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THE SETTLEMENT OF NEW BRUNSWICK: AN ADVANCE TOWARD DEMOCRACY

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THE Province of New Brunswick, it must be remembered, did not come into existence as a separate colony until after the arrival of the United Empire Loyalists. Before 1784, a somewhat indefinite area north of the Bay of Fundy was part of the Province of Nova Scotia, and the first grants of land made after the territory came under British rule were made by the Governor and Council of Nova Scotia. The terms of these grants were influenced by the desire of His Majesty's Government, as set forth in the proclamations issued by Governor Lawrence of Nova Scotia in 1758 and 1759, to fill the area with Protestant settlers in place of the expelled Acadians; the size of the grants was dictated by the desire of the officials to collect large fees; the time of the grants was determined by the coming into force of the Stamp Act on November 1, 1765.

Geographically, the grants of the pre-Loyalist era in New Brunswick may be grouped in four divisions:

(1) Those at the head of the Bay of Fundy, which were the earliest, the most numerous, and the most populous of the New Brunswick grants. They included several small grants to Colonel Joseph Goreham and other officers at Fort Cumberland and to Richard Bulkley, Secretary of Nova Scotia, as well as the townships of Sackville and Cumberland (later Westmorland) near Fort Cumberland, and the townships of Hopewell, Hillsborough, and Monckton, on the Shepody Bay and Petitcodiac River, together with two small grants on the Shepody River.

(2) The St. John River townships, Conway, Gagetown, Burton, Sunbury, Newton, granted to a company, called the Canada Company or St. Johns River Society, consisting of officers of the provincial troops who had assisted in the conquest of Canada and of speculators in the New England and Middle Colonies; the township of Maugerville, granted to a group of settlers from Massachusetts; the township of Francfort, granted to Alexander McNutt and the four companies of Philadelphia merchants and others who were concerned in the grant of Monckton; the township of Amesbury or Olmeston, granted to James Amesbury and other Nova Scotians; several smaller tracts granted to James Simonds, General Gage, Lieutenant William Spry, Philip Livingstone, Arthur Goold, Charles Morris Jr., James and Isaac Caton, William Anderson, and William Jaffray.

(3) Grants on the North Shore, made at the instance of salmon fishermen from Great Britain, a township at the forks of the Miramichi, and smaller tracts on the Nepisiguit and the Baie de Chaleur.

(4) Passamaquoddy Bay grants, the largest of which, a township on the St. Croix River, granted to Governor Bernard of Massachusetts and four English friends, was on the west side of the St. Croix and thus in territory not afterwards included in Nova Scotia or New Brunswick; a grant of 10,000 acres on the peninsula at the mouth of the Maguagadavic River, given John Mascarene in 1767, and an adjoining one of 2000 acres granted Thomas Gamble; and also Indian Island in Passamaquoddy

Bay, which was included with the St. John River townships granted to the officers and speculators.

This list, which has been compiled from the records in the Crown Land Offices of both Nova Scotia and New Brunswick, is a more formidable one than has usually been associated with the period, and it indicates a fairly widespread attempt at settlement of the more desirable areas in the part of Nova Scotia north of the Bay of Fundy.

From the standpoint of success in settlement, the smaller grants may be dismissed briefly. They were made to officers or to traders, and neither class of grantee made any serious effort to effect a settlement of his tract. The only exception was the establishment of James Simonds at the mouth of the St. John River, which did account for a number of families whose breadwinners found employment in the various enterprises, lime-burning, lumbering, fishing, trapping, shipbuilding, started by Simonds and his partners, William Hazen and James White.¹ There was in this case a very close relationship between the trading post at the mouth of the river and the Mauderville settlement up the river, the only relationship of the kind. The small tracts on the Shepody River had been settled by a few families, who were, however, driven out by the rebel marauders during the American Revolutionary War. Their importance lay in the fact that, after the war, they started a movement from the Cornwallis and Horton townships on Minas Basin to the Shepody district, a migration that assumed considerable proportions.²

The earlier townships, Sackville, Cumberland, and Mauderville, whose settlement was projected and begun in the period from 1759 to 1763, were part of that expansion of New England which peopled the Minas Basin region and the coast of the peninsular part of Nova Scotia. The Sackville proprietors were largely from Rhode Island, with a few from Massachusetts; the other two townships were Massachusetts outposts. On any reckoning, proportion of grantees settling, proportion of settlers remaining, acreage under cultivation, effectiveness of occupation, contribution to population and to development of the province in later times, the Mauderville township was the most successful. A study of the record shows that ninety-two persons either owned or had owned lots in the township previous to 1783 or were heads of families living in Mauderville when the Loyalists arrived. There were only eight absentee proprietors, all but one of whom were granted lots because of some connection with the authorities at Halifax. Of the other eighty-four grantees and settlers, three are known to have been present for a few years; one had been banished and another returned to the United States in 1783 or shortly afterwards; four other proprietors are difficult to trace, but seem to have left a descendant or two in the province; five had died, but their widows had re-married in the colony, and two of the deceased had left sons to carry on the name. Subtracting the five who left, the four who are uncertain, and the three who died without heirs, we have seventy-two settlers present when the Loyalists came. All but one of the forty-four surnames distributed among these seventy-two would be recognized as

¹W. O. Raymond, *The River St. John* (Saint John, 1910), and "At Portland Point" (*New Brunswick Magazine*, I, II, 1898, 1899).

²From information in my files.

New Brunswick names and all but two or three are still fairly common. Maugerville was more than 75 per cent successful.³

Sackville, with a total of 274 names on the 1761 list of subscribers, the 1765 list, the 1770 census, the 1773 and 1774 list of proprietors, produces only twenty-seven families still at Sackville in 1783, plus nineteen elsewhere in neighbouring settlements or on the St. John River. Sackville was less than 17 per cent successful. Cumberland, which had grants in 1759, 1763, and 1764, as well as five individual grants, contained only 26 per cent of the grantees in 1770, and less than 20 per cent of the 197 names in the lists of grantees and in the census can be traced after 1783.

So much for the earlier townships. The 1765 townships were of a different order. With the exception of Miramichi, which William Davidson later claimed had been pressed upon him when all he desired was the right to the salmon fishery, the townships granted in 1765 were handed over to groups of speculators who had little or no intention of settling themselves on the land, but hoped to make a profit by selling the land or by putting tenants on it. There were four groups: the officers and their friends who received grants of Conway, Gagetown, Burton, Sunbury, and Newton on the St. John River; four companies of merchants and others from Philadelphia (with whom Alexander McNutt was included, somewhat against their will), who received grants of Monckton on the Petitcodiac and Francfort on the St. John; members of the Nova Scotia Council and their friends, who received grants of Hillsborough on the Petitcodiac and Olmeston on the St. John; a group originating in Pennsylvania, composed of both officers and merchants and on friendly terms with the Nova Scotia Council, who received a grant of Hopewell on Shepody River and Bay.

The St. Johns River Society made a promising beginning under the enthusiastic supervision of Captain Beamsley Glasier, but little came of it, and the efforts of the proprietors had accounted for only ten of the hundred settlers listed in the five townships in 1783. The other settlers were from the Maugerville families or were refugees from other Nova Scotia townships, who had been driven from their homes along the coast by the depredations of the rebel privateers. The Philadelphia companies had not sent any settlers to Francfort (or McNutt's) on the St. John, but had sent a few families to the Petitcodiac Township, Monckton. Seven of these families can be traced: one died out before 1783, two remained at Monckton, four moved to Hillsborough, but members of three of the families returned later to Monckton, when the settlers had brought suit against the proprietors for non-performance of contract and had obtained sheriff's deeds for large portions of the land of the township.⁴

The Nova Scotia Council and their friends were not more successful than the officers and the Philadelphia merchants. Five families are listed as being at Olmeston or Amesbury on the St. John in 1783, but it was not the proprietors' efforts that had placed them there. Hillsborough had four, or perhaps five, Monckton families, a Connecticut family which had

³Crown Land Office, New Brunswick, Memorials, Grant Books, etc. Sunbury County, Registry of Deeds. Family Histories.

⁴I am indebted to Radcliffe College for a Bursary which enabled me to visit the Historical Society of Pennsylvania's Manuscript Department, where information on Monckton and Francfort townships was found in the Hughes Papers. This supplemented materials found in the Crown Land Office and the Registries of Deeds at Dorchester, New Brunswick, and Amherst, Nova Scotia.

wandered in by way of Cornwallis, and several Acadians: other settlers had been present for periods of varying length, but had been forced to seek protection at Fort Cumberland during the Revolutionary War. The fourth group, whose leading personality was General Frederick Haldimand, but whose most active proprietor was Adam Hoops, a Pennsylvania trader, had sent twenty or more families to Hopewell, where they had remained unhappily for two or three years before disappearing, leaving only the agent and three others, who eventually sued the proprietors and obtained sheriff's deeds for large tracts.⁵ (It was the Hopewell tenants who started proceedings and the Monckton ones followed suit.)

It was abundantly evident by the end of the pre-Loyalist period that absentee proprietorship would not work in New Brunswick. Effective settlement was possible only where the grantees were intending settlers, resolute to carve out abiding places for themselves from the wilderness. New Brunswick was not to the manor born.

The lessons of history are always more apparent to later generations, but circumstances dictated that this one must be got by heart immediately. The necessity for the evacuation of thousands of British sympathizers from New York and Penobscot at the close of the American Revolutionary War, and for the disbanding of the provincial regiments, brought to the St. John and the St. Croix so many refugees and soldiers whose claims on account of sufferings and services could not be overlooked, that the fifty-five gentlemen who had not learned the lesson were sent to the foot of the class. The Executive Council of New Brunswick, at one of its early meetings, drew up "Regulations . . . for the orderly and expeditious settlement of the Province of New Brunswick . . ." the tenth and last of which was:

No person petitioning for Lands is to have more than two hundred Acres granted him until the numerous and indigent claimants now in the province shall have been heard and provided for, excepting such of the commissioned and noncommissioned officers of the disbanded corps as shall be willing to take up the quantity to be allowed them in some one of the twelve mile Tracts assigned to the disbanded corps, and drawn for by them. And all persons are required to be as expeditious as possible in their applications that their Lands may be assigned them in season for cultivation the ensuing spring, for which purpose the Governor will sit in Council on the Tuesday and Friday in each week.⁶

⁵Public Archives of Canada, Haldimand Papers, *passim*.

⁶The full text of the Regulations is:

Minutes of the Executive Council of New Brunswick, I, 29-32, between minutes of January 12 and January 14, 1785.

Regulations by order of His Excellency the Governor in Council to be observed for the orderly and expeditious settlement of the Province of New Brunswick by the several persons entitled to, or petitioning for farms, and by all others concerned therein:

First. Every Petition must be reduced to writing and delivered to the Secretary of the Province, that it may be considered in its order by the Governor in Council.

Second. If the petitioner prays for a proportion of vacant Land without specifying a particular spot, his name and place of abode are to be entered in a Register kept for the purpose, that if his request be assented to, he may have an allotment in his Turn.

Third. Whenever a sufficient number of farms are surveyed and ready to be drawn for, public notice will be given to an equal number, first in order on the Register above mentioned to attend in person or by deputy, at a day and place to be appointed, when and where a draft of the several Lots will be made under the inspection of a

This regulation (which, with its fellow clauses, seems to have escaped the notice of historians hitherto) presents a very different picture from that usually drawn by apologists for the American Revolution, who represent the Loyalists as Tory office holders and upholders of class distinctions which did not fit in with the levelling tendencies of American conditions, and with that picture drawn by some New Brunswick writers who imply that most of the Loyalists were members of prominent families and Harvard graduates. My study of the New Brunswick Loyalists has shown that there were only a very, very few members of prominent families and Harvard graduates among them, but that most of them were farmers, shoemakers, weavers, and so forth, from New York, New Jersey, Massachusetts, Pennsylvania, and Connecticut, and that they belonged to families long settled in those colonies.

The regulation quoted above makes mention of the "Tracts assigned to the disbanded corps." It is not generally understood that the New

Deputy Surveyor and two or more Trustees to be nominated by the Governor, and, as soon thereafter as may be, each person's Lot, so drawn by him, will be shewn and possession given by the Deputy Surveyor aforesaid.

Fourth. If the petitioner asks for a particular Tract and obtains the conditional approbation of the Governor in Council, he is then to publish the substance of his petition for three successive weeks, in the news papers, and also to advertise the same publicly in the settlement nearest to the Land petitioned for, the situation of which is to be so pointed out, that any person having claim thereto may be apprized and an opportunity given him of being heard before the Governor in Council, previous to the issuing of a warrant of Survey for the same; for the whole of which publication the Printers have agreed to take five shillings and no more.

Fifth. All persons who have obtained Warrants of Survey under the Government of Nova Scotia, are to transmit copies to the Secretary without delay, that they may be taken into consideration.

Sixth. All Deputy Surveyors are to make returns to the Secretary of their several surveys, and to specify such Lots as have been drawn for, that the several proprietors may be known, and the unappropriated Lots of each Survey assigned to others.

Seventh. The Agents of the several disbanded Corps, or the senior Officers of each in the province are to transmit to the Secretary without delay a roll containing the present State of the Battalion, Troop, or Company, and enumerating the officers, non-commissioned officers and privates by name, also their Wives and Children together with the place of their residence, that all those who are at present in the province, and unprovided, may have their Lands assigned them.

Eighth. All those Battalions or Companies, not satisfied with their allotments, and willing to take their Lands in any parts at present unoccupied and ungranted of the Tracts assigned for the disbanded Corps, may have farms granted them in such other parts of the said Tracts respectively as they shall apply for before the first of April next; after which time those tracts will be granted to such of His Majesty's Loyal Subjects as shall first apply for them. And for the encouragement of those who will settle above the numbers Six and Seven, the Lots will be laid out forty two rods in front on the river for noncommissioned officers and privates, and eighty two rods for every commissioned officer; and the drafts for such farms are to be made in a public manner as above directed, under the inspection of the Deputy Surveyor, the Agent, and one or more officers of each Battalion, Troop or Company.

Ninth. The Deputy Surveyor, as soon as may be after such draft, will shew each proprietor, or his Deputy, or Agent, the boundaries and marks of the Lot so drawn by him, which will be considered as a delivery of possession.

Tenth. No person petitioning for Lands is to have more than two hundred Acres granted him until the numerous and indigent claimants now in the province shall have been heard and provided for, excepting such of the commissioned or noncommissioned officers of the disbanded corps as shall be willing to take up the quantity to be allowed them in some one of the twelve mile Tracts assigned to the disbanded corps, and drawn for by them. And all persons are required to be as expeditious as possible in their applications that their Lands may be assigned them in season for cultivation the ensuing spring for which purpose the Governor will sit in Council on the Tuesday and Friday in each week.

Brunswick settlers who came after the close of the Revolutionary War were of two classes, soldiers belonging to the provincial forces (the British and British American Troops, Sir Guy Carleton called them in his instructions to Lieutenant Colonel Hewlett, and the same term was used in a petition to Governor Parr in 1784), and refugees who had been forced to leave their homes in the different colonies and had taken refuge in or near New York, or near the fort on the Penobscot. The Penobscot refugees, and some of the troops stationed there, came up to the St. Croix. The New York and Long Island refugees sent Amos Botsford, Samuel Cummings, and Frederick Hauser as agents to look out lands in October, 1782, and on their recommendation decided to settle on the St. John River and the Kennebecasis, where the townships of Conway and Olmeston or Amesbury were escheated for them. It was not until April, 1783, that the commanding officers of "the Provincial Forces now in New York" appointed Lieutenant-Colonel Allen of the Second New Jersey Volunteers, Major Millidge of the First New Jersey Volunteers, and Edward Winslow, Muster Master General, as agents to look out lands for the troops, and they found that the lands nearest the mouth of the St. John River were pre-empted by the refugees, that the desirable lands further up the river were under grant, and that the only opportunity for settling the troops in adjoining tracts—which the authorities were anxious to do for reasons of military expediency—was on the St. John above St. Ann's.

The *Winslow Papers* give hints of the dissatisfaction of the officers and men with the locations provided for them, and the Memorials in the Crown Land Office at Fredericton throw much additional light on the subject. The five regiments whose Blocks were furthest up the river declined to attempt to settle them and obtained permission to look for land elsewhere. On Blocks one to nine, drawn by the Maryland Loyalists, the Second Battalion of New Jersey Volunteers, the Guides and Pioneers, the King's American Dragoons, the Queen's Rangers, the King's American Regiment, the Pennsylvania Loyalists, the First Battalion of DeLancey's Brigade, and the Second DeLancey's, settlement proceeded slowly and with indifferent success. On Block two, for instance, where conditions were particularly favourable, only 8 per cent of the officers and men mustered by the Second New Jersey Volunteers in October, 1783, were named in the re-grant of the Block in 1799. Fifty per cent more can be traced to other parts of the province, but they were not on Block two. Block five was even less successful. The Queen's Rangers, which mustered 268 officers and men in April, 1783, is credited by Thomas Knox with 210 men in the province in September, 1784; about 130 of these are traceable in New Brunswick for longer or shorter periods, but only twenty-nine of them were named on the 1787 grant of Block five, and of the twenty-nine, only thirteen were permanent settlers. On the basis of the total muster of the Queen's Rangers, Block five settlement was barely 5 per cent efficient, or, on the basis of Knox's muster, just over 6 per cent. It is interesting to note that the 1787 grant contained thirty-eight other names, some of men belonging to other regiments, some of refugees, and some of pre-Loyalist families.⁷

It would be tedious to set forth the results for each of the Blocks, but

⁷*Public Archives of Canada*, Muster Rolls of the Loyalist Regiments, Crown Land Office, New Brunswick, Memorials, etc.

checking through the muster rolls and the grants, with later records of deeds and wills, shows a like ineffectiveness of settlement for each regimental Block. Occasionally, it seems as if mere perversity ruled; if a man were assigned land on one side of the river, he preferred the other side; if he were given land down the river, he moved up; if his land fell in a block up the river, he remained at St. Ann's or Saint John. The desire of a wife to be near her own people was often the dominant consideration in the choice of location, an understandable reason in a new country where families of thirteen came to be the rule rather than the exception. Whatever the motives were for moving, it is clear that families had to be free to choose their own land. Settlement by authority did not work.

With the refugees, there was not the same question of dictation by authorities as with the regiments, but there was the question of a few people who felt themselves to be entitled to special privileges. In Parrtown charges were made that several people received lots "larger or more in number than their just proportion," and the Chief Justice came from Halifax to look into the matter. Something of the story is told in the *Winslow Papers*,⁸ from the standpoint of one of the claimers of privilege, who was smarting under the defeat sustained. Of the awarding of lands outside Parrtown, there is nowhere an explicit record, but as pieced together from the Memorials and from the grants and records, the story that emerges explains the title I have ventured to use for this paper.

The authorities at Parrtown were evidently overwhelmed by the numbers who were sent up from New York, and handled the problem badly. Sometimes they told the Loyalists to go up the river and settle on unoccupied land. When the settlers had cleared a bit of ground and put up a hut, somebody else would come along with a ticket for the lot which he had received in a drawing, or one of the old inhabitants would appear with a claim to the land. Surveyors made hasty surveys and divisions of blocks of land, and reported them to the authorities, who announced lotteries. Some people drew blanks time and time again; others, smiled upon by fortune or by the holders of the lottery, drew lot after lot. The confusion and ill feeling increased as the months went on, and it is greatly to the credit of the newly arrived Governor and his Council that they recognized the incompetence and unfairness of the business and took immediate steps to regularize procedure and prevent unfair discrimination.

One of the most successful of the Loyalist settlements was Kingston, which was about on a par with Maudersville in contribution to the population and development of New Brunswick. A group of settlers, largely from Connecticut, arriving on the Ship *Union*, elected three of their number to choose a site, accepted the recommendation of their representatives and established the town of Kingston, at the head of a creek joining the Belleisle. In contrast was Gagetown, which fell into the hands of an oligarchy, who were so particular about the people they admitted to the privileges of the town for which they anticipated a brilliant future, that when the list for the town plot was drawn up in 1792, there were only fifteen families named and six of those had most of the lots. Gagetown remained aristocratic, but, in spite of its strategic position and other advantages, unpopulated.

⁸W. O. Raymond (ed.), *Winslow Papers* (Saint John, 1901), 180-7.

Neither absentee proprietorship nor settlement by authority was successful in New Brunswick. Pre-Loyalist and Loyalist experience both show that democratic techniques were necessary for effective settlement of the province.

DISCUSSION

Father Maheux suggested that a paper on French-Canadian settlement in New Brunswick be prepared along similar lines.

Professor Lower remarked upon the large grants of land given to certain people. This was so in every settlement project he said. Avidity for land and land speculation were to be found from the earliest days in every part of Canada.

M. Lefebvre cited the cases of large grants given in the Province of Quebec during the last century.

Professor Sage was pleased to hear about the pre-Loyalist settlers. He said it has taken many years for the Canadian public to learn about this element. The story of the New England connections should be more thoroughly explored.

Professor Trotter stated that ignorance of the pre-Loyalists was not confined to "former times" in Ontario. His students today are startled to hear about this group. Mrs. Wright's paper points the way to similar studies. *Father Maheux's* suggestion should be followed up. Also a study of Irish settlement along the Mirimachi should be undertaken. Such studies would reveal the diverse traditions which have gone into the making of Canada.