

# BRITISH TORYISM AMIDST 'A HORDE OF DISAFFECTED AND DISLOYAL SQUATTERS': THE RISE AND FALL OF WILLIAM BOWMAN FELTON AND FAMILY IN THE EASTERN TOWNSHIPS\*

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One of the twin pillars supporting Family Compact domination in Upper Canada was an imperialist tradition forged by Loyalist settlement and American military invasion. The other was the selective distribution of patronage by governor and council. Gordon Stewart argues that the executive was free to distribute offices so as to create an anglicized ruling class, while other historians have shown how local elites emerged with tight links to the Family Compact in York.<sup>1</sup> Historians of Lower Canada have, on the other hand, paid little attention to the so-called "Chateau Clique", or to the ties its members forged with the local élites at the district and parish levels. Furthermore, while much has been written about the inexorable march toward constitutional deadlock and armed conflict caused by the clash between French-Canadian nationalism and British imperialism, the concurrent struggle which took place in the English-speaking Eastern Townships has been largely ignored.<sup>2</sup> Here, where much of the settlement was basically a northern extension from the neighbouring states of New Hampshire and Vermont, the rift between the governing and the governed was deeper even than that in Upper Canada where the same basic issues were at stake. A political accommodation was finally worked out in this border region only when the outbreak of French-Canadian rebellion threatened to overwhelm the English-speaking inhabitants of Lower Canada as a whole.

From the time when the Eastern Townships was first opened to settlement in the 1790s, British authorities considered this region to be a potentially greater threat to the imperial connection than

the French-speaking parishes themselves.<sup>3</sup> Furthermore, while Upper Canada's Family Compact members tended to have Loyalist roots and to have established their prominence during the War of 1812, the Eastern Townships had neither been settled by a large number of Loyalists nor tested by American invasion. The government therefore felt compelled to turn to outsiders and recently-arrived English half-pay officers when it began to establish an institutional framework of government and justice within the region during the early 1820s.

British-born officials also dominated certain local districts in Upper Canada,<sup>4</sup> but there they were part of a major trans-Atlantic wave of immigration. Thirty-three percent of Upper Canada's population had been born in Britain as of 1842, while the British natives of the Eastern Townships were only half that ratio two years later.<sup>5</sup> Consequently, the Sherbrooke-based elite failed to establish the degree of popular legitimacy enjoyed by its counterparts in much of Upper Canada. Rather than forging stronger imperial links during the pre-rebellion era, the distribution of patronage in the Eastern Townships became the focal point of protest within the economically stagnating and politically disaffected region. So much hostility was directed toward one man, William Bowman Felton, and his office-holding relatives that the Colonial Office felt compelled to sacrifice this former favorite prior to the outbreak of the Rebellion in 1837. In doing so, it helped to ensure that hostilities did not spread beyond a few skirmishes within a couple of restive border townships.

As the "agent victualler" of the British fleet at Gibraltar, Felton had held a very important patronage-distributing position during the Napoleonic Wars, but he faced limited prospects when his promised consulship failed to materialize in 1814. He and several members of his family (including a younger brother who had been a naval lieutenant, and a brother-in-law who had been a purser)<sup>6</sup> therefore joined the parade of half-pay officers emigrating to the American colonies. Their proposal to the Colonial Office was to invest the impressive sum of £20,000 in the wilderness of Lower Canada in return for a 5000-acre free grant. When they arrived in the colony in 1816, Colonel George Frederick Heriot encouraged them to move to strategically-located Ascot Township, about sixty-five miles up the St Francis River from his new-born military settlement of Drummondville.

Ascot still lay on the frontier of settlement even though the Loyalist Gilbert Hyatt and his associates had moved to the town-

ship twenty-three years earlier in 1793.<sup>7</sup> Four parcels of 1200 acres each were granted to W.B. Felton's two brothers, John and Charles, as well as to his brothers-in-law, William and Charles Whitcher. By 1826 Felton himself had received three grants in the same township totalling 15,000 acres — all this at a time when official regulations stipulated a strict 1200-acre limit on individual family grants, with settlement conditions on each lot to be enforced through the location ticket system instituted in 1818.<sup>8</sup> Felton obviously had a powerful patron in London, but who that individual was remains a mystery.

There appears to have been no non-political justification for Felton's later grants totalling 10,000 acres, even if his labourers did clear 1000 acres, as he claimed. Over £5000 of his investment capital simply went to the acquisition of all the mills and mill sites at the confluence of the St Francis and Magog Rivers, properties which he did little to develop. A few miles from this site, which was named after Governor Sherbrooke in 1818, an additional substantial sum was spent on the construction of an impressive manor house. This house soon had to be reconstructed after it was destroyed by fire. Despite his failure to stimulate significant development of the area, Felton went so far as to attach a supplementary request to his last 5000-acre grant — 1200 acres for each of his nine children (with three more yet to be born). This request was too much even for the Colonial Office, which reduced the claim to 200 acres per child in 1828. The following year, however, the draft of patents from the Attorney General's office mysteriously specified a total of 10,861 acres in Orford, the mountainous township adjacent to Ascot. Felton and his immediate family now held full title to over forty square miles of land in the very heart of the Eastern Townships. The "oversight" with the children's patents would, however, eventually contribute to their father's downfall.<sup>9</sup>

Felton's position at the head of a regional oligarchy was ensured by his appointment to the Legislative Council in 1822, in full keeping with the design of the 1791 constitution to stimulate the development of a landed aristocracy.<sup>10</sup> Felton identified himself at once as an opponent of the French-Canadian nationalists by voting for union with Upper Canada.<sup>11</sup> An indignant Denis-Benjamin Viger reported to his cousin, *parti Canadien* leader Louis-Joseph Papineau: "*M. Felton arrivé depuis peu d'années dans cette province entre d'hier [?] dans le Conseil, a montré de l'amertume et des préjugés qu'on n'aurait pas dû attendre d'un homme aussi nouveau.*"<sup>12</sup> Felton,

nevertheless, did adopt a conciliatory position towards the Legislative Assembly while advancing his own interests in London in 1826-7. He advised the Colonial Office that much of the Assembly's hostility could be attributed to the Executive's insistence on controlling payments to all public servants. Such a policy, Felton claimed, was bound to irritate "any body pretending to exercise functions at all analogous to those attributed to the popular branch of the Legislature in England." He therefore advised that all Crown revenues be conceded to the Assembly in return for fixed quarterly payments to the executive branch of government.<sup>13</sup> This proposal would have undermined the position of the landed and commercial elite given its lack of influence over the popularly-elected body. In May, 1827 Chief Justice Jonathan Sewell wrote to Governor Dalhousie: "Horton seems eager to effect a compromise of disputed issues with the Assembly, which I suspect is Felton's influence working on him."<sup>14</sup> After this initiative failed, however, Felton himself began to take a hard line on the civil list question.<sup>15</sup>

Philip Goldring has pointed out that such an uncompromising position was less characteristic of the paid officials in the Council than of those who were tied directly to the merchant interest. As Commissioner of Crown Lands since 1827, Felton might have been expected to share his fellow bureaucrats' desire to achieve the constitutional harmony that would ensure their salaries. Perhaps his independent wealth and extensive landholdings simply made him less dependent than they in this respect, as well as more concerned with the economic future of the colony.<sup>16</sup> In 1830 Papineau even expressed concern, without cause as it turned out, that Felton would win over the newly-elected American-born MLAs of the Eastern Townships. He reported to his wife that "ils sont mal logés à l'Hotel de l'Albion [...] où Felton les choye comme le prunelle de ses yeux, où Richardson & Ogden viendront essayer à les endoctriner."<sup>17</sup>

As a firm believer that the Legislative Council would have to remain an appointed body in order to represent the interests of the Church of England, English-speaking merchants, and British immigrants, Felton drafted a resolution condemning the Assembly's republican-oriented Ninety-two Resolutions in 1834.<sup>18</sup> The following year he bitterly attacked Lord Gosford's conciliatory speech from the throne,<sup>19</sup> prompting Papineau to write: "*L'on est surpris de voir Felton faire une opposition si violente. Il est le seul des employés qui se la permette, et t'on [sic] en conclut que la Commission*

*le dénonce et le menace. Il l'appelle la commission du crucifiement pour les employés.*"<sup>20</sup> On both occasions the Montreal merchant leader, George Moffatt, went still further, but the pro-Patriote *Vindicator* nevertheless included Felton with the "Moffatt faction." It claimed that he was taking a prominent position in the opposition to His Majesty's Government because he feared losing his salaried position should the crown lands and clergy reserves be placed at the Assembly's disposal.<sup>21</sup>

Felton's stand on the basic constitutional issues of the day therefore came to identify him closely with the Montreal merchants. He was, however, less concerned than they with French-Canadian cultural assimilation, perhaps because of his conservative agrarian ideology and his marriage to a practicing Roman Catholic of Spanish origin.<sup>22</sup> He took an independent stand, for example, when he defended the Members' Pay Bill drafted by the Assembly in 1831. To his colleagues' claim that it would encourage paupers to run for election, Felton replied that absentee lawyers, notaries, and "petty" merchants would be replaced by legitimate representatives of agricultural and landed interests. Consequently, not only would more attention be paid to local improvements, but "the steady correct habits of the agriculturist would be very useful to the country."<sup>23</sup>

Felton also took a rather progressive stand in his support for bank loans on the security of land,<sup>24</sup> but his social conservatism came to the fore with his spirited attack on the Assembly's Fabrique Bill. Influenced, no doubt, by the priests he knew through his wife, Felton argued that permitting parishioners to vote at vestry meetings would introduce "a tumultuous and unruly element into the daily administration of the temporal affairs of the Church."<sup>25</sup> In apocalyptic terms, the Sherbooke councillor equated the bill with a spark projected onto a magazine or arsenal; the result would be that "the whole fabric is shaken to its foundation and crumbles into atoms, scatters desolation all around, and destroys every individual in its ruins." As long as the French-Canadian masses remained basically unlettered, it was best to preserve the influence of the Catholic Church over them:

What stronger proof of the efficacy of that system could they have, than in the acknowledged and undisputed moral and religious character of the Canadian people — a people, illiterate, it is true, but well educated in the proper sense of the term, if the strict performance of civil obligations be amongst the best fruits of education.<sup>26</sup>

During the 1835-6 session Felton painted a somewhat less patronizing image of the rural masses, defending them against what he considered to be an attack by their self-styled spokesmen, the petit bourgeois members of the Assembly. Even though his own estate clearly depended upon hired labour, Felton proclaimed that the Assembly's bill empowering magistrates to imprison agricultural workers for breach of engagement was "drawn from the barbarous Legislation of past ages." Such sanctions might have to be tolerated in the cities because of their mixed and foreign population, but it would only degenerate the youth of the rural districts where

the existence of a servile class, deriving their support solely from the wages of labour, and distinct from the proprietors of the soil, is wholly unknown; where the labourers employed in husbandry are usually the sons of the poorer landed proprietors, of equal station and respectability with their employers, and destined in their turn to become like them, the honest and independent yeomanry of a free country.<sup>27</sup>

Felton never expressed such kind words for the American farmers of the Townships whom he once referred to as "a horde of disaffected and disloyal squatters."<sup>28</sup> While such a prejudice came naturally to an individual of Felton's origin, it also served to justify the office-holding monopoly enjoyed by him and his family as well as other British-born residents of Sherbrooke. As a regional investor and resident, Felton nevertheless did share with the American-descended majority an interest in removing the formidable barriers to local economic development. Thus, he sponsored bills to build or repair leading road arteries into the region, establish a limited system of municipal government, create land registry offices, extend the jurisdiction of the district courts, and even increase representation in the Assembly.<sup>29</sup> Though he frequently spoke out in favour of official support for the established Churches of England, Scotland, and Rome, through tithes if necessary, Felton was a vocal opponent of clergy reserves on the grounds that they retarded the development of the country.<sup>30</sup> He also demonstrated a surprisingly liberal streak by acting as chief spokesman in the Legislative Council for the right of Protestant sects to keep their own birth, death, and marriage registers.<sup>31</sup>

Despite such efforts, however, Felton was never accepted as their spokesman by the majority of the people in his region. Caught between two sides in the constitutional struggle, residents

of the Townships felt that their needs would be ignored as long as no electoral constituencies lay exclusively within the boundaries of their own region.<sup>32</sup> Thus, in 1826, a Stanstead meeting appointed an agent to present local grievances to the Quebec Legislature. It was even proposed to make the arrangement permanent by raising a local subscription of £150 to £200 a year, for "there is no doubt that this District is misrepresented by designing men, who wish to give the Government an unfavourable opinion of the inhabitants, that they themselves might exclusively share the loaves and fishes."<sup>33</sup>

The following year, the Assembly did draft legislation which would have provided representation for the Townships. When the anglo-dominated Legislative Council rejected the bill on the grounds that it created a still larger number of new French-Canadian constituencies, Stanstead's *British Colonist* commented that "even if we allow all the objections to be true, we could not be worse off than we are." Referring to Felton without naming him, the *Colonist* added that the Council had not "at all times manifested the same degree of anxiety for us, that the Assembly has, and that too, at a time when we supposed we had a member there who would have spoken for us."<sup>34</sup> When the region finally did gain eight representatives in 1829,<sup>35</sup> it proceeded to return reform-minded candidates.

The result was that the Assembly, for a time, became more generous with road subsidies for the Eastern Townships. Thus, between 1829 and 1831 it provided grants for the St Francis River route which totalled £3000.<sup>36</sup> Felton was resented by the local population not only for having failed to gain such subsidies in earlier years, but also for the role he had played in administering the one large grant the Townships had received prior to 1829.

Responding to a flood of petitions from settlers in the region, the Assembly had voted £8500 for Eastern Townships roads in 1817, when Felton and two other individuals were appointed commissioners of roads and bridges for the county which then incorporated much of the region.<sup>37</sup> They signed an agreement with two French-Canadian contractors to complete a sixty-four mile route from the St Lawrence seigneurial zone alongside the St Francis River to Hatley Township, near the American border. In addition, they were to repair twenty miles of the Craig Road to Quebec starting at its terminus in Shipton Township on the St Francis.<sup>38</sup> Popular opinion favoured the completion of a more direct route between Sherbrooke and Quebec via the upper St

Francis (the future Gosford Road) rather than devoting most of the grant to what the locally-formed committee on Eastern Townships grievances called “speculative and useless roads through the wilderness — through deep morasses, and over almost inaccessible mountains, which will neither be travelled or settled in many years to come.”<sup>39</sup> The committee was right about the impracticality of the lower St Francis route, but final proof would have to await the costly investment of the British American Land Company during the later 1830s.<sup>40</sup>

According to Felton and his fellow road commissioners themselves, the £6400 contract which expired in late 1818 was never fulfilled. Criticizing the French-Canadian road builders, whose funds were subsequently cut off, the commissioners claimed that parts of the road remained in trees. Elsewhere “the roots and stumps yet remained; no bridges erected, the hills not taken down, nor ditches, nor causeways made thro’ the Swamps.”<sup>41</sup> The contractors proceeded to win a judicial appeal for all but £300 of their claim,<sup>42</sup> but the condition of the road clearly left much to be desired. As early as 1821 the inhabitants of Shipton Township were complaining that local roads were “impassable for carriages of any description except in the very drought of summer and not even then, but with the utmost difficulty, expence [sic], and risk. In the wet sections it is frequently unsafe to travel on Horseback.”<sup>43</sup>

A few years later the bankrupt and embittered township leader of Shipton,<sup>44</sup> Elmer Cushing, published a pamphlet echoing the same charges. He wrote that even though the region’s settlers had remained loyal during the 1812 War, their petitions went unheeded until “an *Englishman*, of considerable property, sat down in our country, whose interest was unavoidably blended with our public concerns. *His* voice was heard; and the Legislature entered with spirit into our embarrassments.” When the road grant of 1817 was made, “we hailed the day as the date of our deliverance from bondage.” But the local people, being Americans, were overlooked for three outsiders when it came to the appointment of overseers. One of these was the “Englishman,” whose wealth proved that he was “a man of sound calculation, and shrewd discernment on subjects with which he was *acquainted*. Yet the analogy between nautical and mercantile concerns, and those of a new country, was not very striking.” Cushing added that the other two men were equally incompetent, and that all three were careful to construct roads through their own land, with the result that two routes were

located "where no travelling will take place perhaps for a century to come." As a result, the princely grant was all but wasted.<sup>45</sup> Felton and his co-commissioners appear to have been more guilty of negligence than cupidity, but the residents of the Townships had just cause to be bitter, for public funds were particularly hard to come by in this region. In 1818 the nationalist spokesman, Pierre Bédard, asked rhetorically: "Is it possible that the assembly will not see the absurdity and cowardice of using the funds of the province in having roads made for these Yankees and afterwards in having roads kept in repair for large sums of Money?"<sup>46</sup>

In 1821 Felton ironically resorted to the same anti-American theme when he complained to Governor Dalhousie about the new road alongside the Chaudière River: "while every facility is afforded to the subjects of a foreign Power by opening a road at the public expense to the American Settlements on the Kennebec, a large and fertile portion of this province is destitute of the means of transporting its commodities to their Market." He offered to take charge of repairing twenty-five impassable miles of the Craig Road to Quebec in return for 10,000 acres of "waste land."<sup>47</sup> Nothing more was heard of the proposal, but Felton was nevertheless appointed as one of the commissioners for the Craig Road when the Assembly voted £400 for its repair in 1824.<sup>48</sup> Piecemeal repairs could not solve the basic problem, however, and during the winter of 1826-7 protests about road conditions reached an unprecedented level in Stanstead's *British Colonist*. Several correspondents wrote long series of letters lamenting the depressed economic situation of the Townships, which they attributed primarily to the nature of the transportation system. Some tended to lay the blame at the door of the Assembly, but the councillors were more frequently seen as the villains. One correspondent even suggested that economic stagnation was "leading towards that which I have long considered as a darling object, with some of our leading characters, that is to reduce the Townships, from that equilibrium, which is so desirable, in a farming country, to what they may call a more popular system of lordships and tenantry."<sup>49</sup>

Felton might have approved of such a society, but he certainly did not consider a stagnant economy to be to his benefit. In 1829 he protested to the Governor that the "enormous travelling charges exacted from the Inhabitants" by the grand voyer of Trois-Rivières, who was in charge of the region's public roads, "effectually prohibit the people from obtaining the sanction of the Law to opening new roads."<sup>50</sup> The result was that the government

appointed a deputy grand voyer for the St Francis District — none other than Felton's brother-in-law, Charles Whitcher. Such nepotism would do little to stimulate public gratitude in favour of Felton for the creation of the new office.

In addition to resenting his family's monopolization of major public offices, as we shall see, residents of the Eastern Townships felt threatened by Felton's strategy for developing the remaining crown lands in the region. Felton was a strong proponent of government-assisted pauper emigration from Britain, which in itself would have had some attraction to the residents of the severely underpopulated region. However, he argued that the best and least expensive means of encouraging British settlement would be to grant "extensive tracts to individuals possessing capital on condition of Residence and the bona fide amelioration of a specified quantity of land by a determinate number of families thereon located."<sup>51</sup> In other words, Felton was proposing the re-creation of Britain's socially-stratified rural society, with its landed gentry supported by a labouring peasant class.

Felton had lived in the colony long enough to be aware that families moved to the frontier in order to acquire their own land, rather than leasing it or working permanently as agricultural labourers, but he envisioned colonization as a two-step process which would allow large landholders to maintain sizeable estates for themselves. His own initial agreement with the Colonial Office had provided for one hundred acres for each of the British labourers who wished to establish a farm once his contract with Felton had expired. Felton informed the Land Committee of the Legislative Assembly in 1823 that Europeans who hired themselves out for a full year would earn seven to ten dollars a month, including lodging, and that a man, woman, and child would need eighty-five dollars to support themselves for six months.<sup>52</sup> The obvious conclusion was that each head of a pauper immigrant family would have to work for at least a year before accumulating the bare necessities for independence. Thus, a steady stream of British pauper immigrants would help to ensure the establishment of a local landed gentry. Even if the privileged grantees were to follow Felton's example, rather than adding to the long list of absentee speculators, there was clearly little place in this strategy for the sons and daughters of settlers who already inhabited the region.

In 1825 Felton came close to implementing a more practical plan by launching a monopolistic enterprise on the model of the

sister colony's Canada Company. Despite the support of Montreal and London entrepreneurs, as well as the Colonial Office, the project foundered in the wake of a financial panic and opposition by Governor Dalhousie.<sup>53</sup> The British American Land Company arose in its place in 1832, but Felton meanwhile had gained direct control over the land-granting process with his appointment in 1827 as Lower Canada's first Commissioner of Crown Lands. He attempted to encourage settlement by families with limited means by ignoring instructions from London in 1831 to abolish quit rents, make payments semi-annual, and charge interest. Felton was competing for the British immigrants who disembarked at Quebec rather than rejecting Edward Gibbon Wakefield's theory that the colonies needed a larger labouring class. Thus, he sold large blocks of public land in the Eastern Townships to speculators. His accounts reveal that the 14,386 acres auctioned in 1828, for example, were purchased by only nineteen individuals, for an average of 757 acres each. Petitioners from Brome County later protested that the local crown lands agent, Felton's brother John, had offered land that year in blocks of 1200 acres and upwards. Residents (presumably squatters as well as lessees of reserves) had consequently been forced either to leave their homes or purchase from the final bidder at an increase of 200 to 300 percent.<sup>54</sup>

Local settlers, as well as the Church of England, made much the same complaints concerning Felton's alienation of clergy reserves. The Colonial Secretary instructed him in 1828 to select and sell 100,000 acres a year until one quarter were thereby disposed of. Because settler demand could not absorb such a large-scale marketing of land, Felton's sales policy was quite restrained at first. After the British American Land Company acquired all the crown land in the counties of Sherbrooke, Shefford and Missisquoi, however, he began to auction large blocks at low prices to anyone with sufficient capital. By 1836 ten individuals had purchased over 58,000 acres in blocks of 5000 acres and up, and the land company had itself acquired 118,215 acres at an average of only 4 1/2 shillings (\$0.90) per acre. Felton may well have been motivated largely by his sales commission, as Lord Durham later charged, but colleague John Davidson felt that he genuinely believed that reserve land would be developed more rapidly in the hands of capitalists.<sup>55</sup>

If Felton's efforts to attract large numbers of British settlers to the Eastern Townships met with relatively little success, he did play an instrumental role in strengthening the hand of British authority in the region. He had barely set foot in his new home

when he informed Sheriff Coffin of Trois-Rivières that delegates from Hatley and Compton Townships were planning to hold a meeting in order to draw up a petition concerning roads. Town meetings were clearly too closely associated with New England democracy to be tolerated by colonial authorities.<sup>56</sup> Consequently, Coffin in turn wrote to the Civil Secretary:

From my knowledge of the dispositions of many of the Inhabitants of the Townships mentioned in Mr. Felton's letter, I fear that the Republican mode of proceeding alluded to (if not arrested) may create impressions highly dangerous to the future Peace of the Country. It might be advisable that some Public Officer be sent to prevent the proposed meeting of Delegates.<sup>57</sup>

The Executive Council concluded, however, that because the meeting was convened by magistrates, it could not be considered unlawful.<sup>58</sup>

At least as serious as the threat of civil insubordination, even in Felton's opinion, were the inter-related crimes of smuggling, counterfeiting, and livestock rustling. A significant source of income in some of the more remote border communities was the printing of bogus American bank notes, which were exchanged for cattle and horses stolen in the neighbouring states and driven North to the Townships.<sup>59</sup> In 1816 Felton asked to be appointed justice of the peace, along with a brother and brother-in-law, adding that "I have experienced during the last three months the necessity of the measure."<sup>60</sup> No official response was forthcoming, but three years later the government appointed Felton's brother-in-law, Charles Whitcher, to the position of "peace commissioner."<sup>61</sup> Felton received the same appointment in 1821, the year that he became Lieutenant Colonel of the Fifth Battalion of the Eastern Townships, but he complained that "the want of power in the commissioners — who are not vested with the authority of magistrates — to commit for any crime whatever, is seriously felt."<sup>62</sup> After entering the Legislative Council in 1822, Felton spoke out forcefully in favour of a judicial district for the Eastern Townships. His bill to establish the Inferior District of St Francis was ratified only a year later.<sup>63</sup> The choice of Sherbrooke as the site of the courthouse and jail was a boon not only for the struggling village, but for Felton's family as well. Brother Charles became the prothonotary, and Charles Whitcher the district sheriff.

The creation of the new judicial district was doubtless hastened

by the climate of unrest which had followed the appointment of a customs official the previous year. The Sherbrooke dwelling of the English-born William Hamilton had been razed, presumably by local residents, soon after his arrival. Rather than risk similar incidents with a second station on the border, the government had taken Felton's advice by assigning preventative officers to the main crossings at Hereford and Stanstead, and a detachment of troops to Sherbrooke.<sup>64</sup> To show their gratitude for the soldiers and the establishment of a circuit court, Felton and seven others formally reported to the Governor that "many idle and abandoned characters, formidable in numbers and atrocities" had fled back to the United States. They added that "the more remote but not less important effects of this measure will be the improved tone of public opinion, political and moral, by which the almost exclusively American population, feeling the immediate presence of Government, will become familiarized to the respectful observances of British Laws and manners." It was important, therefore, not to withdraw the troops too hastily in order to prevent people from concluding that they had been sent to protect the judges on circuit.<sup>65</sup>

Despite the impression created by Felton's despatches, most of the criminal cases that appeared before the General Sessions of the Peace were for violent assaults, which the grand jury of 1826 attributed to "the facility with which ardent spirits were to be procured at several unlicensed Stores and Taverns in each of the Townships."<sup>66</sup> That the use of firearms was rare is suggested by the local reaction in 1824 when a bigamist from New Hampshire wounded three men who were attempting to return him to the wrath of his in-laws. Stanstead's *British Colonist* exclaimed that this was

the most melancholy occurrence that has ever taken place within our remembrance in this village or in its vicinity. [...] This horrid and sanguinary occurrence, so repugnant to the feelings of human nature, and so derogatory to the Laws of our Country, has so paralyzed the sober and peaceful Inhabitants of this Village, that they have scarcely been able to attend to their regular avocations for some days past.<sup>67</sup>

The presence of the customs officer nevertheless continued to be widely resented, for he interfered with the merchants' trade while doing little to protect local agricultural producers. In 1826 seventy-three inhabitants of Stanstead Township — including

magistrates and militia officers — strongly condemned Hamilton's decision to charge a fee to all persons crossing the border on horseback or in carriages, even if they had no articles to market. American drovers, at the same time, were allowed to bring their cattle into Lower Canada at a much lower duty than required by law. Finally, the meeting took pains to deny that the recent break-in to the local customs agent's room could have been the work of a local resident.<sup>68</sup> Of course the very mention of this apparently trivial incident may have been a veiled threat.

In order to impress its authority upon the local population, the new judicial machinery required a substantial jail. The Assembly failed to return Felton's bill to erect a temporary facility in 1823,<sup>69</sup> but, a year later, it did agree to the appointment of Felton, Whitcher, and a third party to take responsibility for erecting the building. They were to negotiate a loan to be paid off by a tax on district law processes. Louis-Joseph Papineau's rather curious rationale for not supporting a government grant for the building was that the region consumed few of the dutiable goods imported via the St Lawrence.<sup>70</sup> Backed by the Legislature's permission to borrow £2800 from the Bank of Montreal, the commissioners advertised for a contractor to complete the prison by 1 August 1825.<sup>71</sup> New accommodations were urgently required, for the grand jury reported in February 1825 that "the state of the unfortunate persons now confined, is such, that some regulation is necessary to render their state even supportable."<sup>72</sup> Work was delayed, however, when the Executive Council reduced the loan limit to £1200 as punishment for not being consulted on the original proposal.<sup>73</sup> Felton et al. consequently had to mortgage their properties in order to borrow the additional £1200 needed to complete construction.<sup>74</sup>

In 1828 they reported that the brick building had walls three feet thick, with door and window sills of hewn granite, and each of the two storeys containing eight well-ventilated cells.<sup>75</sup> This was an impressive structure for an era in which district jails served essentially to hold prisoners who were awaiting detention or execution of sentence.<sup>76</sup> Lord Gosford reported in 1836 that it could hold 96 prisoners (which would be six to a cell), in comparison with only 140 for the city of Montreal.<sup>77</sup> Governor Kempt recommended a favourable response to the commissioners' request for relief from their personal liability, and his recommendation was repeated in 1830 and 1831, when the private loans with interest totalled £1580.<sup>78</sup> The three men would have had to wait a long

time for the court tax to relieve them, for it had raised only £210 by 1832, when the local MLA took up their cause. B.C.A. Gagy pointed out to the Assembly that jails had been erected at government expense in other districts, including Montreal where £20,000 had been voted for a new structure, and that disorders in the St Francis District affected the whole province. Papineau nevertheless remained adamant, stating that the accounts were incomplete, and that he would not allow even the court tax to continue beyond half the cost of the building.<sup>79</sup>

How the matter was finally settled is not known,<sup>80</sup> but Felton could at least console himself with evidence that the new legal institutions appeared to be making some impact. By 1830 the press was reporting that the counterfeiting centre had shifted westward from Stanstead to the Dunham and St Armand area, outside the St Francis District. Once again, however, Felton received little credit locally, for the correspondent to the *Montreal Gazette* attributed this development chiefly to those innkeepers and merchants who had resolved not to have any intercourse with suspicious characters.<sup>81</sup>

Any gratitude the local petite bourgeoisie might have felt towards the Felton clan was undermined by the fact that Sheriff Whitcher and Prothonotary Felton constantly had to be sued for payment of goods received.<sup>82</sup> The merchants particularly resented the high expenses required to recover small debts. Though the region had a largely cashless economy in which long-term advances in credit were unavoidable, the township courts of commission had no authority for debts over £4.13.4. Local grievance meetings during the winter of 1824-5 demanded county courts with jurisdiction to £10 sterling, and the extension of the provincial court's ceiling to £100.<sup>83</sup> The village elites were clearly not overly concerned about the replacement of "their particular judicial traditions in favour of a centralized and uniform system of Quebec law," as suggested by Brian Young for the neighbouring Bedford Judicial District.<sup>84</sup> They simply desired a system that would operate effectively and efficiently in their interests. The situation was exacerbated by the St Francis District's Judge John Fletcher, another English-born appointee. In the spring of 1825 Fletcher declared that to eliminate the "unnecessary" bringing of actions for small and trivial causes, a plaintiff would have to prove that three days notice had been given to the defendant in any case involving debts. Furthermore, the cost of the suit was not to be larger than the debt and damages owed. The result, according to the *Colonist*, was that recovery of sums under five or six dollars

would become unenforceable.<sup>85</sup> In March, 1826, "Philo Junius" wrote to the newspaper that Fletcher's regulation had practically eliminated suits in the provincial court, and that property values were declining.<sup>86</sup> These criticisms ultimately led to contempt charges by Fletcher against editor Silas Dickerson and his correspondents. Just as the tendency for Upper Canada's Family Compact to flout the "rule of law" by abusing their privileged status is said to have been a major factor in the outbreak of the rebellion there, so did Fletcher's imposition of repeated fines and jail sentences against Dickerson lead to the intensification of anti-government feeling throughout the Eastern Townships.<sup>87</sup>

Even when creditors were able to launch and win cases against one of the Felton clique, there remained the problem of seizing his goods.<sup>88</sup> In 1836 a petition of one hundred signatures charged Sheriff Whitcher with incompetence and corruption, thereby providing the Assembly with an opportunity to investigate him through a committee on grievances chaired by Marcus Child, the pro-Patriote MLA for Stanstead. Among the charges, one witness claimed that Whitcher had failed to execute a judgement on his behalf against a shipment of provisions received by his brother-in-law, Charles Felton. The delay in assigning a bailiff to the task had given Felton plenty of opportunity to hide his goods.

The grievance committee recommended that Whitcher be removed from his position largely on the basis that he had withheld for himself one third of his bailiffs' fees for summoning jurors. A majority vote in the Assembly supported the declaration that Whitcher was "unfit to hold for the future any office of honour and profit in this province."<sup>89</sup> This position was reversed by the Colonial Office, however, after Whitcher submitted a number of affidavits from local law agents, as well as a petition of 211 signatures claiming to be "perfectly satisfied with the sheriff of the district, and with the manner in which the duties of his office are discharged." Whitcher was careful to point out that many of these individuals were large proprietors, magistrates and "persons whose pursuits and wealth" brought them into frequent contact with him.<sup>90</sup> The sheriff not only held onto his office, with the outbreak of rebellion he filled his brother-in-law's place as commanding officer of the local militia battalion. Before the onset of the second wave of hostilities in 1838, however, a public meeting in Sherbrooke passed a resolution complaining of

the present disorganized state of the Militia of the District, and the inefficient execution of the Road Laws, both of which may be justly attributed to the negligence of Charles Whitcher Esquire, the Deputy Grand Voyer of the District and the Lieutenant Colonel of the Fifth Battalion of the Townships Militia (in addition to other offices incompatible and inconsistent)<sup>91</sup>

Incompetent as he may have been, Whitcher managed to hold onto his various charges until he died in 1846.<sup>92</sup> However, the government paid little attention to the patronage claims of his son who had been effectively fulfilling Whitcher's duties as sheriff in later years.<sup>93</sup>

As chief court clerk, Charles Felton aroused no less controversy than his brother-in-law, for he ran afoul of the Court of Quarter Sessions in 1834, when he was found guilty of extortion for collecting a fine from someone who had been absent from his case. The court claimed that the fine had been a conditional one, meant to encourage the individual to apologize at the next session. Felton apparently compounded his sins by falsifying the records to make it appear that he had been given instructions to collect the money.<sup>94</sup> In a rather faint-hearted fashion, Felton resigned his offices of prothonotary and clerk of the peace in March, 1835, after learning that the Assembly had appointed a committee to inquire into his character and conduct as a public officer.<sup>95</sup> His official reason was failing health, but he later admitted that "knowing as I do the severity of that Body with regard to Public Functionaries in this Province I will confess that I could not avoid being thrown into a state of great trepidation by such a piece of intelligence."<sup>96</sup> With this statement Felton was actually explaining why he was now withdrawing his resignation only four days after the Assembly had formally taken note of it and dropped the inquiry!<sup>97</sup> He pleaded that the large size of his family (nine children under the age of fourteen), and the general default in payment of even his official fees, had placed his pecuniary circumstances "in a very deplorable state." After insisting that nothing could be alleged against him that would warrant his dismissal, Felton suggested that a lawyer friend share his duties, thereby providing double security for those who believed that he was mishandling public funds. Whether or not this appeal was in vain, the government appointed a different individual to the position of district clerk when the courts were reorganized in 1841.<sup>98</sup> As for Charles Felton, he finally moved to New York City in 1850.<sup>99</sup>

Brother John, the local crown lands agent, failed to attract the direct attention of the Legislative Assembly, perhaps because it was more concerned with attacking William as his superior in the crown lands office. John managed to hold onto his position until 1865,<sup>100</sup> but William was not so fortunate. A grievance committee chaired by the local "Constitutionalist" MLA, B.C.A. Guky, was established to investigate him in 1835. The inquiry was based largely on documents provided by Surveyor General Joseph Bouchette, whom Felton had been criticizing for incompetence. Guky may have become engaged in his vendetta against Felton simply because the latter had rejected his claim to a £150 land grant as a retired military officer.<sup>101</sup> Probably more significant, however, was the desire on the part of Guky and the administration to solidify ties with American-born merchants such as Samuel Brooks who were tempering their liberalism in order not to jeopardize local investment by the British American Land Company.<sup>102</sup> As a means of maintaining this broader political base in the region, the governing authorities presumably deemed it necessary to jettison the unpopular Felton clique even if they had to use the tools of the radicals to do it.

Details of the Guky inquiry have been provided in an earlier study,<sup>103</sup> but, briefly, the committee demanded Felton's dismissal on the grounds that during the early 1820s he had sold crown lots in Ascot as his own property. Lord Gosford went so far as to launch a legal suit on behalf of the government, but Felton's defence was that the lots in question were part of his 5 percent commission as local crown lands agent. Because no claims had been submitted specifying the lots Felton wished to have set aside for himself, the law officers of the crown eventually dropped the legal proceedings against him. In August, 1836, however, Gosford did suspend his vocal critic as Commissioner of Crown Lands.

Any sympathy Felton might have gained in London had evaporated two years earlier when the Colonial Secretary noticed the unauthorized increase in the size of the grants which had been made to his children in 1828, as mentioned above. Felton had narrowly escaped dismissal then only because there was no proof that he himself had altered the documents, and only on condition that the extra acreage be returned immediately. Legal complications had ensued, however, because most of the offspring were still minors. Before the matter could be settled, Felton's suspension had become a dismissal. He died only a few months later, in the spring of 1837.

Felton's widow soon sold the valuable Sherbrooke industrial sites and other Orford lots (about 800 acres) to the British American Land Company for £5300, yet by 1841 she was forced to rent out the family manor of Belvedere for what one son-in-law called a trifling sum.<sup>104</sup> In 1845 Maria Felton moved to Quebec, and the following year she divided the remaining 12,900 acres and £2426 in credits among her offspring in return for an annual life pension of £220.<sup>105</sup> One son remained in the region as a lawyer and marginally successful politician, and another as a notary and militia officer, but Felton's dream of establishing his own aristocratic line had died with him.

In contrast to the half-pay officers who became the gentry of Carleton County in the Ottawa Valley, the Felton clan never managed to acquire recognition and respect as leaders in the Eastern Townships.<sup>106</sup> After the principal citizens of Sherbrooke launched a fund-raising campaign for the victims of the disastrous Miramichi fire in 1827, for example, a letter in the *Colonist* criticized Charles Whitcher as treasurer for failing to publish a list of receipts and disbursements. The correspondent conceded that the money had probably reached its destination, but a public accounting would "remove suspicion from these gentlemen, who appear by their office and character to be above suspicion."<sup>107</sup>

The common sentiment concerning the British officials was expressed succinctly by a correspondent calling himself "The American." He complained that the government, after having invited Americans to settle in the Eastern Townships, had treated them "with distrust; with a cold reserve, and a freezing indifference bordering on contempt." Once they had cleared the forests and surmounted "all embarrassments, both natural and artificial, so as to compose a population of forty thousand souls," the settlers needed "internal regulations by which to conduct and manage our little concerns. — To carry such a purpose into effect, there have uniformly been sent among us foreigners, unacquainted with our habits, manners and customs, to fill and execute every official function, thereby declaring, in language too unequivocal to be misunderstood, that no confidence was to be placed in a native born American."<sup>108</sup> The "American" was not speaking as an isolated radical, for in succeeding articles he cautioned local residents from taking matters into their own hands, and chided them for not celebrating the King's birthday, as well as for resisting the advances of the established church.<sup>109</sup> As with the mainstream reformers elsewhere in British North America, his aim was not to

reduce executive power, but to ensure that it was exercised by more than a narrowly-circumscribed elite.<sup>110</sup>

By the time the Rebellion had ended, a new leader of the local elite had emerged in the person of Edward Hale, who became a member of Sydenham's Special Council in 1838, the Warden of the newly-created municipal district in 1841, and Sherbrooke's first MPP in the Province of Canada. Hale was the grandson of both General John Hale — who had been with Wolfe at Louisbourg and Quebec — and General Jeffrey Amherst — Commander in Chief of the British forces in America during the Revolution. His father, John, who was one of the largest landholders in the colony, became the Receiver-General for Lower Canada in 1824.<sup>111</sup> Hale's military aristocratic background was therefore still more impressive than that of Felton, but he was well aware that the population of American origin would have to be included in the distribution of patronage. During the Rebellion in 1838, for example, he asked that three American-born officers be officially commissioned to a volunteer unit to be known as the Royal American Rifle Company. Hale did not "look upon this affair as important in a military view, but as likely to secure the Tory feelings of the Individuals in civil matters, and future Elections."<sup>112</sup> In 1840, citing the loyalty of the region during the Rebellion, he recommended to the Governor that one or more "gentlemen of American origin" be added to the Special Council.<sup>113</sup> It was in large part due to this more tolerant approach, and to his active involvement in local industrial development, that Hale was able to solidify a political alliance with influential local American merchants. Consequently, he established the kind of political power base which had completely eluded Felton.<sup>114</sup>

S.F. Wise claims that the local oligarchies of Upper Canada nominated justices of the peace, local court officials, and militia officers, as well as submitting names for the issuance of licences and the allocation of government contracts. The resulting "maze of inter-relationships" strengthened "the social, economic, religious and ideological bases of the conservative alliance in the most tangible way."<sup>115</sup> J.K. Johnson has demonstrated more recently, however, that American settlers and their Canadian-born descendants increasingly received short shrift as far as patronage appointments were concerned.<sup>116</sup> The "conservative alliance" referred to by Wise would therefore appear to have depended heavily upon the growing political weight of the British immigrants.<sup>117</sup> The operation of the patronage system at the local level

in the Eastern Townships remains to be studied, but it is clear from the remarks by "American," noted above, that the Sherbrooke gentry was itself heavily biased toward the British-born in the outlying communities. In 1842 the former registrar of Sherbrooke County claimed that he was the only American-born resident in the Eastern Townships who in 1837 had "held office with emolument from the Crown."<sup>118</sup> The problem for the local Tories was not only that the region lacked the "loyalist" tradition so emphasized by Upper Canada's historians, but that demographically the British would remain a rather weak and marginalized force.<sup>119</sup> The result was that Felton, for all his power over patronage distribution and land grants, failed to establish the personal ties essential to the role of a grand patron, a role played with great effect in Upper Canada by men such as Thomas Talbot and William "Tiger" Dunlop.<sup>120</sup>

Felton might nevertheless have been less resented had he managed to attract and implement the public works projects needed to help break down the economic isolation of the Eastern Townships. Historians of Upper Canada have stressed how members of the Family Compact viewed their public role as promoters of economic development, implementing policies which helped to sow the seeds of nationalism in the colony.<sup>121</sup> But Felton's roads projects were far from successful, and his obsession with the need for law and order did little to endear him with a population all too aware that members of his own circle were blatantly abusing their official positions.

Furthermore, while Felton may have taken a genuine interest in local development, he remained a staunch supporter of Lower Canada's political and economic subordination to Britain.<sup>122</sup> His own position, and that of his extended family, depended upon that subordination, and his downfall quickly came about when London began to realize that political legitimacy in the North American colonies depended upon a greater degree of self-rule.<sup>123</sup> By 1836, with rebellion becoming a palpable threat, Felton's dismissal was deemed even by the local constitutionalists to be essential for the sake of peace in the Eastern Townships. Thus, the conservative *Farmer's Advocate* of Sherbrooke identified Felton as the chief cause of radicalism in the region, and the ultra-Tory *Missiskoui Standard* congratulated local inhabitants "upon the prospects of their being relieved from his arbitrary and iniquitous proceedings."<sup>124</sup> Felton's brothers and brother-in-law may have managed to hang onto some of their salaried offices for a time, but

the political influence of this particular "family compact" had died with its leader in 1837.<sup>125</sup>

## NOTES

- \* I wish to thank Allan Greer, Jan Noel, Brian Young, and David Milobar for their helpful comments on earlier drafts of this essay.
1. Gordon T. Stewart, *The Origins of Canadian Politics: A Comparative Approach* (Vancouver: University of British Columbia Press, 1986), 29-31; S.F. Wise, "Tory Factionalism: Kingston Elections and Upper Canadian Politics, 1820-1836," *Ontario History*, LVII (1965): 205-25; H.V. Nelles, "Loyalism and Local Power. The District of Niagara, 1792-1837," *Ontario History*, LVIII (1966): 99-116; F.H. Armstrong, "The Oligarchy of the Western District of Upper Canada 1788-1841," *Canadian Historical Association, Historical Papers*, 1977, pp. 87-102; and Colin Read, "The London District Oligarchy in Rebellion Era," *Ontario History*, LXXII (1980): 195-209. For a detailed examination of the distribution of patronage positions among the members of the Legislative Assembly, see J.K. Johnson, *Becoming Prominent: Regional Leadership in Upper Canada, 1791-1841* (Kingston and Montreal: McGill-Queen's University Press, 1989).
  2. The best source remains Fernand Ouellet, *Lower Canada 1791-1840: Social Change and Nationalism* (Toronto: McClelland and Stewart, 1980).
  3. James Sturgis, nevertheless, examines only the French-Canadian question in his "Anglicisation as a Theory in Lower Canadian History, 1807-1843," *Bulletin of Canadian Studies*, III, 2 (1979): 29-54. For a brief overview of the early years of British-American conflict in the region, see J.I. Little, *Ethno-Cultural Transition and Regional Identity in the Eastern Townships of Quebec* (Ottawa: Canadian Historical Association, 1989), 5-12.
  4. For example, see Read, "The London District Oligarchy," 205.
  5. The Eastern Townships ratio is based on the population of the six counties which comprised the bulk of the region. On Upper Canada, see Johnson, *Becoming Prominent*, 136.
  6. McCord Museum, Morris Family Papers, Genealogical Notes; NA, RG1 L3L, Lower Canada Land Petitions, pp. 41322-3, 95517; MG11, CO Papers, 1836, vol. 228, pt. 1, p. 26.
  7. Jean-Pierre Kesteman, "Les débuts du Canton d'Ascot et de la Ville de Sherbrooke (1792-1818). Étude critique" (Université de Sherbrooke, Département d'Histoire, Bulletin de Recherche, 1984).

8. Ivanhoë Caron, *La colonisation de la Province de Québec, III, Les Cantons de l'Est, 1791-1815* (Québec, 1927), 30; J.C. Langelier, *Liste des terrains concédés par la couronne dans la Province de Québec de 1763 au 31 décembre 1890* (Québec: Charles-François Langlois, 1891), 6, 17.
9. The foregoing is summarized from J.I. Little, "Imperialism and Colonization in Lower Canada: the Role of William Bowman Felton," *CHR*, LXVI (1985): 511-15; and Bernard Epps, *More Tales of the Townships* (Lennoxville: Sun Books, 1985), 9-14.
10. Stewart, *The Origins of Canadian Politics*, 23.
11. *Journals of the Legislative Council of Lower Canada* (hereafter *JLCLC*), 1823, 24-8.
12. NA, MG24 B2, Papiers Papineau, 373-8, D.B.V. to L.J. Papineau, 25 Jan. [1823].
13. NA, CO42/211, folios 185-7, W.B. Felton, "Memoir on the Financial Difficulties of the Government of Lower Canada" [1826].
14. Scottish Record Office, GD/45/3/44, Sewell to Dalhousie, 9 May 1827. I am indebted to Philip Goldring for this reference.
15. See *JLCLC*, 1828-9, pp. 301, 304-5; 1830, pp. 197-8; *Montreal Gazette*, 29 Nov. 1832.
16. Philip Goldring, "British Colonists and Imperial Interests in Lower Canada. 1820 to 1841" (PhD thesis, University of London, 1978), 83-5.
17. NA, MG24 B2, L.J. P. to his wife, 21 Jan. 1830.
18. *Montreal Gazette*, 31 March 1831, 9 Feb. 1833, 8 March 1834, 13 March 1834, 18 March 1834.
19. *Ibid.*, 14 Nov. 1835, 17 Nov. 1835.
20. NA, MG24 B2, 2013-16, Papineau to his wife, 9 Sept. 1835.
21. *Irish Vindicator*, 16 Nov. 1835, 4 March 1836.
22. Sturgis ("Anglicisation," 35) claims that "almost every scheme of anglicisation, direct or indirect, had connected with it the promptings of the English community in Quebec or its close allies." On the agrarianism of the leading Family Compact members, see Robert Fraser, "Like Eden in her Summer Dress: Gentry, Economy and Society, Upper Canada, 1812-1840" (PhD thesis, University of Toronto, 1979).
23. *Montreal Gazette*, 15 March 1831, 20 Dec. 1831.
24. *Ibid.*, 21 Jan. 1832.
25. Felton's role in encouraging the Catholic Church to establish itself in Sherbrooke is outlined in Maurice O'Bready, *De Ktiné à*

- Sherbrooke. Esquisse historique de Sherbrooke: des origines à 1954* (Sherbrooke: Université de Sherbrooke, 1973), 62.
26. *Montreal Gazette*, 7 Jan. 1832. On the important political implications of the Fabrique Bill, see G. Bernier and D. Salée, "Social Relations and Exercise of State Power in Lower Canada (1791-1840): Elements for an Analysis," *Studies in Political Economy*, XXII (1987): 118-20. For a different perspective, see Lucien Lemieux, *Histoire du catholicisme québécois. Les XVIIIe et XIXe siècles: Tome 1, Les années difficiles (1760-1839)* (Montréal: Les Éditions du Boréal, 1989), 155-60.
  27. *JLCLC*, 1835-6, 174-5. Robert Tremblay attributes this bill to the proliferation of forest-based industries throughout the countryside. R. Tremblay, "Un Aspect de la consolidation du pouvoir d'État de la bourgeoisie coloniale: la législation anti-ouvrière dans le Bas-Canada, 1800-50," *Labour / Le Travailleur*, VIII & IX (1981/82): 246-7.
  28. *Journals of the Legislative Assembly of Lower Canada* (hereafter *JLALC*), XV (1835-6), Appendix QQ, W.B. Felton to Civil Secretary, 1 July 1834.
  29. See the index to the *JLCLC*, as well as Stanstead's *British Colonist* for 15 Jan. 1829.
  30. See, for example, his testimony in British Sessional Papers, House of Commons, 1824 (404), iv, Select Committee on Emigration, 181-2.
  31. See, for example, *JLCLC*, 1825, 54, 56, 78; *Montreal Gazette*, 15 March 1831, 6 Dec. 1832, 11 Feb. 1834.
  32. The elected members for the immense County of Buckinghamshire, which ran from the South-shore seigneuries to American border, invariably came from outside the Eastern Townships. Maurice O'Bready, *De Ktiné à Sherbrooke. Esquisse historique de Sherbooke: des origines à 1954* (Université de Sherbrooke, 1954), 24-25.
  33. *British Colonist*, 24 Aug. 1826. See also 23 Nov. 1826.
  34. *Ibid.*, 15 March 1827.
  35. Thomas Chapais, *Cours d'histoire du Canada*, III (Québec: Librairie Garneau Limitée, 1921), 225-6.
  36. *Montreal Gazette*, 26 Nov. 1831; Jules Martel, "Histoire du système routier des Cantons de l'Est avant 1855" (MA thesis, University of Ottawa, 1960), 84, 87, 90.
  37. NA, RG68, Registrar General, Lib. 5, Fol. 50, 14 May 1817.
  38. NA, RG1 E17, Quebec and Lower Canada: Committees of the Executive Council on Highways, Roads, and Bridges, 1765-1838,

- vol. 4, Contracts between the commissioners of Buckingham County and Pierre Bureau and Louis Picotte, 3 Sept. 1817, 6 Oct. 1817.
39. *Quebec Gazette*, 22 Nov. 1818. Cited in Abbé Ivanhoë Caron, "Colonization of Canada under the British Domination (From 1815 to 1822)," in Province of Quebec, *Statistical Year-Book* (Quebec: King's Printer, 1921), 536.
  40. See J.I. Little, *Nationalism, Capitalism, and Colonization in Nineteenth-Century Quebec: the Upper St Francis District* (Kingston and Montreal: McGill-Queen's University Press, 1989), 39-42.
  41. NA, RG1 E17, J. Badeaux and W.B. Felton to Lt Col. Ready, Three Rivers, 17 Jan. 1819; 29 Dec. 1818; Petition of Pierre Bureau and Louis Picotte of Three Rivers, Que., 8 Jan. 1819; J. Badeaux and W.B. Felton to Col. Ready, Three Rivers, 17 Jan. 1819.
  42. NA, RG1 E15A, Quebec and Lower Canada: Executive Council, Committee to Audit Public Accounts, vol. 45, Commissions for Internal Communication, 1823, W.B. Felton and J. Badeaux to A.W. Cochran, Que., 16 Feb. 1823.
  43. NA, RG1 E17, vol. 4, Petition of inhabitants of Shipton Township, 17 Sept. 1821.
  44. On the "leader and associates" system of land grants, see G.F. McGuigan, "La Concession des terres dans les cantons de l'est du Bas-Canada (1763-1809)," *Recherches Sociographiques*, IV, 1 (1963): 71-89.
  45. Elmer Cushing, *An Appeal, Addressed to a Candid Public; ...* (Stanstead: S.H. Dickerson, 1826), 75-8. Correspondents to the *British Colonist* reiterated the same theme. See the issues for 21 Dec. 1826 and 4 Jan. 1827.
  46. Quoted in Helen Taft Manning, *The Revolt of French Canada 1800-1835. A Chapter in the History of the British Commonwealth* (Toronto: The Macmillan Company of Canada Limited, 1962), 192-3.
  47. NA, RG1 L3L, Lower Canada Land Petitions, 41254-5, Memorial of W.B. Felton to Earl of Dalhousie, 20 Oct. 1821.
  48. NA, RG68, Lib. 10, Fol. 25, 17 March 1824.
  49. *British Colonist*, 18 Jan. 1827.
  50. NA, RG4 A1, S Series, Civil Secretary's Correspondence, W.B. Felton to Col. Yorke, 5 June 1829.
  51. *JLALC*, XXXII (1823), Appendix T, sub-appendix D.
  52. Felton's estimate was based on \$15 for a cow, \$27 for 270 pounds of pork, \$18 for eighteen bushels of wheat, and \$25 for 100 bushels of potatoes. *Ibid.*

53. For details, see Little, "Imperialism and Colonization," 517-18.
54. *Ibid.*, 520, 526-7, 531-3.
55. *Ibid.*, 530-2.
56. Newport Township nevertheless kept minutes of local public meetings from 1799 to 1814. L.S. Channell, *History of Compton County* (Cookshire, Que.: L.S. Channell, 1896; reprinted Belleville, Ont.: Mica Publishing Company, 1975), 214-15.
57. NA, RG4 A1, V. Coffin to A.W. Cochran, pvte, 14 Aug. 1816.
58. NA, RG1 E1, State Book I, p. 28, 22 Aug. 1816.
59. See, for example, NA, RG4 A1, W.B. Felton to A.N. Cochrane [sic], 19 March 1818; to Col. Ready, 28 May 1822; to S., 5 July 1822; *British Colonist*, 11 Sept. 1823, 18 Sept. 1823, 9 Oct. 1823, 7 July 1825.
60. NA, RG4 A1, W.B. Felton to Col. Ready, 15 July 1816.
61. NA, RG68, Lib. 5, Fol. 329, 30 April 1819.
62. *Ibid.*, Lib. 6, Fol. 32, 28 June 1821; *Quebec Gazette*, 5 April 1821. Felton's jurisdiction was gradually extended to the districts of Trois-Rivières, Gaspé, Montreal and Quebec. On the primitive nature of the police system in the Lower Canada of this era, see Jean-Marie Fecteau, *Un nouvel ordre des choses: la pauvreté, le crime, l'État au Québec, de la fin du XVIIIe siècle à 1840* (Outremont: VLB Éditeur, 1989), 230-2.
63. *JLCLC*, 1823, 49, 71, 74, 112, 132, 148; 1824, 125, 133.
64. NA, RG1 E1, State Book J, p. 182, 19 May 1821; p. 185, 28 May 1821; p. 206, 6 Sept. 1821; p. 326, 28 April 1822; p. 371, 4 Aug. 1822.
65. NA, RG4 A1, Petition of W.B. Felton et al. to Andrew Cochrane, 18 Sept. 1822.
66. *British Colonist*, 16 March 1826. See also *ibid.*, 28 Oct. 1824, 25 Feb. 1825, 20 Oct. 1825. The newspaper accounts are clearly incomplete, for only four cases were reported by the *Colonist* for 1826, while the prothonotary's report for that year lists eighteen. NA, RG1 E15A, Quebec and Lower Canada: Executive Council, Committee to audit public accounts, vol. 56, Clerk of the Peace: St Francis, 1826.
67. *Ibid.*, 29 Jan. 1824.
68. *Ibid.*, 18 May 1826.
69. *JLCLC*, 1823, pp. 112-13, 121.
70. *British Colonist*, 5 Feb. 1824.
71. *Ibid.*, 27 May 1824; Archives Nationale du Québec à Sherbrooke, William Ritchie, n.p., Répertoire A, 28 June 1824.

72. *British Colonist*, 25 Feb. 1825.
73. NA, RG1 E1, State Book J, 2 Sept. 1828, p. 317.
74. Sherbrooke Registry Office, Register III, no. 892, 28 June 1825. Three of the relevant documents are summarized in Louis-Philippe Demers, *Sherbrooke* (Sherbrooke: Gauvin et Frère Ltée, 1969), 127-9.
75. NA, RG1 E15A, W.B. Felton, Chas. Witcher, and M. Nichols to Gov. Kempt, Sherbrooke, 1 Nov. 1828.
76. J.M. Beattie, *Attitudes Towards Crime and Punishment in Upper Canada, 1830-1850: A Documentary Study* (Toronto: Centre of Criminology, University of Toronto, 1977), 13-14. Quebec's prison did not begin to take on the role of a penal institution until the early 1830s (Fecteau, *Un nouvel ordre*, 251-2), the same era when, in Upper Canada, "pain and humiliation were replaced with fines and incarceration." John Weaver, "Crime, Public Order, and Repression: The Gore District in Upheaval, 1832-1851," *Ontario History*, LXXVII, 3 (1986): 199.
77. Fecteau, *Un nouvel ordre*, 243, n. 209. For a description of conditions in the Gore Jail prior to 1850, see Weaver, "Crime," 201.
78. *JLCLC*, 1829, 171; 1830, p. 58; 1831, 85.
79. *Montreal Gazette*, 27 Feb. 1832.
80. Fecteau (*Un nouvel ordre*, 240-1) states that the prison was still not complete in 1835. Given the debate which took place in February, 1832, he must be mistaken in his assertion that the government became responsible for the entire prison debt in 1831.
81. *Montreal Gazette*, 22 Feb. 1830, 4 March 1830. See also Felton's statement in *JLCLC*, 1830, 81. The same argument that local inhabitants were quite willing and able to expel criminals from their midst was made by the *British Colonist* three years earlier (31 May 1827).
82. Witcher's salary was £50 per year, and the net profits of his office for issuing titles and writs were approximately as follows; 1831 - £26.14; 1832 - £58.14; 1833 - £41.18; 1834 - £100.15; 1835 - £83.9. Witcher also charged the following contingent expenses: 1831 - £64.2; 1832 - £139.19.6 1/2; 1833 - £205.5.8; 1834 - £195.6.8; 1835 - £178.7.6. NA, MG11, "Q Series," vol. 228, pt. 3, 684-5.
83. *British Colonist*, 25 Nov. 1824, 16 Dec. 1824, 30 Dec. 1824, 27 Jan. 1825.
84. Brian Young, "The 'Business of Law' in Missisquoi and the District of Bedford before 1861," in *Business in Missisquoi*:

- Proceedings of the Missisquoi Historical Society*, vol. 20, 1990 10-24.
85. *British Colonist.*, 28 April 1825, 26 May 1825.
  86. *Ibid.*, 2 March 1826.
  87. See *ibid.*, 9 Nov. 1826 ff; Jean-Pierre Kesteman, "Silas Dickerson," *Dictionary of Canadian Biography*, VIII; and Paul Romney, "From the Types Riot to the Rebellion: Elite Ideology, Anti-Legal Sentiment, Political Violence, and the Rule of Law in Upper Canada," *Ontario History*, LXXIX, 2 (1987): 113-44.
  88. NA, RG1 E1, State Book L, Fol. 51, 27 May 1830.
  89. NA, MG11, "Q Series," vol. 228, pt. 3, 679.
  90. *Ibid.*, 689-96.
  91. NA RG4 A1, vol. 549, 53, Petition of inhabitants of District of St Francis, Sherbrooke, 21 Aug. 1838.
  92. *Ibid.*, Chas. Whitcher to Adjut. Gen. of Militia, Sherbrooke, 9 Jan. 1839; NA, RG4 C1, Provincial Secretary's Correspondence, no. 961, Wm. Fred. Parker to Governor General, Lennoxville, 24 March 1846; I. Caron, "Historique de la voirie dans la province de Québec," *Bulletin des Recherches Historiques*, XXXIX (1933): 447.
  93. McCord Museum, Hale Papers, E. Hale to Eliza, Montreal, 5 April 1846; W. Whitcher to E. Hale, Sherbrooke, 13 April 1846.
  94. NA, RG4 A1, Guy C. Colclough to Col. Craig, 13 Nov. 1834.
  95. *Ibid.*, C.B. Felton to Lt. Col. Craig, 2 March 1835; *JLALC*, XLIV (1833), 25.
  96. NA, RG4 A1, C.B. Felton to Lt. Col. Craig, 9 March 1835.
  97. *JLALC*, XLIV (1833), 84.
  98. McCord Museum, Hale Papers, draft letter by Edward Hale, Sherbrooke, 21 Dec. 1841; E. Hale to J.B. Forsyth (copy), Sherbrooke, 4 Jan. 1842.
  99. NA, RG4 A1, C.B. Felton to Lt. Col. Craig, 9 March 1835; Epps, *More Tales*, 14.
  100. McCord Museum, M21585, Morris Papers, Capt. John Felton to Hon. A. Campbell, 1 March 1865; Testimonial from the Citizens of Sherbrooke to Capt. Felton [1865].
  101. NA, RG1 L3L, Lower Canada Land Petitions, 11357, 18 April 1834; 11374, 26 May 1834.
  102. On Brooks, see Charlotte Thibault, *Samuel Brooks, entrepreneur et homme politique de Sherbrooke, 1793-1849* (Sherbrooke: Département d'Histoire, Université de Sherbrooke, 1985), 61-5.
  103. See Little, "Imperialism and Colonization," 536-7.

104. McCord Museum, M21585, Sgt. Richard Burnaby to Father, 24 Nov. 1845; Demers, *Sherbrooke*, 188-9.
105. Sherbrooke Historical Society, Felton Papers, Assignment and Partage between Mrs. Anna Maria Felton and William L. Felton & others Heirs..., 13 Oct. 1846, office of C.A. Richardson, n.p., Sherbrooke.
106. M.S. Cross, "The Age of Gentility: The Formation of an Aristocracy in the Ottawa Valley," Canadian Historical Association, *Report*, 1967, 105-17.
107. *British Colonist*, 26 April 1827. See also the issues of 10 Nov. 1825, 5 Jan. 1826, 6 April 1826, 17 May 1827.
108. *Ibid.*, 26 Jan. 1826.
109. *Ibid.*, 2 Feb. 1826, 9 Feb. 1826, 16 Feb. 1826. Upper Canada's alien question caused some concern, but on the whole it received surprisingly little attention in the columns of the *Colonist*. See the issues for 3 Aug. 1826, 10 Aug. 1826, 28 Sept. 1826, and 12 Oct. 1826.
110. See Stewart, *The Origins of Canadian Politics*, 29-31.
111. Monique Choquette-Habel, "Edward Hale, un des fondateurs de la première société organisé de Sherbrooke, 1801-1875" (MA thesis, Université de Sherbrooke, 1985), 10-16.
112. McCord Museum, Hale Papers, Edward Hale to F.H. Heriot (copy), January 1838; Edward Hale to Col. Eden (copy), n.d.
113. *Ibid.*, Edward Hale to T.C. Murdoch (copy), Sherbrooke, 20 May 1840.
114. See Choquette-Habel, "Edward Hale," chapters 2-4.
115. S.F. Wise, "Upper Canada and the Conservative Tradition," in *Profiles of a Province*, edited by E.G. Firth (Toronto: Ontario Historical Society, 1967), 27.
116. Johnson, *Becoming Prominent*, 106-9.
117. See, for example, Donald Harman Akenson, *The Irish in Ontario: A Study in Rural History* (Kingston and Montreal: McGill-Queen's University Press, 1984), 169-96.
118. NA, RG4 C1, 1842, no. 183, 10103, Petition of Robert Vincent to Governor-General Bagot, Sherbrooke, 10 January 1842.
119. See Little, *Ethno-Cultural Transition*, 8-15. Romney argues that the post-Loyalist Americans made a much more profound impact on Ontario's political culture than her historians realize. See, for example, his "Re-Inventing Upper Canada: American Immigrants, Upper Canadian History, English Law, and the Alien Question," in *Patterns of the Past: Interpreting Ontario's History*, edited by Roger Hall, William Westfall, and Laurel Sefton

- MacDowell (Toronto and Oxford: Dundurn Press, 1988).
120. See S.J.R. Noel, *Patrons, Clients, Brokers: Ontario Society and Politics, 1791-1896* (Toronto, Buffalo, London: University of Toronto Press, 1990), chapter 3.
  121. See Fraser, "Like Eden in Her Summer Dress;" and Wise, "Upper Canada," 30-2.
  122. See, for example, *JLCLC*, 1823, 116-25; and British Sessional Papers, House of Commons, 1826 (404), iv, Report from the Select Committee on Emigration from the United Kingdom, 229-31.
  123. See Phillip A. Buckner, *The Transition to Responsible Government: British Policy in British North America, 1815-1850* (Westport, Conn.: Greenwood Press, 1985).
  124. *Missiskoui Standard*, 9 Feb. 1836. *The Farmer's Advocate* is quoted in the same issue.
  125. On the transition of political power from large-scale landowners to the bourgeoisie in Lower Canada, see G. Bernier, "Landownership and Access to Political Power in Lower Canada, 1791-1838," *Quebec Studies*, no. 7 (1988): 87-97; and A. Garon, "La Fonction politique et sociale des chambres hautes canadiennes, 1791-1841," *Histoire sociale - Social History*, 5 (1970): 66-87.