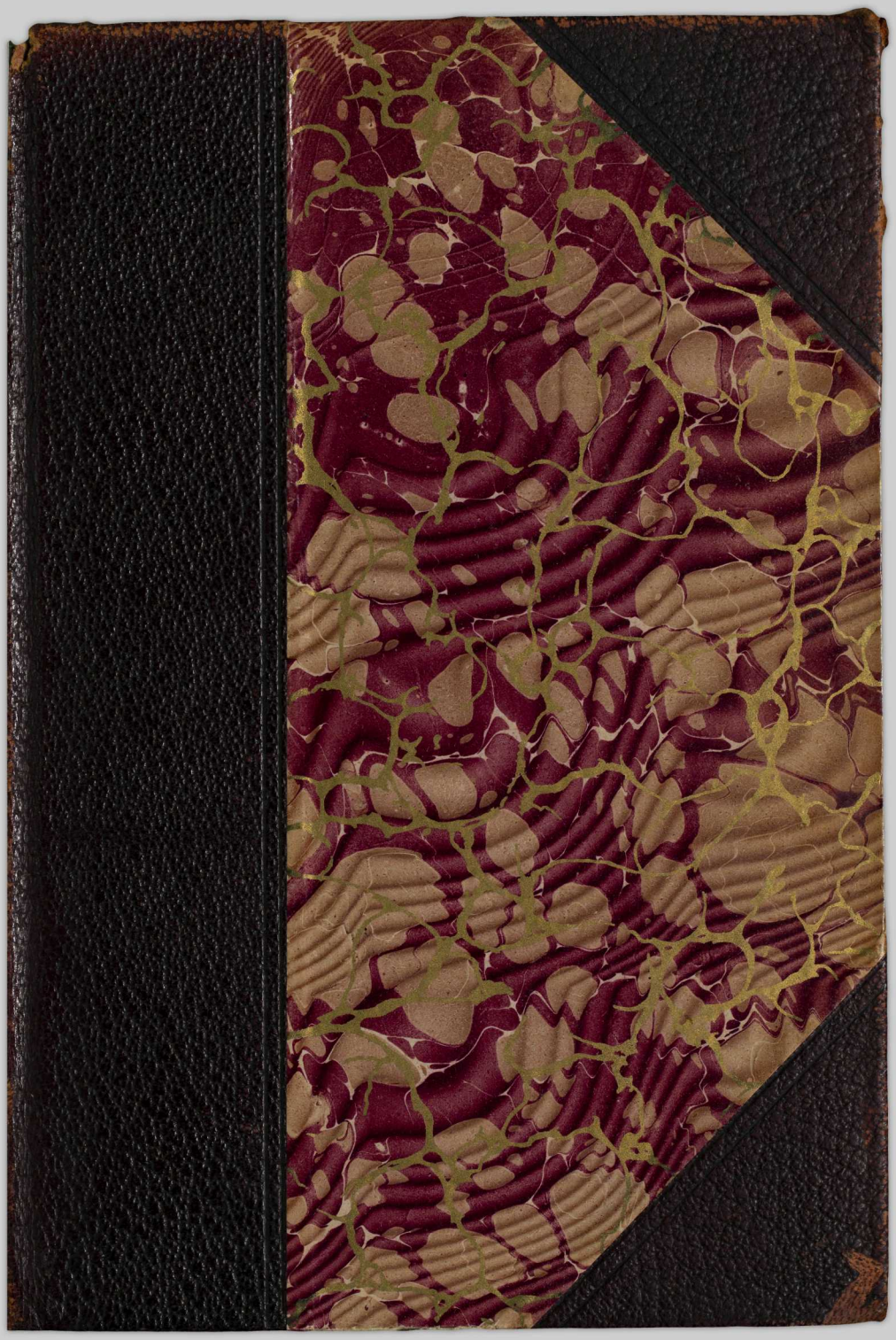

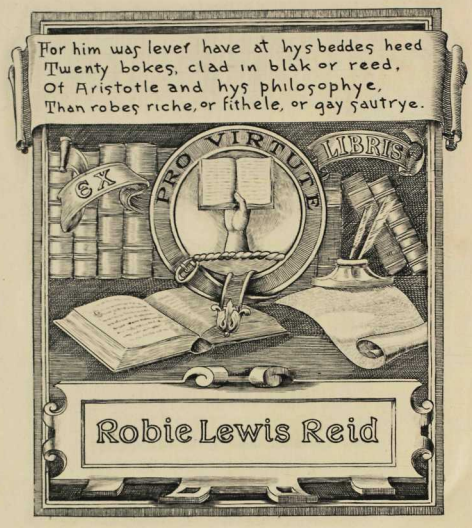

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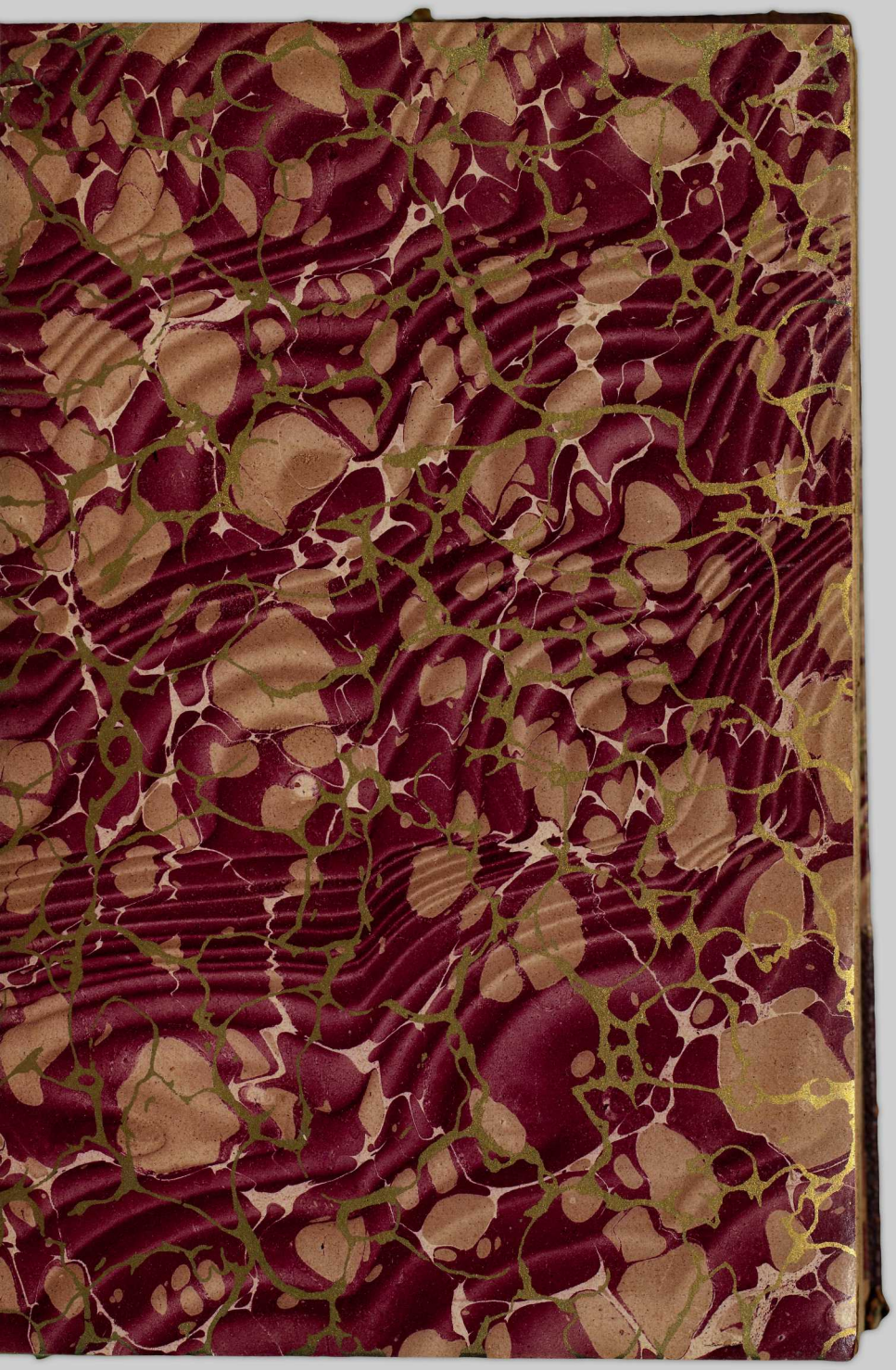

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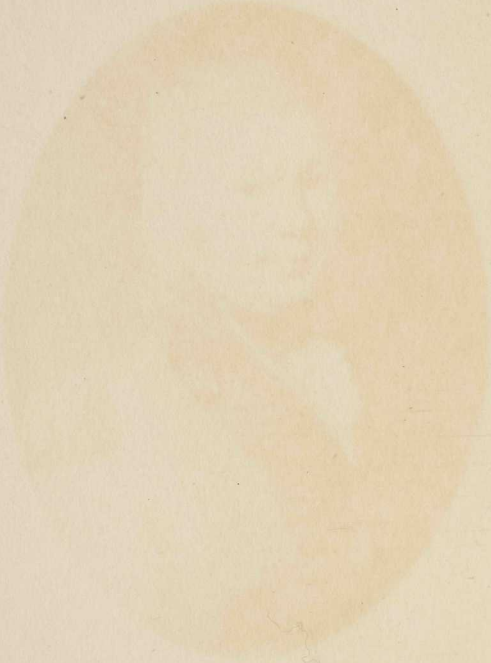
VOL. VII

JOHN GRAVES SIMCOE



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THE MAKERS OF CANADA

JOHN GRAVES SIMCOE

BY

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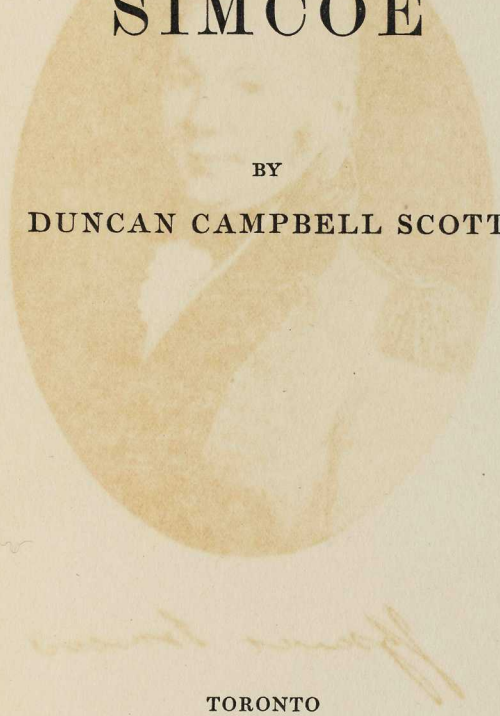

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CHAPTER I

THE CANADA ACT

IT was on February 25th, 1791, that a royal message apprised the House of Commons that it was the intention to divide Quebec into two separate provinces, and the bill was introduced on March 7th by Pitt. The advisability of repealing the Quebec Act had been the subject of much agitation and debate, and hardly had the peace been concluded when demands were made, mainly by the English-speaking inhabitants of the province, for a properly constituted House of Assembly and for the trial by jury in criminal cases.

The portions of the province above Montreal had become settled by soldiers of the disbanded regiments and by Loyalist refugees, and they desired a change in the tenure of land to free and common socage from the feudal tenure which obtained under the Quebec Act of 1774. The partizan bias of some of the foremost agitators for these changes, in what afterwards became the lower province, led to proposals designed rather to place the strength of government in the hands of the minority than to establish upon broad and generous principles a government for the people, legislating for the good of the province. The spokesman of these agitators

for constitutional changes, Mr. Adam Lymburner, a Quebec merchant of Scottish extraction, requested that one half the representatives from Lower Canada should be chosen from the towns, which would throw the balance of power into the hands of his party and race. But it was with a very different desire and actuated by a nobler motive that the bill which was to inaugurate the principle of colonial self-government was designed and carried. Grenville, writing to Guy Carleton, Lord Dorchester, then governor-general of Canada, on October 20th, 1789, accompanied a draft of the proposed bill with a general survey of the measure. The letter contains a paragraph elucidating the principles upon which the bill was drawn: "Your Lordship will observe that the general object of this Plan is to assimilate the constitution of that Province to that of Great Britain, as nearly as the difference arising from the manners of the People and from the present situation of the Province will admit. In doing this a considerable degree of attention is due to the prejudices and habits of the French Inhabitants, who compose so large a proportion of the community, and every degree of caution should be used to continue to them the enjoyment of those civil and religious Rights which were secured to them by the Capitulation of the Province, or have since been granted by the liberal and enlightened spirit of the British Government."

It is upon the life and power of these principles

that the welfare and harmonious permanency of the Canadian confederation depends.

Such expressions could not have fallen coldly upon the mind of Dorchester; they are in effect his own, and are merely the echo of opinions and sentiments by which his conduct as governor was consistently guided. The weight of his judgment was thrown against the division of the province. He brought to the criticism of the draft bill his great knowledge of the condition of the country and his sympathy with the inhabitants. His views previously expressed were that for some time the only organization required by the settlements which were to be included in the upper province was that provided for a county; and a survey of the early Acts and proceedings of the legislature of Upper Canada will show this to have been to some extent the case. But the importance of the Canada Act lay not so much in its immediate necessity as in the principle of colonial self-government which it carried into effect. While really an Act of separation, by its clauses cleaving one province into two and providing for the self-rule of each, it was also distinctly the forerunner of those Acts of union which cemented the dominion and made confederation. In fact confederation, even in its present sense, was not unknown to the statesmen of the great minister's day.

A statement is here and there made that the present Canadian political union is artificial and will

not bear the storm of change, which will break upon it from alien provincial interests, and the very weight of growth which will encumber it with almost imperial burdens. But it augurs well for the life of this many-branched tree that its planting is a century old and that its growth has been gradual.

Colonel Morse was doubtless the first to suggest the advantage of a union of the colonies in North America. In 1783 he pointed out that a federation of the Maritime Provinces with Canada would lead to the upbuilding of a great and prosperous domain.

Chief-Justice Smith, who may be said to have drafted the first scheme for confederation of the British possessions in America, was a native of the old province of New York. In the year 1763 he was appointed chief-justice of the province. During the time of doubts and agitations, when the revolutionary spirit was rising like a wave, Smith remained neutral, but in 1778 he espoused the British cause. Upon the conclusion of the war he accompanied Carleton to England, and was subsequently appointed chief-justice. Whatever opinion may be held as to Smith's character and motives, and both have been impugned, it cannot be denied that his judgment was sound and his opinions of the causes of the revolution consistent with facts. He argued that the provinces had outgrown their forms of government, and that the small legislatures acting

independently had failed to create common political interests or to associate themselves as units in a confederated empire. His recommendation looked towards the provision of a legislative assembly and council for the whole of British America from Bermuda to Hudson Bay. The council was to consist of life members. The assembly was to be chosen by the provincial Houses. A governor-in-chief was to hold power above the lieutenant-governors, and was to have the option of assenting to a bill or reserving it for the royal decision. Provincial Acts were to be referred for approval to the federal or central government. In the main these terms and those of the British North America Act are synonymous but it needed nearly a century of political conflict before the colonies and the mother country were ready for so sweeping and so novel a change.

It had been the intention to introduce the bill for the division of the province during the previous session, but the uncertain state of the relations with Spain rendered this inadvisable. With war as a contingency it was deemed impolitic to further unsettle a colonial dependency which might become the cause of demands, if not the scene of actual invasion, by the United States. Dorchester, therefore, remained at his post and was not summoned to England until March of 1791. It was hoped that he might arrive in time to assist in clearing and adjusting the many points which still remained open and debatable. He did not arrive,

however, until the Act had become a statute. But the fullest discussion was given to the measure, and its opponents had the privilege of laying before the House the reasons which they had to urge against it. Lymburner was heard at the bar of the House on March 23rd, and presented the adverse views as forcibly as possible. Time has shown that many of the contentions were cogent, and that many more were unworthy of the stress laid upon them.

The difficulty of communication with the territory of the proposed upper province and its inland character, together with an alleged hostility of the inhabitants to any division, were points urged against the passage of the bill. The measure was criticized "as dangerous in every point of view to British interests in America, and to the safety, tranquillity, and prosperity of the inhabitants of the province of Quebec." His object, and that of the English merchants of the province, was to save themselves from the domination of the French-Canadians, and to this end he asked for a complete repeal of the Quebec Act and the inauguration of a new constitution "unembarrassed with any laws prior to this period." In this sentence he struck upon the main cause of the opposition both to the old conditions and the new proposals. It was to the French Civil Code and the feudal tenure that obtained under the Quebec Act and would be continued in Lower Canada under the provisions of the Canada Act that his party objected. If one large province

could be constituted, the English inhabitants west of Montreal would join those of their tongue in the older section of the country, and in the union would be a certain safety from French aggression. But his representations had not sufficient weight to alter the course of legislation.

Pitt, in introducing the bill, spoke at some length and stated that "he hoped the division would remove the differences of opinion which had arisen between the old and new inhabitants, since each province would have the right of enacting laws desired in its own House of Assembly." Burke and Fox appeared in conflict; the former supporting the division reasoning from the absurdity of attempting to amalgamate the two races, the latter opposing it with the statement that it was most desirable "to see the French and English inhabitants coalesce into one body." But the principles of the bill had no stronger supporter than Fox. "I am convinced," he said, "that the only means of retaining distant colonies with advantage is to enable them to govern themselves."

Among the members who took a deep interest and a prominent part in the discussions was one of the representatives for St. Maw's, Cornwall, Lieutenant-Colonel John Graves Simcoe. His words were listened to with more than ordinary attention, for it was known that he had had some years' experience of British American affairs during the period of the Revolution, and that this experience

had led him to form opinions, which were entitled to consideration, upon the features necessary in a colonial constitution.

On Thursday, May 12th, 1791, in committee, he contributed to the discussion by reading an extract from an American paper to prove that congress thought a very small number of representatives sufficient for a western province, and that two or four would be enough to represent Montreal or Quebec. During the second reading on Monday, May 16th, he spoke forcibly in favour of the whole bill, and expressed confidence that it would be acceptable to the inhabitants of both provinces.

It was during the debate in committee upon the bill that the dramatic incident arose which marked the close of the life-long and intimate association between Fox and Burke. It is a peculiarity of our parliamentary system that these episodes may grow out of discussion upon matters to which they are foreign. And, from the clear sky of a debate upon this peaceful Act, fell the thunderbolt of quarrel which, when its work was completed, left but the wreck of a friendship, the most remarkable in modern political life. The participants were men of noble genius, they had been knit together for very many years, they were alike passionate and capable of deep feeling, and in their clash upon the battlefield where they had so often urged their forces against a common foe there is something tragic.

Burke, introducing the subject of the French Revolution, attacked bitterly the constitution of the new republic. Fox replied by criticizing the unseemliness of an attack, loaded with abuse, upon an event which nobody had sought to discuss. Burke immediately threw the personal element into the discussion, and brought up the question of Cazalès, the French royalist orator, who, as Carlyle says, "earned the shadow of a name." Repeatedly was he called to order, but he pressed on with rash and vehement eloquence. In vain did Fox allude feelingly to their past cordial relations. "During the American war," he said, "we had rejoiced together at the successes of a Washington, and sympathized almost in tears for the fall of a Montgomery." Burke complained of wanton personal attack and misrepresentation. "It is certainly an indiscretion at any period, especially at my time of life," he said, "to give my friends occasion to desert me, yet if my firm and steady adherence to the British constitution places me in such a dilemma I will risk all." Fox, with tears, exclaimed, "There is no loss of friends." "Yes," cried Burke, "there is a loss of friends. I know the price of my conduct. Our friendship is at an end." The association thus disrupted was never reformed. Suddenly and unexpectedly had the episode occurred, and before morning it was the talk of London and a week later of the country. The quarrel broke for a moment or two the peaceful monotony of the de-

bates upon the Canada Act. It was but an exhibition of personal passion and rancour, and left no trace upon the legislation which proceeded without any other obstruction. Upon May 14th, 1791, the bill became law.

Following closely Sir John G. Bourinot's *précis*, the provisions of the Act were as follows :—

" The legislative council was to be appointed by the king for life; in Upper Canada to consist of not less than seven, and in Lower Canada of not less than fifteen members. Members of the council and assembly must be of the age of twenty-one, and either natural-born subjects or naturalized by act of parliament, or subjects of the Crown by the conquest and cession of Canada. The sovereign might, if he thought proper, annex hereditary titles of honour to the right of being summoned to the legislative council in either province. The speaker of the council was to be appointed by the governor-general. The whole number of members in the assembly of Upper Canada was not to be less than sixteen ; in Lower Canada not less than fifty—to be chosen by a majority of votes in either case. The limits of districts returning representatives, and the number of representatives to each, were fixed by the governor-general. The county members were elected by owners of land in freehold, or in fief, or roture, to the value of forty shillings sterling a year, over and above all rents and charges payable out of the same. Members for the towns

and townships were elected by persons having a dwelling-house and lot of ground therein of the yearly value of £5 sterling or upwards, or who, having resided in the town for twelve months previous to the issue of the election writ, should have *bona fide* paid one year's rent for the dwelling-house in which he shall have resided, at the rate of £10 sterling a year or upwards. No legislative councillor or clergyman could be elected to the assembly in either province. The governor was authorized to fix the time and place of holding the meeting of the legislature and to prorogue and dissolve it whenever he deemed either course expedient; but it was also provided that the legislature was to be called together once at least every year, and that each assembly should continue for four years, unless it should be sooner dissolved by the governor. It was in the power of the governor to withhold as well as to give the royal assent to all bills, and to reserve such as he should think fit for the signification of the pleasure of the Crown. The British parliament reserved to itself the right of providing regulations, imposing, levying, and collecting duties for the regulation of navigation and commerce to be carried on between the two provinces, or between either of them and any other part of the British dominions or any foreign country. Parliament also reserved the power of appointing or directing the payment of duties, but at the same time left the exclusive apportionment of all monies

levied in this way to the legislature, which could apply them to such public uses as it might deem expedient. It was also provided in the new constitution that all public functionaries, including the governor-general, should be appointed by the Crown, and removable at the royal pleasure. The free exercise of the Roman Catholic religion was guaranteed permanently. The king was to have the right to set apart, for the use of the Protestant clergy in the colony, a seventh part of all uncleared Crown lands. The governors might also be empowered to erect parsonages and endow them, and to present incumbents or ministers of the Church of England, and whilst power was given to the provincial legislatures to amend the provisions respecting allotments for the support of the Protestant clergy, all bills of such a nature could not be assented to until thirty days after they had been laid before both Houses of the imperial parliament. The governor and executive council were to remain a court of appeals until the legislatures of the provinces might make other provisions. The right of bequeathing property, real and personal, was to be absolute and unrestricted. All lands to be granted in Upper Canada were to be in free and common socage, as well as in Lower Canada, when the grantee desired it. English criminal law was to obtain in both provinces."

In a troubled session of parliament the bill probably passed as a comparatively unimportant though

necessary measure. Contemporary opinion and criticism laid more stress upon the disruption of the friendship between the two great Whigs and upon the message of March 28th, 1791, with its menace of war with Russia, which, but for the cool and intrepid retreat of Pitt, would have plunged the government down a precipice of ruin. But we now see these events in their true perspective, and no act of Pitt's long administration has greater relative importance than this colonial measure. Its gradual extension to all dependencies pacified them forever and bound them in perpetual loyalty to the Crown.

The achievements of peace are saner than those of war, and no statesman bases his monument upon a deeper foundation than when by his enactments he consults and ensures the welfare of people.

CHAPTER II

THE SIMCOE FAMILY

THE member for St. Maw's, John Graves Simcoe, who brought to the discussion of the Canada Act no ordinary experience of colonial conditions and affairs, was, under the provisions of the Act, appointed governor of the newly-created province of Upper Canada. He was the son of a naval captain, John Simcoe, and of Katherine Stamford, his wife. He was born at Cotterstock, in the county of Northumberland, on February 25th, 1752. He was named John after his father, and Graves after his godfather, Admiral Samuel Graves, who was his father's contemporary and friend. At the early age of forty-five, in the year 1759, John Simcoe ended his career. His qualities had already made him prominent among naval officers, and had he lived they would have carried him far upon the path of usefulness. His son, who inherited many of his commanding talents, also left his life at a point where the way seemed to broaden, and both men are greater in their promise of future accomplishment than in their actual performance. John Simcoe was promoted to the rank of captain in the year 1743 at the age of twenty-nine. In 1756-7 he was a member of the court-martial that found Admiral

Byng guilty of neglect of duty. In 1759 he sailed under Admiral Saunders in the famous fleet which played such an important part in the conquest of Canada. But he was destined to take no part in the active operations. On board his ship, the *Pembroke*, he died during the passage from Halifax to the river St. Lawrence.

John Graves Simcoe firmly believed that his father urged the attack on Quebec and was the principal means of the assault having taken place. It is stated that he was enabled to supply Wolfe with a chart of the river and with valuable information collected during an imprisonment at Quebec. No details of this capture and imprisonment are anywhere given and the story begins in shadow and does not close in the light. Wolfe and Saunders obtained their information as to the currents and soundings of the river from sources which are known. The prototype of this tale is that of Major Stobo, whose capture, detention in Quebec, and subsequent presence with Wolfe before the beleaguered city are authenticated.

Had Captain Simcoe lived, his ability and service would have gained him honour and advancement greater than the bestowal of the crest of the sea lion, which had been granted him on account of important services, and which seems to be the sole barren recognition which they called forth. He is everywhere mentioned as an officer of rare ability. His mind was alert and his judgment sound; wit-

ness this opinion of the importance of Quebec and Montreal given at a time when they were mere outposts in a wilderness: "Such is the happy situation of Quebec, or rather of Montreal, to which Quebec is the citadel, that with the assistance of a few sluices it will become the centre of communication between the Gulf of Mexico and Hudson Bay, between the Atlantic and Pacific Oceans, by an interior navigation; formed for drawing to itself the wealth and strength of the vast interjacent countries so advantageously placed, if not destined to lay the foundation of the most potent and best connected empire that ever awed the world."

Before Captain Simcoe's death the family resided in Northumberland but shortly after that event the widow and her two sons moved to Exeter. The younger of the boys was drowned while yet a child, and John Graves was left his mother's sole charge. He received his early education at the Free Grammar School at Exeter. In 1766, at the age of fourteen, he was sent to Eton, and on February 4th, 1769, he entered at Merton College, Oxford. As a student he was successful, and although he did not take his degree at Oxford it was owing to no lack of ability or application. He was essentially a man of action and he lived in times when the rumour of deeds of daring by land and sea were common in all men's mouths. Moreover, he had his father's career to emulate, and his reading and study had fostered that military ardour which was his pre-

dominant characteristic. It was against nature that such a lad could remain at his books while the field of deeds lay broad before his vision, and while the gathering trouble in America invited to service upon shores which his father had visited before him.

As the captain had left a considerable fortune it was easy for young Simcoe to obtain a commission as ensign in the 35th Regiment. His father had been a sailor, but he had also a strong predilection for the army and left a treatise on military tactics which was considered of value in his day. Young John Graves undoubtedly inherited this talent, chose with his heart the army before the navy, and developed naturally until he became a type of all that is excellent in his profession.

Thus he entered upon his military career in the year 1771, at the early age of nineteen. He did not at once see active service, and when his regiment was drafted for America he remained behind, and reached Boston only on June 17th, 1775, in time to hear the roar of guns on Bunker Hill and see the town streets filled with wounded and dying. This was his first experience of war, and for the next six years he knew no rest in the service of his king; he gave his body in wounds and his estate in gold to the cause, and he did not desist until his last desperate offers were rejected by his chiefs, and until with bitterness he became but a unit in a defeated army, and sheathed his sword at Yorkton upon that memorable nineteenth day of October.

ACTIVE SERVICE

At this early period of his service Simcoe had a definite ambition; that was, to be in command of a corps of light troops, as he conceived this to be "the best mode of instruction for those who aim at higher stations." He was content to learn by the most arduous practice, that he might excel in his profession. But he was not content to adopt the manners and morals which had made such troops loathed and execrated as pillagers and marauders. His equal ambition was to change this reputation, to organize and perfect a corps which would be ever on the alert, which would always be the forlorn hope of the army, but which would leave in its marches unharried fields and homesteads respected. He compassed his ambitions. He commanded the Queen's Rangers; he gave his enemy no rest and took none himself, but his progress is nowhere marked by rapine or wanton destruction.

In the earliest days of his service he gave evidence of his energy, his resourcefulness, and his persistence. He experienced for his first plan the check which was so often applied by generals in this war, the indifference which must have been galling to men who saw opportunities let slip and knowledge wasted. Through Admiral Graves, who in 1775 commanded the naval force at Boston, he proposed to General Gage to enlist the Boston negroes and lead them, under Sir James Wallace, in Rhode Island. Gage brushed the plan aside, saying that he had other employment for the Boston

negroes. So for months he lay pent with his regiment in the besieged town, and when the fourth of March saw Washington on the Dorchester Heights, he and his comrades could only use their energies to secure an orderly embarkation.

Upon March 17th, he took his last view of Boston harbour and sailed with the rest of Howe's army for Halifax. The passage was speedy, favoured by good weather. After an interval of ten or twelve weeks the army left Halifax for Sandy Hook on June 11th, and arrived on the twenty-ninth of the month. The expected reinforcements had not arrived, and as General Howe was apprised by Major-General Tryon, the governor of New York, that the Americans were preparing a stubborn resistance to any attack upon the city, he decided to proceed to Staten Island which the rebel forces relinquished when his ships anchored. The army disembarked on July 3rd. Amongst the troops was the 40th Regiment, to the grenadier company of which Simcoe had, during the sojourn at Halifax, been appointed captain. During the summer of 1776 he took part in the operations upon Long Island and in the Jerseys.

When Washington, on December 26th, pierced the British lines at Trenton, Simcoe with the 40th lay at New Brunswick, New Jersey. His regiment was left to cover that post when Colonel Mawhood marched on January 3rd with the 17th and 55th to occupy the little village of Maidenhead between

Trenton and Princeton. Mawhood's detachment had hardly begun its march when it encountered Washington's forces. In the engagement which ensued Simcoe must have commanded his company of the 40th. Mawhood's force retreated to New Brunswick and soon the whole of Cornwallis's men were pouring back from Trenton into the post, while Washington marched north to Morristown.

These disastrous occurrences, furthered as they were by want of promptitude and foresight, gave Simcoe cause for reflection. During the winter, while the army lay at New Brunswick, he went to New York to ask from Sir William Howe the command of the Queen's Rangers, which was then vacant. His boat was detained by contrary winds and he arrived a few hours too late. But he placed his request upon record, and used what influence he had for the first vacancy of the kind which might occur. He was rapidly gaining experience, and the operations about New Brunswick in the early summer, during the eighteen days when Howe endeavoured to cross the Delaware and shake off the persistent Washington, gave him additional insight into the art of moving men quickly. At the end of June the plan was abandoned and the army crossed to Staten Island.

When the army embarked for the Chesapeake Simcoe wrote General Grant urging his claims to a command should any opportunity offer. On July 5th, 1777, he sailed with his regiment for the Dela-

ware, and was detained upon shipboard by southerly winds and bad weather until the latter part of August, when the army landed at the head of the Elk River. Amongst the troops transported to the scene of the campaign against Philadelphia was the Queen's Rangers, upon the chief command of which Simcoe had set his heart. The corps had been raised in Connecticut and about New York by Colonel Rogers and had already seen service.

On September 11th the armies clashed at Brandywine River, and Simcoe took part for the first time in an engagement of serious importance. It is probable that his regiment was attached to Knyphausen's division and fought at Chadd's Ford. General Grant served under the Hessian commander that day, and it is likely with the same regiments that had been under his control at New Brunswick, amongst which was the 40th. It is certain that at this point the Queen's Rangers were engaged, for their service was such as to merit special mention in General Knyphausen's report of the action, and to be rewarded by record in the general orders and the promise that all promotions should go in the regiment. At Chadd's Ford there was stern fighting and Simcoe was wounded before the action was won. His hurt could not have been severe for he was able to resume his duties on October 16th, and when he again joined the army it was as major in command of the Queen's Rangers.

CHAPTER III

THE MILITARY JOURNAL: 1777 TO 1781

IN the "Military Journal" Simcoe has left a particular account of his service with the army from the date of his appointment to the command of the Queen's Rangers to the capitulation at Yorkton. The journal was written, from notes taken at the time, during the years immediately following the author's arrival in England after the close of the war, on parole, and was published privately in 1787. It is written in an admirable style, clear, direct, sometimes a trifle pompous, and always with an eye to some great model. Simcoe had not lost his taste for classics in his pursuit of arms and his narrative often marches with the stately tread of the ancients. There is an evident incongruity between the important, swelling style and the operations chronicled. A few hundreds of Queen's Rangers move through these pages with the swing of a whole cavalry division; a small foray becomes an incursion shaking a rebel state; a skirmish thunders like a battle; and the smallest plot or regulation has its imperial effect. This is military history through a magnifying glass. But, reading the pages in forgetfulness, one is in the midst of great deeds and serious undertakings.

No sooner had Simcoe taken the command which he had so long desired than he set to work to improve the organization and discipline of the corps. He was allowed to add a certain number of huzzars to the force, and altered the headgear and uniform of the men in order to render them less conspicuous and, therefore, more valuable for their special duties. He abolished sergeants' guards; he insisted on regularity in messing; he discontinued written orders as much as possible; he endeavoured to make each officer and man self-reliant, and ready to rush in at close quarters and fight with the bayonet. From his private purse he outfitted his men, and rewarded any one who presented recruits. By these means he produced a company of "*disciplined enthusiasts* in the *cause* of their *country*." The words and the emphasis are his own.

After the battle of Brandywine, during the winter and spring of 1778, the general duty of Simcoe and the Queen's Rangers was to "secure the country and facilitate the inhabitants bringing in their produce to market at Philadelphia." During his expeditions he took extraordinary precautions to prevent plunder by his troop and was, in general, successful. The two most important undertakings in which they were engaged were the affairs at Quintin's Bridge and at Hancock's House. They were little better than skirmishes and gain prominence by being met with in the journal where every detail is preserved. The affair at Hancock's

House is called a massacre by some American writers. A party was surprised by Simcoe and his men, over thirty were killed, amongst them Hancock and a Loyalist who was a prisoner in the house. Simcoe remarks that "events like these are the real miseries of war." These small operations were never without a certain importance, although lost in histories which deal only with the large movements of the war. They were spirited and were undertaken by Simcoe and his men with the partizan feeling which lent fire and force to their movements. Simcoe himself may well be taken as a type of the most extreme partizan. He never wavered in his opinion that the war was forced on Great Britain, and he served in the army from principle and not alone because such service was his duty. He despised his opponents as such; he considered them cattle, from Washington down to the meanest batman in the rebel army. But when he had conquered or taken his enemy prisoner he treated him with condescension and humanity. No reverse, not even the final catastrophe, could shake his blind fidelity to the king's cause.

When Sir William Howe was recalled and Sir Henry Clinton succeeded him in command, Simcoe was promoted to the rank of lieutenant-colonel. On June 18th, 1778, the British army evacuated Philadelphia. With its immense baggage train, extending to the length of twelve miles, it lumbered through the heat and the dust, and on the twenty-

sixth it had reached Monmouth court-house. The Queen's Rangers on the night of the twenty-sixth covered headquarters, and in the early hours of the twenty-seventh they changed their position and joined the left wing under Sir Henry Clinton. On the morrow the battle of Monmouth was to be fought and the left wing was to bear the brunt of the action. At seven in the morning of the twenty-seventh orders were brought to Simcoe "to take his huzzars and try to cut off a reconnoitring party of the enemy." Let us follow the movement in the words of the journalist; the passage will give the reader an idea of the manner of warfare in those days, and at the same time will serve as an example of the style in which the narrative is written:—

"As the woods were thick in front, Lieutenant-Colonel Simcoe had no knowledge of the ground, no guide, no other direction, and but twenty huzzars with him; he asked of Lord Cathcart, who brought him the order, whether he might not take some infantry with him, who, from the nature of the place, could advance nearly as expeditiously as his cavalry. To this his Lordship assenting, Lieutenant-Colonel Simcoe immediately marched with his cavalry and the grenadier company, consisting of forty rank and file. He had not proceeded far before he fell in with two rebel videttes, who galloped off; the cavalry were ordered to pursue them as their best guides; they flew on the road down a small hill, at the bottom of which was a rivulet;

on the opposite rising the ground was open, with a high fence, the left of which reached the road, and along which, a considerable way to the right, a large corps was posted. This corps immediately fired, obliquely, upon the huzzars, who, in their pursuit of the videttes, went up the road, and gained their left, when Ellison, a very spirited huzzar, leapt the fence, and others followed. Lieutenant-Colonel Simcoe, in the meantime, brought up the grenadiers, and ordered the huzzars to retreat; the enemy gave one universal fire, and, panic-struck, fled. The Baron Stuben, who was with them, lost his hat in the confusion. Lieutenant-Colonel Simcoe rode along the fence, on the side opposite to which the enemy had been, posting the grenadiers there; the enemy fired several scattering shots, one of which wounded him in the arm; for some seconds, he thought it broken, and was unable to guide his horse, which, being also struck, ran away with him, luckily, to the rear; his arm soon recovered its tone, he got to the place where he had formed the huzzars, and with fourteen of them returned towards a house to which the right of the enemy's line had reached. Upon his left flank he saw two small parties of the enemy; he galloped towards them, and they fled; in this confusion, seeing two men, who probably had been the advance of these parties, rather behind the others, he sent Sergeant Prior, and an huzzar, to take them, but with strict orders not to pursue too close to the

wood. This the sergeant executed; and, after firing their loaded muskets at the large body which had been dislodged and was now rallying, the prisoners were obliged to break them, and to walk between the huzzars and the enemy. The business was now to retreat, and to carry off whomsoever might be wounded in the first attack. The enemy opposite seemed to increase, and a party, evidently headed by some general officer and his suite advancing to reconnoitre, it suggested to Lieutenant-Colonel Simcoe to endeavour to pass, as on a similar design; and, for this purpose, he dispatched an huzzar to the wood in his rear, to take off his cap and make signals, as if he was receiving directions from some persons posted in it. The party kept moving, slowly, close to the fence, and toward the road; when it got to some distance from the house, which has been mentioned, Lieutenant-Colonel Simcoe called out audibly, as if to a party posted in it, not to fire till the main body came close, and moved on slowly parallel to the enemy, when he sent Ryan, an huzzar, forward, to see if there were any wounded men, and whether the grenadiers remained where he had posted them, adding, 'for we must carry them off or lie with them,' to which the huzzar replied, 'To be sure, your honour.' On his return, and reporting there was nobody there, Lieutenant-Colonel Simcoe struck obliquely from the fence, secured by a falling of the ground from danger, over the brook to the wood, where he found

Captain Armstrong had, with great judgment, withdrawn his grenadiers; from thence he returned to camp, and sending his prisoners to the general, went himself to the baggage, his wound giving him excruciating pain, the day being like to prove very hot, and there not appearing the least probability of any action."

Simcoe and his men had engaged and driven off seven or eight hundred of the militia under General Dickinson. Upon the following day, Captain Ross led the Queen's Rangers in the battle of Monmouth, and at night they formed the rear-guard, and moved back "with that silence which was remarked in Washington's account of the action." While his men were in the very hottest of the fight Simcoe lay with the baggage, suffering and hearing the battle afar off. "During the day," the journal says, "the baggage was not seriously attacked; but some very small parties ran across it from one side of the road to the other; the rumour of them, however, added personal solicitude to Lieutenant-Colonel Simcoe's public anxiety, and for security he got together the pioneers of his own and some other corps around his wagon. The uncertainty of what fate might attend his corps and the army gave him more uneasiness than he ever experienced; and, when the baggage halted, he passed an anxious night till about the middle of it when he had authentic information of the events."

Simcoe was able to assume command of the

Rangers on July 1st, but after he had escorted Sir William Erskine to Sandy Hook he was compelled through illness to remain in New York inactive until the fourteenth of the month. During the remainder of the summer his chief services were: in connection with Tarleton, an ambuscade of the Stockbridge Indians at Kingsbridge on August 31st, and an attempt to surprise a corps of light troops under Colonel Gist. The ambush was partially successful, but the surprise failed of its object.

On November 19th the corps was ordered into winter quarters at Oyster Bay, Long Island, which the men fortified. "The situation was extremely well calculated to secure the health of the soldiery; the water was excellent; there were plently of vegetables and oysters to join with their salt provisions, and bathing did not a little contribute to render them in high order for the field." They passed the winter in drilling, and were exercised particularly in rapid movements, bayonet charges, and occupying ground. Simcoe always laid great stress upon the efficiency of his men at close quarters; he held "that the British soldier, who fixes with his eye the attention of his opponents, and at the same instant pushes with his bayonet without looking down on its point, is certain of conquest."

It may be here remarked that one of the greatest pleasures to be derived from a perusal of the "Military Journal" arises from the contrast that

may be drawn between present methods of warfare and those followed at the close of the last century.

On May 18th the Rangers, "in great health and activity," left Oyster Bay and proceeded to Kingsbridge and formed the advance of the right column of the army. The summer was spent in skirmishing and attempts to engage or ambuscade the patrols of the enemy, but no encounter of any importance took place. On October 24th the corps embarked as if for service in Jamaica, but was relanded and marched to relieve a regiment at Richmond, Staten Island. While here Simcoe formed the scheme of destroying the flat-boats that the enemy had collected at Van Vactor's Bridge. He planned the expedition with his customary care, and, but for delays and certain happenings which could not have been foreseen, it would have been brilliantly successful. Eighteen new boats were burned, prisoners were taken, and forage destroyed. The intention was to reach headquarters at Kingsbridge by way of New Brunswick and to lead the enemy into an ambush prepared for them at South River Bridge.

The latter part of the plan failed completely. News of the expedition had spread like fire and the country was roused. As Simcoe's party approached New Brunswick it fell into an ambush. Simcoe "saw some men concealed behind logs and bushes and heard the words 'Now, now!' and found himself when he recovered his senses prisoner with the

enemy, his horse being killed with five bullets, and himself stunned by the violence of the fall." As he lay thus a lad was prevented from bayoneting him, and for a while his life was in imminent danger. When he regained his senses he had to face for some days the fury of the people in that locality on account of the killing of Captain Vorhees by one of the Rangers. He remained at New Brunswick until October 28th when he was removed to Bordentown on parole. Here he enjoyed some liberty until the treatment he received from the inhabitants led him to confine himself to his quarters. Early in November he was removed to the common jail at Burlington, and was in the end confined in the felons' room in retaliation for the imprisonment of two Americans, one of whom had killed a Loyalist. Simcoe was held by the authorities of New Jersey. He endeavoured to arrange an exchange, and as his confinement grew unbearable he made a desperate plan of escape and would doubtless have carried it out had not a letter to Washington gained him his release.

On the last day of December Simcoe returned to Staten Island and joined his corps at Richmond. The winter passed with but one alarm, that of an attempt of Lord Stirling's upon Staten Island, which was unproductive of any result. Simcoe, ever active in executing stratagems and forays, was deeply engaged in a plan to carry off Washington, who, according to rumour, was quartered at some

distance from his army or any portion of it. But he did not lead the enterprise; it was entrusted to Captain Beckwith, who had formed a similar scheme which failed.

The summer and autumn of 1780 did not produce any action of importance. Simcoe's health had begun to show the results of his four years of constant service, with its wounds and innumerable fatigues. On December 11th, 1780, the Rangers embarked on an expedition to Virginia under command of Benedict Arnold. It is related in Dunlop's "History of New York" that Simcoe held a "dormant commission" during this expedition and that if he had any cause to suspect Arnold he was to supersede him. The story is likely founded on rumour; the fact is nowhere mentioned by Simcoe. He says simply that he was directed by the commander-in-chief "to communicate with him and to give him such information from time to time as he thought might be for the good of the service while he was under the command of General Arnold."

During the campaign that followed, the Rangers rendered greater service than ever before. Capturing stores, and destroying posts, harassing the enemy by night and by day, they were never at rest. Their life was full of excitement and peril. It was warfare in which each man had to depend on himself and where individual bravery was so common as to pass without special notice. In a narrative of one of the forays Simcoe draws this picture: "After the party

had advanced a mile, an artilleryman, who had escaped and lay hid in the bushes, came out and informed him that Lieutenant Rynd lay not far off. Lieutenant-Colonel Simcoe found him dreadfully mangled and mortally wounded; he sent for an ox-cart from a neighbouring farm, on which the unfortunate young gentleman was placed; the rain continued in a violent manner, which precluded all pursuit of the enemy; it now grew more tempestuous, and ended in a perfect hurricane, accompanied by incessant lightning. This small party slowly moved back toward Herbert's Ferry. It was with difficulty that the drivers and attendants on the cart could find their way; the soldiers marched on with their bayonets fixed, linked in ranks together covering the road. The creaking of the wagon and the groans of the youth added to the horror of the night; the road was no longer to be traced when it quitted the woods, and it was a great satisfaction that a flash of lightning, which glared among the ruins of Norfolk, disclosed Herbert's house. Here a boat was procured which conveyed the unhappy youth to the hospital ship, where he died the next day; Lieutenant-Colonel Simcoe barricaded the house in which he passed the night."

On June 2nd, 1781, the Queen's Rangers were dispatched against Baron Stuben, who was guarding large and valuable stores at the Point of Fork, the head of James River. The corps was supported by two hundred rank and file of the 71st Regiment.

AT SPENCER'S ORDINARY

Owing to the incessant marches and distance from their stores the footgear of the Rangers was so worn that fifty men were barefooted, but when they were called to attack the Prussian who had turned the continental troops into an efficient army, not one would fall to the rear. The pages of the "Military Journal" give the strategy of the movement with the usual particularity. The plans were well laid and carefully executed, and the baron was ill-informed as to the force moving against him. When half a hundred men would have effectually protected the stores he fled, as he thought, from the army of Cornwallis. The threadbare corps fell upon the rich prize, appropriated whatever linen and clothing was of immediate service, broached the rum casks, rolled the powder kegs into the Fluvanna, and set fire to piles of arms, tools, wagons, and miscellaneous equipment.

The most notable exploit of Simcoe and his Rangers was the engagement at Spencer's Ordinary on June 26th, 1781. This action Simcoe himself considered "the climax of a campaign of five years, the result of true discipline acquired in that space by unremitted diligence, toil and danger, an honourable victory earned by veteran intrepidity."

The action resulted from an expedition directed by Cornwallis to destroy a quantity of stores and some boats that had been brought together by the Federal troops on the Chickahominy. The end was attained but upon his return Simcoe found himself

in opposition to a force under Butler of the Pennsylvania line which had been sent by Lafayette to intercept him. A sharp action followed but Butler was beaten back and the Queen's Rangers returned to their quarters flushed with success.

The commander-in-chief specially distinguished Lieutenant-Colonel Simcoe and the Rangers in the public orders at Williamsburg on June 28th, "for their spirited and judicious conduct in the action of the twenty-sixth instant when he repulsed and defeated so superior a force of the enemy."

On August 12th, 1781, the Rangers were stationed at Gloucester "to cover the foraging in front of that post," and before long they were reinforced by Lieutenant-Colonel Tarleton and his cavalry. With their old spirit the Rangers continued their operations, but they were reduced in numbers, and those that remained were "shattered in constitution." Simcoe himself, in his twenty-ninth year, was broken down by continuous fatigue, wounds, and exposure. The command of the post at Gloucester he was compelled at length to resign to Tarleton, but not before he had made a valiant fight to maintain it, being once, at least, carried from his bed to his horse to inspire the men with his presence and example.

But however indomitable the valiant Simcoe and his handful of brave fellows might be in their minor undertakings, a larger strategy was shaping events. On August 31st the French fleet appeared at the

mouth of the York River. Every day after that the situation grew more hopeless until on October 17th Cornwallis flew the white flag. Simcoe, anxious for the safety of the Loyalists who had fought with the Rangers under his command, requested Cornwallis to allow him to endeavour to escape with them through Maryland. But he decided that the whole of the army should share one fate, and on October 19th with their comrades, the three hundred and twenty men of the Queen's Rangers laid down their arms. Simcoe was not likely present at the surrender for he was still in a dangerous state of health, and was sent on the *Bonetta* to New York in company with the Loyalists. Thence he sailed to England on parole.

This closed his active military career. He was promoted and received honour and distinction, but he was never again to employ his undoubted genius on the field in fighting the battles of his beloved king and country.

CHAPTER IV

BEFORE UPPER CANADA: 1781 TO 1791

SIMCOE returned to England, his health broken by the hardships he had undergone and his spirit unstrung by the failures and defeats that he had done his utmost to avoid. His arrival in England did not go unnoticed. The king had observed the service of one of his youngest officers, and Lord Germain had written to Sir Henry Clinton when it was supposed that Simcoe had been killed: "I should be glad he had been in a situation to be informed that his spirited conduct had been approved of by the king." Now on December 19th, 1781, His Majesty conferred upon him the rank of lieutenant-colonel in the army, which rank he had before only held nominally. After his departure the Queen's Rangers fell under the displeasure of Sir Guy Carleton, who had succeeded Sir Henry Clinton in command of the army, and the promotions were not allowed to go in the corps. But through the influence of Sir Henry Clinton, on December 25th, 1782, the rank of all officers in the regiment was made universally permanent and it was placed on the roster of the British army. At the close of the war the corps was disbanded and many of the men chose to settle in Nova Scotia, where lands were granted them.

During the years immediately following his arrival in England, Simcoe rested and endeavoured to win back his strength. The family estate, Wolford Lodge, in the county of Devon, beautifully situated, surrounded by a park-like and peaceful country, gave him the needed change from the rigorous climate to which he had been exposed, and the well-ordered life of an English gentleman soon repaired the havocs of camp-life. But while he rested he was still active in his interest in public affairs, and was not lost sight of by the government.

On December 30th, 1782, he was married to Elizabeth Posthuma, only daughter of Colonel Thomas Gwillim, of Old Court, Herefordshire. His wife was her father's only daughter and heir. The Gwillim family is very honourable, and traces its source in a direct line to the ancient kings of North and South Wales and the celebrated Herald Gwillim. Colonel Gwillim, the father of Elizabeth Posthuma, had been aide-de-camp to General Wolfe, which fact proves his worth as an officer. Lieutenant-Colonel Simcoe and his wife were distantly related through a mutual relationship with the wife of Admiral Graves, closer upon Miss Gwillim's side. She was handsome in person, of an artistic temperament, cultivated and refined, in manner gentle and retiring. Simcoe was, in contrast, lively and energetic, with social qualities which made him eminent either as guest or host. His round, amiable face shows to less advantage in

his portraits than when in life it was lit by his small but vivacious eyes and his friendly, engaging smile. The young couple spent the first years of their wedded life between Wolford Lodge and London, where Simcoe began to be called more frequently in consultation by the military authorities upon special subjects upon which his experience made his opinion of value. It was seen that he inherited his father's clearsightedness and his lucidity of statement.

On January 14th, 1783, his exchange was signed at Passy by Benjamin Franklin, and Simcoe was released from his parole. He was again free to engage in active service but no occasion offered. The administration and improvement of his estate took up the greater part of his time. In general study and in the composition of the "Military Journal" he found the intellectual employment which recreated his mind. A few verses of his have been preserved which discover his vein of natural sentiment if not any remarkable poetic gifts. There is a long piece in four-line stanzas entitled "Clementina," which proves that he knew by heart the "Elegy Written in a Country Churchyard." In rhymed couplets he has celebrated an encounter in the Revolutionary War in which the disastrous effect of a bullet upon the Highland bagpipes, and, therefore, upon the spirit of the corps, is described. His most successful essay in verse may here be quoted:—

JOHN GRAVES SIMCOE

"FRAGMENT" [1]

I

"Fancy ! to thee belongs the coming day !
Adorn it with thy Trophies ! with such flow'rs
As late o'er Wolfe were spread, while his cold clay
Britannia, weeping, in yon fane embow'rs.
Brave youth ! for thee pure Glory framed the wreath,
Not of those tints which fade before the noon,
But of that sober cast, that hue of Death,
True Amaranth, the dying Patriot's boon.
Blest be thy memory and rest in peace !
O may my soul be firm as thine, to meet
Dangers, which skill may lay and which shall cease,
Broke like the wave that bathes the proud rock's feet.
Eliza ! thou my triumphs still shall share ;
Fancy and Hope thy sufferings shall bear,
And crown with twofold joy each fond suspended care.

II

" Hope ! to the sunbeam stretch thy rosebud wreath,
And raise thy mild and all encheering eye,
Piercing beyond the dark domain of Death
To the bright confines of futurity.
Point thou the course of Glory ! Valour rears
For her his veteran spear ; her, Vengeance calls ;
Bid her resume the deeds of former years,
And plant Britannia's colours on those walls !
Then to this land returning Age shall pay.
Hope ! ample tribute to thy guardian power,
And with true science graceful shall delay
Youth's list'ning ear from Pleasure's wanton bower ;
Illume to acts of worth the manly train,
And bid, from thine and Fancy's sacred strain,
New Wolfes in arms arise, and Essex live again !

III

" Hope ! who with smiling and commanding air
Hast thrown thine eaglet to the sky,

[1] The author is indebted for these verses to Colonel S. H. P. Graves, of the Indian Army.

And bid him soar, with steadfast eye,
To claim Jove's thunder, and to bear
His high behests with forward wing;
And thou, bright Fancy! powerful to fling
Thy radiant eyebeams thro' the depths of space,
And there, with keenest energy, to trace
Whatever cold oblivion, with her veil,
Dark mental night, malignant, would conceal,
Receive me, hallowed pair! and bid my rhyme
Disclose the secrets of revolving time.

IV

"Essex! (ye Muses bless his name!) thy flight
Nor shall mischance nor envious clouds obscure!
Thou the bold Eaglet, whose superior height,
While Cadiz towers, forever shall endure.
O, if again Hope prompts the daring song,
And Fancy stamps it with the mark of truth,
O, if again Britannia's coasts should throng
With such heroic and determined youth,
Be mine to raise her standards on that height,
Where thou, great Chief! thy envied trophies bore!
Be mine to snatch from abject Spain the state,
Which, in her mid-day pride, thy valour tore!
And oh! to crown my triumph, tho' no Queen,
Cold politician, frown on my return,
Sweetly adorning the domestic scene,
Shall my Eliza with true passion burn,
Or smile, amid her grief, at Fame, who hovers o'er my urn!"

It was not possible that a man so gifted for public life, with such ardour for the improvement of domestic and colonial government, could long remain out of politics. It is probable that the party managers had marked him for nomination as a man likely to strengthen their hands in the House; and it is certain that if Simcoe had resolved upon a political career his native persistence would urge his

claim to recognition. He was elected member for St. Maw's, Cornwall, as colleague with Sir William Young, Bart., and took his seat in the parliament which assembled on November 25th, 1790. His parliamentary career was short, and its most active period was during the passage of the Constitutional Act, in the spring of 1791. The only speech of Simcoe's which was considered worthy of preservation in the parliamentary history of England was delivered on December 23rd, 1790, in committee to consider the state in which the impeachment of Warren Hastings was left at the dissolution of the last parliament. It escaped the general oblivion into which so much of the parliamentary discussion of that period has happily descended because it was, in effect, an attack upon Burke, and gave him an opportunity for personal defence and explanation.

Simcoe's political career ended with the passage of the Canada Act, and it is probable that he was at once appointed lieutenant-governor of Upper Canada. Since the year 1789 his name had been connected with this office. On December 3rd of that year he writes to his friend Nepean: "Should Canada act upon the wise, enlarged, and just plan of annihilating at once every vestige of military government in her native colonies and undermining by degrees the miserable feudal system of old Canada . . . . too firmly established by a sacred capitulation to be openly got rid of, I should be

happy to consecrate myself to the service of Great Britain in that country in preference to any situation of whatever emolument or dignity." Thus he offered himself for the position, and very soon his name became connected with it, if not in a public way, yet in the way in which confidential servants and friends of government trade secrets over their wine, for Haldimand makes an entry in his diary under July 12th, 1790, that his host Davison "gave me further confidences, by telling me that Colonel Simpko was appointed to the new government."

Early in February of 1791 he took up the responsibilities, if not the actual duties of his office. In his very first recommendation to the government, he points out the necessity for a military force which would operate in opening colonization roads, and to the last he viewed the province from a military standpoint. With his customary energy he dwells during this correspondence with Grenville and Dundas upon every point which he considers of importance to the well-being and improvement of the colony. His earliest demands not being met promptly, he states that unless his views are approved of he will have to decline the office. Dundas writes a mollifying letter and states that he hopes to have the question soon settled.

On August 3rd he writes to Grenville that he presumes that in Upper Canada he shall be subject only to the military authority of Dorchester. Thus

early may be observed the desire to consider himself free from authority, and to be the absolute master in his own domain. His salary was to be £2,000 a year, and in this letter he states that he looks "rather to future promotion than to present emoluments," and offers to give up £500 a year if a bishop "is withheld on account of the expense."

On August 12th, as he expects that the detail of the government for Upper Canada will be fixed the next day, he writes Dundas giving a summary of the arrangements that he would like to see carried out. He places them in the following order :— (1) The Episcopal establishment; (2) military establishments; (3) a company of artificers; (4, 5) independent companies; (6) deputy quartermaster-general; (7) legal appointments; (8) executive council; (9) the appointment of Mr. W. Jarvis to be secretary and clerk of the council; (10) a printer who might also be postmaster; (11) Mr. Russell to be collector of customs, auditor, and receiver-general; (12) surveyor-general; (13) provision for settlers; (14) a constant supply of government stores; (15) the supply of tools and materials to be disposed of to settlers at cost price; (16) a supply of copper coinage; (17) books for the foundation of a public library. Amongst the objects that "may be worth the attention of the new settlers in Upper Canada" he noted :—(1) Growing hemp and flax; (2) supplying the Indian markets with rum from parsnips; (3) discovering the best situations for iron forges;

(4) making salt at the salt springs in the high countries.

During all these negotiations, harassed by severe indisposition, he was busy preparing his own establishment, for his wife and family were to accompany him. He induced Captain Stevenson to go with him to Quebec to act as protector to his family in case of accident to himself. His official staff was, on September 30th, estimated as follows:

Major of brigade, Captain Edward Baker Littlehales, £172 17s. 6d.; commissary of stores and provisions, Captain John McGill, £172 17s. 6d.; chaplain, Rev. Edward Drewe, £115 5s. 0d.; surgeon, John McAulay, £172 17s. 6d.; fort major, Eustache Robert Eyre, £86 8s. 9d.; barrack-master, Justic Wright, £69 3s. 0d., making a total of £789 9s. 3d.

On September 21st he set sail from Weymouth in the *Triton*. The ocean passage was uneventful, but very stormy weather was encountered in the Gulf. Early on the morning of November 11th he arrived in the harbour of Quebec. He was the bearer of the several commissions, Sir Alured Clarke's as lieutenant-governor of Lower Canada, and Sir John Johnson's as superintendent-general of Indian affairs. He also delivered the king's letter to Prince Edward, the Duke of Kent, father of Queen Victoria, who was in Quebec in command of the 7th Fusiliers. Out of consideration for the prince, whose rank was only that of colonel, Simcoe, al-

ways a courtier and particular to a degree in all matters of military etiquette, had refused to take rank over him as brigadier.

From the date of his arrival until early in June, Simcoe was in the anomalous position of being in authority in name only. Virtually he was lieutenant-governor of Upper Canada and commander of His Majesty's forces in the province, but in reality he could not remit a fine or issue a regimental order. He had no military authority until the arrival of the troops he was to command, and he could assume no civil power until a majority of the legislative council was present to administer the oaths. Four members of this body had been appointed in England, but only one was at that time in Canada, Alexander Grant. Until the proclamation dividing the province was issued, Sir Alured Clarke was acting governor. The moment that instrument was issued he became lieutenant-governor of Lower Canada, and could have no civil control in the sister province. Simcoe laid these facts before the government and recommended the appointment of additional councillors resident in Canada. The proclamation was issued on November 18th, 1791, and the division of the province was decreed to take place upon December 26th following. The Quebec *Gazette* of December 1st, 1791, contained the proclamation and the full text of the Act.

It was necessary that the administration of justice should continue without intermission. Sir Alured

Clarke, properly sworn as lieutenant-governor of Lower Canada, continued by proclamation the powers of the judiciary, but Simcoe had not like power. If Judge Powell had pressed the desirability of a similar proclamation for Upper Canada the courts might have been temporarily suspended, but he did not do so and the administration of justice proceeded while as yet there was no civil authority in the province.

The term of uncertainty was ended early in June by the arrival of two legislative councillors, Osgoode and Russell, who with Grant formed a quorum. The governor's military authority had been established a few days earlier by the arrival at Quebec of the *Betsy and John* on May 28th, with the first division of the Queen's Rangers; the second division arrived on June 11th.

Simcoe had chafed at the long delay. He was inactive when before him lay a thousand plans to be carried out. He made what uses he could of the primitive arrangements for the interchange of letters. The winter, the spring, and a few weeks of the summer passed without any great accomplishment. The slowness of sailing transports and canoes gave time only for the exchange of a few dispatches. As soon as he was released from his trying position, he left Quebec for the seat of his government. His journey was made in *bateaux* and canoes, under sail where the broad waters and favourable winds would admit, rowed by resolute

arms where the currents were swift, and tracked up the rapids where no other method could make head against the raging water. He reached Montreal on June 17th, remained there until the twenty-second, and arrived at Kingston on July 1st. Kingston he left on July 24th, and on the twenty-sixth of that month he saw for the first time the bluff at the mouth of Niagara River, the walls of Fort Niagara and the group of buildings on the north bank which were to be for many months the scene of his activities.

CHAPTER V

"PIONEERS, O PIONEERS!"

IN 1782 Upper Canada was a wilderness of forest. Here and there had the axe notched the shore with clearances for forts or blockhouses. At Cataraqui stood the barracks on the site of old Fort Frontenac; Fort Niagara guarded the entrance of the river; Fort Erie protected its blockhouses with palisades; Detroit remained the most important post to the westward. Around these military posts there had been just sufficient cultivation to supply the officers' mess with vegetables, and the table of the privates with the necessary relief from a course of salt pork. But the country had never been thought of as a field for colonization until the British government was compelled to turn its attention to the task of providing homes for the Loyalists who had fled to England from New York with Carleton, or who were trooping into Quebec from the south by way of Lake Champlain and the Richelieu. When Carleton evacuated New York he took upwards of forty thousand souls, his army and refugee Loyalists, to England. Despite the irritation of congress at delay and the constant pressure of his own government, the general refused to leave the city until every Loyalist

who wished to accompany him had been provided for. The experience of those who were unfortunate enough to be left behind proved that his estimate of the importance of removing the men who had fought, and the women and children who had suffered, for the loyal cause was not extravagant. Disaster and personal loss had often visited those of the conquering party, and the events were too near, their memory was burned too deeply, to admit of clear sight, or of mercy after victory. To have left the Loyalists in New York, the great stronghold of the cause, would have been to abandon them to the lawlessness of partizan spirit. Many were so abandoned, of necessity, throughout the country, and upon their sufferings in mind, body and estate, was the province of Upper Canada founded.

The Treaty of Paris attempted to provide for the protection of the Royalists and their property. The fourth, fifth, and sixth clauses of the treaty were as follows:—

"IV—It is agreed, that creditors on either side shall meet with no lawful impediment to the recovery of the full value in sterling money of all *bona fide* debts heretofore contracted.

"V—It is agreed, that the congress shall earnestly recommend it to the legislatures of the respective states to provide for the restitution of all estates, rights, and properties which have been confiscated, belonging to real British subjects, and also the

estates, rights, and properties of persons resident in districts in the possession of His Majesty's arms, and who have not borne arms against the said United States; and that persons of any other description shall have free liberty to go into any part or parts of any of the Thirteen United States, and therein to remain twelve months unmolested in their endeavours to obtain the restitution of such of their estates, rights, and properties as may have been confiscated; and that congress shall also earnestly recommend to the several states a reconsideration and revision of all Acts or laws regarding the premises, so as to render the said laws or Acts perfectly consistent, not only with justice and equity, but with the spirit of conciliation which, on the return of the blessings of peace, should universally prevail. And that congress should also earnestly recommend to the several states that the estates, rights, and properties of such last-mentioned persons shall be restored to them, they refunding to any person who may be now in possession of the *bona fide* price (where any has been given) which such persons may have paid on purchasing any of the said lands, rights or properties, since the confiscation.

"And it is agreed that all persons who have any interest in confiscated lands, either by debts, marriage settlements or otherwise, shall meet with no lawful impediment in the prosecution of their just rights.

"VI—That there shall be no future confiscation

made, nor any prosecutions commenced against any person or persons, for or by reason of the part which he or they may have taken in the present war; and that no person shall on that account suffer any future loss or damage either in his person, liberty or property, and that those who may be in confinement on such charges at the time of the ratification of the treaty in America, shall be immediately set at liberty and the prosecutions so commenced be discontinued."

The clauses might have been regarded as sufficiently clear in statement and just in intention to merit execution in their integrity by an honourable nation. But the United States was not yet a nation; there was no guiding national sentiment; even the separate states were ruled by faction, local interests and prejudices. The functions of congress were hardly comprehended by the mass of the population, and the will of the executive was powerless to cool this turbulent element just poured from the furnace of successful rebellion. There may have been in the minds of some of the leaders of congress the idea that the articles just quoted were written down in good faith and should be acted upon, and more surely there must have been in the minds of many fair and just men throughout the States the sentiment that confiscation and persecution were abominable and unrighteous. But these feelings could not prevail; they were overwhelmed, lost, strangled in the flood of bitter feeling which rolled against the

men who, like their opponents and persecutors, had but done what they conceived their duty.

In many of the states the action in direct contravention of the treaty was overt, and took the form of legislation designed to prevent the operation of the pacific clauses, to countenance the alienation of property, and to shackle the already overweighted Loyalist with new disabilities and penalties. Where the statute-book remained unsullied by these violent enactments, there was yet the body of private hate and greed and selfishness to be reckoned with. In society and communities there was ever present that immense pressure of disapproval, that frown combined of hatred and suspicion under which no man could long live and breathe freely. No property was ever recovered except by stealth, and no debt was anywhere collected save through the rare personal honour of the debtor.

While these things continued, Great Britain kept her grasp on Oswego, Detroit, Niagara and Michilimackinac, the posts which dominated the western country. Thus her treaty obligations were unfulfilled, and, while acting with firmness towards the power that had shown willingness to make fair contracts but inability to carry them out, she gave her protection and assistance to her faithful people. Claims for losses were paid to the enormous amount of $18,912,294, and those who had taken refuge in the province of Quebec were provided with food and shelter.

The first refugees arrived before the war had ceased, the men were frequently drafted into the provincial regiments, the women and children were maintained at Machiche, St. Johns, Chambly, Sorel and other points at which they arrived naturally upon the termination of their journey. This influx continued up to 1790, and consisted of those who had suffered the more actively for the royal cause. There was at Niagara also a considerable number of refugees who sought the protection of the garrison and who began early settlement of the shores of Lake Ontario. After the year 1790 began the immigration of those who were loyal at heart and welcomed the opportunity of settlement again under the British flag, free from the contempt of their republican neighbours and the political servitude in which they lived. Simcoe, by his proclamation of free grants of land, created what would, in these days, be called a "boom," and the morals and principles of some of the settlers looked strangely like those of the ordinary land-grabber and speculator. But every one was a Royalist to his ardent mind.

A quotation from the Duke de la Rochefoucauld, a shrewd but not altogether unprejudiced observer, may be made to show the spirit with which Simcoe received emigrants in his day. "We met in this excursion an American family who, with some oxen, cows, and sheep, were emigrating to Canada. 'We come,' said they, 'to the gover-

nor,' whom they did not know, 'to see whether he will give us land.' 'Aye, aye,' the governor replied, 'you are tired of the federal government; you like not any longer to have so many kings; you wish again for your old father' (it is thus the governor calls the British monarch when he speaks with Americans); 'you are perfectly right; come along, we love such good Royalists as you are, we will give you land.'" This was in 1795, and there is truth in the insinuation that all emigrants were not Loyalists. Writing only four years after the duke, Mr. Richard Cartwright states pointedly that "it has so happened that a great portion of the population of that part of the province which extends from the head of the Bay of Kenty upwards is composed of persons who have evidently no claim to the appellation of Loyalists."

At one extreme we have the governor who thought that every American who touched the soil of Upper Canada was cleansed from his republicanism, and at the other the legislative councillor who could only see loyalty in those of the first immigration. A mean of truth might be established between them by deciding that these later arrivals were not partizans either of one side or the other, and that they chose, not altogether from selfish motives, to throw in their lot with the king. Even Mr. Cartwright could not gainsay that they were good settlers and possessed "resources in themselves which other people are usually

strangers to." While their loyalty was, may be, lukewarm, the oath of allegiance presented no terrors; they took it calmly and their descendants are now so staunchly loyal that they have forgotten that their British sentiment, perhaps, began with kissing a magistrate's Bible. The Loyalists who, after Simcoe's arrival, came from England, had not the pioneer virtues possessed by the New World settlers. They are described by Cartwright as "idle and profligate," and notwithstanding their aid from government, their rations, their implements, their household utensils, they failed to take root in the country, and disappeared or became paupers and vagrants.

In the summer of 1782 there were sixteen families, comprising ninety-three persons, settled at Niagara. They had two hundred and thirty-six acres under cultivation, and had harvested eleven hundred and seventy-eight bushels of grain and six hundred and thirty of potatoes. The erection of a saw and grist-mill upon the farm of Peter Secord, one of these pioneers, was contemplated. These sixteen families were supporting themselves with the assistance of rations granted by the government, and they are the first settlers of Upper Canada.

The first refugee Loyalists arrived in the eastern district in the summer of 1784 and took up land upon the St. Lawrence below Cataraqui, at that place, and upon the shores of the Bay of

Quinté.[1] They were all poorly equipped to gain their subsistence from the forest-covered domain which had been granted them. Soldiers and Loyalists alike had but the clothing upon their backs. When a family had a few chairs or a table, saved somehow from the ruin of their homesteads, guarded and transported with care and labour out of all proportion to the value of the articles, they were affluent amid the general destitution. The pioneer in our day can suffer no such isolation, and cannot endure like hardships. All civilization rushes to help him. He has only to break through the fringe of forest that surrounds him and he finds a storehouse of all the world's goods necessary for him at his command. By his fire he may read of the last month's revolutions, or the triumphs of peace in the uttermost parts of the earth. Whatever he touches in his cabin of rough logs may remind him of his comradeship with all the other producers of the globe, and every kernel of grain that he grows and

[1] According to a return made in 1784, signed by Sir John Johnson, these settlers consisted of the following bands: The 1st Battalion King's Royal Regiment, New York, settled on townships 1 to 5, 1,462; part of Jessup's corps on 6, 7, and part of 8, 495; the 2nd Battalion King's Royal Regiment, New York, on 3 and 4, Cataraqui, 310; Captain Grant's party on 1, Cataraqui, 187; part of Jessup's corps on 2, Cataraqui, 434; Major Rogers' corps on 3, Cataraqui, 299; Major Van Alstine's party of Loyalists on 4, Cataraqui, 258; different detachments of disbanded regulars on 5, Cataraqui, 259; detachment of Germans with Baron Reitzenstein on 5, Cataraqui, 44; Rangers of the Six Nation Department and Loyalists settled with the Mohawk Indians at the Bay of Quinté, 28. Total: 1,568 men, 626 women, 1,492 children, 90 servants = 3,776.

every spare-rib that he fattens goes to swell the food-wealth of the world. For the pioneers of 1784 it was strife for bare subsistence; they were as isolated as castaways on a desert island who had saved part of the ship's stores and tools.

The government gave them a little flour and pork and a few hoes and axes, and with these they were to dispossess those ancient tenants who had for ages held undisputed possession.[1] They drew lots for their lands. The lucky ones obtained the farms near the posts or where some advantage of water, springs, groves, or soil made the situation desirable. When they were located began the great work of providing shelter. While the trees were felled and the rude hut was taking shape, the family slept under the stars upon the ground, huddled together for warmth or protection from the dew and rain. Blankets they had none; their clothes were tattered, and as the chill nights of September came upon them, thus exposed, they suffered from cold. With dull axes, which they could not sharpen, they made their clearances, and when they were made they had no seed, or but a handful, to

[1] The later arrivals received the following tools and implements, but the earliest settlers were aided only by the issue of the most necessary articles, made for them usually by the artificers of the regiments at Quebec and elsewhere. To every six families, one cross-cut saw; to every family, one hand saw, one hammer, two gimblets, ninety pounds of nails assorted, one set of door-hinges, one axe, one mattock, one spade, one scythe, one sickle, one set plough-irons, one set harrow-irons, one broad-axe, two augers, two chisels, one gouge, one drawing knife, one camp kettle.

sow between the stumps upon the rich loam which was ready to yield them an hundred-fold. Their single implement was the hoe with which they chopped roots, turned the soil, covered the little seed. With toil in the clear air they sharpened hunger that could not be assuaged from the small supply of food which they were compelled to hoard against the length of the winter. Their staples were flour and pork, but to these could be added fish, that were in such plenty that a hooked stick was all that was required to take them from the streams, and wild fowl that could be captured with the most primitive snare.

They faced all the harshness of life in the wilderness except the hostility of the Indians. These first Upper Canadian settlers never turned their cabins into blockhouses, never primed their guns and stood alert at the loopholes "while shrill sprang through the dreaming hamlet on the hill, the war cry of the triumphant Iroquois." The savages who surrounded them were refugees like themselves, allies who had fought with the disbanded regiments and now, side by side, had turned them to the peaceful employments which were alike strange and untoward to the wielders of the tomahawk and the bearers of the rifle. Only upon occasion, maddened with rum for which they had bartered their treaty presents, did they drive off and kill the precious cattle and frighten the women and children when the men were at the post for

rations. The normal attitude of the Indian to the settler was one of friendliness. In his possession he held the wisdom produced by centuries of conflict with the conditions that faced the pioneer. And when the rewards that he might look for were small he taught him to take fish without hooks or bait, to prepare skins without the tanner's vat, to make delicious sugar from the sap of the maple, to snare rabbits, to build canoes. He brought to the cabin door venison and dishes of birch-bark, and pointed out nuts and roots that were edible and nutritious.

The government, observant of this friendliness that made the work of colonization so much easier, rewarded the Indians in many ways by gifts and privileges. The Mississaugas, who held the lands about Kingston and the lower end of the lake, received, on October 19th, 1787, a special grant of £2,000, York currency, in goods, as a reward for giving aid in their country to the Loyalists.

The winter of 1785 found these earliest settlers for the most part prepared to withstand its rigours. Their little log huts were reared in the middle of the clearings supported by immense chimneys of rough stones, which opened in the dwarf interiors fireplaces nearly as large as one side of the enclosure. The chinks in the logs were stuffed with moss and clay, and the stones were cemented by nothing stronger than the soil from which they had been gathered. Night and day they kept fires roaring on

the hearths. The precincts gradually widened in the snow as trees fell under the axe, and the interior of the cabins began to take on an air of rude comfort as, one by one, rough articles of furniture were knocked together by the light of the fire. The enforced stinting of the coarse, wholesome food, the splendid purity of the air, the sweeping ventilation of the little living-room kept clear by the sweet flame of maple and birch, the invigorating labour with axes amongst the resinous pine and the firm-trunked hard woods gave health and strong sleep, and happy hearts followed.

In the spring when the fall wheat began to show in a shimmer of green rising about the stumps equally over all inequalities of the ground, springing up gladly, renewing itself with a bright joy in the virgin earth, the labourers saw the first of hundreds of springtimes that were to gladden Ontario. These first blades of wheat, making patches of green where the axes had cleft the forest for sunshine and rain, were flags of hope unfurled for the women and children. It ripened, this virgin grain, breast high, strong-headed, crammed with the force of unwearied soil and sweeping sunshine. When hands gathered it, and threshed it, and winnowed it, it was crushed in the hollow scooped in a hardwood stump—a rude mortar. And if the swords of the old soldiers had not actually become plowshares or their spears pruning-hooks, at least their cannon balls were frequently

made into pestles and, suspended by cords from the end of a pole which was balanced like a well-sweep, pounded grain peacefully into coarse and wholesome flour.

And while the grain waxed plump and ripened, the women, with resourceful energy, sought to improve the conditions of life. In most cases they had saved the seed which produced the first harvest, now they endeavoured to clothe their families, learned the Indian tanning, spun thread from the fibres of the basswood bark, and made clothing of deerskin, trousers and smocks and petticoats, that would withstand for years the rough usage of a frontier life. Stockings were unknown; at first the children frequently spent the whole of the winter months indoors for lack of the necessary foot-covering. When it became possible to obtain leather every man was shoe-maker to his own family, and produced amorphous but comfortable boots. Looking forward to the raising of wool, flax, and hemp, hand-looms were fashioned in the winter and spinning-wheels, and when the materials were at hand the women learned to spin and weave, and linsey-woolsey took the place of buckskin. When the proper materials were not at hand blankets were made from anything that could be found, for instance, "hair picked out of the tanner's vat and a hemp-like weed growing in the yard." A common knife and a little invention filled the housewife's shelves with many a small article that

made keeping the house easier—uncouth basswood trenchers, spoons, and two-pronged forks whittled from hard maple, and bowls done out of elm knots. The steady progress of the colony received but one serious check. The "hungry year" came with its dearth and its privation.

After three years of toil some slight degree of comfort had been reached, but in the summer of 1787 disaster fell upon them. The harvest was a failure. During the winter that followed there was dire suffering. They lived upon whatever they could find in the woods. They killed and ate their few cattle, their dogs, their horses. The government could not cope with such wide and far-reaching destitution, and the people were thrown upon their own resources. The story of the circulation of the beef bones among neighbouring families to give flavour to the thin bran soup is familiar. They lived on nuts and roots, on anything from which nourishment could be extracted. When the early summer brought up the grain they boiled the green, half-filled ears and stalks, and as the year drew on distress gradually vanished and comfort and improvement marched on.

Transport and communication were difficult, the lakes and rivers were the natural carriage-ways; and bush-trails, a foot or two wide, blazed at every turn led from one clearance to another. But despite these obstacles the people were sociable and helpful. Their interests were alike, their sufferings had been

similar, and common difficulties drew them together. They passed on the knowledge of small, but to them important, discoveries in domestic processes and economies. The invention of one became common property. No man endeavoured to conceal his discovery of the best way to extract stumps or mount a potash-kettle, to build a bake oven, or to shape felloes. Every woman gave away her improvements in bread-making, in weaving, and in dyeing. They were like members of one family, and for good-fellowship and economy in labour they joined forces, and in "bees" the men raised barn-timbers and rooftrees, the women gathered around the quilting-frames and the spinning-wheels.

After labour there was mirth. The young men fought and wrestled and showed their prowess in many a forgotten game. The women made matches and handed on the news. There was dancing, good eating, and deep drinking. In the winter there were surprise parties and dances when the company came early and stayed for a day or two. But the weddings were the chief occasions for jollity and good fellowship. Before the year 1784 the ceremony was performed by the officer-in-command at the nearest post, or the adjutant of the regiment; afterwards, until the passage of the Marriage Act, by the justice of the peace for the district. The bride and groom with their attendants, sometimes on foot, sometimes on horseback, followed the trail through

the woods. If the journey were long they rested overnight at the house of some neighbour. They made as brave a show as possible, the bride decked out in calico, calamink, or linsey-woolsey, the bridegroom in his homespun. Or may be each in inherited garments of a more prosperous age, the bride in a white satin that had taken an ivory shade in its wanderings, the bridegroom in a broadcloth coat with brass buttons, knee breeches, and beaver hat. There was a fiddler always to be found, and no wedding was complete and perfect without a dance. Sometimes odd expedients were necessary to supply the ring, and there is record of one faithful pair that were married with the steel ring attached to an old pair of skates.

The chief messengers from the outside world were the itinerant preachers and the Yankee pedlars. They were the newsmongers who brought into the wilds word of the latest happenings, six months old: how Robespierre had cut off his king's head, how Black Dick had beaten the French, how Jay had made a treaty with King George, how the king's son was on the way to Niagara, how they were to have as a governor of their own, the fighting colonel of the Queen's Rangers, how a real French duke was at Kingston in the officers' quarters, how there was to be another war with the States. All the stray news from Albany or Quebec was talked over while the pedlar opened his pack of prints and gee-gaws, or before the preacher turned from these

worldly subjects to the one nearest his heart, the welfare of the eternal soul.

They were not greatly troubled with money; they made their own in effect, by trade and barter, or, in fact, by writing on small slips of paper that passed everywhere at their face value until that became indecipherable from soil or friction, when the last holders made fresh copies, and on they went with their message of trust and confidence. The earliest settlers had no means of producing wealth. Their markets were their own simple tables, their exports reached the next concession, or the nearest military post. Their first and chief source of ready money was the sale of potash, a crude product from hardwood ashes. In fact, not many years have passed since the disappearance of the V-shaped ash vat and the cumbrous potash kettle. Their next source of revenue was the provisioning of the troops, and in 1794 agriculture had so developed that the commissariat was in that year partly supplied from the provincial harvest. Then timber became the staple, and the whole of the exports—potash, grain, and pork—were freighted to Montreal on rafts. Cattle at first were scarce and hard to provide for. Some of the earliest settlers had cows and oxen at places in the States, that had to be driven hundreds of miles through the woods over paths slashed out for their passage. In the first settlement at Oswegatchie (Prescott) for a population of five hundred and ninety-seven there

were only six horses, eight oxen and eighteen cows. During the "hungry year" the first cattle were nearly all killed for food, but before long every farmer had his oxen and cows that ranged the woods as nimble as deer and picked up their living in the same fashion.

Saw and grist-mills were soon established. First at Niagara, then at Napanee, at Kingston, at York on the Humber, and gradually they were added to as the harvests became greater and the demand for flour and lumber more extensive. Taking the grist to mill was always the most important event of the year. By tedious and dangerous voyages along the lake shore in open boats or scows, the settler took his bags of grain that were precious as gold to him, and returned with his flour, less the toll exacted for grinding, fixed by law at one-twelfth. While he was away the women kept the houses, lying awake at night with the children sleeping around them, shivering at the howling of the wolves. Often were they alarmed by rumours of disaster and loss to the one who had gone forth "bearing his sheaves with him," but who doubtless "came again with rejoicing."

As time went by there grew up those distinctions and degrees which must inevitably develop in society that begins to be settled and secure. Governor Simcoe to the full extent of his power aided these divergences. He thought nothing would contribute so greatly to the solid, four-square loyalty of the

province as an aristocracy. This aristocracy he hoped to build out of the materials at his hand: half-pay officers, many of whom bore names that were honoured at home and whose traditions were those of good families and settled ways of life, the few leading merchants and landed proprietors who were the financiers and bankers of the colony. Upon these men fell the honours that Simcoe could recommend or bestow; they were the legislative councillors, the lieutenants of counties, the magistrates. They were the flower of the loyalty of the province, and from them he would have formed an aristocracy with hereditary titles, estates, coats-of-arms, permanent seats in the legislative council. From this eminence the people descended in degree through the professional classes, the farmers, the shopkeepers, to the substratum of the land-grabber and speculator, whose loyalty was tainted and whose motives and movements were imagined and observed with suspicion.

Upon even the humblest individual of the early immigration Simcoe desired to place some distinction that might make his stand for a united empire known to posterity.

At Lord Dorchester's instance a minute had been passed by the executive council of the province of Quebec on November 9th, 1789, directing the Land Boards of the different districts to register the names of those who had joined the royal standard in America before the Treaty of Separation of 1783.

But the Land Boards took but little interest in the matter, and Simcoe found the regulation a dead letter. He revived it by his proclamation dated at York on April 6th, 1796. This instrument directed the magistrates to ascertain under oath and register the names of such persons as were entitled to special distinction and land grants by reason of their cleaving to the king's cause in a troublous time. The next ensuing Michaelmas quarter sessions was the time set for the registration, and from this date began the designation of United Empire Loyalist.

Manners and customs were British of the same date, or colonial transplanted from the old provinces of the Crown. There can be no doubt that hard drinking was the great vice of the time, and it penetrated to Upper Canada and flourished there. To the garrisons of the posts rum was the only diversion, and the men drowned the feeling of intolerable *ennui* as often as they could in that fiery and potent liquor. When they were being transported from one point to another, even under the eyes of their officers they became intoxicated and remained so as long as the supply of liquor lasted. De la Rochefoucauld notes that, when Captain Parr and his detachment of the 60th Regiment were proceeding from Kingston to Montreal, "the soldiers were without exception as much intoxicated as I ever saw any in the French service. On the day of their departure they were scarcely able to row, which rendered our tour extremely tedious." The

comparison to the soldiers of his own country removes any suspicion of exaggeration. Again writing of his trip to Oswego from Kingston, he says: "The four soldiers, who composed our crew, were intoxicated to such a degree that the first day we scarcely made fifteen miles, though we sailed twelve of them."

The national vice was probably treated with lenity as an evil preferable to desertion. But the latter military iniquity was of the most common occurrence. It was an easy matter at Niagara, Detroit, or Oswego to leave the immense monotony, the hideous round of a life that was a sort of servitude without the saving circumstance of hard labour, and find freedom in the American states. Rewards were freely offered for the apprehension of deserters; the government offered eight dollars and the officers added another eight for their restoration to barracks. The Indians tracked them, hunted them down and captured them, when and how they could. The extreme penalty for desertion was death. This was the usual preliminary sentence, afterwards remitted to transportation for life at hard labour. Sometimes the first sentence was one thousand lashes that would be remitted to transportation. Only in one instance was the utmost rigour of the finding of a court-martial carried out "from the absolute necessity of a public example." It happened a few weeks more than a year after Simcoe's arrival at Niagara. Charles

Grisler, a private of the 5th Regiment had deserted while acting as night sentry over a few *bateaux* at Fort Erie. He was captured, court-martialed and shot kneeling on his coffin at Fort Niagara on October 29th, 1793.

An occasional sham fight, an alarm of war, bringing with it increased vigilance and perhaps a change of posts, labour upon some public road, vessel or fortification, these were the only relief to the hard barrack life with its interminable round of garrison duty under officers who for the most part paid no greater attention to their needs than if they were automata. They were rarely allowed to labour for settlers or for the townspeople of Niagara or Kingston, but sometimes their officers employed them at ninepence a day to clear land, make gardens, or improve their estates. It was a point of honour to carry out the code of dress and discipline as if the corps were at Portsmouth or London. We can imagine the detachment of the 24th Regiment under Major Campbell, that Simcoe stationed behind the palisade of Fort Miami, standing to arms in that utter wilderness in their scarlet coats with powdered hair and mitre-like helmets, every strap pipe-clayed, every button polished, every buckle pulled tight. De la Rochefoucauld draws a lively picture of a group of soldiers of the 5th Regiment dressing on board the *Onondaga* before their arrival at Kingston. He saw the soldiers "plastering their hair or, if they had none, their heads, with a

thick white mortar, which they laid on with a brush, and afterwards raked, like a garden-bed, with an iron comb; and then fastening on their heads a piece of wood, as large as the palm of the hand and shaped like the bottom of an artichoke, to make a *cadogan*, which they filled with the same white mortar, and *raked* in the same manner, as the rest of their head-dress." The duke moralizes, not upon the vanity of the soldiers, but upon the "forwardness of those who are ever ready to ridicule all manners and habits which are not their own."

A day or two before he had seen a crowd of Indians painted in glaring colours which they constantly freshened as they became dimmed with sweat. They are the one element of the population that I have not dwelt upon. The most important and numerous, the confederated tribes of the Six Nations, were settled on the Grand River upon lands set apart for them by Haldimand. In 1784, when other parts of the province were without schools or churches, they were supplied with both. Their church was adorned with crimson pulpit furniture and a service of solid silver, the gift of Queen Anne. These marks of civilization, the church and the school, had been given the tribe by the same government that allowed them to be debauched by rum. The savage nature was hardly hidden under the first, thinnest film of European customs. Scalps were hung up in their log huts, and arms

that had brained children upon their parents' door-stones were yet nervous with power.

Simcoe felt that their loyalty was but skin-deep, that it was governed by self-interest, and that at any time unless cajoled and blinded their cunning could be turned against their former allies. Brant he distrusted, his power he endeavoured to dissolve. His feeling upon the Indian situation was too intense, but in the savage nature he saw a real menace to the peace and prosperity of the colony. It should be remembered that at the time he governed there was a league between the Indians of the West and of Canada, that a concerted movement upon the new settlements would obliterate them as easily as a child wipes pictures from off his slate. His desire for London as a capital was principally that it would oppose a barrier between the Six Nations and the Western Indians. He used all the diplomacy, in the methods of the day, to satisfy them that it was to their interest to remain loyal to the king, and those methods were often no better than the rum bottle and the abuse of opponents in the plainest language. The officials who were appointed to protect them were often their darkest enemies, cheated them and confirmed them, by their example, in idleness and profligacy. Yet there was at the heart of these puerile negotiations, this control that seemed to be founded on debauchery and license, this alliance that was based on a childish system of presents, a principle that has been carried

out without cessation and with increased vigilance to the present day, the principle of the sacredness of treaty promises. Whatever had been once written down and signed by king and chief, both will be bound by, so long as "the sun shines and the water runs."

The Indian nature now seems like a fire that is waning, that is smouldering and dying away in ashes. In Simcoe's time it was full of force and heat. It was ready to break out at any moment in savage dances, in wild and desperate orgies in which ancient superstitions were involved with European ideas but dimly understood, and intensified by cunning imaginations inflamed with rum. Where stood clustered the wigwams and rude shelters of Brant's people now stretch the opulent fields of the township of Tuscarora; and all down the valley of the Grand River there is no visible line of demarcation between the farms tilled by the ancient allies in foray and ambush who have become confederates throughout a peaceful year in seed time and harvest.

These aborigines lend a lurid dash of colour to the romantic procession of the earliest inhabitants of Upper Canada. They file by and we watch and comment upon each group and character: the Indians with their wild cries, their tomahawks in one hand, a few green ears of maize in the other; the red-coated soldiers, tramping in their formal dress with their unwieldy accoutrements; the civil

officers in their wigs and silk tights; the merchants proud with the virgin gains of the new province; the settlers, clad in homespun, the staunch men with their well-made flails, the noble women, children at breast, with their distaffs; the priests of the first churches bearing the weight of the law and the promise; the trapper in his bonnet of mink nodding with squirrel tails, and blouse and leggings of deerskin; the circuit rider with his eye of fire, his tongue ready as a whip of scorpions; the explorer with the abstracted step and deep glance that looks with certitude upon lands and rivers that no man ever saw; and before them all the figure of the governor who was endeavouring by precept and example to mould their diverse elements into a nation that would meet and match his own lofty ideal of what the new western nation should be.

CHAPTER VI

THE LEGISLATURE

IT was at Kingston that the government of Upper Canada was organized. Simcoe, proceeding to Niagara, here met the members of the legislative council. Four had been appointed in England, William Osgoode, William Robertson, Peter Russell and Alexander Grant. Robertson did not come to Canada; shortly after his appointment he resigned, and his place was filled on June 21st, 1793, by the appointment of Æneas Shaw. The remaining members were John Munro, of Matilda; Richard Duncan, of Rapid Plat; James Baby, of Detroit; Richard Cartwright, jr., of Kingston; and Robert Hamilton, of Niagara. In the little church opposite the market-place the commissions were read and the oaths administered. It was on July 8th that Simcoe, surrounded by his councillors and in the presence of the handful of Loyalists who had left their clearings to welcome him, solemnly undertook to administer British principles under a constitution that he believed to be "the most excellent that was ever bestowed upon a colony."

Upon the following day Osgoode, Russell and Baby were sworn as executive councillors; Littlehales was appointed clerk of the council, Jarvis

secretary, and both took the oaths. On the eleventh Grant was sworn as executive councillor and took his seat. From the tenth to the fifteenth the council was engaged upon the division of the province into counties and ridings for electoral purposes. A session was held upon Sunday the fifteenth, so eager was the new council for the dispatch of business. The division based upon the militia returns was finished, and a proclamation was drawn up and issued on the sixteenth. This proclamation was afterwards printed for circulation by Fleury Mesplet in Montreal. The division into counties and the number of members in the assembly to which each riding was entitled together with the names[1] of the men who represented the ridings in the first parliament were as follows:—

FIRST PARLIAMENT OF UPPER CANADA, 1792-6.

Glengarry (2), John Macdonell (speaker), Hugh Macdonell; Stormont (1), Jeremiah French; Dundas (1), Alexander Campbell; Grenville (1), Ephraim Jones; Leeds and Frontenac (1), John White; Addington and Ontario (1), Joshua Booth; Prince Edward and Adolphustown (1), Philip Dorland (not seated), Peter Van Alstine (seated 1793); Lennox, Hastings, and Northumberland (1), Hazleton Spen-

[1] I am indebted for this information to the researches of C. C. James, Esq., F.R.S.C., the Deputy-Minister of Agriculture for Ontario, who, for the first time, has compiled a correct list of the members and their ridings. See *Transactions Royal Society of Canada*, Vol. viii, second series.

cer; Durham, York and 1st Lincoln (1), Nathaniel Pettit; 2nd Lincoln (1), Benjamin Pawling; 3rd Lincoln (1), Parshall Terry; 4th Lincoln and Norfolk (1), Isaac Swayze; Suffolk and Essex (1), Francis Baby; Kent (2), D. W. Smith and William Macomb. Total: 16.

Philip Dorland, of Prince Edward and Adolphustown, was a Quaker, and as he refused to take the oath and could not be allowed to affirm, a new election was ordered and Peter Van Alstine was returned.

Each member was no doubt a man of prominence in his district, and stood for what was best in the community. As yet political parties had not been formed, and the choice was made upon personal considerations alone. Simcoe had endeavoured to secure the return of half-pay officers, men of education, and he congratulated himself that his temporary residence at Kingston created sufficient influence to elect Mr. White, who became attorney-general. But the result of the first election was that the majority of the seats were filled by men who kept but one table, who dined in common with their servants, and who did not belong to the aristocracy of the province. It is a fact worthy of note that Mr. Baby sat in this first parliament as the representative from the Detroit district, that fort and settlement having not then passed from under British control.

On September 17th, 1792, the scene enacted at

Niagara was a notable one. The frame in which the moving picture was set was worthy of the subject: the little niche cut in the forest at the edge of the river where the great lake swept away to the horizon, upon every side the untouched forest, tracked with paths leading through wildernesses to waterways which lay like oceans impearled in a setting of emerald; everywhere the woods peopled with wild life; to the south the land, alienated and estranged, where almost every actor in the scene had shed blood, and upon the edge of which still waved the flag of England from the bastion of Fort Niagara. The actors had come from the ends of the earth: the war-worn regiments of King George; settlers clad in homespun in which they moved with as great dignity as when, in days gone by, they were clad in the height of the mode; retired officers who had seen half the civilized world and who were content with this savage corner; Indians in their aboriginal pomp of paint and feathers, begirdled with their enemies' scalps, the chiefs of the great confederacy and those of friendly tribes from the far West. The ceremony which they gazed upon was the fulfilment of all they had fought for, the symbol of their principles and faith. It showed their children that here was the arm of England again stretched forth to do right, and mete out justice, to maintain her authority and protect her people. With as great circumstance as could be summoned, Simcoe had arranged the drama. It

was a miniature Westminster on the breast of the wilderness: the brilliancy of the infantry uniforms, leagues from the Horse Guards, yet burnished as if they were to meet the eye of the commander-in-chief, every strap and every button in place; the dark green of the Queen's Rangers, who had taken a name and uniform already tried and famous; from the fort the roar of guns answered by the sloops in the harbour.

The first session was held in Freemasons' Hall, and the general orders for the day directed that a subaltern guard of the 5th Regiment should be there mounted. At mid-day the governor proceeded to the hall, accompanied by a guard of honour, and delivered his speech from the Throne. It should be quoted as the first utterance of a British governor to the representatives of a colony assembled under a free constitution.

"Honourable gentlemen of the Legislative Council and gentlemen of the House of Assembly:—I have summoned you together under the authority of an Act of Parliament of Great Britain, passed in the last year, which has established the British Constitution and all the forms which secure and maintain it in this distant country.

"The wisdom and beneficence of our most gracious sovereign and the British parliament have been eminently proved, not only in imparting to us the same form of government, but in securing the benefit by the many provisions which guard

this memorable Act, so that the blessings of our invulnerable constitution, thus protected and amplified, we hope will be extended to the remotest posterity.

"The great and momentous trusts and duties which have been committed to the representatives of this province, in a degree infinitely beyond whatever, till this period, have distinguished any other colony, have originated from the British nation upon a just consideration of the energy and hazard with which the inhabitants have so conspicuously supported and defended the British Constitution.

"It is from the same patriotism now called upon to exercise, with due deliberation and foresight, the various offices of the civil administration, that your fellow-subjects of the British Empire expect the foundation of union, of industry and wealth, of commerce and power, which may last through all succeeding ages. The natural advantages of the Province of Upper Canada are inferior to none on this side of the Atlantic. There can be no separate interest through its whole extent. The British form of government has prepared the way for its speedy colonization, and I trust that your fostering care will improve the favourable situation, and that a numerous and agricultural people will speedily take possession of a soil and climate which, under the British laws and the munificence with which His Majesty has granted the lands of the Crown, offer such manifest and peculiar encouragements."

THE FIRST SESSION

Of the first House of Assembly Mr. John Macdonell, of Glengarry, was elected speaker. Mr. Osgoode, chief-justice, was speaker of the legislative council. Captain John Law, a retired officer of the Queen's Rangers, was sergeant-at-arms. The Rev. Dr. Addison opened the sessions with the prescribed prayers. The first session lasted for barely a month, and the House was prorogued on October 15th. But during these weeks eight Acts were passed. Trial by jury was established; the toll for millers was fixed at one-twelfth for milling and bolting; the ancient laws of Canada were abrogated, and those of Britain substituted; the British rules of evidence were to apply; a jail or court-house was to be provided for each of the four districts. The financial problem early made its appearance, and for some years difficulty was met in raising a revenue for the necessary expenditure within the province. A measure to tax wine and spirits was passed by the assembly, but was thrown out by the council. Upon the other hand the assembly viewed with disfavour a tax upon land. Thus early we see the divergence of two classes in the community: the assembly willing to tax the wine of the council, the council ready to tax the land of the assembly. But there was small friction in these primary gatherings.

The most serious question of the day to the settlers was that of the marriage relation. At the first parliament a measure to make valid all exist-

ing marriages was brought before the assembly, but it was withdrawn, and after the close of the session, on November 6th, Simcoe submitted a draft bill to Dundas, accompanied by a report from Richard Cartwright, jr., dated Newark, October 12th, 1792. The latter set forth that:

"The country now Upper Canada was not settled or cultivated in any part, except the settlement of Detroit, till the year one thousand seven hundred and eighty-four, when the several provincial corps doing duty in the province of Quebec were reduced, and, together with many Loyalists from New York, established in different parts of this province, chiefly along the river St. Lawrence and the Bay of Quinti. In the meanwhile, from the year 1777, many families of the Loyalists belonging to Butler's Rangers, the Royal Yorkers, Indian Department, and other corps doing duty at the upper posts, had from time to time come into the country, and many young women of these families were contracted in marriage which could not be regularly solemnized, there being no clergymen at the posts, nor in the whole country between them and Montreal. The practice in such cases usually was to go before the officer commanding the post who publicly read to the parties the matrimonial service in the Book of Common Prayer, using the ring and observing the other forms there prescribed, or if he declined it, as was sometimes the case, it was done by the adjutants of the regi-

ment. After the settlements were formed in 1784, the justices of the peace used to perform the marriage ceremony till the establishment of clergymen in the country, when this practice, adopted only from necessity, hath been discontinued in the districts where clergymen reside. This is not yet the case with them all, for though the two lower districts have had each of them a Protestant clergyman since the year 1786, it is but a few months since this (Nassau or Home) district hath been provided with one; and the western district, in which the settlement of Detroit is included, is to this day destitute of that useful and respectable order of men, yet the town of Detroit is, and has been since the conquest of Canada, inhabited for the most part by traders of the Protestant religion who reside there with their families, and among whom many intermarriages have taken place, which formerly were solemnized by the commanding officer or some other layman occasionally appointed by the inhabitants for reading prayers to them on Sundays, but of late more commonly by magistrates, since magistrates have been appointed for that district.

"From these circumstances it has happened that the marriages of the generality of the inhabitants of Upper Canada are not valid in law, and that their children must *stricto jure* be considered as illegitimate and consequently not entitled to inherit their property. Indeed, this would have been the case, in my opinion, had the marriage ceremony

been performed even by a regular clergyman, and with due observance of all the forms prescribed by the laws of England. For the clause in the Act of the fourteenth year of his present Majesty for regulating the government of Quebec which declares 'That in all cases of controversy relative to property and civil rights, resort shall be had to the laws of Canada as the rule for the decision of the same,' appears to me to invalidate all marriages not solemnized according to the rites of the Church of Rome, so far as these marriages are considered as giving any title to property."

During recess the form of the Act to make valid past and to provide for future marriages was settled, and the Act was passed at the second session, which met on May 31st, 1793, and prorogued on July 9th. Simcoe felt the urgency of this measure, and it at once received his assent and was not referred to the home government for approval. The Act provided that marriages contracted irregularly in the past were made legally binding. It was merely necessary for the parties to the contract to make oath that their relations were those of husband and wife. For the future the ceremony could be performed by a justice of the peace, if the contracting parties were distant eighteen miles from a clergyman; the prescribed Church of England form was to be in every case followed. When five clergymen of that church were resident in the district the Act was to be non-effective.

THE SECOND SESSION

At this session the foundation of municipal government was laid by the passage of an Act "to provide for the nomination and appointment of parish and town officers throughout this province." The Act gave but small powers to the township councils, but the meetings which it provided for formed the training-school for politicians. Here the questions of the day were discussed, and it has been aptly remarked by Mr. J. M. McEvoy in his pamphlet on *The Ontario Township*, that "it was the conception of law that was fostered in the men of Ontario by their town meeting, which led in a large measure to the establishment of responsible government in this province."

The most important remaining Acts of the second session were: an Act to encourage the destruction of wolves and bears; an Act for the maintenance of roads; an Act to prevent the introduction of negro slaves. The latter Act met with singular opposition. There are no statistics available to show the number of slaves in servitude in the province, but many had been obtained during the war by purchase from the Indians who had captured them in forays in American territory. Obtained from such a source, the price paid was small, and owing to the arduous conditions of labour and the scarcity of labourers in the new colony the value of the negroes was very great. The feeling even among those who admitted the necessity for the legislation was that action should be postponed for

two years to allow those who had no slaves to procure them. Simcoe gave his strongest support to the bill, and his influence led to its passage.

One may be sure that he had been deeply and actively interested in the agitation begun in 1787 by Wilberforce, Sharpe, and their associates for the abolition of the trade. It took twenty years of constant work before the end was accomplished in Great Britain. Denmark led the nations and struck down the wretched traffic by royal order of May 16th, 1792; then followed the Upper Canadian legislature, first of all British colonies. Simcoe had broken the ring that bound the dependencies of the mother country. His feeling upon the subject was strong, and one of his earliest resolves was to purge the colony of this evil. He had stated that: "The moment that I assume the government of Upper Canada under no modification will I assent to a law that discriminates, by dishonest policy, between the natives of Africa, America, or Europe." The Act of George III, ch. 27, which permitted the admission of slaves into a colony, was repealed; in future, no slave could be brought into the province; the term of contract under which a slave could be bound was nine years; children of slaves then in the province were to be declared free when they reached the age of twenty-five, until which time they were to remain with their mothers. In due time, owing to the gradual operation of these provisions, slavery disappeared, and it was no longer possible to read

in the *Gazette* such notices as the following that appeared in the issue of August 19th, 1795:—

"Sale for three years of a negro wench named Chloe, 23 years old, who understands washing, cooking, etc. Apply to Robert Franklin, at the Receiver-General's."

The third session of the legislature opened on June 2nd, 1794, and closed on July 7th. It may be termed the war-session of Simcoe's administration. He believed that hostilities had been declared by Great Britain against the United States, and he had, but a few weeks before the opening, returned from the rapids of the Miami, where he had established a strong post as part of a system for the defence of Detroit. The Militia Act was, therefore, the most important of the twelve Acts passed during this session. It gave the governor power to employ the militia upon the water in vessels or *bateaux*, and thus made it possible to dispute the control of the lakes and to oppose any naval force that a hostile power might collect to destroy the exposed settlements upon the shores. It also gave the governor power to form troops of cavalry, and completed the organization of all branches of the militia.

By the Act to regulate the practice of the law the governor was given power to license proper persons to appear before the courts; at the time the Act was passed there were only two duly qualified lawyers in the province. The bill to establish

a superior court was the measure that caused the greatest discussion. The need of some tribunal of appeal was keenly felt, and so great was the interest that the legislative assembly adjourned to hear the debate in the council. Here the opposition centred with Cartwright and Hamilton, and to these gentlemen Simcoe does not ascribe disinterested motives. He thought they wished to keep in their own hands the trial of such cases as could under the Act be referred to the new court. But their opposition, though it now appears disinterested, was fruitless. So eager was the Lower House to further the bill that it could hardly be restrained from the undignified course of passing all its readings at one session.

An Act imposing a duty upon stills was also placed upon the statute-book. Annual licenses were to be granted; the fee was to be 15d. for every gallon that the body of the still was capable of containing.

Of the opening of the fourth session, which took place on July 6th, 1795, an account has been preserved by the Duke de la Rochefoucauld-Liancourt. He says: "The governor had deferred it till that time on account of the expected arrival of a chief-justice, who was to come from England; and from a hope that he should be able to acquaint the members with the particulars of the treaty with the United States, but the harvest was now begun, which, in a higher degree than elsewhere, engages

in Canada the public attention, far beyond what state affairs can do. Two members of the legislative council were present instead of seven; no chief-justice appeared, who was to act as speaker; instead of sixteen members of the assembly five only attended, and this was the whole number which could be collected at this time. The law requires a greater number of members for each House to discuss and determine upon any business, but, within two days, a year will have expired since the last session. The governor has, therefore, thought it right to open the session, reserving, however, to either House the right of proroguing the sittings from one day to another in expectation that the ships from Detroit and Kingston will either bring the members who are yet wanting, or certain intelligence of their not being able to attend.

"The whole retinue of the governor consisted of a guard of fifty men of the garrison of the fort. Dressed in silk, he entered the hall with his hat on his head, attended by his adjutant and two secretaries. The two members of the legislative council gave, by their speaker, notice of it to the assembly. Five members of the latter having appeared at the bar, the governor delivered a speech modelled after that of the king."

Only five Acts were passed at the fourth session, and none of these were of great importance. The agreement with Lower Canada as to the proportion of the revenue derived from duties on

wines and liquors payable to the upper province was confirmed. The amount which the former was found to owe the latter for the years 1793 and 1794 was £333 4s. 2d. It was also agreed that one-eighth of all the revenue collected in the lower was to be set apart for the use and benefit of the upper province, and the agreement was to terminate in 1796. The Act to provide for the public register of deeds, conveyances, and wills was rendered necessary by the failure of many of the settlers to exchange their land certificates for grants. The motive of the bill was "to authenticate and confirm the title and property of individuals." The remaining Acts were: to regulate the practice of physic and surgery, it abrogated a law of Quebec which did not apply to Upper Canada; as to the eligibility of persons to be returned to the House of Assembly; to amend the Act of the third session with regard to superior courts. The House prorogued on August 19th.

The fifth and last session of the first parliament met on May 16th and was prorogued on June 20th, 1796. The Acts numbered seven. The most important were an Act which amended the Superior Court Bill of the session of 1794, and an Act to ascertain and limit the value of certain current coins. The names of a few of these pieces with their value as regulated by this Act will show how mixed were the coins then in circulation. The Johannes of Portugal, weighing 18 dwt. Troy, was

valued at £4; the Moidora of Portugal, weighing 16 dwt. and 18 grains Troy, was valued at £1 10s.; the milled dubloon or four-pistole piece of Spain, 17 dwt. Troy, was valued at £3 16s. The penalty for counterfeiting was death; and for uttering or tendering false coins was one year's imprisonment and one hour in the pillory for the first offence, and for the second the culprit was adjudged guilty of felony without benefit of clergy.

As the settlement of the country had progressed, it was found necessary to repeal the Act for the destruction of wolves and bears.

The governor, who was upon the eve of departure for England, closed the legislature with a few pompous and overwrought periods. His official utterances were all set in a key remote from that in which he composed his dispatches or his intimate epistles. He evidently thought it becoming to speak with as heavy an accent as possible when he addressed the Houses from the throne. "It is not possible for me without emotion to contemplate that we have been called upon to execute the most important trust that can be delegated by the king and British parliament during a period of awful and stupendous events which still agitate the greater part of mankind, and which have threatened to involve all that is valuable in court society in one promiscuous ruin. However remote we have been happily placed from the scene of these events, we have not been without their influence; but, by the

blessing of God, it has only been sufficient to prove that this province, founded upon the rock of loyalty, demonstrates one common spirit in the defence of its king and country. . . .

"It is our immediate duty to recommend our public acts to our fellow-subjects by the efficacy of our private example; and to contribute, in this tract of the British empire, to form a nation obedient to the laws, frugal, temperate, industrious, impressed with a steadfast love of justice, of honour, of public good, with unshaken probity and fortitude amongst men, with Christian piety and gratitude to God. Conscious of the intentions of well-doing, I shall ever cherish with reverence and humble acknowledgment the remembrance that it is my singular happiness to have borne to this province the powers, the privileges and the practice of the British Constitution; that perpetual acknowledgment of the good-will of the empire, the reward of tried affection and loyalty, can but fulfil the just end of all government, as the experience of ages hath proved, by communicating universally protection and prosperity to those who make a rightful use of its advantages."

As has been stated, the first session of the legislature was held in Freemasons' Hall. The business of the next four sessions was transacted in additions to the barracks of Butler's Rangers. These additions were made by Simcoe's orders in the spring of 1793. They were of a temporary charac-

ter, in fact, Simcoe refers to them as "sheds," and they were likely built of rough lumber and furnished with benches and tables made by the carpenters of the regiments. They were sufficiently commodious to cover the little parliament and the officers of the government. As the work was performed by the garrison, and as Simcoe intended the additions to house the soldiers from Fort Niagara when the posts should be evacuated, he requested that the expenditure might be charged to the military chest; but the war office would not consent, and the charge was made against the public account. In those days no detail of management was too petty for notice, and the war office considered it of enough importance to order, over the Duke of Richmond's signature, that a new lock should be placed on a storehouse door and the key should be kept by the commandant of the post.

Simcoe had, for the greater part, nothing but praise for his legislators. They were loyal and true, and supported government worthily, a matter, probably, of surprise to his mind, seeing that some of them were dissenters and others would sit down with and pass food to their servants in the republican fashion. And republican principles he could not abide. His life had been a continuous struggle against them. He abhorred them when he recognized them in his legislative council. He brands Hamilton as an avowed republican, and Cartwright as his friend and in league with him. He finds

them opposing his schemes, and requests the appointment of Captain Shaw to the legislative council, so that the plotters may have to face another staunch friend of the constitution. A little later he causes them to be told that he was the arbiter in all contracts. Now the contract for provisioning the troops with flour was in Cartwright's hands, and Simcoe alleges that after this announcement he grew more civil and amenable.

These hasty charges show the temper of the governor, and Cartwright and his companion have the best of the argument when their motives are examined. The former, writing to his friend Isaac Todd says manfully that "though I do not think it necessary to bow with reverence to the wayward fancies of every sub-delegate of the executive government, I will not hesitate to assert that His Majesty has not two more loyal subjects, and in this province certainly none more useful than Mr. Hamilton and myself, nor shall even the little pitiful jealousy that exists with respect to us make us otherwise, and though I hope we shall always have fortitude enough to do our duty, we are by no means disposed to form cabals, and certainly have not, nor do intend wantonly to oppose or thwart the governor."

It required only the closer contact with Mr. Cartwright, that Governor Simcoe's residence at Kingston during the winter of 1794-5 gave, to show him what a valuable man to the province and

particularly to his own section the legislative councillor was, and this the governor ungrudingly acknowledged in his dispatches. It is probable that he was met with reserve by some of the chief men of the province, for Sir John Johnson, who from Lord Dorchester's influence had confidently expected the appointment as governor, had promised office and distinction to several who were passed over by Simcoe. During his first days in the country Simcoe had sought an explanation with Sir John which "restored his good humour," and there can be no doubt that the governor's singleness of purpose and his native sense of justice would soon conquer any small hostility that may have been occasioned by his appointment. When he bade farewell to the first parliament of Upper Canada he may have expected to meet a newly-elected House the next summer; but his leave of absence was changed to commission for other important service, and he never again saw Toronto harbour, its sparkling waters and low shores darkly covered with a cloud of trees, or the little town of Niagara, clustered by the dark, turbulent river, or Navy Hall under the ensign of England that blew freely in the lake breeze.

CHAPTER VII

LAND AND TRADE

IN a country newly opened for settlement the land regulations are of the greatest importance to the inhabitants and the prospective settlers, and in the early days of Upper Canada they were the first rules that had to be observed. They were, however, of the simplest. The settler held his lands under a certificate signed by the governor and countersigned by the surveyor-general or his deputy. The locations were decided by chance, lots being drawn and situations fixed accordingly. The certificate set forth that at the end of twelve months the holder should be entitled to a deed and become possessor of his land with power to dispose of it at will. Now if the original grantee had held his land secure until the patent was handed him, no confusion would have ensued. But so soon as the allotments were made in 1784 and certificates issued, barter and exchange began. Some settlers were compelled by sheer necessity to sell or mortgage a portion of their lands; others found that their locations were too small to admit of successful farming operations and added to them by purchasing from their neighbours. So under these

unsafe conditions of title, property was constantly changing hands. The Land Boards, constituted in 1788, attempted to check land speculation, which had made its appearance even at that early date in the history of the province, by issuing all new certificates subject to the condition that lands so granted would be forfeited if not actually settled upon within the year. They were also not transferable without the sanction of the board.

These regulations were but a rude attempt to maintain a proper system of registration. They could not control the larger grants to officers nor affect the lands in townships only in part surveyed. The exchanges, purchases, and mortgaging went on unchecked, and for ten years the only foundation of title was the original certificate or a scrap of paper that had at some time taken its place. Simcoe found that, although ten years had elapsed since the first allotments had been made, scarcely a single grant had been ratified, and that there seemed to be a disposition in many persons to deny the necessity of the exchange of certificates for grants. This state of affairs was viewed with extreme dissatisfaction by those who had any large landed interest in the province and could understand the gravity of the situation.

The fourth session of parliament paved the way for a general issue of patents by providing for the registry of all deeds, mortgages, wills and transfers. Simcoe had the advice of his law officers

and his legislative councillors, and Cartwright, foremost among the latter, gave him the benefit of his views which were sound and well considered. He had not a very favourable opinion of Governor Simcoe as a lawyer, nor of his colleagues in the executive council. "They are not very deep lawyers," he remarked. Mr. Hamilton also laid the whole matter before a London lawyer, while upon a visit to England in 1795, as a member of the community and not in his capacity of legislative councillor. For this he was called to account by the governor who thought the intention should have been mentioned to him. The moot point was whether the original certificates should be recognized by the patents, or the current deed or transfer. The wise view prevailed at length, and when patents were finally issued under the great seal of the province they were so issued to the holders of the land and not to the original possessors under the Land Board certificates.

Land speculation was rife in the province, and the council had to refuse many applications for grants from persons who did not intend to become active settlers. Even with this care many allotments were made for speculative purposes, and the entries for many townships had eventually to be cancelled for non-settlement. Officers of the British army in the Revolutionary War made demands for large tracts of land in Upper Canada as a reward for service. Benedict Arnold was an applicant for a

domain in the new land. He wrote to the Duke of Portland on January 2nd, 1797: "There is no other man in England that has made so great sacrifices as I have done of property, rank, prospects, etc., in support of government, and no man who has received less in return." The moderate area that he desired was about thirty-one square miles. Simcoe was asked his opinion of such a grant, and on March 26th, 1798, he replies that there is no *legal* objection but that "General Arnold is a character extremely obnoxious to the *original* Loyalists of America." From the date of this letter it will be observed that during his residence in England, after leaving Upper Canada, Simcoe was consulted by the government upon Upper Canadian affairs. He, himself, on July 9th, 1793, received a grant of five thousand acres, as colonel of the first regiment of Queen's Rangers. The operations of colonization companies began after Simcoe left the country, and, interesting as some of them are, they do not fall within the term of this story. The Land Boards, which had existed since 1788, were discontinued on November 6th, 1794, after which date the council dealt with all petitions for large grants of land, the magistrates of the different districts dealt with allotments of small areas of two hundred acres.

The beginnings of trade and commerce in a province that now takes such a great and worthy place in the world as a producing power are in-

teresting, and to trace and chronicle them is a useful task.

The fur trade was the first and for many years the only source of wealth in the country afterwards called Upper Canada. It was carried on by the great companies as well as by individual traders. The Indians were the producers of this wealth and the first, and, it may be said, by far the smallest, profits came to them. Whatever small benefit was derived from the supply of clothing and provisions which the traders bartered for the peltry, was offset by the debauchery and licentiousness that follows wherever and whenever the white man comes into contact with an aboriginal race.

The tribes were often ruled by these traders who flattered the chiefs, hoodwinked the warriors, fomented quarrels to serve their own ends and did not scruple to attribute to governments policies and compacts which they had never contemplated nor completed. Rum was the great argument that preceded and closed every transaction. The natural craving for this stimulant was so well served that after a successful trade an Indian camp became a wild and raging scene of debauchery, wantonness and license. During the dances that accompanied and fanned these orgies the great chiefs changed their dresses nine or ten times, covered themselves with filthy magnificence and vied one with the other in the costliness and completeness of their paraphernalia. Such a trade could add but little

to the capital of a country; it served to enrich those who had made the adventure in goods, but no permanent investment of capital was necessary for its maintenance, and when the source of supply was drained it disappeared and left the Indians worse off than they were before its advent and development.

Simcoe saw the positive evils and negative results of this factitious trade and endeavoured to control it. He proposed as a means to this end to confine the traders to the towns and settled communities, and thus prevent them from crossing into the Indian country. By this regulation the Indians would become the carriers of their own furs, and coming first into contact with the settlers would part with their wealth in exchange for provisions and not spirits. The settler would for his part receive skins that were as ready money when that article was scarce. Thus an internal fur trade would be established, and a certain portion of the wealth would be retained in the country. With the advent of hatters, the craft they carried on would consume a great number of the skins and the contraband trade in hats would gradually diminish. In 1794 three hatters had already come into the province to establish themselves.

One result of this trade and barter between settler and Indian was that an illegal exchange sprang up between the former and the Americans who settled New York state. All the cattle, many of the

implements, and much of the furniture of the first Upper Canadians were obtained by the sale of furs in this manner. Not only did American products thus find their way into the country, but goods of the East India Company and even articles and materials made in Great Britain. Smuggling was too common and too convenient to be looked upon with disfavour. The frontiers lay open and unprotected, and the thickly wooded country made detection impossible even had there been an army of preventive officers, and these were, in fact, but few.

This dishonest trade was beyond the power of government to control, but Simcoe was impressed with the importance of promoting commercial connections with the republic. He recommended the establishment of dépôts of the East India Company at Kingston and Niagara to sell merchandise, chiefly teas, to the people of the state of New York. He believed his province to be the best agricultural district in North America, and pointed out how its forests might be replaced by fields of hemp, flax, tobacco and indigo. Hemp, as a source of wealth to the settler and of supply for the cordage of the lake fleet, was a subject of his constant attention. The exports of potash had begun to fall away somewhat during the term of Simcoe's government; affected by the war in Europe prices had fallen, and as the land became cleared, and the area under crop more extensive this early industry gradually waned.

The staple product of the country was wheat and Simcoe paid the greatest attention to developing this source of prosperity and wealth. Pork came next in importance as an article for export and for domestic consumption. The exports from Kingston during the year 1794 will show what progress the colony had made. The figures are interesting as they mark a term of ten years from the time the first kernel of seed was sown.

EXPORTS FROM KINGSTON, 1794

To Lower Canada

	£	s.	d.
12,823 bushels of wheat (Winchester measure) at 3s.	1,923	9	0
896 bbls. of flour at 23s. 4d.	1,045	6	8
83 " middlings or biscuit flour at 15s	62	5	0
3,016 lbs. hogs' lard at 6d.	75	8	0
15 tons of potash at £18.	270	0	0
	£3,376	8	8

For the Troops

	£	s.	d.
3,240 bbls. of flour at 23s. 4d.	3,780	0	0
2,938 bush. of pease at 4s. 6d.	661	1	0
430 bbls. of pork at 90s.	2,160	0	0
	£6,601	1	0

To Niagara and York

	£	s.	d.
1,624 bush. of wheat at 3s.	243	12	0
356 bbls. of flour at 23s. 4d.	415	6	8
2,500 lbs. of gammon at 8d.	83	6	8
	£742	5	4

Total, £10,719 15s. 0d.

The most important achievement that these figures set forth is the victualling of the troops.

Agriculture, from furnishing a bare subsistence to the people during the first few years, had developed so rapidly that the surplus was sufficiently large to supply York and Niagara where settlement was still active, and to relieve the commissariat to a great extent from the necessity of importing the staples—flour and pork. Upon the quantity of supplies furnished for the troops mentioned in the statement, there was a saving of £2,420 14s., so excessive were the rates of carriage. It cost ten pence to freight one bushel of wheat from Kingston to Montreal. The only means of transport were rude *bateaux*, the risk of total loss was great, and after a most favourable voyage the actual loss from waste in transhipment was very considerable.

Commerce in the country was on every side beset with difficulties. Mr. Richard Cartwright thus describes the business methods of his day: "The merchant sends his order for English goods to his correspondent at Montreal, who imports them from London, guarantees the payment of them there, and receives and forwards them to this country for a commission of five per cent. on the amount of the English invoice. The payments are all made by the Upper Canada merchant in Montreal, and there is no direct communication whatever between him and the shipper in London. The order, too, must be limited to dry goods, and he must purchase his liquors on the best terms he can in the home market; and if he wishes to have his furs or

potash shipped for the London market, he pays a commission of one per cent. on their estimated value; if sold in Montreal, he is charged two and one-half per cent on the amount of the sales."

But while the merchant had these barriers of commissions and difficult transportation to surmount the settler was in a most unenviable position. His sole sources of wealth were his wheat and pork; these the merchants would buy only in such quantities as they chose and when it suited them. They would pay only in goods charged at the highest current prices, or by note of hand redeemable always on a fixed date, October 10th. The absence of any adequate and plentiful medium of exchange was a heavy burden upon the struggling settler, who was in the hands of the buyer. The latter might say "it is naught, it is naught," but, nevertheless, it was a real, pressing and overbearing weight to be carried.

Simcoe had endeavoured to loosen the grasp of the merchant, so far as his immediate power would serve, by resuming the contracts for the purchase of supplies for the troops and placing the responsibility in the hands of an agent who would deal justly and equitably both in the matter of prices and quantities. Although his duty was to the king primarily, yet it was largely in the king's interest that his pioneers should have fair pay and ready money, so that his duty was also to the struggling settler and his little field of grain filling between

the charred stumps of his clearing. This was a step in advance, yet the main branch of the trouble would remain untouched until some medium of exchange—in fact, a currency—appeared to cover the small local transactions between buyer and seller.

Simcoe, who left not the smallest need of the country untouched in his exhaustive dispatches, did not pass by this grave want. He had great faith in the intervention of government in all matters pertaining to the welfare of the people. He was ever making demands that argued the inexhaustible treasure-chest and the beneficent will. When England was engaged in wars and treaties that called for her utmost resources, a cry came out from Upper Canada for grants for all purposes, from the founding of a university to the providing of an instructor in the manufacture of salt.

He proposed a grand and far-reaching scheme to meet the obstructions to trade which I have mentioned. He proposed that Great Britain should send out a large sum in gold which would form the capital of a company to be formed of the executive and legislative councillors and the chief men in the province. This sum, he says naïvely, should be repaid, if expedient, by the sale of lands on Lake Erie. Inspectors were to be appointed whose duty it would be to examine all mills and recommend such processes as would reduce their products to a normal standard of quality.

The king's vessels should be used for transport across the lakes. A large dépôt or receiving-house was to be erected at Montreal, where all the flour was to be pooled. For every barrel there received a note was to issue, payable in gold or silver at stated periods, and these notes were to be legal tender for the payment of taxes. The freight of all government stores was to be conducted by the company under a contract based upon the prices paid for the three or four years preceding. The benefits that Simcoe hoped to secure by this arrangement were: a provision for the consumption of the flour produced, a medium of exchange instead of merchants' notes, lower rates for transportation from Montreal, ease and certainty in victualling the troops, a sure supply of flour for the West Indies, and a stimulating effect upon agriculture as well as upon the allegiance of the Upper Canadians. He wrote, "it cannot fail of conciliating their affection and insensibly connecting them with the British people and government." The lords of trade to whom the scheme was presented could hardly have considered it, and Upper Canada was left to work out its currency problems upon the safer basis of provincial initiative.

The earliest canals were all constructed within the boundaries of the upper province, but during Simcoe's government they received no enlargement. They had been constructed by Haldimand's order, and were maintained by the government, as-

sisted by a toll revenue of ten shillings for each ascent. All transportation took place in *bateaux*, built strongly, with a draft of about two feet, with a width of six and a length of twenty feet. These were towed or "tracked" up the river and passed through the primitive canals wherever they had been constructed. The first canal was met with at Côteau du Lac, it consisted of three locks six feet wide at the gates; the second was at Cascades Point; the third at the Mill Rapids; the fourth at Split Rock. It was many years before these canals were enlarged sufficiently to accommodate the schooners that sailed the upper lakes.

These vessels were constructed upon their shores, and never left their waters. In 1794 there were six boats in the king's service upon the lakes. These were armed; the largest vessels were of the dimensions of the *Onondaga*, eighty tons burden, carrying twelve guns. They were built of unseasoned timber, and their life was barely three years. It cost about four thousand guineas to construct one of the size of the *Onondaga*, and the cost of repairs was proportionately large. The merchant fleet on the lakes numbered fifteen.

The rate of wages throughout the province was high and labourers were scarce. The usual pay for skilled labour was three dollars *per diem*; for farm labourers one dollar *per diem* with board and lodging; for sailors from nine to ten dollars a month; for *voyageurs* eight dollars a month.

Prices were correspondingly high, salt was three dollars a bushel, flour eight dollars a barrel, wood two dollars and a quarter a cord. The commodities that we consider as the commonest necessaries of the table were beyond the reach of the majority of the people; loaf sugar was two shillings and sixpence per pound, and the coarse muscovado one shilling and sixpence; green tea was the most expensive of the teas at seven shillings and sixpence, and Bohea the cheapest at four shillings. The cost of spices may be gauged by the rates charged for ginger, five shillings a pound. A japan teapot cost seven shillings and a copper tea kettle twenty-seven. Fabrics were most expensive, "sprigged" muslin was ten shillings and sixpence a yard, and blue kersey five shillings and sixpence.

Every industry was carried on under great difficulties, mills with insufficient stones, saws and machinery; trades with the fewest tools and those not often the best of quality. The salt wells in which the governor took an early interest were hampered by lack of boilers or any proper appliances. In four years only four hundred and fifty-two bushels of salt had been produced at a selling price of £362. The only requisites at the wells for the production of this most necessary staple were a few old pots and kettles picked up casually. But the trades and manufactures served the needs of the growing population, the units of which were self-reliant and of a courageous temper. The actual population of

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Upper Canada is difficult to arrive at accurately. It is stated to have been ten thousand in 1791 when the division of the provinces took place. Writing in 1795, de la Rochefoucauld places it at thirty thousand, but this appears to be exaggerated. The militia returns sent to the lords of trade by Simcoe in 1794 place the number of men able to bear arms at four thousand seven hundred and sixteen, and Mr. Cartwright says that upon June 24th, 1794, the militia returns amounted to five thousand three hundred and fifty. The population during 1796 may have increased to twenty-five thousand. For the breadth of the land this was a mere sprinkling of humanity over an area that now supports above two millions.

CHAPTER VIII

THE ALARMS OF WAR

THE possibility of war with the United States had always been present to Simcoe's mind. He feared that before the Canadas could develop sufficient strength to render assault and capture by a determined foe a difficult and uncertain operation the belt of neutral Indian country would be absorbed, the boundary of the nation and the colony would become a single intangible line, and the forces of the United States would overwhelm the weak garrisons of the widely separated posts. All his desire had been for peace. His avowed policy was to prevent war "by the appearance of force and by its concentration," and he hoped that five years of continuous peace and prosperity would find Upper Canada able to sustain itself against any attack that might be made. Upon May 27th, 1793, he had received the dispatch which announced officially the declaration of war with France. To his mind the political leaders of the United States only awaited a pretext to disclose their real feeling of hostility and to begin an invasion. That he might be in possession of the latest advices from Europe, he had sent his secretary, Talbot, to Philadelphia to confer with Hammond, the British plenipoten-

tiary, but before his return the news had come direct to his hand. Although it was necessary for him to be vigilant and to take the utmost precautions he was also compelled to be extremely cautious at the moment of his receipt of the dispatch, for he had under his roof three commissioners from the power he distrusted, whose object was to make a treaty of peace with the Indians. It was important that this treaty should be concluded, and that by an acknowledgment of the Ohio as the boundary of the Indian domain, a belt of neutral territory should be imposed between the two countries.

The relations of Great Britain with the United States at this time were peculiar, and there is no room for wonder that they were strained almost to the breaking point. Certain articles of the Treaty of Paris had not been carried out in their integrity by the United States. These clauses were precisely those the non-observance of which would cause the most bitter feeling of hostility on the part of the colonists. Clauses V and VI dealt, respectively, with the restitution of Loyalist losses and complete cessation of all reprisals by the Americans on those who had taken the king's side in the war. In the event, reprisals were made, and any movement to restore property destroyed during the Revolution was as unsubstantial as the smoke which had swallowed up the Loyalist rooftrees and granaries. The most important effect of the chica-

nery was to give the British colonies an infusion of the best blood of the republic. The Loyalists came trooping in with empty hands but with stern and intrepid hearts. A less important result was that Great Britain refused to evacuate certain of the western posts, and over them, well within United States territory as deliminated by the treaty of 1783, the royal flag still flew.

In vain had the United States demanded the delivery of these posts; they were quietly retained as an earnest that a treaty remained unfulfilled. Of itself this position was sufficiently delicate, but it was complicated by the war which for some time had been raging between the troops of the United States and the Indians. And in this conflict Great Britain was bound to the Indian cause. In the view of the States she was fomenting the trouble and assisting the savages by her advice and protection. But her policy was far different. She felt compelled to see justice done her Indians, and there was no basis of right or justice in the appropriation by American settlers of lands which had never been surrendered by their aboriginal owners. Despite all the argument and all the force which the Indians could use these spoliations went steadily on until the friendship of Great Britain with the tribes was shaken. It came to be alleged that, by the treaty, the king had given away these Indian lands to which he had no right or title, and this view was enforced wherever possible by emissaries of the republic. This

Indian estrangement had to be conquered, and we shall see in a page or two how Dorchester, aided by Simcoe, overcame it and quieted the fears and suspicions of the tribes. It was necessary, as well for the safety of the Indians as for the protection of Canada, that these Indian lands should be respected. The trend of all the British diplomacy of that day was to endeavour to maintain the territory north of the Ohio and east of the Mississippi as an Indian domain that would serve as a breakwater before the British frontier against the waves of American aggression. Now in the light of events the policy seems as infantine as to endeavour to keep back Atlantic surges by a frail wall of sand heaped up by children at play. But it was honestly and with every peaceable desire kept in the front by the officers of the king's government.

Upon the side of the United States the efforts for peace were more persistent and strenuous as the troubled state of the border checked the settlement of the rich watershed of the Ohio, and the activity of the Indians filled the pioneers with terror and dismay. Force had been tried, and with lamentable results. The expedition under General St. Clair that was organized with such care and forwarded with every hope of success, had been crushed upon its first encounter with the Indians. Moving incautiously, without those safeguards so necessary in border warfare, the force became involved in an ambuscade. Suddenly the woods were

alive with Indians, the pickets were driven in, the soldiers were hurled back and swept through the camp, and it was the greed of the Indians alone that enabled any portion of the army to escape. The sight of the stores was too great a temptation for the savages, who preferred plunder to a feast of blood. This battle was fought on November 4th, 1791. St. Clair lost fifteen hundred men, and all the supplies and impedimenta of his army—artillery, baggage, and ammunition. The Indian loss was only twenty-one killed and forty wounded. Another force was placed under General Wayne's command to accomplish the task in which St. Clair had failed so disastrously; and Wayne was a leader of a very different stamp.

While the pacification by force was still looked upon as possible, the American government had decided to adopt, as well, milder methods. In June of 1792 Brant had visited Philadelphia. Upon the Indian side of the controversy he was held to be the most powerful single force. Although there was a suspicion that he had led the attack upon St. Clair it was ill-founded. Only ten braves of the Six Nations and one chief, Du Quania, participated with the western Indians in the savage glory of that rout. From the late encounter there was no stain upon the great chief of the confederacy, and much was expected from his diplomacy. Accordingly he was received with respect by Washington, and was fêted and honoured in the chief cities of

the republic. A multitude of councillors was also working for peace, chief among whom were the Quakers, who were regarded as friends of all the interested tribes.

The news of the French imbroglio reached Navy Hall during a pause of preparation. As a fruit of Brant's visit to Philadelphia, the tribes had assembled in the autumn of 1792 at the Au Glaize, and it was arranged that the chiefs and warriors should meet the representatives of the United States government during the following spring at Sandusky. It was fixed upon in the council that the Ohio should be demanded as the Indian boundary, and during all the subsequent negotiations this remained the position from which the western Indians never retreated. The Six Nations were fully represented by their chiefs, but Brant himself was not present, having been detained, it is alleged, by illness. It is apparent that at this stage of the negotiations he did not wish to appear as the mediator. He felt that the time had not come when he could stand as the sole bulwark between peace and war, that amid such a number of diverse forces, all tending to one purpose, his influence would be obscured. He, therefore, stood aloof and waited to observe the reception which his chiefs, publishing peace, might be accorded. They were, in fact, treated with expressed scorn in their character of peacemakers with "the voice of the United States folded under their arm." The hostiles triumphed signally,

and the Ohio was to be pressed as the only boundary. Brant did not appear until October 28th, when he met the Shawanese and Delawares at the foot of the Miami Rapids and was officially informed, as it were, of the decision of the great council and warned against Washington and his cunning, advice which must have been unpalatable to the great warrior.

The winter and early spring passed without any change in the position of affairs, but both the Indians and the British viewed with distrust the continued activity of General Wayne. On May 17th two commissioners appointed to meet the Indians at Sandusky, according to agreement, arrived at Navy Hall: Beverley Randolph, late governor of Virginia, and Colonel Timothy Pickering, the postmaster-general. A few days later came the third commissioner, General Benjamin Lincoln, who had fought throughout the Revolutionary War with distinction. They remained at Navy Hall, the guests of Governor Simcoe, until early in July. At the outset there was unexpected difficulty in arranging a date for the conference. Brant had gone westward with his chiefs to attend a preliminary council of the tribes, there were vague rumours of dissension and intrigue. At length the patience of the commissioners was exhausted, and on June 26th they left Niagara, intending to proceed at once to the Detroit River. If the Indians would not come to them, they would approach the In-

dians. But they had only reached Fort Erie when they met Brant with representatives of all the western tribes. Back they trooped to Niagara, and on Sunday morning, July 7th, they met in Freemasons' Hall in the presence of the governor, the British officers, and the prominent Canadians of the district. Brant, the spokesman of the confederates, was expected by them to ask definitely whether the commissioners were empowered to fix the Ohio as a boundary. Now Brant perceived that a negative answer to this demand would close all hope of a compromise, would, in fact, destroy the very foundation on which the peace party hoped to build; therefore he temporized. He emasculated the question which became merely a request to know whether the commissioners were authorized to fix the boundary. The answer was simply affirmative. Brant had gained time, but he had lost every vestige of power over the western tribes, who, from that day forward, considered him a traitor to their common interests.

After lasting for a few days the preliminary meeting broke up, and the commissioners proceeded to the mouth of the Detroit River and remained at Captain Elliot's, the local Indian superintendent. Simcoe had refused politely to allow them to gain a sight of the defences of Detroit. Here they dallied until the fourteenth of August. The great council was in progress at the Au Glaize and messages were sent and received. But the Indians were now

thoroughly alarmed; from the south their runners brought word of Wayne's activity, and they had no assurance that the waters of the Ohio would flow across the path of future aggression. Brant had weakened his influence and all the eloquence of the Corn-planter, the great chief of the Senecas, failed to move the warriors who saw nothing but falseness and duplicity in these efforts. Abruptly the final message came; all hope for further negotiations was at an end, and the friends of peace departed discomfited by their failure.

Thus the peace negotiations fell through and the Indian problem was still unsettled. The proceedings had shown how far separate were the parties to the conference, but they had other effects. They completed Simcoe's distrust of Brant. The governor found only one leading principle in Brant's conduct: "the wish to involve the British empire in a quarrel with the United States." He held him responsible for the collapse of the negotiations and reported that "he [Brant] knew the Pottawattamies of St. Joseph had determined to obtain peace at any rate, and that he thought by siding with them in not absolutely insisting on the Ohio for the boundary might be the means of reconciling them to the general interest." On September 20th, 1793, he wrote to Dundas enclosing a letter from Brant, "by which," he says, "it will appear that he is labouring to effect a pacification upon such terms and principles as he shall think

proper, and which will eventually make him that mediator which the United States have declined to request from His Majesty's government. In this arduous task I cannot believe that he will succeed, as the western Indians consider him as a traitor to their interests and totally in the service of the United States. I am by no means of such an opinion. I believe that he considers the Indian interests as his first object, that as a secondary, though very inferior one, he prefers the British in a certain degree to the people of the States. I consider the use he has made or may make of his power to be an object of just alarm, and that it is necessary, by degrees and on just principles, that it should be diminished. From circumstances, the almost guidance of the superintendent's office, as far as the Six Nations have been concerned, has very imprudently centred in the hands of this chieftain. He has made an artful use of such means of power, and appears in himself to be the dispenser of His Majesty's bounty."

The governor closes this arraignment of the great Mohawk by another appeal for a re-organization of the Indian department, for the abolition of the office of superintendent-general, and for the control by the executive council of the Indian interests with Colonel McKee, the western superintendent, as a member of the council. In truth, the state of the Indian department and its government was a source of constant and just

vexation to Simcoe. The Indian policy was the only field in all his government in which there was any room for diplomacy, and from that field he was officially excluded. The superintendent-general, Sir John Johnson, had been absent for long periods, during which each superintendent administered his office according to instructions that gave no directions for emergencies. Their orders came direct from the superintendent-general or the commander-in-chief at Quebec; the governor was ignorant of them and was not consulted as to the Indian policy. Owing to the influence of Sir John Johnson no change had been made in the administration of the department, although from the first Simcoe had pointed out the advisability of placing the control of the Indians in his province in the hands of the lieutenant-governor.

Simcoe's constant representations as to the unpopularity and dishonesty of the officials of this important department met with no favourable response from Dorchester. His friend, Sir John Johnson, was at the head of that service, and should so remain, subject only to the governor of the province in which it was necessary for him to reside; and it had never come to pass that Upper Canada needed his special attention and residence. Simcoe's final charge threw all responsibility upon other shoulders. He wrote to Dorchester: "I therefore, if it [the Indian department] shall continue on its present independent footing, declare that I con-

sider the present power and authority of my station . . . to be materially and unnecessarily weakened, but more especially, should it be permitted to remain in this insecure situation, I beg not to be understood as responsible for the continuance of peace with the Indian nations, and, as far as their interests are implicated and interwoven, with the subjects of the United States." This vigorous protest called forth a frigid reply from the commander-in-chief, and no changes were inaugurated.

While Simcoe could neither give orders to, nor control, the officers of this department, he yet managed to keep a firm hand upon Indian affairs. To state the fact that he was loved and respected by the Indians is equivalent to the statement that by nature and policy he was fitted to deal with them. He was affectionately called in the Iroquois tongue *Deyotenhokarawen*—" an open door." He was an ideal representative of that firm, true and uniform policy that has made the Canadian Indian believe the British sovereign his great parent and himself a child under beneficent protection.

In thus censuring Brant, Simcoe was taking too absolute a view of the circumstances, as was his wont. The Six Nations, allies and comrades-in-arms of the British, had already suffered much for the cause. Brant had thrown all his personal courage and cunning on the royal side of the balance, and was a terror to the king's enemies on the

field or before the council fire. But circumstances had arrived, in 1792, at a point where mere courage was of non-effect and where the magnitude of the interest at stake paralyzed his diplomacy. He desired to save their lands for his people, but his ambition led him to hope for a personal triumph as well as a tribal, confederate victory. Thus misled, he appeared shifty to those from whom he gained his chief power, and in consequence it crumbled away. That his allegiance to Great Britain may for the moment have become attainted is not impossible. His mind was sufficiently natural to dislike a policy which wore all the semblance of friendship without the warm and active support which companioned that friendship in the old war time. His experience taught him that there would be only one outcome of a war between his people and the United States, and it may have been that by his vacillation, as Simcoe suspected, he wished to gain the open and active assistance of the great power which had always supported him.

While these events were occurring the governor was using every effort to place his frontier in a state of defence. Fort Niagara was strengthened, and York, in the autumn of 1793, was given at least an appearance of fortification by mounting some condemned cannon from Carleton Island. Simcoe had removed to York immediately after the departure of the American commissioners, and arrived in the harbour on July 30th. Here he spent

the summer and the ensuing winter. His correspondence with Sir Alured Clarke upon the military affairs of the province had been harmonious, even cordial. But on September 23rd Lord Dorchester relieved Clarke and took up the reins of government, and from that time forward the relations between the commander-in-chief and the lieutenant-governor were strained. Upon Simcoe's part there was evidently a strong personal feeling against Dorchester. He could not forget his censure of the Queen's Rangers or his patronage of Sir John Johnson for the governorship of Upper Canada.

There are a few words in Simcoe's correspondence with Dundas that lead one to believe that he hoped Dorchester would not assume his government and that he might himself take command at Quebec. To increase this feeling of hostility there soon arose a divergence of opinion which rendered the relations of the two officers unsatisfactory to each. Dorchester, seeing the defence of Canada with a broad sweep, could not approve of Simcoe's suggestions for the protection of the upper province. He disapproved particularly of fortifying York. Simcoe had stated to Clarke that he found it impossible, and, indeed, unnecessary to separate his civil and his military duties, and upon this line he carried on his correspondence with Dorchester. His temper in the circumstances that followed cannot be commended. He was hasty and petulant, his words to Dundas were frequently ill-considered and violent.

Dorchester's views as to the military force necessary for his province are called "immoral." He wrote on December 15th, 1793, to Dundas: "Nothing but the pure principle of doing my utmost for the king's service would for a moment make me wish to remain in a situation where I consider myself liable to become the instrument of the most flagitious breach of national honour and public faith without any military necessity." Dorchester, on the contrary, contained himself and was considerate of his insubordinate officer. The friction is of no public moment, for it resulted in nothing more important than the quarrel itself.

Dorchester was officially correct in controlling the military operations in Upper Canada; and, when he was commanded to act in affairs of importance, Simcoe pushed on with his wonted vigour and dispatch. Very near the close of their relations Dorchester stated to Simcoe that between them there seemed to be some unfortunate mistake which required to be cleared up. "I do not understand," he wrote, "how the officer commanding the troops in this country, whether he approves or disapproves of provincial projects, can interfere with the lieutenant-governor in the exercise of the means intrusted to him by the king's ministers for carrying on the great public measures of his province; and I must suppose, till further explained, that the commander-in-chief is as little under the control of the lieutenant-governor."

I have said that the friction or quarrel of these two officers, each laden with great responsibility, each endeavouring to carry out his duty amid peculiar difficulties, was of no public moment. But it had intimate and private results. The home government endeavoured to conciliate the opposition, and traced with tact the boundaries of the two gubernatorial spheres, and pointed out how, with mutual consideration, no clash need occur. But the personal wounds remained unsalved to the last. Simcoe, upon the eve of his departure, was bitter in his invective; and Dorchester, provoked by the captious opposition of the chief-justices in his own capital, and the insolence of the commander of the forces in the upper province, would fain have recommended the recall of each. "I think," he wrote, "this would not only prevent any disorder for the present, but teach gentlemen in these distant provinces to beware how they sport with the authority of the king, their master, and the tranquillity of his subjects."

But, while upon many points Dorchester and Simcoe differed, there was one opinion which they shared—that war with the United States was inevitable. The autumn and winter of 1793 heard the clamour and din of the American fire-eaters and filibusters rise to such a height that the voices of the prudent and moderate were lost, overwhelmed in the tumult. It was urged that with a French alliance the time would be ripe to sweep the power of Great Britain from the continent. Added to this

agitation there was the menace of Wayne's force ready to strike at Detroit when a favourable opportunity should arise. Dorchester, in November, 1793, gives to Hammond the information that this army consisted of three thousand regulars, two thousand militia, and two hundred Indians. It was his first duty to defend the posts, and Detroit was in no state to stand before such an army. During the early weeks of 1794 the tension increased, and Dorchester wrote to Hammond on February 17th that "Wayne's language implies hostile designs requiring other measures than complaints or repairing a fort of pickets." He believed "a frank statement best, so that it may be understood that trust in forbearance and the desire of peace may be carried too far." A few days earlier, on February 10th, he had made a speech to a deputation of the Seven Nations which had the effect of a frank statement, and was taken by the United States as such. He told the Indians "that from the manner in which the people of the States push on and act and talk, I shall not be surprised if we were at war with them in the course of the present year." The speech, intended only for Indian ears, reached the United States, was printed in the newspapers, and the secretary of state wrote to Hammond that the words were "hostility itself."

Although the letter to Hammond just cited does not contain a hint that Dorchester had decided to take any active measures, upon the same day he

advised Simcoe that as he heard Wayne proposed to close the British up at Detroit he should occupy nearly the same posts as were demolished after the peace on the Miami ; he should arm ships upon the lakes, and prepare to resist Wayne should he attempt to take possession of the country.

For some time the governor had sought guidance from his superior officer as to what his course of action should be if the Americans appeared with an armed naval force upon the lakes. He had been referred in answer to the British plenipotentiary at Philadelphia, and, accordingly, in alarm at the impossibility of obtaining definite instructions in a matter of such moment, he had dispatched Major Littlehales to the American capital to learn from Hammond the "mind of His Majesty's ministers." While his envoy was still at Philadelphia, Dorchester's dispatch was received. Simcoe interpreted it as the declaration of a war policy, and on March 14th he dispatched to the commander-in-chief his plan of aggression, as it was his belief that Upper Canada could not be defended from its own soil. Immediately afterwards he left York. He arrived at the Mohawk village on the Grand River on March 26th, and taking canoes there he reached the rapids of the Miami on April 10th.

An episode now occurred that is worthy of record, more from its strangeness than from any remote bearing upon the subject. Upon April 8th a letter had been received by Simcoe from Baron

A LETTER FROM CARONDELET

Carondelet, the Spanish governor-general of Louisiana, dated January 2nd, 1794, asking him for aid against an expedition that he believed was designed against Louisiana. His information was explicit; the attack was to be made by way of the upper and lower Mississippi; France had intrigued with American Jacobins, the force was known, as well as the fund to supply the insurgents. He asked Simcoe to send five hundred men by way of St. Louis to defeat the designs of the common enemy, as he believed that it was in the interest of Britain that Illinois should remain in possession of Spain. Simcoe agreed to the general statement that such a secured possession was in Great Britain's interests, but that he could not afford assistance to St. Louis even if authorized so to do. He averred that he would be happy were the alliance between the two Crowns strengthened as, in coöperation, their forces would be of consequence should the United States force a war. The letter closed with those courteous messages that Simcoe, gifted in the expression of sentiment, would feel constrained to deliver to a Spanish governor. It was many months afterwards, in the winter of 1794-5, that Simcoe received an answer to his letter; the expected invasion of Spanish territory had not occurred, and Carondelet wasted his words in pointing out how combinations of the Indian forces might be made, and in what manner communications could be maintained. Simcoe, upon reading this epistle, may have smiled at the

recollection of the request for aid from one who was the leader of what he considered a forlorn hope, at the request of Carondelet coming to him in the wilderness while he was gathering his puny force and felling trees to make a breastwork against his immediate foe.

At the rapids of the Miami Simcoe erected as effectual a stronghold as possible, and garrisoned it with one hundred and twenty rank and file of the 24th Regiment, commanded by Major Campbell, and one non-commissioned officer and ten privates of the Royal Artillery. He reports to Dorchester that he also "directed a log house, defensible against necessity, to be built at Turtle Island and another at the River aux Raisins, and mertons of logs in the hog-pen manner to be provided at these posts which, being filled as occasion shall require, will give the adequate means of speedily erecting batteries, and in the meantime these houses will become immediate deposits absolutely necessary to the security of the navigation." Having thus created an outpost to the defence of Detroit, Simcoe hurried back to Niagara to further strengthen the fort, to make a better disposition of the troops under his command, to call out the militia, and to complete the naval force upon Lake Erie. He arrived at Navy Hall on April 27th. The next three months were spent in these preparations, and in this interval the legislature met on June 2nd and prorogued on July 7th. Early in August the governor dis-

patched Lieutenant Sheaffe to the Sodus to protest, in the name of the British government, against the settlement of Americans on that bay, which indents the shore of Lake Ontario in Wayne county, in the state of New York. This visit was made in no hostile spirit, and the lieutenant was accompanied by but one officer and seven unarmed soldiers as oarsmen.

On August 18th all that Simcoe could do for the defence of Canada had been done, the militia of Niagara and Detroit had been drafted, and he was ready to leave for the latter post with all his available force, one hundred men of the 5th Regiment and forty of the Queen's Rangers. With his small army he feared that Wayne could not be successfully opposed. But since Dorchester's speech to the Indians and the establishment of the post at the Miami, Brant had acted with firmness and vigour, and Simcoe expected his assistance and that of every warrior of the Six Nations.

The establishment of a fort by the British fifty miles south of Detroit and within territory formally ceded by treaty, caused violent comment in the United States. An acrimonious correspondence was carried on between Jefferson and Hammond, and the newspapers fanned the excitement. But while this episode was in progress far from the scene of activity, and while Simcoe was disposing his forces and rallying his Indians, Wayne was cautiously advancing. No opportunity was given

for such an ambuscade as broke St. Clair and destroyed his army. His object was solely to crush the Indians, obeying the order of his government. On June 30th he met his foe under the stockade of Fort Recovery, which had been erected upon the ground where Butler fell and St. Clair was defeated. The Indians cut off and drove away a train of pack animals laden with provisions and killed fifty men of the escort. For two days a desultory, but at intervals a fierce fight was maintained. Wayne was not to be surprised or drawn from his defences, and his men, from the loopholes of Fort Recovery, inflicted heavy loss upon the Indians. Discouraged from the continuance of a contest in which they were at a disadvantage, the Indians carried off their dead and wounded and left the field where they had less than two years before crushed St. Clair. But in Wayne they had an adversary of a different stamp. In the wilderness he made no step of which he was not perfectly sure, and when he received reinforcements at Fort Recovery he advanced as rapidly as the nature of the country would permit.

His objective point was the junction of the Au Glaize and the Miami, upon the fertile banks of which lay the Indian villages. When he arrived he met with no resistance. The Indians were taken unawares, and as they retreated towards the rapids, where Major Campbell and his little force held the walls of the new British fort, they

saw above the trees the dense smoke from their huts and cornfields drift away in the wind. Here they took up a position; their left secured by the strong rocky bank of the river, their centre and right involved in a thicket of wood rendered impassable by fallen trees mingled with underbrush, the track of a tornado. The Americans numbered about four thousand, the Indians but one thousand three hundred. With this superior force Wayne advanced, and on August 20th he struck at the position. His dispositions were well planned, the charge was impetuous and intrepid; in a single hour the Indians were rolled back upon the British post, with few losses but thoroughly broken and defeated. The day after the battle Major Campbell addressed a letter to Wayne in which he requested to be informed in what light he was to view Wayne's near approaches to his garrison. The interchange of letters which followed exposed the differing views of the commanders, but had no other result. Wayne demanded that Campbell retire; Campbell retorted that he would not abandon his post at the summons of any power whatever. Wayne's cavalry ranged about within reach of Campbell's guns, over which hung the port-fire, but they withdrew and the match did not descend. Wayne had positive orders not to attack any British garrison, and after burning everything of value which he could discover, including the house and barns of Colonel McKee, the Indian

superintendent, he retired to the Au Glaize on August 28th.

Major Campbell's conduct was highly approved by Simcoe. In a difficult position he had maintained a bold and determined front. His fort was an impromptu affair, half completed, and with but a semblance of strength; his garrison was weak and his guns few; but he did not flinch at Wayne's challenge, and would no doubt have fought him to the death. He received nothing more than the thanks of the home government, that coldly agreed with Simcoe's warm words: "The conduct of this gentleman which, in substance, may have prevented the greatest miseries to the province . . . has most nobly supported the national character." The governor sent one hundred guineas to Major Campbell for distribution as rewards, and if his view could have prevailed, advancement and honour would have followed for the commander of the post. No gun had been fired but many had lost their lives by fever. At the end of August six had died and one hundred and twenty of the garrison were upon the sick list.

Thus the decisive action was fought while Brant was still at his village on the Grand River. If he had at heart the successful prosecution of the war, his inactivity at this critical time is inexplicable. He knew that Wayne was steadily advancing, yet he withheld his hand; he answered Simcoe that he was ready to move with his best

fighters, yet he remained at home. He wrote to McKee on January 14th, 1795, that he should have been present at the affair with Wayne had the nations, "agreeable to our ancient customs, informed me of his approaches." When he and Simcoe on September 27th arrived at Miami's Bay all reason for their presence had vanished. The Indians were discouraged and disunited, and Wayne had moved southward victorious.

In the spring and summer of 1794, while these men of action were manœuvring for an advantage in the far west, each party alive for a pretext to strike at the other, the diplomats of Philadelphia and Downing Street were quietly settling the difficulty in their own fashion. Jay landed at Falmouth on June 8th upon a pacific mission, and while Simcoe thought that war had been declared and was straining every nerve to place his province upon the defensive, Dundas was writing him from London that peace was secured and that nothing should be done to irritate the United States or provoke hostilities. These dispatches were received many days after all fear of a clash had past. If Washington's determination to maintain peace had been less firm, if his directions to Wayne had left any loophole for that impulsive officer to resent hostility, the nations might again have been involved in war. The motive may not have been higher than that which prompted the communication of the war office to the unfortunate

St. Clair, but it was sufficient: "We must by all means avoid involving the United States with Great Britain until events arise of the quality and magnitude as to impress the people of the United States and the world at large of the rank injustice and unfairness of their procedure. But a war with that power in the present state of affairs would retard our power, growth and happiness beyond almost the power of calculation." The restraint put upon Wayne was in part actuated by self-interest, and the opposition that he met so far from Detroit prevented him from pitching his tents under the walls of that fort.

The treaty that was concluded between Great Britain and the United States, which is usually called Jay's Treaty, settled the pending difficulties between the two countries, and in the summer of 1796 the posts were delivered to the United States. The American flag was hoisted over Fort Niagara on August 11th. About the same time the relieving party, assisted by the British with supplies of pork and flour, arrived at Michilimackinac, and the dominion of the west passed peaceably to the United States.

Dorchester, misled by alarming signs, had nearly brought disaster upon the country. For his inflammatory speech to the Indians and his directions to Simcoe to establish the post on the Miami, he was reproved by the government. His spirited defence of his action ends with his resignation. But

with these facts the present writing has but little concern. It is with Simcoe's position we must deal. He had been the chief actor in the scene and he apprehended that his would be the chief blame. In this he was wrong, but the fear drew from him a characteristic letter to the Duke of Portland. It follows with but slight abridgment as it sums up with vigour and almost vehemence the situation from his standpoint. It exhibits many of the essential points of his character, his intense spirit of partizanship, his impatience of restraint, his deep integrity, his devotion to duty which was in his mind inseparable from his religion, and from all that he held sacred in life.

"KINGSTON, *December 20th, 1794.*

"MY LORD DUKE,—As the manner in which the disputes relative to the barrier forts of this province shall be terminated must probably become the subject of discussion, I feel it indispensably necessary to state to your grace the orders of the commander-in-chief, Lord Dorchester, under which I acted and the principles which in the event of war would have guided my discretion. . . . It is necessary that I should premise to your grace what transpired on my arrival in this province. I found it to be the common language of all classes of people, military as well as civil, the well-informed as well as the ignorant, that any attempt of the United States to launch a single boat upon the lakes was to be repelled as hostility; it, therefore,

became incumbent upon me to obtain as soon as possible positive instructions upon so important a subject. The manner in which his Lordship had previously declined to give such instructions and his observations to me on January 27th that 'Mr. Hammond was best qualified to speak the language that will be approved by His Majesty's ministers,' when contrasted with the orders of February 19th following, to occupy the post at the Miami; and his Lordship's answer to the speech of the Seven Nations of Canada as deputies from part of the Indian nations, which speech was totally unknown to me: these circumstances, added to the total silence of His Majesty's ministers in respect to the application made by me to Major-General Clarke, and communicated by him in his letter to Mr. Dundas of February 2nd, 1793, left no justifiable doubt upon my mind but that war with the United States was inevitable, and that his Lordship's recent measures had originated under the instructions of His Majesty's confidential servants; I immediately, therefore, decided personally to proceed through the woods to Detroit, and to carry into execution his Lordship's directions upon the principles, which are explained by the letter, which I beg to transmit a copy of to your grace. Previously to the receipt of the commander-in-chief's orders, the same information from Lieutenant-Colonel England, to which his Lordship alludes in his instructions, having passed through my hands, I had sent Major of Bri-

gade Littlehales to Mr. Hammond to request that if 'he thought it was seasonable, he would interfere with the government of the United States to prevent any ill consequences that might follow Mr. Wayne's menaces and approach.' In particular I stated to Mr. Hammond: 'That I considered the settlement at the River aux Raisins as the boundary of the territory occupied by His Majesty's subjects, dependent on Detroit.' It, therefore, will not escape your grace that had Mr. Hammond acted upon my communication and had entered into an amicable discussion with the government of the United States, nearly at the same period that a post at the Miami Rapids, thirty miles in advance of the River aux Raisins, should have been occupied by His Majesty's troops, the conduct of the British government would have appeared in the most unfavourable light, and, personally, I should have been liable to the charge of extreme duplicity. . . . Your grace will be pleased to observe that Lord Dorchester, by his speaking of my 'local knowledge' of the country where it must have been known to his Lordship I never could have been, in *person*, seems to intimate the propriety of my going thither; upon this expression, I determined to waive the peculiar circumstances of my situation, and, as I conceived, the general impropriety of His Majesty's representative in this province passing its boundaries without the most urgent occasion. I more readily embraced this resolution, as I had not

an officer of experience, and in my confidence as deputy quartermaster-general, whose general superintendence, not confining him to local duties, might with propriety have been employed in a matter of such importance. Had I possessed such an officer, most certainly I should not have felt myself under the necessity of proceeding to the Miami's; nor in any case would I personally have done it, without further explanations with the commander-in-chief, had I not conceived a war to have been inevitable, that an opposition to Mr. Wayne's approaches had been determined upon by His Majesty's ministers, and that not a *moment* was to be neglected. I stated, therefore, to his Lordship, after a general sketch of such military defence as then appeared proper, that I should procure better information at Detroit, 'and, if it can be done with propriety, by personal investigation.'

"Fortunately for me, Lord Dorchester's speech to the Seven Nations having been made publick before Brigade-Major Littlehales reached Mr. Hammond, all communication between that gentleman and the government of the United States on the subject of my dispatch was prevented and superseded.

"On my arrival at Detroit, I found it necessary for the king's service that I should in person proceed to the Miami's; and subsequent events have in all respects justified the military principles I stated to Lord Dorchester in respect to the occupation of that post. Your grace will have the good-

ness to observe, upon the question of the commander-in-chief, 'whether by collecting all the force in your power to assemble, you would be in a condition to resist Wayne's attack should he attempt by force to take possession of the country?' that I answer, 'I think no force in this country could resist Wayne's *direct attack*.' Your grace will also observe that the commander-in-chief had expressed himself: 'It may not be amiss to consider what reinforcements you may draw from other posts within your command without exposing any to insult.' I need not call to your grace's attention the vague and indeterminate idea annexed to insult in a military acceptation of the term. Lord Dorchester has never yet by name mentioned to me the Indian nations as part of the force or powers. He knows the garrison of Oswego to be untenable, and that I consider Niagara alone to have been so extensive as to require all the force in this country to garrison it; that my opinions were that there were neither competent magazines nor military stores in the province. I also know that American militia are not fitted for garrison duty, and will not perform it; and that what I stated to the king's ministers before I left England I affirm to be true, 'that Upper Canada is not to be defended remaining within it,' that is, on a defensive plan. However, I beg respectfully to remark to your grace, after having stated these difficulties, that I did not shrink from the encounter, and,

therefore, I transmitted to his Lordship a series of operations that might possibly counteract Wayne's approach and possibly ruin his army. The details upon which the execution of these operations depended, though they could not at that moment be brought to bear, were instantly put into a train, and if war had been declared and it had then been advisable, I could have attempted its execution in June following. I transmitted this plan to Lord Dorchester to show that I was in *person* ready to undertake any enterprise, however hazardous, that might, in my judgment, conduce to the public service, and I beg here most respectfully to state to your grace, and I hope without impropriety, as this letter is meant for personal protection, that having embraced the military profession on principle, and having cultivated it on the most extensive theory and no uncommon practice, I have always been ready to apply my attainments to the king's service, measuring the value of command by its public utility and not by its extent, and being equally prepared for the smallest detachment or the largest army, leaving to the timid or the superficial to distinguish between the partizan and the general. I have now shown to your grace the *precipice* on which I stood, namely, my belief that it was the intention of His Majesty to *commence a war* with the United States, and that on a defensive plan Upper Canada must fall inevitably. I have stated the opinions I had thrown out to Lord Dorchester and the mo-

tives which led to them. Mr. Wayne approached the Miami's, at the same time the Pennsylvanians garrisoned Le Bœuf on the way to Presqu'isle. They were prevented by the Six Nations (and President Washington's consequent interference), from proceeding and occupying that important station. The occupation of Le Bœuf with one hundred men appeared to me a false step of the United States, and I prepared to take due advantage of it. At the time of Mr. Wayne's approach and summons of Major Campbell, I was collecting artillery, boats, and troops at Fort Erie, and had sent off such a detachment as I had means of transporting to secure Turtle Island. Had Mr. Wayne besieged the Miami Fort I had good hopes of relieving it, having well considered on the spot every arrangement necessary to effect that purpose ; had he been repulsed in an attempt to have assaulted the fort, the Indians would have regained their spirits, and, supported by the Canadian militia, who, it is probable, in numbers would then have joined the savages, and by two hundred at least of the king's troops, led by Major Campbell, I doubt not but they would have destroyed General Wayne's army, or at least disabled it for further operations. That officer seems to have been unprepared for meeting with so compact a fortress, and perhaps he was intimidated by the very permission to reconnoitre the post on all sides. His horse appearing after all further approach had been forbidden by Major Camp-

bell, he directed a cannon to be pointed; the match was lighted and if the party had not been withdrawn, it would have been fired upon. So near was the war being commenced!

"Your grace will be pleased to advert to my situation if Mr. Wayne's ferocity had tempted him to have attempted an assault, and those consequences had followed that I have stated and which I firmly believed would have been the case.

"I should have known of the event of these hostilities before their commission could have possibly been communicated to the government of the United States. I should, I had, decided; I was prepared and would have instantly surrounded Le Bœuf, and cut off Fort Franklin (not tenable). Le Bœuf, weakly garrisoned and scarcely fortified, could not have held out an hour against my cannon; destroyed, there would not have been an Indian of the Six Nations but who would have taken up arms. My immediate operation would have been by small parties of *white* men, as the mildest mode of warfare, to have burnt every mill in the forks of the Susquehanna down to Northumberland or Sunbery, and on the Delaware to Minesink, which would have driven in those settlements; and from every circumstance I have no reason to doubt but that in three weeks the whole of the Genesees, almost without resistance, would have been abandoned, the inhabitants taking refuge in the king's or the dominions of the States, and that by a post

on the Three Rivers Point, Sodus Harbour, and Oswego, I should have effectually for the season *protected* Upper Canada. I am persuaded there is not an Indian in North America but would have flown to arms, and by a right use of their terror rather than their action, I have *reason* to believe that Vermont, and it is possible that Kentucky would have declared themselves neutral.

"The British militia to a man, on the first appearance of hostilities, had avowed the most determined loyalty. They are as well calculated for offensive war as they would be impotent in garrisons. There are few families among them but what can relate some barbarous murder or atrocious requisitions which their relations have undergone from the rulers of the United States, however those transactions may have been concealed and glossed over in Europe. It is probable that, once called into action and movement, and successful, they would have been a most formidable assistance. Offensive operations, therefore, would have been impressed upon me by every consideration. I beg respectfully to call your grace's attention to what must have been my situation, if, under such circumstances, at any moment of these operations, I had received Mr. Dundas's letter No. 6, and that of your grace dated July 16th, 1794, the former and its *enclosures* stating that it was *not* the intention of His Majesty's government to commence hostilities with the United States on the subject of the posts, and the

latter recalling me in the midst of my operations, and of operations of such a nature and extent. But, my Lord Duke, I must beg your permission to state what (though I am not of that opinion) may be thought an *extreme case.*

"It would have been of public service, among such a people as those of the United States, who are governed by newspapers, to have published reasons for my operations, and probably it might have been politic to have limited their extent. In this case it is not impossible the people near Pittsburg, who perhaps have broken out into their late violences in hopes of Great Britain and the United States going to war, might have entered into some compact in which it would have been prudent to have acquiesced; supported as these people could easily be by Upper Canada and the Indians, they would present a most systematic and formidable opposition to the United States. I have no doubt that the president, Mr. Washington, *in person* must have marched to crush it. The first object of my heart would certainly be, with adequate force and on a just occasion, to meet this gentleman face to face; of course public duty and private inclination would have made me almost surmount impossibilities to have effected such a purpose, and on the supposition that Lord Dorchester should not call for the troops of Upper Canada, such an event might have been possible. At that moment the communications from your grace and Mr. Dundas must have come through the presi-

dent, whom I believe to be the most treacherous of mankind, and most hostile to the interests of Great Britain. In what a dreadful situation this circumstance must have placed me imagination can scarcely devise.

"I have, my Lord Duke, in an early part of my life, sacrificed much to my sense of obedience and essential subordination; at present, were it necessary, these principles must be doubly enforced on my mind. I have long held it as a maxim that in proportion as the general mass of mankind are relaxed in their habits of due subordination, the stricter and more exemplary will be the obedience of every true servant and soldier of his country to His Majesty's authority, and to whom *he* shall be pleased to delegate it, but in the situation I have represented, where enterprise must have been hazardous and inactivity desperate, your grace will see it might have been almost impossible for me *at once* to have stopped in my career, to have exemplified prompt obedience, and, acting most conscientiously in what I conceived the letter and spirit of my orders, to have preserved myself from calumny and ruin.

"The consequences of the orders which I have already executed must, as I conceive, prove most injurious to the king's interests. The giving up the posts at present will have the appearance (and appearance becomes reality in disgrace), as having *been extorted* by armed America, and acquiesced in

under the apparently unfortunate termination of the present European campaign. This the Federal party of the States will dilate upon as a proof of the wisdom of Mr. Jay's appointment, and the anti-Federalists as resulting from their opposition to British encroachments.

"The having brought this dormant question into discussion will, therefore, at the least, appear reprehensible in the eyes of those who may imagine their interests injured by its termination or whose aims are to impede His Majesty's government. These circumstances will renew in the minds of Englishmen the memory of the late American war, and above all the loss of honour in which it terminated, a loss that is now understood from its consequences and felt universally.

"I, therefore, in my very peculiar situation most respectfully repose on the *justice* of your grace and His Majesty's ministers, and hope and trust that should any public or parliamentary question arise upon the subject in which my name may be implicated, that it will be clearly understood that all my late transactions were in obedience to the orders of the commander-in-chief, Lord Dorchester.

"I have the honour to be, my lord, with utmost respect and deference, your grace's most obedient and most humble servant,

"J. G. SIMCOE.

"His Grace the Duke of Portland, one of His Majesty's principal Secretaries of State."

CHAPTER IX

THE CHURCHES AND EDUCATION

"THE best security that all just government has for its existence is founded on the morality of the people, and that such morality has no true basis but when based upon religious principles, it is, therefore, I have always been extremely anxious, from political as well as more worthy motives, that the Church of England shall be essentially established in Upper Canada." Thus wrote Governor Simcoe to Henry Dundas on November 6th, 1792, after he had been for a few weeks at Niagara. The first clause in the loose sentence would pass without challenge, and the second, although vague and indeterminate, has elements of truth, but the deduction falls somewhat flat upon the mind raised to expectancy by the fine statement of the premises. It seems far-fetched and unreasonable to argue that because just government is founded on morality and morality upon religious principles that, therefore, the Church of England should be essentially established in Upper Canada. Simcoe could thus write, feelingly and with absolute sincerity, and could at the same time entertain vigorous, wise and prudent plans for the government of the province. The establishment of

the church was a scheme apart, founded upon preconceived ideas.

But in urging it Simcoe was instant in season and out of season. He wished to assimilate the government as nearly as possible to that of Great Britain, and as an established clergy was a component part of the one it must of necessity be imported into the other. He held the view that "every establishment of church and state that upholds a distinction of ranks, and lessens the undue weight of democratic influence must be indispensably introduced" into such a colony as Upper Canada. When we reflect that the Canada Act was largely influenced by Simcoe, we can trace his hand in the clauses which created the Clergy Reserves and made possible hereditary titles in the legislative council. This view, now that we have passed the period of agitation and strife which it occasioned, seems odd and perverse, but Simcoe drew from the facts of the American Revolution the conclusion that too great a freedom in the matter of forms and institutions had brought about that dire and lamentable result. In his government, church and state were to go hand-in-hand; the people were to fear their rulers, the rulers were to be just and considerate to the people.

Reviewing the elements of the population: Germans of Lutheran descent, Moravians, Calvinists, Tunkers, Methodists, the blood of Puritan New

England, one wonders how a man of Simcoe's penetration could think his established fold adaptable to such motley and contentious factions. But, to tell the truth, Simcoe was no statesman, not even a shrewd politician; he was a soldier first, last and always, with a military love of fixed orders and implicit faith in duty as the one law needful. Now it was to be the glory of Upper Canada that freedom in its integrity, both political and religious, should there abide, and that bureaucracy, militarism, and the rule of a governor with an eye single for sedition and political heresy should be cast forth. The influence of Simcoe, and those who followed in his pathway, postponed only for a little the responsible government and religious freedom that was potential in the disposition and desire of the people.

When Simcoe reached Niagara in the autumn of 1792, there were three clergymen of the Church of England in Upper Canada. The first to arrive was the Rev. John Stuart. He was born in Harrisburg, Pennsylvania, in 1730. His father was a Presbyterian, but the son decided to join the Church of England, and was ordained in England in 1770. For seven years he was missionary to the Mohawks at Fort Hunter. During the war he was subjected to injustice and indignity at the hands of the rebels. His house was plundered and his church turned into a stable. In 1780 he made up his mind to emigrate to Canada, and he arrived with his family

at St. Johns, Que., on October 9th, 1781. After a sojourn in Montreal, where he conducted a successful day school, he moved to Cataraqui, as Kingston was then called, in 1786. Here he established himself, ministering to the Loyalists, refugees like himself, and to the Mohawks of the Bay of Quinté, to whom he could preach in their own language. The next to arrive, in August, 1797, was the Rev. John Langhorn, who laboured in Ernestown and Fredericksburgh. He was paid £150 a year by the Society for the Propagation of the Gospel. To Niagara the Rev. Robert Addison had been sent by the society just mentioned. He arrived there in the autumn of 1792, shortly before the governor.

Over these scattered pastors it was Simcoe's desire to have a bishop appointed. Before he had left England he had urged the importance of the action, and had offered to give up £500 of his own salary annually if the consideration of cost was to prevent the creation of the new see. His request was at last met, and the first anglican bishop of Canada, the Rev. Jacob Mountain, arrived in Quebec on November 1st, 1793. His jurisdiction extended over both provinces, and it was not until the summer of 1794 that he visited Upper Canada, and was welcomed by the governor at Niagara on August 9th. He found that there was but one Lutheran chapel and one or two Presbyterian churches between Montreal and Kingston. At the latter place he found a " small but decent church," and in the Bay

of Quinté district there were three or four log huts wherein at various points Mr. Langhorn met his parishioners. At Niagara there was no church; the services were held sometimes in the chamber of the legislative council, and other times at Freemasons' Hall, which is described as a house of public entertainment.

Roving through the country, the zealous bishop found a few itinerant and mendicant Methodists, "a set of ignorant enthusiasts, whose preaching is calculated only to perplex the understanding, to corrupt the morals, to relax the nerves of industry, and dissolve the bands of society." The population he found to be largely composed of dissenters, but he was of the opinion that if a proper number of clergymen were at once sent into the country, these would rapidly give their adherence and thus would the province be saved to the church. The outcome of his earnest representations was that £500 was set apart annually for the building of churches, which was expended during the following years at Cornwall, York, and Niagara. But the pitiful stipends of the clergy were not materially increased; the home government pointed out that "the act respecting rectories included tithes, so that no additional grant was needed," and trusted that a small salary from government and an allowance from the Society for the Propagation of the Gospel would be sufficient for the comfortable maintenance of the incumbents. That the incum-

bents were comfortable is open to doubt, living as they did in a country thinly populated by people as yet struggling for a bare existence, where even the necessaries of life were both scarce and expensive. But upon their foundation of self-denial and zeal was based the great power of the Church of England in Canada. To weld the connection between church and state Bishop Mountain was given a seat in the legislative council on May 29th, 1794, and was appointed an executive councillor on January 25th, 1796.

While Simcoe was thus looking forward to the establishment of the Church of England in Upper Canada, there were forces at work which in the end rendered his schemes fruitless. There was the deep spring of dissent in the hearts of the people which was by and by to swell into a torrent, not to be dammed or bridged; and there was everywhere, growing more and more powerful, the influence of the ministers and preachers who lived the pioneer life and guided their small flocks in the wilderness. Whenever the governor became officially aware of the presence of these sectaries, and the persons who ministered to them, he treated them with lofty scorn. After his customary fashion he faced their position with petulance and represented their motives as base and unworthy, themselves as disloyal and contumacious.

During the session of 1796 a petition was presented from the eastern district asking for the re-

peal of the Marriage Act. It was signed by all the magistrates in the eastern district and by many of the inhabitants. If the views therein expressed had been set forth in the most abject manner they would not have received favour with the governor, but instead of a proper humility pervading the document, it was composed in a manner which irritated him. There was something jaunty and in effect flippant in the phrases. It was couched in argumentative terms, and to his mind there was no basis of argument. It was marked with honest yet homely similes, out of place when dealing with so grave a matter. But above all it showed republican tendencies. The authorship was in doubt, but it was alleged that it had been indited by one Bethune, a Presbyterian minister, who, while writing such reprehensible stuff, was actually in receipt of the king's bounty to the extent of £50 a year. It was also hinted that the document proceeded from Montreal and dangerous men there who had the ruin of the country at heart. This monstrous petition only asked the privilege that now is considered everywhere as the plainest right—that ministers of every denomination should be permitted legally to solemnize marriage. Simcoe, a most stubborn son of the church, stamped upon the request, and it took years of agitation upon one side and gradual broadening of principles upon the other before 1830 saw the repeal of the burdensome Act. In conversation "he thought it proper to say that he looked

upon the petition as the product of a wicked head and a most disloyal heart"; he considered it an open attack upon the national church, and opined that the next attempt would be upon the sevenths set apart for the established clergy. Indeed, it was not long before the Clergy Reserves began to receive attention from the same quarter.

While Simcoe was trying thus to hedge the infant church from harm, the obscure sectaries were taking root, watered and pruned and nourished by the pioneer exhorters—Methodists and others, who roved throughout the province and preached everywhere, after their own forms and in their own manner, the gospel of Jesus Christ. These zealots, their personality and their methods, are one of the most picturesque features in the country where all men had taken on some quality of native ruggedness, power and simplicity from the earth, very near to which they lived and reared their young. Like Orson, who was nourished by bears, the people had been habituated to the wilderness. They required for their religious awakening and the continuance of their spiritual life some power full of elemental force and vital energy. As their needs were so were they filled.

The itinerants came and set up their altars wherever a willing human heart could be found, beneath the primeval maples, between the fire-blackened stumps of the new clearing, or under the rude scoop-roof of the first log shanty. They

travelled about sometimes on horseback, sometimes on foot, roughly garbed, their knapsacks filled with a little dried venison and hard bread, sleeping in the woods, often fighting sleep when the snow lay thick on the ground, keeping at a distance a frosty death by hymns and homilies shouted to the glory of God in the keen air. Their stipends were almost naught, their parish coterminous with the trails of the savages or the slash roads of the settlers, their license to preach contained in one inspiring sentence in a little leather-covered book, their churches and rectories wherever under the sky might be found human hearts to reach and native hospitality. They met the opposition which they frequently encountered each in his own way, but no threats of hanging or stripes could push them from their appointed path. Sometimes the force was met by force, and the bully felt the power of the evangelist in the stroke of a fist hard as granite, launched with unerring swiftness; sometimes his ribs were crushed in an ursine grasp and he felt himself held high and hurled beyond the circle of the camp-fire; sometimes he was appealed to in a way that won all the manliness in his heart, and caused him to choke with shame at a merited disgrace. As settlements increased their circuits became smaller, their people reared churches and the hardness of their lives was softened, but their zeal was unquenchable. Fanatics they undoubtedly were, yet they were cast as salt into the society of that

day to preserve it on the one hand from ecclesiastical formalism, and upon the other from the corruption of the lawless and ignorant.

The first Presbyterian minister to reach Upper Canada was the Rev. John Bethune. Like his contemporary, Mr. Stuart, he had suffered for the royal cause in North Carolina, where he was the chaplain of the loyal militia. During the war he was captured and imprisoned, lost whatever he had gained in the colony, and after peace was declared he left for the country where he could express his attachment for the king's government without fear of insult or vengeance. He arrived in Montreal in 1786, and gathered about him the adherents of his faith. After the short sojourn of a year he left the city for the new settlements on the St. Lawrence, which contained many Scottish Presbyterians. Here he carried on a successful work for many years. He was the only minister not belonging to the Established Church who received any financial aid from the government. From this source he had an annual stipend of £50, paid him by Governor Simcoe at the instance of Lord Dorchester. He it was who in a sturdy way agitated for the repeal of the Marriage Act, and he was probably the author of the petition against it which so incensed the governor. His opposition to the Act was, however, legal, and did not include the overt course adopted by the Rev. Robert Dunn, of Newark, who took upon himself to perform marriages in contravention of

the Act. This brought down upon him the power of the government, and he was duly prosecuted. There is no record of the result, whether he was punished or not, or whether those he married complied with the law or braved the world with the insufficient blessing of Robert Dunn. He was the second comer to the Niagara district; he arrived in 1784 from Scotland, and quickly reared a church with the help of all denominations about Niagara, a fact which Simcoe deplored as it delayed the erection of a building for the Church of England. Mr. Dunn did not long maintain his connection, as he lost faith in the doctrines of the church. He entered business and was lost in the wreck of the *Speedy* on Lake Ontario. His forerunner had been the Rev. Jabez Collver, who came to the county of Norfolk in 1783, and took up land there, one thousand acres, it is said, granted by the government, which appears at least doubtful. He laboured long and zealously in the district, having a stronger faith than his contemporary, Mr. Dunn.

Missionaries of the Church of Rome had visited the Indians and ministered spiritually to them for many years before the conquest. At the time of the division of the province they were labouring at Detroit amongst the western tribes, and the first resident priest in Upper Canada was the Rev. Mr. McDonnell, who came to the county of Glengarry, where were settled a number of Scottish adherents to the Roman Catholic faith. The government wel-

comed Mr. McDonnell, and showed him the greatest courtesy upon his arrival. De la Rochefoucauld observes in the governor a preference for the Roman Catholic clergy as instructors for the Indians. The duke ascribes it to the urgency of Simcoe in fostering monarchical principles. "The policy of General Simcoe," he says, "inclines him to encourage a religion, the ministers of which are interested in a connection with the authority of thrones, and who, therefore, never lose sight of the principle to preserve and propagate arbitrary power."

While Simcoe sought by all the means in his power to provide for the spiritual needs of his growing nation of pioneers, he also gave great attention to the means of education, which were deficient. In January, 1791, he wrote to Sir Joseph Banks, the president of the Royal Society: "In a literary way I should be glad to lay the foundation stone of some society that I trust might hereafter conduce to the extension of science. Schools have been shamefully neglected—a college of a higher class would be eminently useful, and would give a tone of principle and manners that would be of infinite support to government." The first settlers had for some years been without schools, whatever instruction had been given was by the parents to their children in the intervals of work.

The first school in the province was opened by the Rev. Dr. Stuart at Cataraqui in 1786, and in the years between that date and Governor Simcoe's ar-

rival several other schools were established. There was one at Fredericksburgh, taught by Mr. Johnathan Clarke, in 1786, and two years later he opened one at Matilda. At Hay Bay Mr. Lyons had gathered a few scholars around him in 1789, and a Baptist deacon, Trayes by name, had also begun to teach at Port Rowan. At Napanee Mr. D. A. Atkins opened his school in 1791, and the Rev. Robert Addison, probably the best equipped teacher in the province settled at Niagara in 1792, and supplied that growing town with educational advantages. Two years later the Rev. Mr. Burns, a Presbyterian, opened another school at Niagara, and in 1797 Mr. Cockrel established a night school at the same place, which he soon handed over to the Rev. Mr. Arthur, and himself removed to Ancaster to open still another school.

From the nature of things, there could be no uniformity in the tuition offered at these schools. The masters, when they were not ministers of the Church of England, may have had but an elementary training. The scholars were not numerous, but gave evidence of zeal by tramping miles through the bush and facing the stress of weather. Winter was the studious season in the province, and many a man who rose to prominence, fought his life battles nobly and went to his fathers, toiled at his tasks by day over the rough wooden desks in the log school-house and at night by the light of the fire that roared in the rubble chimney. Books were

scarce; those for sale in the general stores of the period were principally spelling books and primers; arithmetics were few and correspondingly precious. A tattered copy or two of Dilworth's spelling book and of the New Testament comprised the equipment of many of these schools. The Rev. Mr. Arthur announced upon opening his night school that "if any number of boys offer, and books can be procured, a Latin class will be commenced immediately."

From Kingston eastward and from Niagara westward to the boundaries of the province the people were without schools during the years of Simcoe's governorship. He desired the establishment of a system of education for the same reason as the establishment of the church—that the province might be kept loyal upon religious principles, and that government, both of church and state, might be conformable in all things to the British Constitution. He, therefore, warmly urged the great need for provision for higher education, for the establishment of a university in the capital city of the province. In this capital he imagined a society gathered together that would form a bulwark against the inroads of republicanism and democratic tendencies. There would dwell the governor, the bishop, the judges, the officers of the Houses and of the civil establishment, the officers of the garrison, and thither would come the legislators to be affected by this body of loyal opinion which

they would carry to the four corners of the province. There would be trained the sons of the best families for the church and the higher offices of the government, and no temptation would be offered them to wander to the American seats of learning where their morals would become corrupted and their loyalty overthrown. The church recruited from such a vigorous source would be more successful, he thought, than when manned by English parsons who, "habituated to a greater degree of refinement and culture," could not understand nor influence their parishioners.

The definite plan that Simcoe laid before the secretary of state was moderate. He asked for £1,000 per annum for the purposes of education. Of this amount £100 were to go towards the maintenance of each of two grammar schools at Kingston and Niagara, and the remainder was to be devoted to the university. He wished the professors, with the exception of the medical professor, to be clergymen of the Church of England. The home government did not adopt the plan, and Dundas wrote that he thought "the schools will be sufficient for some time." Simcoe replied that the measures he had proposed were important for the welfare of the country, and would chiefly contribute to an intimate union with Great Britain. He then allowed the subject to drop, so far as extraneous aid was concerned, and gave what attention he could to the small beginnings of educa-

tion within the province. But when his arm was strengthened by the appointment of a bishop he again turned his attention to the foundation of a university, but again without result. Almost the last word penned by Simcoe in Upper Canada refers to this endowment "from which, more than any other source or circumstance whatever, a grateful attachment to His Majesty, morality, and religion will be fostered and take root throughout the whole province."

One unexpected result of the governor's desire to improve the schools was the coming of a man who filled for many years the public eye of Upper Canada, so strong was his character and so great his influence. Dr. Strachan, the first bishop of Toronto, was not a contemporary of Simcoe's in the province. His advent must have been the outcome of a series of misunderstandings. Dr. Strachan himself believed that the governor, wishing to obtain "a gentleman from Scotland to organize and take charge" of the proposed university, placed the negotations in the hands of Mr. Cartwright and Mr. Hamilton. They "applied to friends in St. Andrews, who offered the appointment first to Mr. Duncan and then to Mr. Chalmers but both declined." Mr. Strachan accepted the proposed appointment, and arrived at Kingston, after a tedious voyage, on December 31st, 1799, only to find the expected position a myth. It is a pointed illustration of the extreme slowness of communication in

those days that, although General Simcoe had been away from Canada for three years, Mr. Strachan left St. Andrews in the expectation of still finding him in the country.

As this statement is autobiographical, and was, therefore, held as truth by Dr. Strachan himself, it has been printed constantly without comment. In the very nature of things it appears incorrect. There never was a time when Simcoe felt that the foundation of a university was within sight. In February, 1796, the year of his departure, he wrote to Bishop Mountain "I have no idea that a university will be established, though I am daily confirmed in its necessity." If the time had come to arrange for a principal he would have again urged, as he did in April, 1795, that the officers of the institution should be Englishmen and clergymen of the Church of England. Mr. Strachan was a Scotsman and a Presbyterian. There was not even a minor vacancy, as the school at Kingston was taught by the Rev. John Stuart. The obscurity cannot be cleared, yet in the event no more propitious choice than this Scottish Presbyterian lad could have been made by Simcoe to further his darling plans regarding the mother church. He developed into the prelate whom the governor would have upheld loyally in his own sphere.

Amongst the items which Simcoe sketched in his early memorandum of August 12th, 1791, as desirable for the furtherance of good government

in the colony, the tenth was, "a printer, who might also be postmaster." The first printer in Upper Canada was Louis Roy, who set up his press at Niagara some time during the winter of 1792-3. The first copy of his paper, *The Upper Canada Gazette or American Oracle*, was issued on April 13th, 1793. Some doubt has been expressed as to whether the printed copy of the governor's speeches at the opening and closing of the first session of parliament is synchronous with the event. Was there a printing press in Niagara at that time? The date of the issue of the first copy of the *Upper Canada Gazette* gives an affirmative reply to this question. In order to print a copy of the paper early in April the heavy press and founts of type must have been transported from Montreal before the close of navigation in the summer or autumn of 1792. No transportation of heavy articles was undertaken in winter until years after that date. It may be concluded that the printer and the printing plant arrived some time before the session of 1792, and that the first printed document issued from the press in Upper Canada was the aforesaid copy of Simcoe's speeches. This assertion is supported by the wording of a letter written by Simcoe on July 4th, 1793, in which he says that Mr. Roy "has long been employed as king's printer." He would hardly have used these words if the service had covered but three or four months.

The proclamations issued by the governor in

July, 1792, when he took up the government, were printed by Fleury Mesplet, of Montreal, who submitted his accounts for the work on October 5th, 1793. He was the printer who had been arrested by Haldimand's orders for sowing strife and discord in the province. He is described as a printer sent by congress, in 1774, to publish and disperse seditious literature. At the time of which I write his press was loyally occupied in multiplying the proclamations of the government. Simcoe, maybe, had his former escapade in mind when he roughly checked his assumption of the dignity of king's printer for Upper Canada. That officer was Louis Roy, who received a salary and free rations with accommodations for himself and his paraphernalia. His service does not appear to have been entirely satisfactory as he had to be censured for delay in printing the statutes of the first parliament. The delay he ascribed to sickness; and on December 5th, 1793, it was stated that the work would then be completed. It is probable that there was a change in the office during the next summer, and Mr. Roy was replaced by Mr. G. Tiffany.

The *Upper Canada Gazette* was a folio of fifteen by nine and a half inches. It was printed upon good stout paper, obtained in part from Albany until the governor ascertained the fact, when the printer was reprimanded for using paper from the United States and cautioned not to do so again. The price of a subscription to the paper was three

dollars per annum, and advertisements not exceeding twelve lines were to be paid for at the rate of four shillings Quebec currency.

The governor took an intimate interest in everything in the province, and the printer did not escape his notice. He had occasion to censure him for certain libellous articles and schooled him in the character that his paper should assume. He desired him to establish for the *Gazette* a character that should be founded on truth; he wished him to print all news, and to give the source from which his information was obtained, and added naïvely, print such news "preferably as is favourable to the British government if it appears true." In February, 1796, Mr. Tiffany had to be checked in a plan that seemed extravagant to the governor's mind. He wished to publish a monthly magazine! But the printing of the provincial statutes was far in arrears and Simcoe thought it of greater importance that these should be printed and promulgated. He was advised to print in the *Gazette* articles upon agricultural subjects, and was told that the gentlemen of the government at Niagara would assist him in making proper selections. It was pointed out to him that he had a salary as printer principally for printing the *Gazette* regularly, and that he should do so. In 1799 the *Gazette* was removed to York, and Mr. Tiffany's connection with it ceased; he remained in Niagara and began to publish the *Constellation*, a paper that had but a short life.

LIBRARIES AND BOOKS

Simcoe was not able to carry out his project for establishing a public library in the province, and books were rare and correspondingly precious. The Rev. Mr. Addison had a private library that is said to be in part preserved in the rectory of St. Mark's, Niagara. The governor would not consent to be separated wholly from books, and likely brought copies of his favourite authors with him. On April 25th, 1793, he made a present of a copy of "Yonge on Agriculture" and other books dealing with the subject, together with ten guineas as a premium, to the Agricultural Society of Upper Canada. These books were evidently from his own library. But while the houses of the government may have been supplied with books, the cabins of the settlers were almost destitute of them. Perhaps a well-worn copy of the Bible had escaped many perils to find at last a resting-place in the first shelter at Niagara or upon the shores of the Bay of Quinté. This, with the Book of Common Prayer, would often form the library of the Loyalist, sometimes augmented by a copy of Elliot's "Medical Pocket Book," Stackhouse's "History of the Bible," or "Ricketson on Health," books that have served their day and found the limbo of printed pages. The first shops retailed only necessaries, and the stock of books was limited to almanacs, spelling books, primers, Bibles and Testaments.

CHAPTER X

A SILVAN COURT

WHEN the *Triton* sailed away from Weymouth in the autumn of 1791, she bore with her the beginnings of the viceregal court for Upper Canada. The British government had been generous in its provision for officers of the new province. The first estimate for the civil list was as follows:—

Lieutenant-governor, £2,000; chief-justice, £1,000; attorney-general, £300; solicitor-general, £100; two judges of the common pleas, each £500 = £1,000; clerk of the Crown and pleas, £100; two sheriffs, each £100 = £200; secretary of the province and registrar, £300; clerk of the council, £100; surveyor of lands (fees); receiver-general, £200; five executive councillors, £500; naval officer, £100. Total: £5,900.

The governor's aides-de-camp were Major Littlehales and Lieutenant Talbot, who drew their pay as officers of the regular army. Captain Stevenson had accompanied the party as a personal friend of the governor to supervise the household during his absence. Major Littlehales was a most popular secretary; he conducted the whole of the governor's official correspondence with great ability. De la

Rochefoucauld speaks of his politeness, prudence, and judgment, and states that he enjoyed universal confidence and respect. He remained with the governor during the whole term of his residence in Canada. Lieutenant Talbot, a more vivid and interesting figure to Canadians, left to rejoin his regiment in Ireland on June 21st, 1794, on account of his promotion. But some years later he was to return to Canada to found a permanent settlement, give his name to a locality, and fill the province with traditions.

William Osgoode was the first chief-justice; he served until the summer of 1794, when he was appointed chief-justice of Lower Canada. The important position remained vacant until John Elmsley was appointed on January 1st, 1796. The attorney-general was John White. The clerk of the council was John Small. The clerk of the Crown and pleas was Edward Burns. The first surveyor was Holland. Russell was receiver-general; he also acted as puisne judge while the office of chief-justice was vacant. William Jarvis was the secretary of the province; he belonged to a Loyalist family of Connecticut, and was born at Stamford in 1756; he was for twenty-five years connected with Upper Canadian affairs, and died at York in 1817. The naval officer was Francis Costa. Charles Goddard was agent for the government. William Dummer Powell was judge of the common pleas.

Gradually upon the arrival of these officers at

Niagara a genial society grew up, of which the governor's wife was the centre. She was gentle, amiable, and attractive. To her pencil and brush we owe the many sketches that show us landscapes, now familiar under a changed condition and aspect, as they were before civilization had transformed them. When Simcoe arrived the family consisted of one son, Frank, but a daughter was born during their sojourn in the country. Frank was the pet of the settlement. He was named by the Indians "Tioga"—the swift—and the governor dressed him in deerskin on state occasions to please the savage allies. He grew up and adopted his father's profession. It led him to the Peninsular War, and to the town of Badajoz. On the night of April 6th he was engaged with the force that stormed the defences, and in the morning his dead body lay under a heap of the slain in one of the dreadful breaches of the wall.

The social opportunities of the new seat of government were not extensive. The number of private houses in which entertainment could be offered was small. The governor's residence, that of Colonel Smith of the 5th Regiment, and Mr. Hamilton's house at Queenston were the largest in or near Niagara. De la Rochefoucauld thus describes Colonel Smith's residence: "It consists of joiner's work, but is constructed, embellished, and painted in the best style; the yard, garden and court are surrounded with railings, made and painted as ele-

gantly as they could be in England. His large garden has the appearance of a French kitchen-garden, kept in good order."

But the dependence upon a small circle for the pleasures of society made the assemblies more intimate; they were the reunions of a large and interdependent family rather than formal gatherings. The wife of any true Loyalist might find her place at the governor's entertainments with a warm welcome, and feel at home with the governor's wife. Simcoe did not depend upon his salary of two thousand pounds to maintain fittingly the dignity of his position. He drew largely upon his private fortune to keep the style and manner of his *menage* to the standard of viceroyalty. The cost of living was excessive, and all the officials of that day complained that they could not live decently upon the salaries paid them by government, which ranged from the £1,000 of the chief-justice to the £100 of the solicitor-general.

Simcoe considered it one part of his duty to do all that lay in his power to render as light as possible all the disabilities and hardships that life in the new country presented. This condescension on the part of the governor was met by graceful acknowledgments on the part of the people. Presents of game, furs, and fruits, and occasionally gifts of greater importance, flowed into Navy Hall. At a time when horses were the richest possession in Upper Canada, Richard Duncan, lieutenant of the

county of Dundas, presented Mrs. Simcoe with a horse called "Jack," that bore her to and fro over the roads and bridle-paths of the peninsula.

The very contrasts ever present in the population of early Niagara gave an interest to life that went far to compensate for the slowness of its movement. It was, in effect at least, a slave-holding community and a garrison town; its little street and square were trod by wild Indians, negroes, British officers, half-breeds, *voyageurs*, adventurers, spies, and *grandes dames*. Society was democratic, and in the midst of it was the great aristocrat, Simcoe, endeavouring to run this fluid society into a mould of his own fashioning. The manners and customs of the English were those of their own country and time transplanted to new ground. Perhaps with the feelings of comradeship and altruism intensified came also a deepening of those other feelings of envy, jealousy, and hatred upon which tragedies are founded. In small communities where the official and military class predominates, these passions are of quick growth and flourish luxuriantly. Duels were not uncommon. It was only a few years after Simcoe's departure that two of his civil officers met on the field at York. John Small, the clerk of the council, challenged the attorney-general, John White, to clear his wife's character. They met on January 2nd, 1800, and White was carried off the field dangerously wounded. Two days after he died.

The scarcity of servants must have made housekeeping a difficult task. De la Rochefoucauld states: "they, who are brought hither from England, either demand lands or emigrate into the United States. All persons belonging to the army employ soldiers in their stead. By the English regulations every officer is allowed one soldier, to whom he pays one shilling a week; and this privilege is extended in proportion as the officers have need of a greater number of people. The governor, who is also colonel of a regiment of Queen's Rangers stationed in the province, is attended in his house and and at dinner merely by privates of this regiment, who also take care of his horses. He has not been able to keep one of the men servants he brought with him from England."

Restricted as was this life, it yet had its excitements, its interests, and its diversions; the novelty of the situation enhanced the smallest occurrences. The little court was the heart of the country, and through it flowed all the life of the people with its hopes, fears, successes, and failures. Navy Hall, the Canvas House at York, or the quarters at Kingston were more in the life of the province than Government House can ever be again. Not only was the residence of the governor the social centre of the country, it was the seat of power, favour, and honour, and at the same time a home where a welcome existed for any loyal settler who might stray thither from the confines of the province.

THE DUKE OF KENT'S VISIT

Prince Edward, the Duke of Kent, the father of Queen Victoria, was Governor Simcoe's first and most distinguished guest at Navy Hall. He was stationed at Quebec with his regiment, the 7th Fusiliers. He desired to visit Niagara Falls, and it is probable that during Simcoe's lengthy stay at Quebec the journey was arranged. The repairs to Navy Hall could hardly have been completed when the prince arrived. He left Quebec on Saturday, August 12th, 1792. Sir Alured Clarke wrote to Simcoe on the seventh of that month that the prince would be accompanied by "a larger suite than I wish attended him from an apprehension that it must occasion some embarrassment." Simcoe began early in August to arrange a fitting reception for his royal visitor. A barge was prepared at Kingston, decorated with flags, newly painted, and covered with an awning. Mr. Peter Clark was detailed to command the craft and meet the prince at Oswegatchie, as far below Kingston as the rapids would permit. From this point he was rowed to Kingston, where he embarked on the armed schooner *Onondaga* and sailed for Niagara. Here he arrived on August 21st, welcomed by a royal salute from the guns of Fort Niagara. On the twenty-third, at half-past six in the morning, he reviewed the 5th Regiment. He was evidently pleased with the corps, for he expressed the desire to have some of the men drafted into his own regiment, the 7th Fusiliers. A parade of all the men above five feet

nine inches was ordered, they were cautioned to be "perfectly clean," and were informed that "no one was expected to join but by his own choice and acquiescence." On the same day the prince proceeded on his way to the falls. At that time there was no settlement at the cataract; the shores were lined with unbroken forest. On the Upper Canada side there was one mean inn, and the paths and descents to the points from which the falls could be seen were so infrequently used as to be dangerous. But the loneliness added to the grandeur, and the difficulties to be overcome gave a tang of adventure to the visit. Upon his return the prince dined at Mr. Hamilton's at Queenston. During his short stay the resources of the province were taxed to provide entertainment. The Mohawks, in paint and feathers, gave their national war-dance. The prince was presented with wampum and created a chief above all other chiefs. Upon August 26th he sailed again for Kingston on the *Onondaga*, while the regiments stood at arms and the guns fired the salute.

The next guests of importance entertained by the governor were the American commissioners to the Indians. Beverley Randolph and Timothy Pickering arrived on May 17th, 1793, General Lincoln on the twenty-eighth of the same month, and they remained until early in July. General Lincoln during his sojourn kept a diary which gives an intimate account of the visit. It enables us to understand

the straits to which the *menage* must have been put to entertain three such distinguished visitors.

May 25th.—"Immediately on my arrival at Niagara Governor Simcoe sent for me. The other commissioners were with him; he showed me my room. We remained with him a number of days, but knowing that we occupied a large proportion of his house, and that Mrs. Simcoe was absent and so probably on our account, we contemplated a removal and of encamping at the landing, six miles from this place. But when the governor was informed of our intention he barred a removal. His politeness and hospitality, of which he has a large share, prevented our executing the designs we had formed."

June 24th.—"The king's birthday. At eleven o'clock the governor had a levee at his house, at which the officers of government, the members of the legislature, the officers of the army, and a number of strangers attended. After some time the governor came in, preceded by two of his family. He walked up to the head of the hall and began a conversation with those standing in that part of the hall, and went around to the whole, and I believe spoke with every person present. This was soon over, and we all retired. At one o'clock there was firing from the troops, the battery, and from the ship in the harbour. In the evening there was quite a splendid ball, about twenty well-dressed handsome ladies and about three times that number of gentle-

men present. They danced from seven o'clock until eleven. Supper was then announced, where we found everything good and in pretty taste. The music and dancing were good, and everything was conducted with propriety. What excited the best feelings of my heart was the ease and affection with which the ladies met each other, although there were a number present whose mothers sprang from the aborigines of the country. They appeared as well dressed as the company in general, and intermixed with them in a manner which evinced at once the dignity of their own minds and the good sense of others. These ladies possessed great ingenuity and industry and have great merit, for the education which they have acquired is owing principally to their own industry, as their father, Sir William Johnson, was dead, and the mother retained the dress and manners of her tribe. Governor Simcoe is exceedingly attentive in these public assemblies, and makes it his study to reconcile the inhabitants, who have tasted the pleasures of society, to their present situation in an infant province. He intends the next winter to have concerts and assemblies very frequently. Hereby he at once evinces a regard to the happiness of the people and his knowledge of the world; for while the people are allured to become settlers in this country from the richness of the soil and the clemency of the seasons, it is important to make their situation as flattering as possible."

THE DUKE DE LA ROCHEFOUCAULD

The next visitor of distinction that Navy Hall sheltered was the Duke de la Rochefoucauld-Liancourt. He had fled from France to escape the bloodthirstiness of Robespierre. His estates had been confiscated, and he wandered about America homeless and with a heart sick for home. His travels are still entertaining, and they give the best available contemporaneous account of early Upper Canada. The duke was an acute observer and a lively writer. His book is not entirely free from errors into which his feelings led him, but it is generally composed in great good humour, and his statistics are valuable and may be relied upon. Simcoe had been apprised by Hammond that the duke was to visit the country, and that he had a mind to proceed through Upper Canada to Quebec. But while making him welcome, the governor could not allow him to proceed without a permit from Lord Dorchester. While waiting for this, de la Rochefoucauld spent his time pleasantly enough in social intercourse with his hosts, of whom he draws an engaging picture. Simcoe he describes as "simple, plain and obliging. He lives in a noble and hospitable manner without pride ; his mind is enlightened, his character mild and obliging." Mrs. Simcoe, he says, "is bashful and speaks little, but she is a woman of sense, handsome and amiable, and fulfils all the duties of a mother and a wife with the most scrupulous exactness. The performance of the latter she carries so far as to act the part of

a private secretary to her husband. Her talents for drawing, the practice of which she confines to maps and plans, enables her to be extremely useful to the governor." By some means unknown to the sex in this day he discovered her age and set it down in his book as thirty-six. The familiar tone of these and other remarks was not relished by Simcoe, who thought that they cast reflections upon the dignity of his position and his humanity in war. In a pamphlet printed at Exeter, probably in 1799, he rebuts the latter charge in words tending to scathe the noble marquis: "If the United States had attempted to over-run Upper Canada I should have defended myself by such measures as English generals have been accustomed to, and not fought for the morality of war, in the suspicious data of the insidious economist: my humanity, I trust, is founded on the religion of my country, and not on the hypocritical possessions of a puny philosophy."

In the autumn of 1794 the governor received a visit from Alexander Mackenzie, the explorer who had taken during the spring and summer of the previous year his adventurous trip overland to the Pacific. He had left a post on the Peace River on May 9th, 1793, and, after an arduous trip, had succeeded in crossing the height of land dividing the watershed. After proceeding for some days down the waters that flowed south, he had retraced his course, and had for the space of fifteen days travelled through a wilderness where no white man

had ever trod, and had been greeted at the end by a view of the ocean glittering around the rocky islands that towered off the coast. He had arrived again at his Peace River post on August 24th, 1793. Simcoe was no doubt deeply interested in this tale of daring and intrepidity. He says in one of his dispatches that Mackenzie seemed to be as intelligent as he was adventurous. As usual, Simcoe was alive to the advantages of the water routes, the means of communication and the trade possibilities opened up by such a voyage of discovery. The explorer sketched for him the advantages that would accrue from the establishment of two trading-posts on the Pacific coast, and mentioned the possibility of diverting, with advantage, the trade of the far north to the western ocean. It was thought that the East India Company should be favourable to the development of the fur trade, and that a national advantage would follow from the retention in the country of a large amount of silver that was then being sent to China. Mackenzie's experience had, however, taught him that the Indians of the coast must be conciliated, not coerced, as they too often had been, and he pointed out that a solid advantage from the commerce could not arise unless there was a reconcilement of rival claims and a blending of all scattered effort in one common interest.

While Simcoe was burdened with state cares, he found time to be interested in many matters that

in our day would be considered unworthy the attention of the governor. He kept an ear attentive for all gossip or idle talk of sedition and disloyalty, and many a man and officer who had felt secure in his use of careless words was surprised to receive caution that a repetition would lead to his banishment or imprisonment. Spies had to be guarded against, and suspicious persons were detained and put across the lines. A French priest called Le Du gave him trouble in the summer of 1794, at a time when it was undesirable that any information as to the preparations of the country for war should become known. But he was apprehended, detained and finally sent into the country to which by sympathy he belonged.

Sometimes Simcoe had to adjust disputes between his clergy and their parishioners, and once the Rev. J. Burk, of Grand River, came under his censure for refusing a pew, and the honours proper to his station, to the lieutenant of the county. While it was impossible for him to prevent the progress of itinerant preachers from the United States through the country, he put a stop when he could to such questionable rovers. One preacher, the Rev. Mr. Ogden, received notice that he could not officiate in Upper Canada as he was a citizen of the United States.

The administration of justice amongst the Indians was always a matter of the gravest concern to the governor. As settlements began to press in

upon the reserved lands of the tribes, small depredations became frequent, and then the fear was constantly present lest some serious crime might occur that would bring the Indians into open conflict with the settlers. The arm of the law might be strong enough to punish an Indian criminal, but would the little army be sufficient to deal with the savage rebellion that might follow? When the crisis came it arose in the family of Brant, and but for a strange and untoward circumstance it might have proved a test of that great chief's loyalty. One of his sons, Isaac, in the spring of 1775 murdered a white man who had settled at the Grand River. His name was Lowell. He was a deserter from Wayne's army, and as he was a saddler by trade he was a welcome addition to the settlement. The act was committed without any provocation upon Lowell's part, and from no cause that could be discovered. Simcoe considered the matter one of grave importance, and asked advice from the home authorities. He was prepared to demand the murderer, and wrote the Duke of Portland that in case of refusal he meant "to have supported the civil power in his apprehension with the whole military force of the country, for which I have begun preparations." The bold step was not needed. The murderer was allowed to go free during the summer, but in the autumn his career was suddenly and tragically terminated. At the end of a drunken bout he lashed himself into a furious passion against

his father, and when the latter entered the room he rushed upon him with a knife. The blow Brant caught upon his hand, and, in self defence, struck Isaac upon the head with a dirk. In a moment father and son were separated. A week after Isaac died from the effects of the wound, and the application of the law to Indian crimes was for that time avoided.

The public health also received the attention of the governor, and at Niagara, in the year 1796, there was a general inoculation as a safeguard against smallpox.

The vast distances to be traversed between the capital and the chief towns of the country bred a hardihood in all those whose duty led them to travel. The aide-de-camp sewed his dispatches into the lining of his cloak or bound them in a girdle around his waist, and set off with a couple of Indian guides for Philadelphia or Quebec. It took a month to reach either place, a month of constant exposure and peril.

While remote from the scene of the world's great events, the little court in Upper Canada was stirred by them, and the governor would not omit any act or word that might demonstrate to those about him that he was the representative of the king. The dramatic incidents of the French Revolution affected the little circle at York as keenly as the court of St. James. Each one of these outbursts of a demoniac people would give such an ardent and

confirmed monarchist as Simcoe deep pain. Public mourning was ordered for King Louis, and, a little later, for Marie Antoinette when the delayed news of their executions reached the government. The half-masted flag before the Canvas House upon the shore of Toronto Bay reminded the handful of soldiers and civilians that they, too, were in a current of the great stream of events.

CHAPTER XI

FOUNDING A PROVINCE

SIMCOE arrived at Niagara on July 26th, 1792. He had chosen this place for his temporary capital more on account of its convenient position than from any importance it had attained as a centre of settlement. It had the one advantage of being under the guns of Fort Niagara, but this would turn to a disadvantage as soon as the stars and stripes should float from its bastion. It had not even the distinction of being the head of the portage, that was at Queenston. In fact, when Simcoe's eyes first fell upon it, Niagara, or Newark as he afterwards christened the place, consisted of two houses. Besides these there were the barracks of Butler's Rangers and Navy Hall, a building erected during the War of Independence by order of Haldimand for the accommodation of the officers of the naval department on Lake Ontario. It was a log building, constructed after the usual method and without any provision for comfort or even convenience. But with such changes and additions as the artificers of the regiment could make, it remained during Simcoe's term the official residence of the governor. The building was reshingled, partitions were altered, chimneys and fire-places were

constructed, new window-sashes were provided, the interior walls were plastered and the woodwork painted. The repairs were estimated to cost £473 5s. 2d., labour £116 5s., and material £357 0s. 2d. There are references in sketches of early Niagara to a residence that was erected for the governor, but such a house never existed. In Navy Hall, with its straitened accommodation and homely appearance, Simcoe carried on the business of his government, entertained his guests, and was the kingly representative of a king. While the alterations were in progress, the governor lived in three marquees which, as Mrs. Simcoe says in her journal, "were pitched for us on the hill above the house, which is very dry ground and rises beautifully, in parts covered with oak bushes; a fine turf leads into the woods, through which runs a very good road leading to the falls. The side of our hill is terminated by a very steep bank covered with wood, a hundred feet in height in some places, at the bottom of which runs the Niagara River."

The first months at Navy Hall were occupied in a careful survey of all the necessities of the new government and the infant settlements. The bills to be presented to the first assembly had to be considered and framed, and the policy that the governor was to adopt had to be debated, if not fixed. The meeting of parliament gave an opportunity for consultation with the members from the widely separated ridings, and when it adjourned on Octo-

ber 15th, 1792, the governor had gained a knowledge of the conditions of life in the various parts of his province, he had met and appraised its principal men, and had weighed the materials that he must use in founding his state.

One of Simcoe's earliest civil measures was the appointment of lieutenants to the more populous counties of the province. He intended thus to promote an aristocracy, and further to render the government of Upper Canada an exact transcript of that of England. In the hands of these lieutenants he placed the recommendatory power for the militia and the magistrates. He reported this step to Dundas on November 4th, but it was not commented upon either favourably or unfavourably until he laid before the Duke of Portland, on December 21st, 1794, a plan for the incorporation of Kingston and Niagara. Then the duke criticized both measures, the tendency of which he found to be "to fritter down his direct power and to portion it out among corporations and lieutenants, who on many occasions may be disposed to use it in obstructing the measures of government." The duke argued that "the power of the person having the government is the power of this country, but such subordinate powers are not ours, and we have no connection with them, or direct influence over those who exercise them. They are rather means and instruments of independence." It was a characteristic of Simcoe to hold stoutly his own view, despite

contradiction, and he opposed the duke with the argument that the American war was brought on by the "usurpation of civil authority by committees who dealt with power arbitrarily." He wished to check the elective system from operating so universally as in the United States, and asked hereditary titles for his lieutenants of counties, an aristocracy being the truest safeguard against sedition. He asked for instructions: will these offices die out or simply be abolished? Whereupon, having a great horror of sedition and democratic tendencies, the duke allowed the governor to retain his lieutenants. The last one that Simcoe appointed was Robert Hamilton, to be lieutenant of Lincoln; his successors did not renew the appointments and the office, a useless one, was allowed to disappear.

A very early interest was taken in agriculture, and on October 21st, 1792, it was ordered by the council that an annual fair should be held at Newark on the second Monday of each October, to last for six days. This minute was passed on a Sunday, and it is curious to observe that the advent of that day never hindered the performance of public business of the most ordinary character.

Upon February 4th, 1793, Simcoe began an official tour through his western domain. It was the first of three important journeys he made in order that he might understand thoroughly the topography of the country for military purposes, and also that he might be made aware by personal in-

spection of the resources of the land for cultivation and settlement. His company consisted of Major Littlehales, Captain FitzGerald and Lieutenant Smith of the 5th Regiment, and Lieutenants Talbot, Gray, and Givins. They began their journey in sleighs. The roads were wet, as the season had been unusually mild. The first objective point was the Mohawk village on the Grand River, which they reached about noon on the seventh. Here they attended service in the mission church on Sunday the 10th, and left the village at noon on the same day. As they were now to follow Indian trails they left their sleighs and proceeded on foot with Brant and twelve of the Mohawks. They wore moccasins but not snowshoes. They tramped over land now covered with fine farms and opulent towns, then crowded with a thick growth of forest. Each night they slept in wigwams constructed by the Indians, and lived upon the trapper's fare of pork and hard bread. They passed Indian burial grounds, trees that bore picture-writing, discovered springs of salt and petroleum, assisted in hunting raccoons, squirrels, and lynxes, came upon an encampment of Chippewas making maple sugar in their ancient fashion. They rescued a man that was starving, sometimes lost themselves for hours in the interminable forest, enjoyed strange food in the flesh of the raccoon and squirrel, and rejoiced in the civilized fare of the Moravian settlement of the Delawares. For days they lived the life of trappers, ex-

posed to the fickle humours of the weather. At length, on February 18th, they met twelve or fourteen carioles and drove to Detroit. Here the governor examined the fort and military works and reviewed the 24th Regiment.

The party left Detroit on the morning of Saturday, February 23rd, and began the return journey. Upon March 2nd they had reached a point upon the river Thames (La Tranche as it had been called before Simcoe's time), where they halted for a day as the governor wished thoroughly to examine the place and its surroundings. It was the site of the present city of London, and there Simcoe fixed the situation of the capital of the province.

Major Littlehales, whose short diary of the journey gives a lively picture of its incidents, thus describes the spot: "We struck the Thames at one end of a low flat island, enveloped with shrubs and trees; the rapidity and strength of the current were such as to have forced a channel through the mainland, being a peninsula, and to have formed the island. We walked over a rich meadow and came to the forks of the river. The governor wished to examine this situation and its environs, and we therefore remained here all the day. He judged it to be a situation eminently calculated for the metropolis of all Canada. Among many other essentials it possesses the following advantages: command of territory, internal situation, central position, facility of water communication up and down the Thames

into Lakes St. Clair, Erie, Huron and Superior; navigable by boats to near its source, and for small crafts probably to the Moravian settlement; to the northward, by a small portage, to the waters flowing into Lake Huron, to the south-east by a carrying-place into Lake Ontario and the river St. Lawrence; the soil luxuriantly fertile, the land rich and capable of being easily cleared and soon put into a state of agriculture; a pinery upon an adjacent high knoll, and other timber on the heights well calculated for the erection of public buildings; a climate not inferior to any part of Canada."

After this day's halt they proceeded on their way without misadventure, but suffering from severe cold and incessant snow-storms. They arrived at Navy Hall on Sunday, March 10th. The opinions that are expressed by Major Littlehales as to the desirable situation for the capital of the province on the Thames are reflected from those of the governor. He viewed the country, chiefly from the military standpoint, as a wedge of territory driven down into an enfolding foreign country that might at any time become hostile. His capital should therefore be fixed within defences and removed from the water front of the lakes which might be swept by an enemy's fleet. The point chosen on the Thames seemed to him to offer all possible advantages, and he at once began a military road from Burlington Bay to the forks of the river. This road, that he called Dundas Street, after the Right Hon.

Henry Dundas, secretary of state for the colonies, was begun in the summer of 1793; an officer and one hundred men of the Queen's Rangers were engaged during the autumn pushing the road westward from the lake; and in the autumn of 1794 it was completed as far as the Grand River. It was designed to form a permanent communication between York, or Toronto, at which place an arsenal was to be established, and London, a link between the chief military centre and the capital. The west and the great water highways of the lakes lay open and accessible to London by the waters of the Thames. The road after this western beginning was to be extended to the east, following the contour of Lake Ontario to the Pointe au Baudet and the confines of the province.

After resting through April, the governor, with a company of officers, set out for Toronto harbour on Thursday, May 2nd, skirting the shores of the lake in open boats rowed by the soldiers. They arrived probably on the next day, and spent nine or ten days in a thorough survey of the harbour and the shores. The schooners *Caldwell* and *Buffalo* accompanied the party, and their sails were probably the first ever furled in the chief harbour of Ontario. After Simcoe had satisfied himself as to the nature of the harbour and the advantages of the situation for a naval station he returned to Navy Hall, arriving at two o'clock on Monday, May 13th. Four days after, the commissioners appointed by the

United States to treat with the Indians arrived at Niagara ; they did not leave until nearly the middle of July.

On May 27th Simcoe received the dispatch announcing the declaration of war with France. It warned him to make definite plans for the defence of the province against suspected American aggression, and as soon as the commissioners had left for the Miami he took the first steps to carry them out. He transferred the Queen's Rangers to the harbour that a few weeks before he had surveyed, and prepared himself to follow. He was delayed for some time by the serious illness of his son Frank, but he sailed with Mrs. Simcoe and his family on July 29th, and arrived at Toronto on the next day. Here they lived in a wigwam after the Indian fashion, and the governor superintended the erection of huts for the soldiers. The general orders of August 26th, 1793, officially changed the name of Toronto to York, "in consideration and compliment of the Duke of York's victories in Flanders." But nearly a year before this date the name York had been attached to the position where the capital of the province was destined to stand. The town was laid out on an ambitious scale, and the building regulations for the time and circumstances were exacting. No lot was to be granted on the front street unless the holder was prepared to erect a house forty-seven feet wide, two stories high, and built after a certain design.

It is evident that after his arrival the governor decided to spend the winter at York, and seeing that no proper accommodation could be provided, on August 28th he ordered that his canvas house and all its apparatus should be sent over from Niagara in the schooner *Onondaga*, that was engaged in transporting from that place to York military stores. In this canvas house which, before his departure from London in 1791, he had purchased from Captain Cook, the navigator, he and his family spent the winter of 1793-4. The house appears to have been constructed in two sections upon a wooden framework fastened by screws. It could not have been very commodious, but for winter use it was boarded upon the outside; the dead air space between the canvas and the boards would check the penetrating cold, and the house, intended for use in warmer climes, made a comfortable shelter from the Canadian winter.

By September 20th Simcoe had completed his plans for the defence of the country. He rejected Kingston as an arsenal, as he found that it could not be "so fortified as to protect shipping." He therefore settled upon York as the arsenal for Lake Ontario. His careful preliminary survey and subsequent residence at the place had confirmed his opinion that it was the best harbour on the lakes and might readily be "made very strong at a slight expense, and in the progress of the country impregnable." Long Point was to be the arsenal

for Lake Erie, opposed to any establishment the Americans might place at Presqu'ile. London was to be the capital and "mart of all the independent Indian nations. In the present situation of affairs the extension of the settlements from it to Burlington Bay on the one side, to Long Point and Chatham on the other, will in a short space effectually add the influence of command over all the nations within the British territory." This capital was to be fortified and strongly occupied; defences were to be erected at York and Long Point; blockhouses at Bois Blanc Island and Maisonville's Island, or, if Detroit was abandoned, at Chatham. York was to guard its harbour with a fortress mounting heavy guns and ten-inch howitzers. The military road was to connect all posts by a well constructed and permanent highway. A harbour had been reported three miles south of Matchedash Bay, and if a way could be opened from York another independent communication by a short portage to the head waters of the Thames, so it was stated, could be secured with London. These plans were transmitted to Dundas and Clarke almost simultaneously; the support of the commander-in-chief was strenuously demanded for the system.

Sir Alured Clarke might have allowed these well-wrought, exact schemes of the governor to go unopposed, but it was not for him to pass upon them. Just as they were well fixed in Simcoe's mind he withdrew from the government, and Lord Dor-

chester assumed control on September 23rd, 1793. From this date begins the discord that embittered the remaining three years of Simcoe's sojourn in Upper Canada, made his duty a task, and checked his enthusiasm. In Simcoe's mind the whole future welfare of the province was rooted in his military system. He, in imagination, saw populous towns spring up around the garrisoned posts; military discipline, be there war or peace, was the model upon which communities were to be founded. Judge then of his chagrin when he saw Dorchester treat his plans as worthy of little consideration. One by one his recommendations were disapproved of, gradually his troops were withdrawn, prop after prop vanished, until his schemes lay before him as confused and ineffectual as a flattened house of cards. Dorchester's military policy, frequently stated and as often met by Simcoe with complete non-comprehension, was simply that after the signing of Jay's Treaty no large number of troops was needed in Upper Canada; that "a wise administration of justice and natural advantages" are more powerful for the welfare of a province than an expensive military establishment; that so long as war continued with France, Lower Canada was the proper station for all available troops.

Simcoe, without command, had to bow to superior authority, and he made his submission with an ill grace. Almost the last words he penned at York were these addressed to the Duke of Portland on

June 18th, 1796: "I have long seen with patience that nothing but my public duty could possibly justify or support the unsafe and hollow footing on which has rested all that is dear to a man who prefers his untainted character to his existence. . . . In the civil administration of this government I have no confidence whatsoever in any assistance from Lord Dorchester."

But in the summer of 1793, these things were not dreamed of, and Simcoe, with a buoyant spirit, prepared to discover a road to the harbours reported south of Matchedash Bay. For some time he was detained by an attack of gout, but at length, on September 23rd, he set out northward. He walked the thirty miles to Holland River, took canoe through Lac aux Claies (renamed Simcoe by the governor in honour of his father) and then ran the Severn into the waters of the large inlet of Lake Huron now called Georgian Bay. Skirting the shore he examined the harbour of Penetanguishene, which he found commodious and of a depth everywhere sufficient to float the largest lake-craft he could imagine. But a north-west wind was rolling the waters of Huron into the gap, and the survey could only be conducted under the lee of the islands. It was found hazardous to remain longer, and as the provisions began to fail, he returned with difficulty to York. The street or long portage that was to be the outcome of this journey was called Yonge Street after Sir George

Yonge, the secretary of state for war and member of parliament for Honiton in the county of Devon. Simcoe hoped to complete it by the autumn of 1794, but it was not finished by the Queen's Rangers until April, 1796.

He deemed that the new route for the north-west posts would supersede the old canoe way by the Ottawa and French Rivers, that it would draw from the part of Upper Canada adjacent to York supplies for Michilimackinac which then were furnished by Detroit and surrounding settlements. It would, he thought, complete the circular communication with London by way of the head-waters of the river that flows into the harbour of Penetanguishene and the head-waters of the Thames, that lie so many miles apart. The saving, if this route were used for the transport of goods to the north-west posts and for the fur trade, instead of the established communication by way of the Ottawa, was estimated at £18 2s. 3d. per ton. A *canot de maitre* will carry one hundred pieces weighing ninety pounds each, equal to four tons and a few pounds, freight per ton Lachine to Michilimackinac by the Ottawa, £47 16s. 8d. A *bateau* will carry three tons, freight per ton Lachine to Michilimackinac by the York and Yonge Street route, £29 14s. 5d.; saving £18 2s. 3d. Simcoe's expectations regarding the permanent value of this route were never met, and Penetanguishene, which he expected to develop into

the most "considerable town" in Upper Canada, has been dwarfed by its neighbours.

The winter was passed uneventfully at York amid the felling of trees and the squaring of timber. There were the usual difficulties to contend with, heightened by the blunders of the supply officers who sent axes from England that were poorly tempered and would not hold an edge, and mill machinery with the parts confused and broken. A sawmill, with but one saw, was put together from these heterogeneous materials and the frame of an old mill, and with its help and the strong arm of the Rangers Toronto was founded.

One of the schemes that formed in Simcoe's mind at this time was the establishment of government farms. The need of horses was evident. He determined to establish the farms in chosen situations. The labour was to be supplied by the soldiers, and the farms would produce sufficient to pay wages and provide "sustenance for a few horses necessary to the service." These horses, used as pack and dispatch animals, would destroy the dependence upon the Indians for such service, and would end their extortionate charges. None of these farms were established. During the next spring the governor was occupied upon duty more extensive and of deeper importance, and this plan was allowed to lapse like many another that could not be carried out with the resources at his command.

It was early in March that Simcoe received at York Lord Dorchester's dispatch that was, so far as the governor of Upper Canada was concerned, a declaration of war with the States. He threw himself into the action with his accustomed vigour, and at once dispatched a plan of campaign to the commander-in-chief. He hurried runners to the Indian villages and ordered canoes to be in readiness at the forks of the Thames, where London now stands, and in less than three weeks he was on the Miami River. The incidents of this invasion have been set forth in a preceding chapter; the journey is again mentioned to complete the itinerary of Simcoe's movements. The summer and autumn of 1794 were crowded with activities and with the excitement of apprehension, if not of actual conflict. April 27th saw Simcoe again at Navy Hall and May 5th at York, where he went to design at least a mock defence, as nothing substantial was possible. The legislature was opened on June 2nd, and Simcoe was at Navy Hall until early in September, when he again set out for the Miami with Brant. He arrived at the bay on September 27th, accompanied by McKee, the Indian superintendent. He found Wayne withdrawn beyond all danger of attack, the posts under Colonel England watchful and prepared, and the Indians cowed but suspicious and disunited.

The purpose of this trip was "to crush the spirit of disaffection in the Canadian militia there," but

he found that the company called out had gone to Fort Miami. As he found all danger from Wayne's approach to Detroit past, he disbanded two hundred militia that had been levied, and after a council with the tribes he returned to Navy Hall.

In pursuance of the plan to conduct a personal inspection of all sections of the province, Simcoe left Niagara, by way of York, for Kingston, where he spent the winter and spring of 1794-5. His wife and family sailed at a more clement season and upon a more comfortable craft for Quebec, where they spent the winter. The governor did not leave Navy Hall until November 14th. It was late in the month before he left York, and, in an open boat, proceeded to Kingston, where he arrived on December 4th. The journey was hazardous by reason of the furious storms that at this season spring upon the lake, and make it a peril for all mariners. Everywhere the shore ice had taken, and the Bay of Quinté was closed. The days were bleak with the lake winds laden with moisture, with sudden flaws of rain or sleet; the nights were cold and cheerless upon the dark forest-clad shores, between the howling of the wolves and the grinding of the small ice broken by the waves. He made his port, however, without serious misadventure, and spent the winter actively at Kingston. He found the town much improved after the lapse of nearly three years. Many stores for the sale of provisions and merchandise had been opened. New

wharves had been constructed to accommodate the lake shipping, and others had been planned. He found that the fur trade had waned somewhat, and that general trade was taking its place.

He resided in the officers' quarters, and thence many of his most important dispatches are dated. Many claims of the Loyalists had to be investigated and adjusted. He was for these months of the sojourn at Kingston in the heart of the province, for, although the peninsula was considered of the greatest military and strategical importance, the eastern district was more populous and prosperous. He became acquainted with the resources of the district and of the lands upon the Ottawa. He found time and courage to lay his hand upon the abuses in the commissariat department. The purchase of flour for the garrisons had for some time been in the hands of contractors who bought from whom they pleased, favouring their friends, and the settlers had petitioned against the favouritism and extortion, every member of the assembly having set his hand to the document. Simcoe appointed Captain McGill to be agent for purchases in the province, under the authority of the secretary of the treasury, Rose, and ordered all sub-agents to take orders from him. He hoped through the fair and honest action of this officer to equalize prices and to destroy the abuses of the department. But again Dorchester intervened, and appointed Davison to supply the troops under a contract from the

victualling office. Simcoe felt himself degraded and humiliated before the assembly, but avowed himself absolved from all responsibility. It was only a temporary check, however, for on November 3rd, 1795, Captain McGill was appointed agent of purchases, and carried on the duties of his office for some years.

The month of February was spent at Johnstown, a small hamlet a few miles east of Prescott. Simcoe writes to Dorchester from that place that he had planned a road to the forks of the Rideau in order to establish settlements surveyed in 1790 and 1791. He also states that he intended to investigate personally the water communication with the Ottawa, and he notes the importance of this route for civil and military reasons. But all exploratory schemes were abandoned, and early in March the governor returned to Kingston accompanied by Mrs. Simcoe, who joined him at Johnstown after her winter in Quebec. She thus describes their residence: "We are very comfortably lodged in barracks. As there are few officers here we have the mess-room to dine in and a room over it for the governor's office, and these, as well as the kitchen, are detached from our other three rooms, which is very comfortable. The drawing-room has not a stove in it, which is a misfortune, but it is too late in the winter to be of much consequence. We have excellent wood fires."

During the spring Simcoe suffered from a serious and prolonged illness, and it was not until May 15th that he was able to travel. He left the town upon that day, and arrived at York on the twenty-sixth of the same month. Here there was as yet no proper accommodation for him, and, after a thorough inspection of the winter's work and the condition of the settlers who had come to take up lands upon the line of Yonge Street, he sailed across the lake to Niagara, and there he spent the summer and entertained, between June 22nd and July 10th, his distinguished visitor the Duke de la Rochefoucauld-Liancourt. The only trip that he made during this season was to Long Point, where he fixed upon the site of the proposed town, located the barracks and a pier for the use of the war-sloops and gunboats. Upon his return he went up the Grand River as far as a point known locally as Dochstaders, where he portaged into the Chipewyan or Welland River, and by this way reached his headquarters. He preferred the route above the usual course, by way of the Niagara River to Fort Erie. The furious rapids above the falls wearied the soldiers, toiling like galley-slaves at the oars of the *bateaux*.

On the last day of November, 1795, he arrived at York, where he purposed spending the winter. York had increased to twelve houses gathered near the Don, the barracks were two miles from the town near the harbour ; two blockhouses had been erected at the entrance to the roadstead. A châ-

teau had been prepared for the governor which was called Castle Frank, after his son and heir. It was situated upon a ridge overlooking the Don at some distance from the barracks and the town, with which it was connected by a carriage road and bridle-path. The building was constructed of small, well-hewn logs, with a massive chimney, and a portico formed by an extension of the whole roof. The windows were protected by massive shutters. It remained standing until 1829, when it was destroyed by fire. This house was intended as a pavilion in the woods, which the family might visit for pleasure or to enjoy *al fresco* entertainments. It was not fitted for use as a residence, and the governor continued to live in the canvas house boarded and banked as during the winter of 1793-4. It was his intention, as soon as practicable, to erect a temporary government house at York, with accommodation for the legislature in wings. The officers of the government he ordered to York on February 1st, 1796. They were granted one hundred acres of land each, and were expected to settle in their new home without delay. But all establishments at York were considered as merely temporary; London had not as yet been deposed, it was the potential capital of the province.

The winter passed in the midst of activities. The Queen's Rangers were busy felling trees and squaring timber for the new government buildings, and detachments of the same troop were working their

way towards Lake Simcoe through the forest, slowly building Yonge Street. As soon as the ice had left the harbour Simcoe sailed for Niagara, and arrived at Navy Hall on April 30th. The session of the legislature lasted from May 16th to June 20th, upon which day he returned to York.

During the spring and early summer he was anxiously awaiting a reply to his application for leave of absence. Hardly had he reached York in the previous autumn when he presented his request to Portland in a letter dated December 1st, 1795. He felt compelled to request an extended leave owing to the state of his health. A slow fever was gradually consuming his strength, and his physicians thought he should avoid the heat of the approaching summer. He was urgent in his application and stated that the only alternative to leave was resignation. When the answer came to his application it was favourable and in most flattering terms. The leave was granted: "Such is the confidence," writes Portland on April 9th, 1796, "that His Majesty places in your attachment to his service and so satisfied is he with the unremitting zeal and assiduity you have uniformly manifested in promoting his interests and those of his subjects committed to your care." A gunboat was placed at his disposal for transport. Whatever the differences of opinion and misunderstandings with his immediate superior may have been, Simcoe must have felt that his policy and conduct had been approved

generally by the government of which both Dorchester and himself were servants. He might turn his face towards home with the light heart and clear conscience of a man who has been approved in an earnest effort to do his duty with singleness of purpose. The letter granting his leave in such gratifying terms did not reach him until early in July. He immediately made preparations for departure. His successor, the Hon. Peter Russell, was sworn in as administrator on July 21st, and upon the same day Simcoe left York. The frigate *Pearl* was then lying at Quebec ready to sail upon August 10th, and the captain expected to carry as passengers Simcoe and his family. The *Active*, in which Lord Dorchester had taken passage, was wrecked upon the shore of Anticosti on July 15th, and when Simcoe arrived at Quebec he found that the *Pearl* had gone down the gulf to save the stores. Dorchester had sailed for Percé in a schooner and the *Pearl*, after salvage of the wreck at the island, was to call at Percé for him, and then proceed to England without returning to Quebec. Simcoe was therefore compelled to remain in the country until late in September, and it was not until November that he arrived in London after an absence of nearly five years.

He was destined never to see the country again but his mind was never free from thoughts of it. That the government also connected him during his lifetime with plans for the administration of the

colony is evident. Writing from Bath on October 14th, 1802, he says: "Ten days have not elapsed since I gave up all views of Canada for the present. It is about three years ago that the Duke of Portland invited me to succeed Prescott." He was reserved for even higher service which fate designed that he was not to carry out.

CHAPTER XII

AFTER UPPER CANADA

NO sooner had Simcoe arrived in London in November, 1796, than he was ordered to Santo Domingo. With but a few weeks rest, and suffering always from ill-health, he sailed for the scene of his new duties, where he arrived in March, 1797. The island was in a state of insurrection and the task that confronted him was the pacification of a horde of blacks who had all the advantage of fighting on their own ground and in a climate that was in itself death to the foreigner. The circumstances were most desperate. With his accustomed thoroughness, Simcoe endeavoured to discover the true reasons for the state of affairs, and he began to carry out reforms that had a beneficial effect if they did not form the basis for final success. To quote from Ramsford's "History of Hayti": "He compelled a surrender of all private leases obtained of the vacated property of French absentees to the public use, and he reformed the Colonial Corps." His military operations were also frequently successful, but no person in his state of health could long withstand the strain of such a war and the adverse conditions of the climate. He was compelled to ask for leave on account of sickness, and he left

the island on September 27th, 1797. The rumour gained currency in London that he had abandoned the government without proper authority. A clerical error in substituting the name of Sir Ralph Abercromby in the order granting the leave had given rise to this unpleasantness. But the matter was satisfactorily settled, and on October 3rd, 1798, he was promoted to the rank of lieutenant-general and called to the colonelcy of the 22nd Foot.

For the next year or two he remained at Wolford Lodge endeavouring to regain his health after the years of arduous life since 1791, in the widely differing climates of Upper Canada and Santo Domingo. In 1800 and 1801 he commanded at Plymouth, an important post in those years when the invasion from France was expected. But that danger passed, and tired of the inactive life and garrison duty, Simcoe resigned and applied to be sent on foreign service. He was thereupon appointed commander-in-chief in India as successor to Lord Lake, but before his departure for the East he was assigned an important diplomatic mission with Lord St. Vincent and the Earl of Roslyn.

The reasons for the expedition are thus given by Lord Brougham, who was secretary to the commission: "Early in August, 1806, the English government had received intelligence of the intention of France to invade Portugal with an army of 30,000 men then assembled at Bayonne. From perfectly reliable information it was believed that

it was the object and intention of Bonaparte to dethrone the royal family and to partition Portugal, alloting one part to Spain and the other to the Prince of Peace or to the Queen of Etruria. The ministers thereupon resolved to send an army to the Tagus, to be there met by a competent naval force, the whole to be intrusted to the command of Lord St. Vincent and Lieutenant-General Simcoe, with full powers, conjointly with Lord Roslyn, to negotiate with the court of Lisbon."

During the voyage Simcoe was able to discuss daily with his colleagues the subject of their mission, but shortly after the arrival at Lisbon he was compelled to leave for England by his continued illness that alarmed both himself and his physicians. In one of the swiftest ships of the squadron he sailed for home, unable longer to sustain his part in the negotiations. Mrs. Simcoe had gone to London to make preparations for their departure for India, and in the midst of them, when her mind was engaged with plans for the future, looking forward to the larger life which the new command would bring, she received the news of her husband's death. He had reached Torbay on October 20th, 1806, in the *Illustrious*, man-of-war. Suffering acutely, and hardly able to undergo the last miles of his journey, he was taken up the River Exe to Topsham in a sloop prepared for his need, and thence by carriage to Exeter. There, on Sunday, October 26th, in the house of Archdeacon Moore, under

the shadow of Exeter Cathedral, he passed away. On November 4th, he was buried at Wolford Lodge in the domestic chapel. The county of Devon erected in the cathedral at Exeter a monument by Flaxman, which commemorates his deeds and his worth in the following inscription :—

"Sacred to the memory of JOHN GRAVES SIMCOE, Lieutenant-General in the Army and Colonel of the 22nd Regiment of Foot, who died on the twenty-sixth day of October, 1806, aged 54. In whose life and character the virtues of the hero, patriot, and Christian were so eminently conspicuous, that it may justly be said he served his king and his country with a zeal exceeded only by his piety towards his God. During the erection of this monument, his eldest son, Francis Gwillim Simcoe, Lieutenant in 27th Foot, born at Wolford Lodge in this county, June 6th, 1791, fell in the breach at the siege of Badajoz, April 6th, 1812, in the 21st year of his age."

CHAPTER XIII

NON SIBI SED PATRIÆ

TO imagine Simcoe influenced by the legend graven upon his family arms may be a quaint idea, but at the end of his life he might have pointed to it as an epitome of his motives and actions. He was in truth governed largely by his enthusiasms and his sentiments, and when this is understood it is conceivable that a family motto in such perfect harmony with his ideals and so apt to the circumstances of his chosen career would at last come to be an invisible monitor encouraging the sacrifice of self for the country's weal. His presence in Upper Canada is an evidence of how far he could be swayed by sentiment. He turned his face from the source of preferment and left the court and parliament at a time when he could have forced recognition of his abilities. In his absence ministers might change and power centre itself in men who knew him not. He exiled himself and left his interests to the chance of decay. Why? He answers the question. "To establish the British Constitution hitherto imperfectly communicated by our colonial system, among a people who had so steadfastly adhered to their loyal principles, was an object so salutary for the present and so extensive in its con-

sequences that I overlooked all personal considerations."

He had frequent reason during the American war and his term in Upper Canada to gain admonishment from his family motto. His life was worn away in the public service. At the close of the struggle with the Americans, his constitution was undermined. The kind of warfare he followed, sudden forays, ambuscades, forced marches, stratagems, and subterfuges kept his mind in a condition of strain and excitement, and gave his body no rest. Time and again during those years he broke down but stuck to his saddle when he should have kept his pallet. And above and beyond the exhaustion of such a dashing and haphazard life there was the sense of failure, of lost opportunities, of ponderous blunders, of weak-kneed strategy and palsied inactivity. These were the things that burned deeply and bitterly into this valiant and heroic soul. Could he have felt that he was responsible and had failed to conquer a more capable commander, the bitterness would have been galling, but it could not have been so unbearable as defeat brought about by the wild errors of others. As many another subordinate in that same captured army felt, and as many another has had cause to feel since, he realized in hopelessness the vast inertia of the mass of incompetence above him. This opinion, that the war was lost by stupidity, bred in him a violence of feeling towards the United States that he was never slow

to express. He was a soldier with a great talent, if not a positive genius, for war; this talent he had developed by study and reflection. His mind was full of resource, he had the strategic instinct, he adapted his means to the end in view. There is abundant evidence to prove that this talent was observed and often made use of by his superiors. After he became eligible there was no board of general officers called by the king of which Simcoe was not a member. De la Rochefoucauld writes, "He is acquainted with the military history of all countries; no hillock catches his eye without exciting in his mind the idea of a fort, which might be constructed on the spot; and with the construction of this fort he associates the plan of operations for a campaign, especially of that which is to lead him to Philadelphia."

He desired peace with the United States, and peace he constantly guarded and preserved by his actions and words. Yet there is nothing irreconcilable between this desire and his expressed hostility towards the young nation. Always in a soldier's mind the desire for active service is implicit. Simcoe would no doubt have welcomed the opportunity of again crossing swords with his old antagonists. He was constantly reverting to his past campaigns and laying plans for those of the future. In 1794 he thought his opportunity had come, and he accepted the tremendous responsibility without flinching. In his dash from York to the rapids of the

Miami, in his plans for intercepting Wayne and defeating him, there was all the old vigour, keen-sightedness, sureness of aim. He saw what was to be done, and in the best way, using all the natural advantages, he did it. His swiftness on this occasion alone would justify the praise of George III, that if every person had served during the American war as Simcoe had done, it would have had a different termination. The governor himself believed that he had had a passive victory at the forks of the Miami—that by a show of strength he had prevented an invasion of the province. But there is no equation between the terms of his gift as a soldier and the opportunity of using it in a successful issue. Fortune always meted out to him a forlorn hope. In the American war and later in Santo Domingo adverse conditions were heaped upon him in huge bulk, immovable. He seemed to copy the broken career of his father, and pass on the example to his son.

The military cast of his mind is evident in nearly all his plans for the development of the colony. He would have had it evolve into a peaceful camp, into settlements of which the blockhouse would be the heart and head. The mainstay of loyalty, religion, and prosperity would be the garrison—and loyalty in this sentence is not written carelessly before religion. Loyalty was to be the creed of the Upper Canadian. So familiar is Simcoe with this virtue that at last it begins to smirk and take on a comic

cast. In his vision of a provincial capital there is the pure comic. Within its walls there was to be erected the palladium of British loyalty, all republicans were to be cast forth, there was to be one true church, there was to be the university as a safeguard of the Constitution, there opinion and character were to be so schooled and moulded that to consider them would be to look upon the obverse and reverse of a Georgian guinea; there was to be a sort of worship of the British Constitution, there at every street corner was to be a sentry, there the very stones were to sing "God save the King," and over it all there was to be the primness of a flint-box and the odour of pipe-clay. The vision in reality has taken on a different form, but it is easy to think that Simcoe would be satisfied with the actuality and claim it as a growth from his seedling.

The compact bureaucracy that rose and flourished and was cut down after his day must be traced to the official system that he inaugurated. It was designed to prevent sedition, and to destroy the very seeds of republicanism as with a penetrating frost. But the error at the heart of this system was, that democratic principles and practices could not be enwrapt with the practice and principles of the British Constitution. Simcoe had unearthed many of the roots that nourished the tree of the American Revolution, but the tap-root he had not traced. It must be said that he was made of the same

metal as many of the colonial governors, and in their positions he would have opposed a like stubbornness to the new, restless, over-eager undercurrent that was running strongly in colonial affairs. Instead of delving a wider channel in which it might run safely and spend its energy usefully, he would also have built the dams and barriers that fretted the current which finally rose and swept them out into the ocean. He would have failed to appreciate the new conditions that free life had formed in the western air. Desire for constitutional changes and outcry against taxation and monopoly he would have endeavoured to crush as subversive and contumacious; for Simcoe had the defects of his qualities. Against his vivacity, his power of incentive, his courage, his intrepid uprightness, we must place impatience, stubbornness, suspicion and lack of self-restraint. When he was opposed he gave his adversary no credit for sincerity, he imputed unworthy motives, and in expressing his case in rebuttal he went beyond all bounds in the extravagance of his language. These petulant outbursts, in which sentences are swollen and turgid with a sort of protesting rhetoric, sometimes cancel sympathy. Against Lord Dorchester one is prone to take the side of Governor Simcoe, seeing how earnest and zealous he was, but there is much in his correspondence with his superior officer that is not of perfect temper. Many of these letters, fluttering often upon the borders of pure impertinence, gain

support for the old warrior, whose replies did not fail in dignity and a sort of amiable condescension. When it is comprehended how fine a gentleman Simcoe could be, some of his expressions are often inexplicable. But he was supersensitive in the region of personal and public honour, particularly when the attack pierced also his sense of duty. It was when so stricken that he made the loudest outcry.

With all these minor faults, faults of a sanguine and buoyant temperament, he yet was a great gentleman. Twice at least during his stay in Upper Canada he was called upon to occupy positions that required the utmost tact, and in neither was he in the least wanting. In the summer of 1793 for many days he entertained three American commissioners to the Indians at a time when he suspected early active hostilities and when his civil position was involved and complicated with military preparations and the nervous and tricky diplomacy of Brant and his confederates. One of his guests was that General Lincoln who capitulated to Clinton at Charleston, and the past must have contained bitter memories for both guest and host, but the general in his memoirs has nothing but praise for the consideration shown him. Simcoe's dislike of the new republic, his fear of American politics, and his sympathy with the Indian demands were carefully cloaked and nothing appeared but a fine hospitality that placed his guests at ease.

The second occasion was when he entertained the French Royalist, the Duke de la Rochefoucauld, at a time when republican France was at war with England. The duke during all the days of his stay was in the country under sufferance, but was made at home in the large simple manner that won his admiration. In Simcoe's relations with his people he showed a like consideration, and although he was criticized, misunderstood, and disliked, it was not often so. These cases oftenest arose from the opposition of his honesty, brusque but open and fearless, to the small plots for gain and preferment that he discovered. To persons thus engaged he seemed like a withering fire, he burned them with scorn. He had none of the finesse that can measure faults and adjust rebuke in degree. He used the same sledge-hammer to break the mill-stone of some great public abuse and the hazel-nut of a private peccadillo.

But his character held in happy combination traits that made him an almost perfect governor for the place and the time. He treated his people as a nobleman might treat his tenants if his temper were magnanimous and progressive. In Upper Canada he appeared as an urbane landlord upon a huge, wild estate. Any attitude other than the one he adopted would have made him the most unpopular man in the province. His genius for exhibiting personal interest in the individual concerns of his little people made him beloved and respected. His stern

sense of duty and his military prowess gave a feeling of security to scattered settlements in a troubled and uncertain time.

After all is said the essential quality of this man's mind and temper was integrity. Every thought and action rose from that deep, pure spring. It was the perception that the man was filled with lofty patriotism, that the sense of duty was inherent in him and unassailable, that led Pitt to remark that he was needed in Santo Domingo by reason of his integrity, not for his military exertion. And in closing a review of his character and aims it is this quality more than all others that comes into prominence, and remains massed, large and luminous. For in the end it comes to be a question as to what this man's work in our country is to stand for, what we are to think of when we bring into our minds him and those early days that he filled so full with untiring energy. He has all the advantage and all the disadvantage that clings about his position as a pioneer of government. He could do but little in his five years of power to direct the future of the province, and from many of his ideals and aims we have swung far away. But he possessed the advantage of having no forerunner, and even what he did has a larger value than the acts of those who may have had richer, fuller opportunity. Certain waterways and highways, very many place-names, and a few great centres of population will always be associated with his memory. These are material

things, and in a country where the interests of trade and the minutiæ of barter and exchange must perforce receive an undue prominence, it is well that some character, some utterance of an ideal position may exist which we may uplift for guidance, to which we may turn when wearied by the sordidness of the time and the garishness of party aims and mean local ambitions. In Simcoe's character and utterance we have such a possession. He had in abundance, and used to the full, that great quality of integrity which is the corner-stone of public and private usefulness, that quality without which both acts and words sound as brass and tinkle as a cymbal. We might choose more widely and not choose so well if, in a search for ideals, we passed by the worth of the first governor of Upper Canada. It is by his purity of purpose and his lofty rectitude that he may be of abiding use to us. His words are now as cogent as they were in his day. They may look as dim to the eyes of a practical politician as an old-fashioned lanthorn, but they shed an honest light. And we might all profit exceedingly by a close observation of the group of virtues that, in the following words, our exemplar has brought together that he considers the prime qualities to assist at the founding of a nation: "It is our immediate duty to recommend our public acts to our fellow-subjects by the efficacy of our private example; and to contribute in this tract of the British empire to form a nation, obedient to the laws, frugal, temperate, industrious,

impressed with a steadfast love of justice, of honour, of public good, with unshaken probity and fortitude amongst men, with Christian piety and gratitude to God."

It would be well in reading them to remember that they were written of our country and spoken to our forefathers, and that by direct inheritance they belong and appertain to our national life and to ourselves. This recollection might lead us to return to them with profit again, and yet again.

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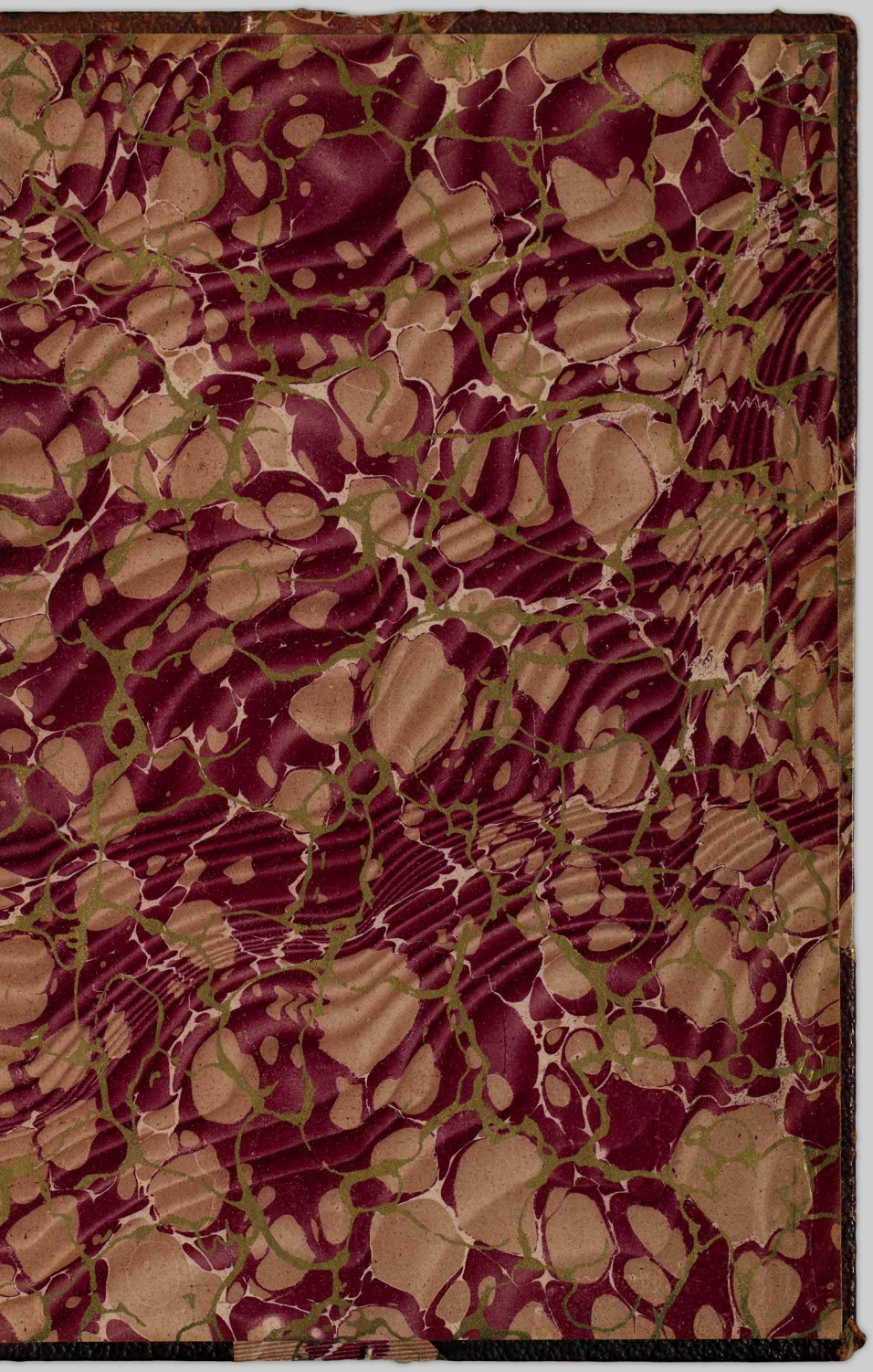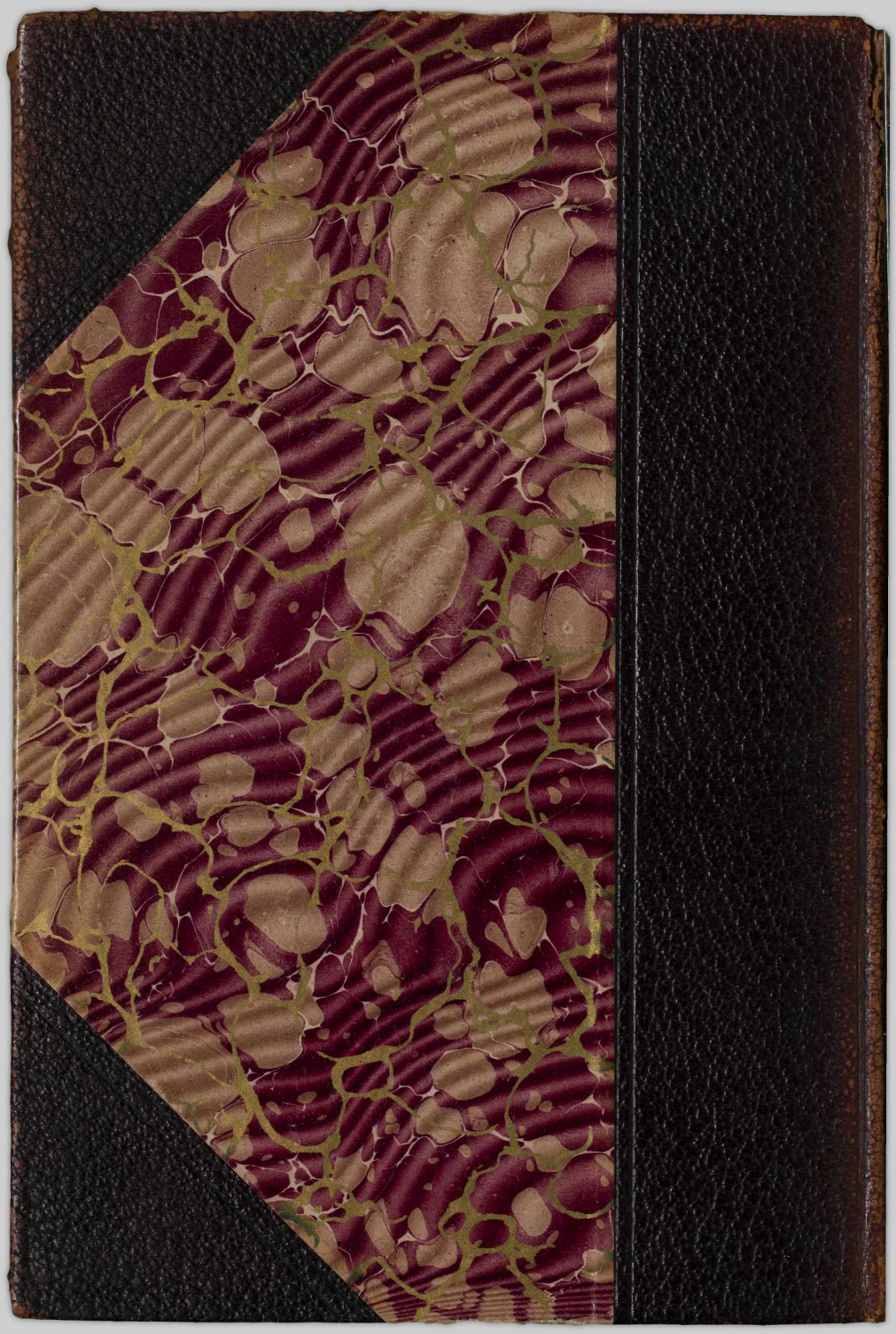
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