wage policy since the late 1880s. Decoy letters had by this time gained legal status as a means of entrapment by postal inspectors and detectives from the Guarantee Insurance Company, which bonded postal employees.<sup>58</sup> The *Canada Sessional Papers* for 1900 list 685 unregistered letters and 8 registered letters as lost and untraceable that year; 42 registered and 24 unregistered letters whose contents were stated to be missing, but without proof that this was so; and 33 registered and 21 unregistered letters whose stolen contents had been recovered from the officers responsible, or otherwise made good. The amounts stolen were almost all considerably smaller than the \$200 in the Kinnear's Mills case, yet it was not listed in the table since the money was not ultimately reported as missing.<sup>59</sup>

Having dismissed the possibility that the letter had been tampered with after leaving Kinnear's Mills, White proceeded to declare that James Kinnear could not have taken the money: "He is shown to be a man of means, worth about \$35,000 in his own right, and not at all likely to have committed so serious an offense, or having any party to it."<sup>60</sup> White also pointed out that no registered letters had been tampered with during Kinnear's 12 years as postmaster. His report then turned to Kinnear's daughter, Mary, who assisted in operating the post office and who Whitelaw had suggested may have taken the money because she wished to attend the Paris Exposition. A witness had claimed that she knew Mary had opened one of her letters in 1892 because Mary had disclosed information of which only someone who read the letter would be aware.<sup>61</sup> As noted above, White mistrusted the motives of these community members, stating that their testimony "really

58 See Ian R. Lee, "The Canadian Postal System: Origins, Growth and Decay of the State Postal Function, 1765-1981" (PhD dissertation, Carleton University, 1989), pp. 218-226, 237-262. John Willis has also compiled a file on Canadian postal thefts.

59 Canada, *Sessional Papers*, 1900, Post Office Department, Appendix H, pp. 390-399, 435.

60 White Report, p. 17.

61 Testimony of Margaret Jane MacBurney, *Megantic Gazette*, August 15, 1901. An article in *Maclean's Magazine* (May 1, 1927) stated in a rather sexist manner that a key factor in inside post office crime was feminine curiosity: "the female mind, particularly in rural post offices, dearly loves to follow the course of a local romance, or discover the business of her neighbours with distant correspondents." My thanks to John Willis for this reference.

has no bearing upon the subject under investigation". He added that there was

no evidence that Miss Kinnear had ever meddled with any letters, and indeed she was never suspected of having interfered with money letters, and as to the letter in question there is not a particle of evidence that she had any access to the mail bag on the night of the 6th of December. On the contrary it is established by the circumstances which transpired on that night, and fully confirmed by her brother, Alexander, that no person had access to the bag after it was placed in the dining-room, or could have had without his knowledge.<sup>62</sup>

White did not mention that Alexander would have had to tell Mary about the letter in the first place. Nor did he contemplate that they might have been accomplices in the theft.

The judge's report ended with the fourth possibility, that Whitelaw had never placed the money in the envelope in the first place. In contrast to his comments about Kinnear, White failed to mention that Whitelaw's integrity had not been challenged during his 10 years as minister, or to ask why a popular clergyman would risk his career for the sake of \$200. Nor did he establish that Whitelaw, who claimed not to recall any demands in November or December to pay for stocks purchased on margin,<sup>63</sup> had been in serious debt. Instead, White noted that the clergyman had diverted to mining stocks the cheques he was supposed to send to Dr. Warden, and argued that it made little sense to send bank bills in the mail when he normally sent cheques. White also pointed out that Whitelaw had waited until after regular hours, when he assumed the postmaster would be alone, and that he had made a needless remark about the letter's contents "evidently intended to compromise the postmaster". It is not clear, however, what advantage there would be to waiting until the postmaster was alone, especially if Whitelaw wanted a witness, as the judge was also suggesting. Delaying the forwarding of church money for a month may not have been completely ethical, but it was hardly a serious moral offence. Finally, while sending cash was certainly not wise, it was a widespread practice, and Whitelaw claimed that he did not wish to put the church to the expense of purchasing a money order.

White proceeded to interpret Whitelaw's every subsequent move as evidence of his guilt: his dropping of the theft charge on the "vague" promise of \$200 from Euphemia Kinnear; his subsequent "extortion" of that amount from her; his principal role in the "shameful bond of secrecy"; his "fraudulently" obtaining a note for \$5,300 from James Kinnear; his "pretense" that it was given as security against possible legal charges; his admitted desire to learn how this same note, obtained with "corrupt intention", could be negotiated; and "his voluntary surrender of this note when demanded by a man of

<sup>62</sup> White Report, p. 18.

<sup>63</sup> *Megantic Gazette*, August 15, 1901.

strong will and determined purpose, at a time when there was still ground to apprehend trouble”.<sup>64</sup>

In short, White’s conclusion that Whitelaw was the guilty party was largely based on the latter’s behaviour after his alleged crime, and, in a circular line of reasoning, the judge’s interpretation of that behaviour was clearly based on the assumption of Whitelaw’s guilt in the first place. If one had assumed his innocence, these activities would have appeared much less sinister. Judge White rather curiously failed to mention the most incriminating piece of evidence against Whitelaw, the discovery that he had inserted the piece of cardboard in the envelope. Perhaps he felt that there was some plausibility to the clergyman’s claim that he had forgotten that he had covered the bills with a thin piece of cardboard rather than with paper. In any case, White could feel free to dispense with the need for more concrete evidence before casting his moralistic aspersions because he was not conducting a formal trial. His report stated, “I do not deem it my duty to assume the functions of a jury, and decide as to whether a man is guilty or not guilty, particularly when he is not before me charged with an offense.” Referring to Whitelaw’s statement to Reverend Dr. Warden that “[t]he whole matter is largely shrouded in mystery”, White concluded without reservation, “the shroud is removed; the mystery is solved.”

### **The Presbytery Reports**

The White Report did not end the affair, for many members of Whitelaw’s two congregations continued to support him. When a number of people within the community and beyond asked the local Member of Parliament for a copy of the report, the government’s reaction was to limit distribution to those considered to be parties to the inquiry.<sup>65</sup> This precaution did not prevent its conclusions from being widely published in the province’s English-language newspapers.<sup>66</sup> In an attempt to salvage his reputation, Whitelaw asked the quarterly meeting of the Quebec Presbytery to launch a judicial investigation. A committee of four, three of whom were laymen, was to meet for this purpose in Kinnear’s Mills,<sup>67</sup> and Whitelaw provided them in advance with what he claimed was incontrovertible evidence of his innocence. By determining from the Post Office that the letter’s weight was now only nine-sixteenths of an ounce, and arguing that it had weighed over three-quarters of an ounce when handed to Kinnear, by the latter’s own admission,

64 White Report, p. 19.

65 NA, RG 3, Office of the Secretary – Letters received, vol. 522, no. 18540, George Turcot to Hon. William Mulock, Ste. Julie, November 16, 24, and 29, 1900; [Mulock] to Turcot, Ottawa, November 21, 1900.

66 As stated by the editor of the *Montreal Gazette*. NA, RG 3, Office of the Secretary – Letters received, vol. 522, no. 18857, Richard White to W. D. LeSueur, Montreal, December 18, 1900.

67 *Sherbrooke Examiner*, December 12, 1900.

Whitelaw was able to conclude that the missing weight represented the stolen money.<sup>68</sup>

The Presbytery's judicial committee was not persuaded by this line of reasoning. The front page of the *Sherbrooke Examiner* shoved the Boer War news to one side to report that the committee had refused to proceed on the grounds that this was a civil matter, and that "if Judge White's report was in accord and with [*sic*] facts, nothing the Presbytery could do would save Mr Whitelaw's reputation". It even added that "[i]t was difficult to see how Mr Whitelaw could save his reputation in the face of the facts published", but advised him "to repair to the civil courts, and there seek to have his good name and character vindicated". The other members of the Presbytery agreed, and, though they did decide to launch an inquiry, Whitelaw would now be the defendant.<sup>69</sup>

This time the Presbytery commission was composed exclusively of clergymen, and the four members reported their findings to the March 1901 meeting in Quebec City.<sup>70</sup> Once again, the minutes of the meeting — highlighted with seven headlines in various type sizes and fonts — occupied most of the *Sherbrooke Examiner's* front page. What they shouted this time, however, was "Mr. Whitelaw Proved to be Innocent of the \$200 Charge." Despite the Presbyterian Church's traditional insistence that the functions of church and state be strictly separated, its commission had presumed to question the "verdict" reached by a senior official of the state's judicial arm.

The report argued that the flatness of the envelope when it reached Toronto was likely the result of its 500-mile journey. As for the Quebec bank statement, which Whitelaw denied enclosing, such a document had been sent by the bank to James Kinnear, Jr., another point overlooked by Judge White.<sup>71</sup> As well, what had been called a piece of cardboard by Dr. Warden and the detectives, thereby leading to the damaging confusion in Whitelaw's original testimony, was actually "an extra thick white sheet, such as is commonly found at the back and front of writing tablets, and very suitable for the purpose for which Mr. Whitelaw applied it, as a covering of bank bills". When weighed with the number of bills Whitelaw claimed to have enclosed, the letter was thirteen-sixteenths (or just over three-quarters) of an ounce, exactly as the postmaster's recorded testimony had stated. In short, the money must have been removed after it left Whitelaw's hands, and the commission's report declared: "Clearly the mystery is solved, so far as Mr. Whitelaw's reputation and innocence are concerned."

As for who must have committed the crime, the report continued: "The

68 *Ibid.*, March 4, 1901.

69 *Ibid.*, January 16, 1901.

70 The convenor was Reverend Dr. Kellock of Richmond, and the other three members were the Reverends MacQueen of Gould, Shearer of Sherbrooke, and Stevenson of Danville. The following summary of the report is from the *Sherbrooke Examiner*, March 15, 1901.

71 James Kinnear, Jr., had testified to the White inquiry that he had sent the statement on to his father, who had destroyed it.

post office authorities are responsible for the letter, but not for its contents. The abstractor of the money adopted the safest possible method in allowing the letter to reach its destination; and it proves the abstractor to have been a post office official, or one thoroughly acquainted with the regulations." Further than this, the commissioners obviously did not feel authorized to go, but suspicions had been cast back upon the Kinnear family.

Turning to the \$200 subsequently sent to Dr. Warden, the commissioners dismissed Kinnear's rather transparent claim that the \$60 he had initially provided was simply a loan to Whitelaw, and they supported Whitelaw's claim that Euphemia Kinnear had remained bound to reimburse the \$200 that was borrowed from the local church funds. Her hesitation to do so clearly followed from the detectives having cleared her family of all suspicion in the case. In direct contrast to Judge White, the commissioners also concluded that the written statement to the effect that this payment was not an acknowledgement of guilt in the matter could only have been drafted upon the Kinnears' request.

As for the \$5,300 promissory note, the report made short shrift of Kinnear's claim that he thought he was signing an application form, which would have been a printed document. The note was also too short in length to resemble such documents, and his signature almost touched the words "payable half yearly". The report continued: "Mr. Kinnear's conscience was so thoroughly alarmed and alive to his own interests, that he knew full well what he signed on the night of December 27. He is a cunning, but not an able man." There was no reference to Whitelaw's questionable motives in drafting the note in the first place, or to the fact that Kinnear's rather desperate attempt to deny knowingly signing it had been touched off by Whitelaw's letter to the *Weekly Witness* concerning its transferability. Kinnear had obviously been given bad advice by his lawyer, for his dissemblance in this matter allowed the Presbytery commissioners to do what Judge White had done with Whitelaw: interpret Kinnear's behaviour and motives in an entirely negative light.

Biased as the commissioners may have been towards Whitelaw, they had little difficulty in demonstrating that Judge White's opposite prejudices had seriously compromised his reasoning. Concerning Whitelaw's private use of the original cheques provided by James Kinnear to the church, the report noted, "The passing of cheques between Mr. Kinnear, sr., and Mr. Whitelaw in exchange for money seems to have been a customary thing. ...Mr. Whitelaw delayed the sending of the money in question for three weeks. His intention was good, and no serious harm would have been done but for the extraction of the money in question." They also suggested that Whitelaw had originally been less than forthcoming with the detectives because he wished to shield the Kinnears, and that he "has been taught a severe lesson by this act". Finally, concerning Whitelaw's decision to free the Post Office authorities from all responsibility in the matter, the report added: "It may be charitably admitted that Mr. Whitelaw did not realize the consequences of his own act."

To the clergymen who comprised the Presbytery commission, the reasons for Judge White's conclusions were all too obvious:

They are due on the one hand to Mr. Whitelaw being a poor man, and on the other hand from the fact of Mr. J. Kinnear, jr., being a rich man, — having \$35,000 in his own right, and, according to the Judge's mind, not likely to be troubled by money matters. It is true that temptations to dishonesty are strongest in the lowest classes of men; poverty and riches are extremes from which a good man once prayed to be delivered. But to argue from impression is to make, not to interpret the law.

White's competency was directly called into question, for “in his selecting and collating of materials he pleads as an advocate and not as a judge. ...His hard construction and strained inferences, may be discerned even by the uninitiated.”

Confident that they had established Whitelaw's innocence as far as stealing the \$200 was concerned, the commissioners proceeded to condemn him for reaching an agreement with the Kinnears: “It had been to his interest and reputation, and greatly to the relief of our labour, had he, in the first instance, frankly resisted the overtures of the Kinnear's, and stood aside when justice was on the track of the offender.” Ignoring the fact that at this point the inspectors had actually been on Whitelaw's track, the commissioners continued: “We are prepared to believe that it was on account of his affection and sympathy for those members of his church that he allowed himself to be drawn aside from the clear path of duty, but your commission cannot condone such an offense.” They therefore recommended that Whitelaw be called to the bar of the Presbytery and asked to make “an ample confession and apology ... for the trouble he has occasioned the church, and for the unjustifiable act itself”, following which he would be “solemnly admonished by the moderator from the chair”.

Not surprisingly, there was considerable public opposition to this exoneration of Whitelaw from all suspicion in the case. In a lengthy letter published in the *Sherbrooke Examiner*, “Enquirer” of Kinnear's Mills challenged the commission's logic and concluded by questioning its authority: “The load resting on Mr. Whitelaw has been placed there by an honourable Judge of the civil sphere, and cannot be removed by any ecclesiastical court. You may express confidence in him, but the load remains unless removed by proper tribunal.”<sup>72</sup> But White's reputation as a judge had apparently been sufficiently damaged to induce his resignation the following fall, before he was eligible for the customary retirement allowance.<sup>73</sup> The reputation of James Kinnear, Jr.,

<sup>72</sup> *Sherbrooke Examiner*, March 29, 1901.

<sup>73</sup> Perhaps not surprisingly, the *Sherbrooke Examiner* did not mention the case in its coverage of the resignation. *Sherbrooke Examiner*, October 23 and 30, November 4, 1901.

had also been publicly attacked, and, unlike Whitelaw, he had the resources to resort to the “proper tribunal”. He launched a \$4,000 lawsuit against the Presbytery committee for “intent to disparage and injure him and to bring him into ridicule and contempt and to ruin and destroy his character”.<sup>74</sup>

At the December 1901 Presbytery meeting the worried committee members denied legal responsibility in the case on the grounds that they had acted “in no personal capacity, but as a Judicial Court of inquiry under instructions from the Presbytery”. Nor had it been their recommendation to publish the report before it was considered and adopted by the Presbytery as a whole, a decision reached in order “to avoid the unpleasant discussion” that would be involved. Fearing the possibility of a large financial blow (the court costs already amounted to nearly \$1,000),<sup>75</sup> the Presbytery decided to apologize to James Kinnear and to expunge the statements reflecting on his character from the report, on the grounds that he had not been before it on trial. As a result, the legal action was dropped.<sup>76</sup>

### Community Reaction

In addition to apologizing to Kinnear and amending its committee’s report, the December 1901 meeting of the Quebec Presbytery had agreed to send a delegation to Leeds in response to the pleas of several church members, including the local MLA, that the church Session be forced finally to grant the Kinnears and Martins their certificates of disjunction so that they could join a congregation in Toronto.<sup>77</sup> A year earlier, the Leeds Session had declared that the Kinnears would remain suspended “until they appear before this session ... and give an apology and submit to whatever the Session sees best to do”. In addition, Alexander Martin was “under citation by this Session to answer a charge of falsehood” concerning his alleged comment that the Postmaster-General felt Whitelaw was the guilty party.<sup>78</sup>

At the February 1901 Session meeting, with Martin having twice failed to make an appearance, the elders proceeded in their capacity as a church court to find the charge fully proven and to suspend him from “exercising the privileges of membership in the Presbyterian Church in Canada, or any part thereof, until satisfactory evidence of repentance be submitted to this court”.

74 *Sherbrooke Examiner*, April 24 and May 8, 1901.

75 Of the total cost of \$997.34, the lawyers agreed to deduct \$200 from their account, and James Kinnear was responsible for 20%, leaving a total bill of \$637.88. Archives nationales du Québec à Montréal (hereafter ANQM), Presbyterian Church Papers, P602, Record, Presbytery of Quebec (hereafter Presbytery Record), vol. 2 (P/11/3), March 11, 1902, p. 176.

76 *Sherbrooke Examiner*, December 11, 1901. Several members appealed this decision to the Synod, which essentially sustained the amended report except for its exoneration of Whitelaw from the loss of the \$200 sent by him to Warden. ANQM, Presbyterian Church Papers, P/7/2, Synod of Montreal and Ottawa, Manuscript Minutes (hereafter Synod Minutes), May 15, 1902, p. 597.

77 *Sherbrooke Examiner*, December 11, 1901; Leeds Session Minutes, December 17, 1901, p. 171; Presbytery Record, December 11, 1901, p. 168.

78 Leeds Session Minutes, January 22, 1901, p. 147.

The Session also rejected the requests of Alexander Kinnear (son of James, Jr.) and Mary Martin (Alexander Martin's wife) for certificates of disjunction even though neither had played a public role in the post office case. The Session's rationale was that they had taken the matter out of its hands by applying directly to the Presbytery. Yet the meeting also denied the right of the Presbytery to issue these certificates, stating that the Session would appeal to the Synod of Montreal and Ottawa should such action be taken. In another gesture of defiance, the Leeds elders moved that the "unsubstantiated impressions" created by Reverend Dr. Warden's testimony before the White inquiry would have a damaging effect upon local support for the church missions, and that the Presbytery should look into this matter.<sup>79</sup> The ensuing meeting of the Presbytery ignored the last point, but recognized the authority of the Leeds Session in the membership cases.<sup>80</sup>

The Presbytery would find that it could not wash its hands of the affair so easily, for the Kinnears and Martins petitioned again 10 months later. In response, the Leeds Session declared that the former residents' refusal to obey the "citation" had been aggravated by their avowal when it was served that they "would not and never would appear before the Session of Leeds". The clerk had also heard the Kinnears declare "that the Church belonged to them as much as to the Session". Rather than capitulating, the Session upped the ante by resummoning the Kinnears "in view of the new facts and of report of Commissioners of Presbytery" (which had exonerated Whitelaw), as well as a false statement made in their petition to the Presbytery.<sup>81</sup>

On one level, this obstinacy may have been caused by Reverend Whitelaw's vindictiveness, but it would be a mistake to assume, as Judge White had done, that the minister controlled a gullible and pliable congregation. More fundamentally, the Session members were declaring that moving away from the local community did not dissolve one's ties and responsibility to it. The gesture was futile, however, for, as Lynne Marks has noted of Ontario's Presbyterian and Baptist discipline, "In an increasingly class-stratified society, middle-class church members would have been reluctant to have what they viewed as their personal 'private' behaviour gossiped about and regulated by those they considered their social inferiors."<sup>82</sup> But one could also argue that the Leeds Session was acting contrary to the very purpose of its church discipline, which was to maintain a community harmony that had been disturbed by gossip and mutual recrimination.<sup>83</sup> By taking such an

79 *Ibid.*, February 26, 1901, pp. 149–151.

80 Presbytery Record, vol. 2, March 12, 1901, pp. 154–155.

81 Leeds Session Minutes, November 15, 1901, p. 163.

82 Marks, "Rattling, Tattling", pp. 400–401.

83 *Ibid.*, pp. 390–394. See also Lynne Marks, "Christian Harmony: Family, Neighbours and Community in Upper Canadian Church Discipline Records" in Franca Iacovetta and Wendy Mitchinson, eds., *On the Case: Explorations in Social History* (Toronto: University of Toronto Press, 1998), pp. 115–120, 124.

uncompromising stand, the Leeds Session itself eventually became weakened by internal divisions.

The conflict took another dramatic turn when Whitelaw's most influential erstwhile supporter, Dr. Thompson, began to demand the minister's removal in August, five months after his exoneration by the Presbytery committee. Thompson was in deadly earnest, for he resigned the clerkship and read a letter stating that, if Whitelaw did not agree to resign within six months, a petition signed by 77 church members and 12 adherents would be presented to the Presbytery asking for permission to withdraw from his congregation.<sup>84</sup> The minutes of the October Session meeting record that Thompson "was present in the Church but did not commune with his brethren".<sup>85</sup> What had prompted this sharp reversal on Thompson's part is not clear, but he may have felt that Whitelaw had gone too far in influencing the Session to deny membership certificates to the Kinnears and Martins, who were, after all, his wife's relatives. This does not explain the motivations of the other people who signed the petition for Whitelaw's removal, however. All that can be concluded is that they had lost faith in their minister, whose financial activities were questionable even if he was innocent of theft, and they were not willing to bow to the moral authority of their church Session.

Matters began to spin out of control as the Session attempted to assert its authority. In November, Session member Charles Allan was cited on the charges of calling another elder a liar and of stating that Whitelaw had "told as many lies as would fill a sack". Allan later submitted to the Session's authority, but then failed to fulfil its conditions.<sup>86</sup> The Session also gave Whitelaw permission to sue the local saw mill operator, John Allan, for statements he had made in a letter to the clerk of the Presbytery. John Allan, who had attended the Montreal Presbyterian College but never taken a pastorate,<sup>87</sup> was also charged with sacrilege for breaking a solemn vow that the dissidents' petition would not be forwarded to the Presbytery if certain conditions were met. The Session conveniently overlooked the fact that Whitelaw had not resigned, as the conditions required.<sup>88</sup>

When the dissidents' petition was presented to the following Presbytery meeting, its members adopted evasive tactics once again by declaring that the document would have to be forwarded formally by the Session. After hearing a delegation from Leeds explain that the Session clerk had refused to submit the petition to the Session meeting, however, the Presbytery agreed to lay it on the table while a committee investigated the situation locally at the congregation's financial expense.<sup>89</sup> The committee members certainly learned

84 Leeds Session Minutes, August 27, 1901, pp. 157–159.

85 *Ibid.*, October 11, 1901, p. 161.

86 Presbytery Record, vol. 2, March 4, 1903, p. 199.

87 Cruickshank, *Leeds and St. Sylvestre*, p. 145.

88 Leeds Session Minutes, December 17, 1901, p. 173; January 9, 1902, p. 175.

89 Presbytery Record, vol. 2, December 10–11, 1901, pp. 165–168.

how deep the division had become, for at the meeting in Kinnear's Mills some individuals attempted to prevent the dissidents from entering the church. The convenor ordered Whitelaw to have the doors opened, "but not before the Rev. John Allan, B.A., had received a heavy blow on the back of the neck from the fist of one of the men. Mr. John Thompson, was also struck in the back by someone, who promptly retreated up the aisle of the sacred edifice, and Mr. Ernest Stevenson, who was in the thick of the fray bears the marks of a set of strong finger nails." The contributor to the *Megantic Gazette* added rather needlessly, "The proceedings by the parties that held the door were wholly irregular and contrary to Presbyterian procedure."<sup>90</sup>

With the Presbytery's committee having accomplished nothing, the Leeds Session again refused to forward the dissidents' petition, arguing that some of those who had signed it were neither church members nor adherents. The Session also charged that the dissidents had been "schismatic" in holding secret meetings "to discuss, prepare, and transmit to higher Church Courts, documents affecting the interests of the said congregation".<sup>91</sup> Finally, it cited Dr. Thompson to appear on the very serious charges of blasphemy and sacrilege, "He having been previously dealt with three times in the direction of peace but to no purpose."<sup>92</sup> When Thompson refused to obey its summons, the case proceeded in March with several individuals, including Whitelaw, testifying that they had heard the former clerk "use blasphemous language". As a result, the doctor was "suspended sine die from Church privileges for blasphemy, sacrilege and contumacy".<sup>93</sup>

The Presbytery was in a quandary. Its March meeting agreed to hear a delegation of the disaffected present charges against Whitelaw, but it again decided to defer taking action on the petition. John Allan then appealed his suspension by the Session, arguing that it did not have such authority over church licentiates (who were qualified to fill in for local ministers). The question was transferred to the Synod for advice,<sup>94</sup> but it would not be so easy for the Presbytery to duck the thorny issue of the disjunction certificates. The previous meeting had informed the Leeds Session that it had not had sufficient grounds to refuse these certificates to Mary Martin and Alexander Kinnear. It had also expressed the hope that the Session would reconsider its decision concerning the other family members.<sup>95</sup> Instead, the Session had appealed over the heads of the Presbytery to the Synod and suspended Mary Martin and Alexander Kinnear when they failed to respond to

<sup>90</sup> Quoted in *Sherbrooke Examiner*, February 3, 1902.

<sup>91</sup> Leeds Session Minutes, February 18, 1902, pp. 179–181.

<sup>92</sup> *Ibid.*, p. 179.

<sup>93</sup> Leeds Session Minutes, March 4, 1902, p. 183.

<sup>94</sup> Presbytery Record, vol. 2, March 13, 1902, pp. 176–177; Cruickshank, *Leeds and St. Sylvestre*, p. 167.

<sup>95</sup> Presbytery Record, vol. 2, December 11, 1901, p. 169.

its summons.<sup>96</sup> When one member of the Presbytery charged in March that the Leeds Session “has treated the Presbytery with contempt in disobeying its instructions”, Whitelaw complained that the words were offensive. However, the majority not only ruled that the words were justifiable, but proceeded to grant the two certificates of disjunction.<sup>97</sup> Defiant as ever, the Leeds Session protested this decision as well to the Synod,<sup>98</sup> but the Synod members were tiring of the Leeds elders’ obstinacy. Following a close vote, the July Synod meeting proceeded to grant the members of the Kinnear and Martin families certificates of membership in a Toronto church.<sup>99</sup>

Two months after this meeting, the Presbytery made a move towards striking a balance by rejecting the petition of the dissidents against Whitelaw and calling upon all parties “[t]o begin de novo in the spirit of union and subjection to the authority of Christ, executed thro’ Church courts, or through Church officers, acting jointly through Church courts and in terms of the Constitution”. An unfriendly amendment stated that, because the Leeds congregation was “hopelessly divided in their opinion as to Mr. Whitelaw’s innocence” and many refused “to attend on his ministry”, he should “resign his charge forthwith and seek some other field of usefulness”. This amendment was lost by the very narrow margin of nine to ten, and the main motion was carried, though only when the moderator broke the tie. Not only Leeds, but the Presbytery of Quebec, remained divided over the contentious case, for six members served notice that they would be challenging the vote before the Synod.<sup>100</sup>

Whitelaw clearly had managed to retain the loyalty of the majority of his congregation, for 34 new members had joined the church by June, when 200 people took Communion.<sup>101</sup> The split within the community only deepened, however, when a meeting of the congregation and the Session voted unanimously in September that all those who had signed a notice to the local board of management, which was subsequently published in the May 8 issue of the *Megantic Gazette*, “had cut themselves off from membership, adherence and all privileges in connection with this congregation”. The content of this notice was probably much the same as that of the petition a year earlier, for the Session declared “that in re petition of disaffected party, we stand or fall with our pastor”.<sup>102</sup>

96 Leeds Session Minutes, December 17, 1901, p. 173.

97 Presbytery Record, vol. 2, March 14, 1902, p. 178. The front page of the *Sherbrooke Examiner* of March 14, 1902, completely misinterpreted the meeting, which it reported under the curious headline of “Rev. Mr. Whitelaw is Exonerated by Committee of the Presbytery”. The March 17 issue, as well, simply summarized what it had reported a full year earlier.

98 Leeds Session Minutes, April 15, 1902, p. 185.

99 Presbytery Record, vol. 2, July 1, 1902, p. 182.

100 *Ibid.*, September 9, 1902, pp. 184–186.

101 Leeds Session Minutes, June 6, 1902, pp. 187–189. The following February there were 260 communicants. Leeds Session Minutes, February 12, 1903, p. 192.

102 *Ibid.*, September 5, 1902, p. 189.

The local feud continued into the fall of 1902 when the church treasurer, James Thompson, refused to submit his accounts to the auditors after his dismissal.<sup>103</sup> By the spring of 1903 the repercussions of the dispute were threatening to spread into the neighbouring township, where the church Session complained that Whitelaw had been conducting services within its boundaries and that “these services have tended to introduce discord and hard feelings in the congregation at Inverness”. In response, the Presbytery finally took a stand, ordering Whitelaw to cease conducting such services and “to appear at its next meeting to answer charges”. It also appointed yet another investigating committee to visit Kinnear's Mills and ordered the Leeds Session officers to explain why no statistical and financial report had been submitted in the past two or three years. They were to produce as well for the next Synod meeting the Session record, Communion roll, treasurer's book, minutes of annual meetings of the congregation, collectors' books, and mission treasurer's book.<sup>104</sup>

The Leeds elders responded, as usual, by appealing to the Synod, which they asked for protection against “the chain of influences working against us”. Among the “thirty links” in that chain was a “minority” within the Quebec Presbytery and the Reverend W. D. Reid of Montreal, son of the founder of Reid's Church in Leeds Township.<sup>105</sup> Reverend Reid's involvement in the case is unclear, except that in April 1902 he threatened to sue whoever had stated that “it was no worse for the Rev. J. M. Whitelaw to deal in margins than it was for the Rev. W. D. Reid, of Montreal to do so”. Reid added that he looked upon the “‘margin’ business ... as a wrong method of making money”.<sup>106</sup> Rather than trying to deal with the growing number of appeals, the May Synod meeting simply pronounced that, while Whitelaw's ministerial standing remained “unimpeached”, the Home Mission Committee would procure him an appointment in the North-West or British Columbia as early as possible.<sup>107</sup>

This decision did not prevent Whitelaw from submitting a complaint to the Presbytery against “certain members” of the neighbouring Leeds Village and St. Sylvestre Session, but the Presbytery realized that it would not have to deal with him much longer. Noting that Whitelaw had promised to resign

103 Presbytery Record, vol. 2, December 9, 1902, p. 193; March 3, 1903, pp. 197–198. Dr. William Thompson had an older brother named James, but there appears to have been more than one James Thompson in the community at this time. My thanks to Gwen Barry for the genealogical information.

104 Presbytery Record, vol. 2, March 4, 1903, pp. 198–200. Thompson still had the books in September, but the Leeds auditors' report was presented the following March, and Thompson provided the new treasurer with the shortfall. Presbytery Record, vol. 2, September 22, 1903, p. 215; March 1, 1904, pp. 227–228.

105 Leeds Session Minutes, April 20, 1903, pp. 193–194. On W. D. Reid, see Reid, “The Quebec Trio”, pp. 93–97.

106 *Megantic Gazette*, May 1, 1902.

107 Synod Minutes, May 14, 1903, pp. 619–620.

once he received another appointment, it dropped the charges against him and expressed the hope “that the Managers will not adopt any course that will tend to widen the breach between the two parts of the congregation, but will allow this matter to stand in abeyance”.<sup>108</sup> Whitelaw did soon receive another call, though from Omenee, Ontario, rather than the West. Loyal representatives of the Leeds congregation protested strenuously, but in vain, for the Quebec Presbytery was obviously relieved to see the last of the controversial minister.<sup>109</sup>

Meanwhile, in Leeds, local wounds were slow to heal, though John Allan took the first step in February 1904 by meeting the church elders on behalf of the disaffected party. The Session minutes record that, after “a long discussion ... in which he found fault with the Session and what he termed the rulers of the Congregation for the way his party had been used”, Allan “finally expressed his willingness to apologize for any wrong doing he had been guilty of”. The Session meeting did not exactly welcome the dissidents back with open arms. It declared that they were no longer members of the congregation (though they had never been dismissed), but that they would be granted certificates as having left the congregation in good standing, provided their dues had been paid up to that time. They could then be readmitted on an individual basis if the elders were satisfied that, since signing the petition, their “conduct and life ... has been consistent with the Christian professions”.<sup>110</sup>

Nor was the majority of the Leeds Presbyterians willing to give up entirely on Whitelaw, for three months later, in May 1904, 190 communicants and 130 adherents signed a call for his return. The Presbytery tried to be diplomatic in response, “expressing regret at the disappointment likely to be caused to those who have signed the call”, but rejecting it “in view of the lack of unanimity owing to the withdrawal from ordinances on the part of some, which withdrawal the Presbytery deplored, whatever the cause may be”. Once again, a committee was appointed to visit the congregation “with a view to restoring harmony” and, once again, the Leeds representatives appealed to the Synod.<sup>111</sup>

A committee of the Synod, rather than the Presbytery, visited Leeds shortly afterward, and, after its report was presented in September, Leeds was permitted to call for another minister.<sup>112</sup> While 209 communicants and 67 adherents signed a call for Reverend Dr. Kellock of Richmond, Quebec, the Presbytery learned that most of the disaffected group had not been

108 Presbytery Record, vol. 2, July 7, 1903, pp. 202–204.

109 *Ibid.*, September 5, 1903, pp. 211–212. The moderator of the Peterborough Presbytery nevertheless stated at Whitelaw’s induction ceremony that the Quebec Presbytery had been very reluctant to release him. *Megantic Gazette*, October 15, 1903.

110 Leeds Session Minutes, February 15, 1904, pp. 201–202.

111 Presbytery Record, vol. 2, May 10, 1904, p. 234.

112 The contents of the report were not recorded. Presbytery Record, vol. 2, September 13, 1904, p. 240.

approached. Some of the Presbytery members argued that no appointment should be made until harmony had been restored by the Synod report, but the majority sustained the call for Kellock, who accepted it with understandable misgivings.<sup>113</sup> With a new minister at the head of the Session, the healing process could finally begin.

John Allan and Dr. Thompson were readmitted to the Leeds congregation the following spring, in April 1905, though only after the Presbytery had ordered the Session to do so. Concerning Allan, the Synod had determined that the local Session did not have jurisdiction over licentiates, after all, and of Thompson the Presbytery declared that “the offenses charged against him are clearly not of the aggravated character entered in the minutes”.<sup>114</sup> As for the other dissidents, those who approached the Communion table in August were not turned away, even though they had not applied for readmission to the congregation.<sup>115</sup>

After four and a half years, the main repercussions of the post office case had finally ended, though bitter feelings apparently endured for years. Removing Whitelaw did not increase church membership; to the contrary, the number of families in the congregation declined from 120 in September 1902 to 108 in February 1904, and the number of communicants declined from 337 in 1903 to 311 in 1904. By August 1905 that number had dropped again to 295.<sup>116</sup> Much of this decline could have been due to the ongoing exodus of English Canadians from the township, but still more striking was the decline in financial contributions to the church. In 1900 the congregation had provided the minister with a \$970 stipend and paid \$570 towards the church and manse, as well as raising \$78 for incidental congregational expenses. For the Home Mission Fund, Foreign Mission Fund, French Evangelization Fund, and various other external purposes, Leeds contributed \$1,155. This total of \$2,773, or \$23.10 per household, was roughly twice the average that each Presbyterian family contributed in the two neighbouring congregations of St. Sylvestre/ Leeds Village and Inverness. No reports were submitted by Leeds (Kinnear's Mills and Reid's) during the following unsettled period until 1904, when contributions had declined by half to \$11.29 per household.<sup>117</sup> By this time the devout and wealthy elder Kinnears were no longer alive to bolster the church's coffers, but there had also undoubtedly been a general decline in religious enthusiasm.

113 Presbytery Record, vol. 2, October 26, 1904, pp. 243–244; November 8, 1904, pp. 246, 249.

114 Leeds Session Minutes, April 12, 1905, pp. 209–210.

115 *Ibid.*, August 6, 1905, p. 211.

116 *Ibid.*, September 5, 1902, p. 191; April 20, 1903, p. 193; February 15, 1904, p. 201; August 6, 1905, p. 211. These numbers are lower than those printed for 1904 in ANQM, Presbytery Church Records, P602, P/5/5, *Acts of the General Assembly, 1903–4*, p. 342.

117 ANQM, Presbytery Church Records, P602, P/5/5, *Acts of the General Assembly, 1899–1900*, p. 334; 1901–2, pp. 332, 346; 1903–4, pp. 308, 342.

### Interpretation

Unlike the detective story genre that began in the mid-nineteenth century to offer “a fantasized solution to the problem of moral uncertainty in the world of true crime”,<sup>118</sup> the mystery of the missing \$200 must remain unsolved. Consequently, the ensuing behaviour of the various protagonists remains open to interpretation, which is why we have presented the two conflicting narratives that emerged at the time. But while cultural historians have now rejected the objective stance, they can hardly avoid imposing some order on the research material they uncover, an order based to a considerable extent on their own subjective values. The foregoing analysis suggests that the “truth” of what happened in the Kinnear’s Mills post office case probably lies somewhere between the extremes of a gullible village family being manipulated by a clever, unprincipled clergyman, as Judge White’s report would have us believe, and a naive, too-caring pastor betrayed by a corrupt local capitalist, as depicted in the Presbytery report. It is clear that both Whitelaw and Kinnear resorted to questionable tactics in their attempts to protect their reputations, with the result that both would eventually be compelled to move far away with a cloud of suspicion over their heads.

The tragic irony is that the crime in question was simply too petty, too risky, too out of character, and too apparently motiveless for it to be very likely that either of the two men were directly involved. If Whitelaw were purposefully making it appear that someone in the postal system had stolen the money, how could he assume that he would not be caught up in the recriminations? And why would Kinnear take what was to him a relatively small sum of money from an envelope in his care when he knew that he and his family would thereby come under investigation? We cannot assume that individuals always act rationally, but a more likely scenario is that the money was stolen by a postal employee along the route to Toronto, or by one of the younger Kinnears.

Concerning the first possibility, the temptation would have been great for someone earning approximately \$500 a year, especially when the most junior urban postmaster received three times that amount.<sup>119</sup> As for the second, Alexander and Mary had the opportunity, the bravado of bored youth, and, in Mary’s case, the reputed motive and past history, though both went on to lead entirely respectable middle-class lives (see Figure 3).<sup>120</sup> Given that neither possibility was seriously discussed in the official reports, the narratives that were excluded in this case are as revealing as the ones that were told.

118 Karen Haltunnen, “Cultural History and the Challenge of Narrativity” in Victoria E. Bonnell and Lynn Hunt, eds., *Beyond the Cultural Turn: New Studies in the Study of Society and Culture* (Berkeley: University of California Press, 1999), p. 176.

119 Lee, “The Canadian Postal System”, p. 223.

120 On another theft case in which the culprit was discovered to be the 17-year-old girl who was operating the post office for her father, see John Willis, “Péribonka : le bureau de poste de Maria Chapdelaine”, *Cap-Aux-Diamants*, no. 55 (Fall 1998), p. 46.



**Figure 3** Mary Kinnear on the day of her wedding to a Toronto lawyer in 1903; Dr. Alexander Kinnear, Toronto obstetrician, with infant son. (Sources: James G. Kinnear, *Kinnear's Mills*, pp. 116–117; *Megantic Gazette*, October 15, 1903.)

One can only assume that the inspectors wished to divert attention from the Post Office employees (and their families), and that Judge White was biased towards the influential Kinnears and disinclined to consider possibilities not raised by the inspectors. Despite the clergy's ongoing professionalization, rural ministers clearly lacked the social standing of relatively wealthy businessmen.<sup>121</sup>

While a church-state conflict developed over who the guilty party in the post office case was, it did not reflect an underlying power struggle between the local community's secular and religious leaders. As a warm supporter of the Loyal Orange Lodge and the imperial cause in the Boer War, Whitelaw had a conservative ideology nicely congruent with that of the village notables.<sup>122</sup> The local church manager testified to the White inquiry that the general feeling had been that Whitelaw and the Kinnears were actually a little too friendly with each other.<sup>123</sup> While God and mammon were no longer incompatible in the minds of the social elite, the local farmers and tradesmen apparently had other ideas.

Whitelaw's ability to retain the loyalty of the great majority of his two Leeds congregations therefore attests to his effectiveness as a preacher and doubtless also to local resentment against the Kinnears' economic dominance. Paradoxically, only once the Kinnears were no longer a powerful presence, and Whitelaw had been exonerated by the Presbytery's investigating committee, did some members of the church begin to demand Whitelaw's removal. Without finding their petition, it is impossible to know exactly what their reasoning was or who most of them were, but their spokesmen were locally prominent men who would be naturally inclined to sympathize with the Kinnears. Most of the dissidents were probably from the congregation that attended the village church, since, in January 1902, 44 families from the rural Reid's Church presented Whitelaw with a surprise gift of \$107 "as a small token of our appreciation" for "striving to bring back the erring one and to lift up the fallen and cheering the sick and the lonely".<sup>124</sup> Despite the loyalty that Whitelaw still inspired, a religious schism would inevitably have ensued had the Synod not succumbed to the dissidents' demands by ensuring that he was transferred to another community.

The Kinnears' Mills post office case is certainly of minor importance in terms of its national historical impact, but it does reveal that law courts were not the only tribunals to wield coercive influence, especially when combined with the possibilities for publicity provided by the press. At the same time, the case illustrates the persistent obsession with maintaining a reputation for

121 On the professionalization of the clergy, see R. D. Gidney and W. P. J. Millar, *Professional Gentlemen: The Professions in Nineteenth-Century Ontario* (Toronto: University of Toronto Press, 1994), chap. 6.

122 *Sherbrooke Examiner*, March 28 and July 20, 1900.

123 Testimony of Henry Morrison, *Megantic Gazette*, October 22, 1901.

124 *Sherbrooke Examiner*, January 13, 1902.

respectability, the independence of the rural population after more than half a century of supposedly “disciplining” state formation,<sup>125</sup> and the continuing importance of the church as a social institution in rural Canada. It also reminds us that the industrial-capitalist transformation was fraught with conflict, even outside the growing urban centres.<sup>126</sup> The expanding market was undermining traditional community, religious, and family values as a foundation for social order in Leeds Township, where the dominant merchant family was no longer reinvesting locally the profits made from its producer clients, the popular Presbyterian minister was gambling in stock margins, and more and more people were being drawn away by the promise of better economic opportunities.

If the market was the main modernizing force, another was the village post office, traditionally seen as the centre of rural conviviality,<sup>127</sup> for it was also the main point of contact with the outside world. Osborne and Pike suggest that the post office hastened migration from settled communities by ensuring that connections with kin at home would be sustained, and they conclude that “the expansion of post office facilities was ... an integral dimension of, and indeed, precondition for, the phenomenon which is sometimes referred to as ‘modernization’ ”.<sup>128</sup> From the perspective of social network theory, however, community is not confined within sharply defined geographical limits, and, like the social notes of the “modernizing” press, letters between kin and friends represent resistance to the alienating influences of modernity.<sup>129</sup>

The post office case may have hastened the decline of the local Presbyterian church and the emigration of the Anglo-Protestant population,<sup>130</sup> but the particular situation of the English-speaking minority in Quebec should not

125 This is the argument in Bruce Curtis, *True Government by Choice Men? Inspection, Education, and State Formation in Canada West* (Toronto: University of Toronto Press, 1992). For a perspective that instead emphasizes local agency, see J. I. Little, *State and Society in Transition: Institutional Reform in the Eastern Townships, 1838–1852* (Montreal and Kingston: McGill-Queen's University Press, 1997). Note, as well, the parallels between this case and that described in J. I. Little, “Popular Resistance to Legal Authority in the Upper St. Francis District of Quebec: The Megantic Outlaw Affair of 1888–89”, *Labour/Le Travail*, vol. 33 (Spring 1994), pp. 97–124.

126 See Allan Kulikoff, “The Transition to Capitalism in Rural America”, *William and Mary Quarterly*, vol. 46 (1989), pp. 120–144.

127 Willis, “L'importance sociale”, pp. 160–163.

128 Osborne and Pike, “Lowering ‘The Walls of Oblivion’ ”, pp. 219–220.

129 See J. I. Little, “Popular Voices in Print: The Local Newspaper Correspondents of an Extended Scots-Canadian Community, 1894”, *Journal of Canadian Studies*, vol. 30, no. 3 (1995), pp. 134–155. Walsh and High reject Bender's social bifurcation model, which was inspired by Tonnies's distinction between community and society, that is, between a localistic, oral culture based upon intimate face-to-face relations (*Gemeinschaft*) and an abstract, general culture based on the written word (*Gesellschaft*). John C. Walsh and Steven High, “Rethinking the Concept of Community”, *Histoire sociale/ Social History*, vol. 32, no. 64 (November 1999), pp. 260–261; Bender, *Community and Social Change*, pp. 77, 108–119.

130 In Leeds, the French-Canadian population had already grown from 6% in 1881 to 21% in 1901, though largely on the periphery of the township.

blind us to the fact that a distinctly rural community still exists in Kinnear's Mills and area today. Again in terms of social network theory, rural communities were not dissolving, as modernization theory would suggest — they were expanding and transforming themselves.<sup>131</sup> But nostalgia is a powerful psychological force, and it is the collective memory of a tightly knit rural community that members and descendants of the Megantic diaspora return to celebrate each July 12 weekend when they listen to fifes and drums resurrect ancient Irish battle tunes. The original meaning of the ritual in which the picnickers are engaged has long since been suppressed, just as has the memory of the post office case that once tore the community apart. As the detective reinvestigates an unsolved crime, however, it is the sometimes unpopular role of the historian to challenge the myths upon which society has built its ideological foundations.

131 Calhoun argues that social networks were active historical processes that changed over time and place. Craig Calhoun, "History, Anthropology, and the Study of Communities: Some Problems in Macfarlane's Proposal", *Social History*, vol. 3 (1978), pp. 368, 370.