

REPORT NO. 6
DIRECTORATE OF HISTORY
CANADIAN FORCES HEADQUARTERS

30 Jun 66

CANADIAN MILITIA PRIOR TO CONFEDERATION

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CANADIAN MILITIA PRIOR TO CONFEDERATION

1. This Report discusses the growth and development of the Canadian Militia from its beginnings in early New France until the Confederation of 1867, but it makes only passing reference to military operations. The Report is based mainly on a study of the material now available in the Manuscript Division of the Public archives of Canada. The separate Militia of the Provinces of Nova Scotia, New Brunswick and Prince Edward Island will be discussed in [Report No. 7](#).

I - EARLY CANADA

New France

2. Although the King of France did not send royal troops to protect the first settlers in Canada, the

charters granted to all the early trading companies specified that protection should be provided. In practice, merely a few ex-soldiers were hired as guards for actual trading posts. When Montreal was founded in 1642 by the Sieur de Maisonneuve who had fought on many European battlefields, there were about 100 such old soldiers in New France. The militia companies formed on an impromptu basis by the inhabitants of Trois-Rivières in 1651, and Montreal in 1663, received some rudimentary training.¹ Such meagre military resources, however, were insufficient to cope with the increasing menace presented by the Iroquois Confederacy of the Five Nations.

3. Fortunately the representations made to Paris fell on the receptive ears of the young King Louis XIV, who had just taken the task of government into his own hands. In 1663 he made New France a royal colony and placed it under the direction of Jean-Baptiste Colbert, who was Intendant de Finance and soon to become Ministre de la Marine. Two years later military help was forthcoming - companies of regulars or troupes de terre from each of the Regiments of Chambelle, Orleans, Poitou and Allier, and 20 companies of the Carignan-Salières, all under the command of the Marquis de Tracy. During the summer of 1665 forts were built along the Richelieu River, which was the usual route taken by war parties of Mohawk Indians of the Five Nations. A punitive expedition organized during the following winter by Governor Courcelles accomplished little, because the French regulars were unaccustomed to the extreme cold and travel on snowshoes. Early in the autumn of 1666, however, the Marquis de Tracy struck into the heart of the Iroquois country with about 1200 regulars, Canadians and friendly Indians, and laid waste the towns and crops of the Mohawks. Waged on European lines and with no

attempt at surprise, this campaign brought hostilities temporarily to an end and convinced the Iroquois that the French were in earnest at long last. According to the census of that same year, there were 3418 men, women and children living in New France. Almost half were town dwellers: 555 lived in Quebec, 461 in Trois-Rivières and 584 in Montreal.

4. During 1668 the greater number of the regular troops were withdrawn from Canada to participate in Louis XIV's current European war; most of the remainder became settlers. Responsibility for the defence of New France devolved upon the Compagnie des Indes Occidentales, which recruited four small companies for garrison duty. Resumption of the Iroquois menace in 1683 caused the Governor to request reinforcements from France. The 150 officers and men then dispatched belonged to companies maintained by the Mistère de la Marine for naval duties. These so-called troupes de la Marine were henceforth to provide garrisons for all forts in New France and a trained nucleus upon which the defence of the colony was to depend. They were sometimes called troupes de la colonie.²

5. A Canadian Militia had been organized in accordance with instructions issued by Louis XIV on 3 April 1669. With a few exceptions, such as Crown officials, former military officers, and clerics, all physically fit males between the ages of 16 and 60 were organized into companies and drilled once a month. Once or twice a year the several companies of each of the districts of Quebec, Trois-Rivières and Montreal might be brought together for manoeuvres, under the command of the respective militia colonel, who was assisted by a major and an adjutant. When on active service, powder and ball were

supplied from the royal stores and muskets lent to those who did not possess their own. Uniforms were not supplied, but during the closing years of French rule distinctive items of clothing were made an issue to those actually serving: different coloured tuques and scarves were worn by militiamen from Quebec, Trois-Rivieres and Montreal. Militia companies varied in size, from 30 to 50 men, depending on the number of eligible males available: towns boasted several companies and even the larger rural parishes might have more than one company. Several companies were formed around the more than 400 officers and men of Le Régiment de Carignan-Salières settled in New France. Discharged veterans of the troupes de la marine and other ex-soldiers arriving in Canada as settlers continued to provide a small trained leaven as the years passed.³

6. Since the captain, lieutenant and ensign of each militia company had been commissioned by the Governor, rather than by the King of France, they possessed no authority over regular troops of any rank. Militia officers on active service might even have to take orders from non-commissioned officers of the troupes de la marine. In most instances, however, companies were required to furnish only a specified quota for service. Once the selection was made by the captain, either by having his men draw lots for the duty or by allocating those who had not recently served, his function was fulfilled.

7. This capitaine de milice had other important duties to perform in rural parishes. As the unpaid representative of the Governor and Intendant, he supervised the corvée - work on roads or bridges and the transportation of supplies - published edicts, administered minor justice and acted as a notary. In

return, he had the privileges of walking immediately after church wardens in religious processions and of receiving before other parishioners the bread blessed by the priest and distributed during the solemn high mass. He was far more likely to be the most capable habitant in the parish than an ineffectual seigneur.⁴

8. Although the marksmanship of the militiaman was of importance in the conduct of la petite guerre of hit-and-run raids, skirmishes and ambushes against the American frontiers-men and their Iroquois allies, his principal duties seem to have been transporting supplies by canoe, bateau or sleigh, and building fortifications or roads. For such arduous, compulsory service the militia received no pay and there was always the fear that it might interfere needlessly with the planting and harvesting of the annual crop, which was barely enough to sustain the colony even in the best of years.

9. In 1685 the chronic labour shortage, and a temporary lack of funds to pay the troupes de la marine, persuaded the Intendant, Jacques de Meulles, to permit soldiers to work as tradesmen and day labourers for Canadian entrepreneurs who became responsible for their wages and keep. However, this temporary expedient proved difficult to control, because civilian wages were higher than military pay and officers found it financially advantageous to grant leaves of absence to their men.⁵ When Frontenac tried to assemble a field force in 1691, a large number of the troupes de la marine were engaged in civilian tasks and larger numbers of militia men had to be requisitioned. Another Intendant, Jean Bochart de Champaign, then complained:

It is very aggravating for the poor habitants of this country to find themselves continually ordered out for the war when the majority of the soldiers are not; they have never yet refused to march, but they, as well as their families, are reduced to such a miserable state, I believe it to be urgent that they be employed in some other manner for fear of disheartening them completely and casting them into the depths of despair. It was apparent to me during my last trip that some of them were very discontented at always being called out while many of the soldiers remained working.⁶

Had Francis Parkman discovered this correspondence, he would hardly have waxed so enthusiastically about the military efficiency of New France:

The Canadian population sprang in great part from soldiers, and was to the last systematically reinforced by disbanded soldiers. Its chief occupation was a continual training for forest war; it had little or nothing to lose, and little to do but fight and range the woods.... A skilful woodsman, a hold and adroit canoeman, a willing fighter in time of need, often serving without pay, and receiving from government only his provisions and his canoe, he (the habitant) was more than ready at any time for any hard enterprise; and in the forest warfare of skirmish and surprise there were few to match him. An absolute monarch used him at will, and experienced leaders guided his rugged valour to the best account.⁷

10. The militia of the opposing American Colonies was similarly organized, but resembled that of

early 17th Century England, so well ridiculed by the poet John Dryden:

The country rings around with loud alarms,
And raw in fields the rude militia swarms;
Mouths without hands; maintained at vast expense,
In peace a charge, in war a weak defence;
Stout once a month they march, a blustering band,
And ever, but in times of need, at hand:
This was the morn when, issuing on the guard,
Drawn up in rank and file they stood prepared
Of seeming arms to make a short essay,
Then hasten to be drunk, the business of the day.⁸

The elaborate drill movements employed by professional armies in Europe were likely to be of little use when fighting in wooded country or from behind fortified positions, so training became perfunctory. Socially, however, each training day provided a change from the dreary toil of earning a livelihood and a chance to enjoy some rum with neighbours after parade. Moreover, acquisition of a militia commission was a necessary prerequisite for any ambitious citizen interested in politics or in securing a post under the crown. When it came to preparing expeditions for service beyond the confines of a single colony or province, such as the unsuccessful one led by Sir William Phips against Quebec in

1690, volunteers were enlisted for a specified period of time into what came to be known as provincial regiments.⁹

11. In 1713 the Treaty of Utrecht recognized British claims to Hudson Bay, Newfoundland and Acadia and reduced New France to little more than two modest agricultural colonies - Canada and Louisiana. The economic basis of these colonies was the fur trade, which could centre around the chain of small forts on the waterways connecting Canada and Louisiana. These forts were garrisoned by troupes de la marine and frequented by fur traders and voyageurs, but there were few settlers. In the Canada of the lower St. Lawrence Valley, however, there were about 60,000 men, women and children when the final Anglo-French struggle for control of North America began in 1755: about one-fifth of this population resided in Quebec, Trois-Rivières and Montreal; the rest were farmers. The frontier stage was past and neither farmers nor townsfolk knew the terror inspired by hostile Indian war whoops. Nor were they familiar with la petite guerre practised by earlier generations of milice.

12. Too much emphasis cannot be placed on the fact that the conditions of warfare had changed and that the decisive campaigns of the Seven Years' War would be waged by armies consisting largely of regular troops. The Canadian-born Marquis de Vaudreuil, Governor General of Canada, did not want to admit that conditions had changed since his youth, when he had been an officer in the troupes de la marine and had taken part in la petite guerre. The Marquis de Montcalm, a newcomer and an experienced European soldier, made a much more accurate appreciation:

La constitution de la guerre dans cette colonie a changé totalement. Jadis les Canadiens croyoient la faire, c'étoient des cources ressemblant à des parties de chasse, aujourd'huy entreprises suivies, jadis les Sauvages en faisoient le fond, aujourd'huy l'accessoire. Il faut donc d'autres vues, d'autre maximes. Je le dis mais les anciens préjuges subsistent.¹⁰

Objectives were forts, which were besieged by standard procedures, necessitating the presence of military engineers and the use of large mortars and cannon.¹¹

13. Had Major-General Edward Braddock's force consisted of well-trained British regulars in 1755, there would have been little difficulty brushing aside the French ambush near Fort Duquesne, for the Canadian militia and Indians took to their heels after the first volley. But Braddock's poorly disciplined and badly led troops were unable to dislodge the 72 troupes de la marine who held their ground, and this encouraged a number of Canadians and Indians to return and fire into the disorganized milling mass of redcoats who eventually broke and fled.¹² Conditions were reversed later that summer when the Baron de Dieskau endeavoured to launch a frontal assault against William Johnson's American provincials who were encamped at the foot of Lake George. To Dieskau's surprise and undoing, his 600 Indian allies immediately vanished while the 680 Canadian militia contented themselves with firing from behind trees. Only his 230 troupes de terre, from the battalions of La Reine and Languedoc, charged in a proper manner; lacking support, these were repulsed by withering cannon and musket fire from the entrenched Americans.¹³

13. The Marquis de Montcalm had more success with the Canadian militia, even though it proved impossible for him to obtain and retain sufficient numbers for his summer campaigns. Canadian militia transported Montcalm's regulars to Oswego in 1756 and to Fort William Henry during the following year, and helped with the successful sieges. French capture of these forts delayed the British from taking the offensive in the interior until 1758. During the first week in July of that year Canadian militiamen felled trees with their axes to form log breastworks and abattis as outer defences for Ticonderoga. On 8 July they added the fire of their muskets to that of the troupes de terre and troupes de Marine to repulse Major-General James Abercrombie's much larger assaulting force of British regulars and American provincials. Montcalm complained in his Journal, however, that too few militiamen had been present during the fighting and blamed their absence on the inducements offered by both the Montreal fur traders and the commissariat department for the freighting of goods and stores:

Premièrement, on commande un certain nombre d'habitants de la meilleure espèce, pour aller à la guerre; on les écrit sur les rôles; on les équipe en conséquence. Les voilà prêts à partir; alors on leur offre le choix, ou de s'engager à un très bas prix pour aller à la mer d'Ouest, à la baie, etc... ou de "marcher au feu": c'est le terme dont se sert ici et qu'on trouve fort expressif. Leur choix n'est ni long, ni douteux, Ils s'engagent pour les postes et l'on dit qu'ils sont à la guerre, les rôles en font foi.

Deuxièmement, le munitionnaire a besoin de monde et même en grande quantité pour ses transports. Au lieu d'avoir évalué le nombre nécessaire, de l'avoir tiré de la totalité des milice et engage pour toute la campagne, on commande des miliciens pour la guerre; on les mets sur les rôles de l'armée; ensuite on les exempte d'y aller, condition qu'ils feront gratis deux ou trois voyages pour le munitionnaire. De la s'ensuit que l'armée paroît nombreuse et qu'il n'y marche réellement que la plus mauvaise espèce d'hommes et que les paroisses sont foulées.¹⁴

14. The situation in 1759 was greatly different and a virtual levée en masse produced about 15,000 militia to help defend Quebec against the expedition headed by Major-General James Wolfe and Vice-Admiral Charles Saunders, and to oppose the Anglo-American army which Major-General Jeffrey Amherst was to lead down Lake Champlain. Since sufficient reinforcements had not been sent from France to maintain the establishments of either the eight battalions of troupes de terre or the 40 independent companies of troupes de la marine, the expedient was adopted of incorporating untrained militiamen into both these organizations. About half of the immediately available 4500 troops that Montcalm led onto the Plains of Abraham on the morning of 13 September were militia. British musketry volleys played havoc with the advancing French and forced them to retreat, but the stand made by several hundred Canadian militia on the edge of a wooded area stretching towards the St. Charles River prevented the British pursuit from being effective. The survivors and those who had not been in battle later withdrew farther up the St. Lawrence River. The Chevalier de Lévis quickly put an end to the disorganization and led this field force back down river to the relief of Quebec, but the

Garrison commander had already agreed to surrender. Thereupon Lévis retreated up river and dismissed his militia, while the continuing troupes de terre and troupes de la marine went into winter quarters.¹⁵

15. During April 1760 the Chevalier de Lévis advanced against Quebec with 3889 regulars and 3021 militia. After defeating the British garrison, which had advanced to meet him, at nearby Ste. Foye on 28 April, Lévis laid siege to the city. However, the arrival of British ships with reinforcements persuaded him to abandon his efforts on 16 May, and to retire on Montreal. Little attempt was subsequently made to oppose Major-General Amherst's three-pronged offensive aimed at Montreal. This was conducted so smoothly that it is easy to ignore how much of its success depended on the supply and transportation system manned by American provincials.¹⁶ The Canadian militia, realizing that the end was at hand, deserted to their homes in droves. Even some of the continuing French regulars deserted. So the Governor General wisely decided to capitulate. The Articles of Capitulation signed at Montreal on 8 September 1760 transferred Canada to British military rule. Arrangements were made to ship to France members of the official class, officers and men of both the troupes de terre and troupes de la marine, and their families. The remaining Canadian militia were allowed to return to their homes.

Early British Rule

16. A placard issued by Major-General Jeffrey Amherst on 22 September 1760, and posted in every settlement, announced the continuance of the capitaines de milice and their responsibilities for local government.¹⁷ The Military Governors of Quebec, Trois-Rivières and Montreal conscientiously applied the principle that the laws of a conquered territory remain in effect until expressly altered by a new Sovereign. Thus proclamations, ordinances, decrees and orders were issued only to effect necessary innovations. These were published in French and communicated to the people by the militia captains. The militia captains handled British requisitions for firewood, fodder and food, for which the military authorities paid. Justice was administered slightly differently in each of the three military governments; but the captains of militia served as local magistrates, and courts composed of British Army officers heard appeals from their rulings and judged more serious offenses.¹⁸

17. The Treaty of Paris signed on 10 February 1763 made Canada part of the British Empire, but inhabitants who wished to retain French nationality were allowed 18 months in which to remove themselves and their possessions, so the Canadians could not properly be considered British subjects until 10 August 1764. A number of seigneuries passed into English-speaking hands -- merchants who had followed the army and officers placed on the half-pay list. British soldiers of the disbanded 78th and 80th Regiments of Foot and those discharged from other corps in Canada became farmers.

18. On 10 August 1764 Major-General the Hon. James Murray became Captain-General and Governor-in-Chief of the considerably reduced area designated by the Royal Proclamation of 7

October 1763 as the province of Quebec. The southern boundary had been drawn so as to cut off lands not yet settled by the French and which might be added to what was then part of Nova Scotia. Labrador was joined to Newfoundland. Most of the territory west of the Ottawa River was reserved as hunting grounds for the Indians. Murray's commission, dated 14 November 1763, gave him "full power & Authority to Levy, Arm, Muster, Command, and Employ all persons whatsoever, residing within our said province, and as occasion shall serve them to march, Embark or Transport from one place to another for the resisting and withstanding of all enemies, pirates, & Rebels, both at land and sea; and to Transport such Forces to any of our Plantations in America, if necessity shall require for Defence of the same against the invasion or attempts of any of our Enemies...."¹⁹ If the situation warranted, Murray could proclaim a state of martial law.

19. The world being at peace and likely to remain so, Murray refrained from doing anything about the militia and thereby risk impeding the process of turning the Canadians into loyal subjects of King George III. The British Government hoped that the "Inhabitants may by Degrees be induced to adopt the Protestant Religion"²⁰ and that there would be a great enough influx of immigrants to change Canada until it resembled any other colony, but meantime Murray refused to call a Legislative Assembly in which only a handful of English-speaking merchants and other Protestants could be represented. Murray decided that his instructions permitted him "to make such Rules and Regulations" on the advice of his appointed Council "as shall appear to be necessary for the Peace, Order and good Government of Our said Province, taking Care that nothing be passed or done, that shall any ways tend to affect the

Life, Limb or Liberty of the subject, or to the imposing of any Duties or Taxes.¹²¹ Murray's successor, Colonel Guy Carleton, held similar views and was even more determined that British policy should be aimed at enticing French-speaking Canadians into the service of George III. Immigrants would be attracted to the "more cheerful Climates and more fruitful Soil" of the more southerly American Colonies, Carleton reported on 25 November 1767, and "barring a Catastrophe shocking to think of, this Country must, to the end of Time, be peopled by the Canadian Race, who already have taken such firm Root, and got to so great a Height, that any new Stock transplanted will be totally hid, and imperceptible amongst them, except in the Towns of Quebec and Montreal."¹²² The result was the Quebec Act passed by the British Parliament in 1774.

20. When Carleton returned to Quebec on 18 September, 1774 he was confident that the Quebec Act, which had been carefully drafted upon his advice, would establish a regime which would permit inhabitants of a foreign race to live happily under the British flag in a colony of their own. Hindsight indicates that the feudalism Carleton was hoping to restore had never existed in Canada. The voyage across the Atlantic Ocean and the struggle for survival in the wilderness had mitigated against the establishment of a replica of French society, and the laxity enjoyed by the habitants since the British conquest had further accentuated the differences. Now, however, the Quebec Act seemed destined to turn every seigneur into a real lord of the manor. If this were not enough to worry the habitants, there was a persistent rumour that they were to be drafted into the British Army for service in turbulent New England. Carleton conceded in a letter of 4 February 1775 to the Commander-in-Chief in North

America, Lieutenant-General the Hon. Thomas Gage, that the habitants would not now be "pleased at being suddenly, and without Preparation embodied into a Militia, and marched from their Families, Lands, and Habitations to remote Provinces, and all the Horrors of War, which they have already experienced."²³ Yet Carleton could not state that he had no more intention of implementing that part of his instructions as Governor than had Murray, because he had suggested on more than one occasion to the Commander-in-Chief the formation of battalions of Canadian regulars for service in the American Colonies.²⁴ Nor did Carleton assuage the fears of the English-speaking minority by revealing the British Government's instructions designed to protect it against an unqualified restoration of the old French civil law.

21. By failing to realize that most of the French-speaking Canadians wished to remain peaceful bystanders to the quarrel between English-speaking colonists and the British Government that turned into an American Revolution in 1775, Carleton almost lost Canada to the British Empire. Upon receipt of the news that American rebels had captured Ticonderoga and Crown Point in mid-May, and had carried off the tiny British garrison of St. Johns into captivity, Carleton hurried from Quebec to Montreal. The bulk of Carleton's small force of British regulars was concentrated in front of Montreal, covering the most obvious enemy invasion route. Carleton's proclamation of 9 June put martial law into effect and directed the militia to assemble whenever called upon by their officers.²⁵ Since there was not time to have new commissions executed, these were to be mostly the continuing capitaines de milice. Threats and commands by militia officers, particularly by seigneurs who had commissions, inspired

defiance rather than obedience and nowhere was there enthusiasm.²⁶ Therefore Carleton was forced to the realization that it would be inadvisable to try to assemble any considerable number of militia - except as a last resort.²⁷

22. The better class of citizens in Quebec and Montreal, both English-speaking and French-speaking, formed militia companies for the defence of their own towns. Those at Quebec were soon embodied to guard the magazine and military stores, since less than 70 British regulars had been left there.²⁸ At Montreal, "a few of the Gentry, consisting principally of the Youth," formed a company of volunteers under the command of Mr. Samuel Mackay, a half-pay officer of the 60th (or Royal American) Regiment of Foot, and joined the garrison at St. Johns.²⁹

23. Mere enemy numbers overwhelmed the garrisons of Chambly and St. Johns, when the American invasion finally got underway, and Brigadier-General Richard Montgomery's rebel force rolled on towards Montreal early in November. Most of the inhabitants of Montreal and its immediate vicinity refused to do their duty as militia, and there were too few continuing British regulars to effect anything. Therefore Carleton abandoned that town on 11 November and hurried down the St. Lawrence River to Quebec, which he reached on 19 November.

24. Carleton quickly purged Quebec of the disaffected and prepared for a last stand.³⁰ His garrison, however, numbered less than 1100: there were 300 French-speaking militia, 200

English-speaking militia, 200 Royal Highland Emigrants who were mostly recruits, 400 seamen and marines from the ships in port, about 80 artificers and carpenters, and a miscellany of British regulars.³¹ Something of the state of the militia may be gathered from what was later written by Major Henry Caldwell, a British half-pay officer who had acquired a seigniory:

The Canadians at first were very luke-warm and said if the English inhabitants would defend the town, they would; and the British subjects, to their eternal honour, not only set an example on that, but on every other occasion during the siege. We were about 330, officers included; every body did duty either as officers or privates, and I can assure you, duty was never done with more punctuality or earnestness. Inhabitants worth 13,000 or 14,000, standing sentry in their turn, during our severe winter nights, with the greatest alacrity; and what is still more to their honour (as it was found necessary to mix the guards, British and Canadian), they submitted with greatest cheerfulness to the command of the Canadian officers, whom they held cheap, and who were in reality their inferiors, both as to education and fortune.... Indeed, the better kind of people by keeping up a spirit of emulation amongst them, hardly ever put it in my power to reprimand them; those of a lower class were kept in very good order, by fining them of their pay and by the black-hole of bread and water, a punishment they were very much afraid of; and though at first I didn't attempt it, yet in a little time, I brought them to it without murmuring.³²

25. Fortunately for Carleton, the number of rebels outside the walls of Quebec barely equalled his

motley garrison: all but about 300 of Montgomery's force had been left as garrisons for forts already captured, while Colonel Benedict Arnold had managed to bring only about 650 Americans across the portage route from Maine. Despite the cover provided by a blinding snowstorm on New Year's Eve, the American columns assaulting the Lower Town were beaten off: Montgomery was killed and Arnold wounded; more than 450 were killed or taken prisoner. About 100-time-expired Americans soon left for New England, but the rest of the Americans continued the siege until early May 1776, when a British fleet reached Quebec with a relief force. Although the besiegers had been reinforced also, they retreated up the St. Lawrence River; they abandoned Montreal, Chambly and St. Johns, and escaped up Lake Champlain.

26. With them departed two under-strength regiments of Canadians who had definitely determined upon becoming rebels. James Livingstone had been able to recruit 200 men for the regiment authorized during the previous November,³³ while Moses Hazen had obtained 250 men for the 2nd Canadian Regiment which the Continental Congress had authorized in January 1776.³⁴ Many of the habitants had been willing to sell provisions to the American invaders, until payment began to be made in paper currency, and had elected new officers for militia companies in the occupied districts of Montreal and Trois-Rivières, but this sort of passive sympathy was far different from actually shouldering a musket.

27. "As to my opinion of the Canadians," Governor Carleton subsequently reported to the

Secretary of State for the American Colonies, "I think there is nothing to fear from them, while we are in a state of prosperity, and nothing to hope for when in distress; I speak of the People at large; there are among them who are guided by Sentiments of honour, but the multitude is influenced only by hopes of gain, or fear of punishment."⁶⁵ Carleton had, however, to make whatever use of them that he could. Three militia companies were drafted for service during the desultory summer campaign of 1776, which saw Benedict Arnold reorganize the disheartened Americans and retain some hold on Lake Champlain.

28. Only on 29 March 1777 did the Legislative Council at Quebec finally approve a Militia Ordinance. All physically fit males between the ages of 16 and 60, with certain clearly defined exceptions, were liable for service in the militia of the parish in which they resided. Companies were to muster on the last two Sundays in June and first two Sundays in July, so that the captains of militia might "inspect their arms, fire at marks, and instruct them in their duties."⁶⁶ In the event of war, rebellion, or other public emergency, the Governor was authorized to draft such numbers of officers and men as he should deem necessary. Inhabitants having one or more servants and all tenants en roture were required to furnish carts, sleighs or other vehicles for the public service when summoned through the local captain of militia; for such duty they were to be detailed in rotation and paid at rates fixed by the Governor. Still another clause made every militia officer responsible for arresting deserters, stragglers, suspected emissaries of the rebellious colonies, or "all persons spreading false reports to the detriment of government, and persons leaving the province without a pass," and forbade anyone to harbour such miscreants. Penalties for any infraction or neglect of these regulations were stiff. Lieutenant-General

Sir Guy Carleton wrote the Secretary of State for the American Colonies on 9 May 1777 that the Militia Ordinance was to continue only for two years by way of Trial, and as an Essay towards training the Canadians to Obedience by Degrees, until we have time to perfect a more solid and permanent system...¹⁶⁷.

29. Under British rule the Canadians had known no corvée, except for the repair of their local roads, and the revival of this burdensome feature of the French regime inspired a further, sullen distaste for the Government. Carleton did try to ensure that this compulsory labour pressed more lightly on the townspeople and these farmers who had suffered at the hands of the recent American invaders, and to hold the corvée in abeyance during the period of harvest. Yet some militia officers withheld the authorized payment from their men and requisitioned supplies for lower prices so that they could pocket the difference.

30. Carleton's despatch of 10 July 1777 conceded that the first attempts to enforce his Militia Ordinance had brought poor results, but expressed the hope that the corvée of 500 Canadians requisitioned for transport work with Lieutenant-General John Burgoyne's army would be successful. About half of these men managed to desert, however, before Burgoyne reached Ticonderoga on 1 July.³⁸ The two companies of Canadian militia with this expedition were similarly reduced by one-quarter to a strength of 148 other ranks. A third company with Colonel Barry St. Leger's independent command lost roughly 10 percent by desertion. Since the Canadians were bachelors and

mostly without property in their parishes, Carleton wrote Burgoyne that there was little he could do about it.³⁹

31. In accordance with the Convention signed by Burgoyne at Saratoga on 16 October, when he surrendered his army, the Canadians still with the expedition were permitted to return to their homes, with the stipulation that they would not serve again during the conflict. The militia company with St. Leger's abortive expedition was disbanded following its return home, but the officers were continued on half-pay.⁴⁰

32. The character of the war now changed completely as far as Canada was concerned. The British Army transferred its major operations far to the south in the hope of securing widespread response from loyalist sympathisers there. The arrival of Lieutenant-General Frederic Haldimand at Quebec on 26 June 1778, to replace Carleton as Governor, practically coincided with the first naval action by France, which had entered the conflict in support of the rebellious American colonists. Haldimand's government was strict, because he was plagued by the bogey of external attack by land and sea, accompanied by an internal revolt. His despatch of 15 October 1778 to the Secretary of State for the American Colonies admitted that he had "received some assistance from the Country by Corvées, without which the Transport of Provisions between Montreal and Carleton Island would be impracticable." However, this letter continued:

... in the present disposition of the People, I have judged it, highly requisite to observe the utmost caution, not to make demands that from exciting Murmurs might lead them to a declaration of Sentiments, which the French Alliance with the Rebels has undoubtedly raised in numbers of those who in regard of the Rebellion were unquestionably attached to Government and renewed in all others the Symptoms, of which change in the Canadians is everywhere manifest, and the more dangerous, as multitudes of them are but too sensible of our inability, with the troops we have in an entire open Country, to control them if any circumstances should invite their resolutions, as their inclinations are but too much already.⁴¹

Unknown to Haldimand, mutual fear and jealousy would cause both the French King Louis XVI and the American Congress to reject plans for a joint attack on Canada.⁴²

33. The American privateers swarming in the Gulf of St. Lawrence so damaged the fisheries and coastal trade during the navigation seasons of 1778 and 1779, that the Canadian fisherfolk needed no further convincing that they were dangerous enemies.⁴³ On 4 June 1780 the militia of Percée assembled and managed to beat off an American privateer with fire from two 4-pr. guns which had been sent from Quebec to this tiny village on the Baie de Chaleur.⁴⁴

34. A company of volunteers from the French-speaking Canadian and the Scottish militia at Detroit formed part of a small British expedition which drove the Americans out of Vincennes in the Illinois country during the autumn of 1778.⁴⁵ Other militiamen participated in the desultory fighting which

continued in the Old Northwest.

35. Haldimand's original excuse for not embodying a corps of Canadians, as directed by his instructions, was that he was waiting until Late autumn (in 1778), when the "most robust and active of the young men" should have returned home from fur trading in the western country and fishing in the lower St. Lawrence.⁴⁶ Like Montcalm, some 20 years earlier (see para 13), Haldimand was faced with the fact that numbers of young habitants preferred summer employment with the merchants of Montreal to transporting military stores as militiamen. His attempt to find practical means of denying them such employment in future, for periods of one, two, or three years as the investigation of individual cases might warrant, does not appear to have met with much success.⁴⁷ His despatch of 25 October 1780 seems to be an indirect admission that it would never be practicable to embody companies of Canadian militia:

...the general Disposition & Behaviour of the Inhabitants, make it beyond a Doubt to a nice observer that we have little to expect from their assistance in Military Operations, & that they have learned to consider the arrival of the Fleet as an Event that will certainly happen, and that it is equally sure their Efforts to reconquer the Province will be successful.⁴⁸

In any event, Haldimand did no more than renew the existing Militia Ordinance when necessary and make requisitions upon parishes for boatmen, carpenters or sawyers as needed.

36. Shortly after the final Peace Treaty had been, signed on 3 September 1783, Haldimand wrote to the Home Secretary, who would henceforth be responsible for the government of the continuing British colonies in North America:

This Province can only be preserved by bringing back the Canadians to a Regular Subordination, and by rendering them useful as a Disciplined Militia. In order to effectuate this, the Authority of Government must be strengthened & not Diminished.⁴⁹

37. The successful revolt of the 13 American Colonies was officially attributed to a restless democratic growth, which there had been no established church or colonial aristocracy to curb: colonial legislative assemblies had been able to nullify the efforts of their governors merely by refusing to vote money to carry on local government. British colonial policy, however, would now be hampered by the existence of the Conciliatory Act of 1778, which had been an unsuccessful attempt to win back American allegiance by promising that only such taxes should be imposed by the Parliament at Westminster as were necessary for the regulation of trade and commerce.⁵⁰

38. The most pressing problem in Canada for the moment was the disposition of the loyalists who had been forced to leave their American homes and were now either serving in provincial regiments or, together with their wives and children, living in refugee camps. During the spring and early summer of 1784 some 316 loyalists settled around Sorel, about 1300 in the Montreal area and 450 in the Gaspé

Peninsula. Because Governor Haldimand insisted for military reasons that the present Eastern Townships, bordering Vermont, should remain unsettled, the remainder were given farms to the westward. The largest settlement was along the north shore of the St. Lawrence River, extending west from the Seigniory of Longueuil to the Bay of Quinte. Settlers were assigned land according to the provincial corps in which they had served, except that protestants and Roman Catholics were placed separately. The original members of this widespread but narrow settlement were 1568 men, 626 women, 1492 children and 90 servants.⁵¹ Most of Butler's Rangers settled along the Niagara River, from where they had launched their raids against the American frontier. Only a handful of loyalists chose the Detroit area, which was to remain basically a French-speaking settlement for some years yet. Families earlier left behind in the rebellious colonies now made haste to cross into Canada.

39. There were a number of official appointments for which better educated and socially prominent loyalists could qualify. The overwhelming majority of the loyalist settlers in Canada, however, were of humble origin. As such they were not unfamiliar with want and privation, and therefore were generally able to succeed in their new homes. Many of the officers had been merchants or tradesmen rather than gentlemen, so the continued receipt of half-pay could make for relative affluence.

40. Lord Dorchester, the former Sir Guy Carleton, who succeeded to the government of Canada in 1786, soon expressed concern about the state of his frontier defences: his 2000 regulars were scattered across 1100 miles in large forts falling to ruins.¹⁶² When the Militia Ordinance was renewed for a year

in April 1787, a provision was inserted for the embodiment of detachments for two-year periods of training and service. Lord Dorchester wanted to believe that such a step would afford the means of teaching the people that the Defence of this Country is their own immediate concern, a truth important for them to learn, and for us to teach....⁶³ The paper strength of the militia in the older settlements was 636 officers and 24,264 other ranks who were French-speaking and 63 officers and 982 other ranks who were English-speaking; there were a further 450 militiamen in the Gaspé Peninsula and 842 in the Detroit area. The considerable number of loyalists and discharged regulars living in the newer settlements could be depended upon to assist the British Army in the defence of their own localities, even though disgruntled at having to live under French civil laws and at the delay in having their land titles regularized. There were about 1000 such men settled along the upper St. Lawrence River, 843 around Cataraqui and the Bay of Quinte, and 457 at Niagara.⁵⁴ However, Lord Dorchester became concerned because the habitants continued to be bitter about the administration of the corvée, so no attempt was made to embody militia detachments.

41. Lord Dorchester's dispatch of 25 September 1790 reverted to the idea of embodying a portion of the militia in an effort to "revive a spirit of national defence."⁶⁵ One-third or one-half of those embodied might be discharged annually and replaced by volunteers or by a ballot of the remainder. Something had to be done, he argued, to jar the inhabitants from their lethargy before an emergency should be upon the province:

The people are now enervated, few of them bring their arms to the parade, when they assemble for exercise, although it is imagined, every house has at least one gun, and some two or three, they are however tolerably punctual in attending these parades with very few refractory exceptions.

A copy of this proposal was sent to the Lieutenant Governors of New Brunswick and Nova Scotia, but no action was taken.

42. The British Government was much more concerned by the need to separate the newer settlements from the predominantly French-speaking older section of the province. Lord Dorchester having failed to produce any acceptable solution, the British Government decided to divide the province along the line of the Ottawa River, except that the westernmost Seignior of Longueuil should belong to a predominantly French-speaking province of Lower Canada. Regardless of racial and religious complexities, both new provinces would receive the institutions of representative government earlier granted to Nova Scotia, New Brunswick and the St. John's Island soon to be renamed Prince Edward Island. A so-called Canada or Constitutional Act was passed by the British Parliament in 1791. Actual division into provinces of Lower and Upper Canada was effected by subsequent Order in Council.

II - TWO CANADAS

Lower Canada before 1812

43. The outbreak of war between Great Britain and France in 1793 found Lower Canada unprepared to cope with invasion: a French expedition might ascend the St. Lawrence River; American forces might attack overland in another effort to complete the American Revolution while Britain was busily engaged elsewhere. Lieutenant-Governor Sir Alured Clarke had only four under-strength regular battalions of infantry, totalling about 1600 effectives among the rank and file, and detachments of Royal Artillery for each of the forts.¹

44. Clarke convened a special wartime session of the Legislature and it passed an Act "to provide for the greater security of the Province by the better regulation of the Militia thereof, and for repealing certain Acts and Ordinances relating to the same."² This Act omitted as impracticable Lord Dorchester's earlier scheme for embodying militia battalions for extended periods (of up to two years) of frontier service. As heretofore, all physically fit men aged 18 to 60, with certain clearly defined exceptions such as clerics, crown officials, half-pay officers, millers and ferrymen, were to be enrolled in companies and organized into battalions. Twice a year, in June and October, captains were to muster their companies for training. (French-speaking companies normally mustered on a Sunday or Holy Day.) The Lieutenant-Governor was empowered, should he so desire, to order two annual reviews. In the event of war or insurrection, the whole or any part of the militia could be placed on service for six months, or any lesser continuous period. Unless the whole should be called upon, only men aged 18 to

50 were liable for service. Quotas were to be taken from all companies in the province and bachelors were to be balloted first; only deficiencies were to be made good with married men. Substitutes could be provided by any citizen able to find and pay for a replacement. Balloting was good only for a 12-month period, when liability for service would be ended until all the remaining members of individual companies had been similarly chosen by lot and placed on a duty roster. When actually engaged in militia service, men were to receive the same rates of pay as regular soldiers. Militiamen were to be subject to the Articles of War, but they could not be flogged and they could be sentenced to death only for treason, mutiny or desertion. Punishment for other offenses took the form of fines, which were detailed in the Militia Act . Widows and children of men killed on active service were to receive pensions, while disabled militiamen were entitled to a pension of five pounds per annum. This Act was to continue in force until 1 July 1796, or the end of the existing state of war. Unlike the militia legislation of any other province in North America, but most necessary and sensible, was the following stipulation:

... it shall not be lawful to order the Militia nor any part thereof, to march out of the Province, except for the assistance of the Province of Upper-Canada, when the same shall be actually invaded; and except in pursuit of an enemy, who have invaded this Province, and except also for the destruction of any vessel or vessels, built or building; or any depot or magazine, formed or forming; or for the attack of an enemy who may be embodying or marching for the purpose of invading this Province; or for the attack of any fortification, which may be erecting to cover an invasion thereto.

45. So long as the militia were neither properly armed nor trained, they would be most useful transporting stores by bateau and sleigh, and working on roads or fortifications, in either or both of the Canadas. Only on 8 January 1794 did Mr. Henry Dundas, Secretary of State for the Home Department, write Lord Dorchester that 2000 stands of arms were being shipped to the Canadas: these muskets, and the ones already in store at Quebec or in transit from Halifax, should suffice to meet the immediate needs of the militia of both provinces.³ Dundas urged Lord Dorchester, in a letter of 11 May, to exert his "utmost endeavours" to put the militia upon "as respectable a footing as possible."⁴

46. As early as 15 February 1794 Dundas authorized Lord Dorchester to raise two battalions of Royal Canadian Volunteers for service in the two provinces during the period of the existing war in Europe. The instructions for raising this provincial corps were very similar to those issued earlier to the Lieutenant-Governors of Nova Scotia, New Brunswick and St. John's Island. Each of the new battalions was to consist of 750 men, organized into 10 companies, with the usual proportion of officers and sergeants. Pay and clothing were to be the same scale as for regular regiments, but the area of service was limited to Upper and Lower Canada. Although appointed colonel, Dorchester was to receive neither pay nor allowances. The other officers were not to acquire rank in the British Army or become eligible for half-pay should the corps be reduced; existing half-pay officers were to receive the better appointments, but on a temporary basis only. Lord Dorchester was directed to "pay particular attention to His Majesty's Canadian subjects" when granting commissions and to select gentlemen whose "Military Talents, Character & good Conduct, & their Attachment to His Majesty's Person &

Government, will best promote the Honour and Credit of the Service.'⁶ He gave command of the 1st Battalion, mobilizing at Quebec, to Lieutenant-Colonel Joseph de Longueuil who was a member of the Legislative Council of Lower Canada. De Longueuil had fought in defence of Canada during 1775-1776. Command of the 2nd Battalion, mobilizing at Montreal, was given to Lieutenant-Colonel John Macdonell, a loyalist half-pay officer and settler in Glengarry County of Upper Canada. Macdonell was authorized to recruit four companies in Upper Canada, since its Lieutenant-Governor, John Graves Simcoe, was hopeful that 300 men could be enlisted in the Glengarry settlement.⁶

47. Recruiting was another matter. As was customary, all officers were expected to recruit specified quotas of men for their rank, even though this increased the possibility of old men and weakly boys being enlisted. The bounty money was limited to seven pounds, with as much as possible of it issued in necessaries rather than cash, whereas the regiments of British regulars were able to offer 15 pounds (the amount given to recruits in the United Kingdom) to increase their own strengths to a war footing. As early as 20 September 1793, Simcoe had written Dorchester that there was no hope of augmenting his regular garrisons in Upper Canada by local enlistment: "no Recruits can be raised in this Province, so very high is the price of wages." In any event, there was no reason for the more substantial settlers to be interested in a humdrum military life. On 25 May 1794 Dorchester felt impelled to write Dundas that local circumstances made it foolish to attempt to raise two battalions of provincial troops.⁸

48. Orders were orders and mobilization continued, but the regiment was not a success. Lieutenant-General Peter Hunter reported to the Home Secretary, Lord Portland, in 1799 that the offer

made the other provincial corps to extend the area of their service and become fencibles should not be extended to the Royal Canadian Volunteers. The 1st Battalion had 433 rank and file, but was 317 below establishment. The 2nd Battalion was short 289 rank and file. Moreover the number of outstanding deserters equalled roughly one-third the effective strength of each battalion. The rank and file of both battalions comprised French-speaking Canadians, German and loyalist veterans of the American Revolutionary War, and a sprinkling of British born According to General Hunter's report:

In both Battalions there are a very considerable number of old men, and many others too feeble to undergo the fatigue of Military Service.

From what I have observed of their discipline, but little can be said in their favour, this arises principally from a want of experience and Military knowledge in their Officers.

... notwithstanding the advantages of being officered, without exception by native Canadians, or Gentlemen resident in the Country, and having received a bounty of ten guineas per man, exclusive of the privilege of being enlisted for three years only or during the War, such is the dislike the Canadians have to a military life, that it will (in my humble opinion) be impossible to complete them; another circumstance operates very strongly against their ever being completed; the very high price of labour in both the Canadas, particularly in the Upper Country, where a common labourer seldom receives less than a dollar a day, and at some seasons of the year,

often more.⁹

49. Meanwhile an American threat had developed and then had been dissipated. Citizen Genet, who represented Revolutionary France in the United States from April 1793 until early in the following year, was successful in stirring up discontent among the ignorant and gullible habitants. His agents worked in collaboration with the surviving brothers of Ethan Allen, still active in Vermont politics. The busy channels of trade brought propaganda as well as Vermont timber, pot and pearl ash, grain and provisions to Montreal. Despite the counter propaganda circulated by Lord Dorchester's orders, there soon was a widespread belief in Lower Canada that a French fleet was bound for the Gulf of St. Lawrence and that an overland invasion would be launched from Vermont.¹⁰

50. Late in April 1794 a riot in Montreal momentarily paralyzed the authority of the magistrates. Lord Dorchester, giving credence to a rumour that the militia of Vermont was ready to invade Lower Canada, if permitted to plunder, issued orders for 2000 militia to be prepared on four days' notice to move to assembly points. The English-speaking militia of Quebec and Montreal "came forward with great alacrity," but there were alarming disturbances among the habitants.¹¹ In addition to a great deal of irresponsible talk, there were several instances of seigneurs and militia officers being intimidated. At Charlesbourg, only two miles from Quebec, the men of four companies refused to be balloted. Everywhere the excitement subsided quickly, however, because the habitants were primarily interested in remaining neutral under all circumstances and both the Roman Catholic clergy and seigneurs

supported the status quo. The administration quickly recovered confidence and Dorchester reverted to a favourite theme by crediting the disorders "to a long disuse of Military Services, rather than to a spirit of discontent or disloyalty."¹²

51. Anglo-American differences were settled by Jay's Treaty, which was signed in London on 19 November 1794 (see para 74), but there were local instances of unrest in Lower Canada during the autumn of 1796. Repeated rumours of a French fleet cruising off Newfoundland excited the habitants and there was resentment over recent legislation requiring increased labour on the roads.¹³ In December a British warship captured a French vessel carrying Ira Allen and a cargo of arms consigned to Vermont. At Quebec it was naturally believed that an invasion of Lower Canada was being contemplated. Spies and hostile agents abounded and agitation lessened only after the public execution of David McLane at Quebec for treason on 21 July 1797. During the autumn of 1798 the last French agent was withdrawn by the Directory in Paris, which soon found itself engaged in an undeclared war at sea with the United States.¹⁴ General Napoleon Bonaparte, who overthrew the Directory on 9 November 1799, was too busy to give Canada more than a passing thought.

52. On 30 July 1799 Sir Robert Shore Milnes had become Lieutenant-Governor of Lower Canada. On 25 October he reported to Lord Portland that the militia now existed only on paper - 28,264 French-speaking and 1376 English-speaking rank and file, "but not one effective man."¹⁵ In order to publicize the militia and to assist new settlement, Milnes persuaded the Legislative Council on

20 May 1800 to approve, land grants to the officers, non-commissioned officers and men of the militia who served during the American siege of Quebec in 1775-1776 and to the widows of these deceased.¹⁶ The allotments to those answering the advertisement, which appeared in the Quebec Gazette of 19 March 1801, were 1000 acres for a field officer, 700 acres for a captain, 500 acres for subalterns and 400 acres for other ranks.

53. Milnes recommended, in a dispatch dated 1 November 1800, that a serious attempt should be made to win over both the 292 unpaid captains of militia, who were chosen from amongst the "most respectable of the Canadian inhabitants and the parish priests."¹⁷ Some form of enumeration should be given to the former. Lord Portland replied on 6 January 1801, that there was no reason why the militia should not be modelled on that of the United Kingdom (where, however, enough men could be removed temporarily from the economy by ballot to permit of extensive training). Whereas the existing militia legislation of 1794 and 1796 provided for only two muster days annually in Lower Canada, an efficient militia could develop only if a portion of the whole was subjected to three or four weeks' annual training.¹⁸ What Lord Portland did not seem to realize, however, was the absence of a manpower surplus in Lower Canada.

54. During the summer and early autumn of 1801 Milnes travelled about the province, inspecting about 12,000 of the militia and questioning the officers. On 28 October he wrote Lord Hobart, Secretary of State for War and the Colonies, that the militia could now be counted on in an emergency.

When he had ordered one-eighth of the militia in the Montreal district to be embodied and armed, in consequence of another invasion scare emanating from Vermont, the habitants had come forward willingly and there had even been a considerable number of volunteers. This situation he attributed to the fact that someone in authority had finally shown interest in the more humble citizens.¹⁹

55. Consequent upon the Peace Treaty signed at Amiens on 27 March 1802, the French threat to the security of the widespread British Empire came to an end. The two battalions of Royal Canadian Volunteers were disbanded and the number of British regulars garrisoning Canada was reduced. Peace was short-lived, however, and war was resumed in 1803. The garrison of Lower Canada now consisted of only about 1000 rank and file of the 6th and 41st Regiments of Foot, and some gunners.²⁰

56. The Militia Act approved by the Legislature of Lower Canada during the session of 1803 amended the previous measure to bring it more into line with current legislation in England. All physically fit males aged 18 to 40, with the usual exceptions, were to assemble by companies for training on four days between 10 April and 10 October of each year. English-speaking Protestants, however, were not to be mustered on Sundays. The Governor was empowered to call 1200 bachelors aged 18 to 25 for 28 days' training. Volunteers would be accepted; the balance would be selected by ballot. Everyone would be paid at regular army rates from provincial funds, with the Governor being empowered to spend 2400 pounds annually to achieve an efficient force. Once having completed 28 days' training, no man would be called a second time until all members of a company had been balloted.

As was the custom, of course, substitutes could be provided by those willing to pay. This Act was to continue until 1807.²¹

57. Milnes' dispatch of 10 June 1803 urged the desirability of proceeding slowly, until such time as the regular garrison was larger and more imposing.²² On 24 June he wrote Lord Hobart that it was too much to expect the lower classes to remain loyal in the event that a French fleet should appear in the Gulf of St. Lawrence. He did feel, however, that the French-speaking Canadians were much more "reconciled" to British rule than at any former time, and that they would serve against Americans, should there be further danger from the south.²³ Yet Milnes made no attempt to embody 1200 bachelors for training in 1803.

58. Lieutenant-Governor Milnes was content to encourage the formation of volunteer corps. His dispatch of 10 June had noted that three companies had been formed at Montreal, and clothed at their own expense. Three companies were forming at Quebec and one company at Trois-Rivières. In consequence, Milnes hoped to get rid of the "backwardness which the Canadians have hitherto manifested to serving in the Militia since the Conquest."²⁴ Milnes requested the Assembly to legislate on behalf of these volunteer companies. A bill was finally passed on 11 August and sent to the Legislative Council but, as this was the day before prorogation, no action was taken.²⁵ The volunteer companies of English-speaking and French-speaking militia at Quebec continued training, however, and sufficient stands of arms were set aside for issue to them on each training day. Muskets were

subsequently supplied on a similar basis for the volunteer companies training at Trois-Rivières and Montreal.²⁶ On 1 August 1805 Milnes reported that, although volunteer companies of French-speaking personnel continued to exist at Quebec, Trois-Rivières and Montreal, they were not wealthy enough to purchase their own uniforms as had the English-speaking companies of volunteer militia.²⁷

59. That same 1 August Milnes reported that the male inhabitants of the 16 new Eastern Townships had been formed into a sedentary militia, with Sir John Johnson as colonel.²⁸

60. During the summer of 1807 a crisis in Anglo-American relations developed over the Chesapeake incident. Colonel Isaac Brock, in his capacity as acting Commander of the Forces, immediately requested the elderly Administrator of Lower Canada, Mr. Thomas Dunn, to call out sufficient militia to repair the defences of the province and to train for any possible emergency. Mindful of past disturbances, however, Mr. Dunn and his Executive Council were not anxious to take any action.²⁹ Only on 20 August did Mr. Dunn issue an order that one-fifth of the militia, or about 10,000 men, should be drafted by ballot and hold themselves in readiness to march whenever required. Bishop Plessis of Quebec issued a mandement, which was read in all the churches of his diocese. In the parish of l'Assomption of the Montreal district occurred the only "gross instance of misbehaviour and insubordination" by French-speaking Canadians.³⁰ This was immediately suppressed and the culprits sentenced by Montreal courts to 12 months imprisonment and fines ranging from five to 10 pounds.³¹ Otherwise the habitants demonstrated a willingness to be trained. According to the Quebec Mercury

of 31 August:

The first draught was, in consequence, made, on the Esplanade, from the first battalion, of the Canadian militia, on Tuesday [25th August,] from the second battalion on Friday, and from the British battalion, by ballot, yesterday. We should be wanting in justice to our compatriots did we say less than that, never, on a similar occasion, could there be manifested more cheerfulness, alacrity and zeal, than were shown on these occasions, as well by the Canadians as by the British. Numbers volunteered their services. The Artillery company, battalion company, who are the strongest and best disciplined of the British, have, to a man, formally tendered their services. Sums of money were offered by individuals, for prize-tickets, for such the tickets were called which, in balloting, were for service. Some young bachelors procured prize-tickets from the married men, who had drawn for service; but the greater part of the latter insisted on keeping their tickets, notwithstanding that offers of exchange were made to them by other bachelors.

Too much praise cannot be given to the animating language of the field-officers and others, in their speeches, addressed to the different battalions and companies, on the occasion. The whole has been attended with much festivity and hilarity.

We hear that equal cheerfulness and ardour have manifested themselves in the different country parishes.

With such a spirit among us, what have we to fear? Surely not the windy resolves, or inflammatory paragraphs of undisciplined democrats, where there is not sufficient energy in the governing powers, to produce anything like subordination or regular obedience to command.

61. Too much significance has also been attached to the laudatory Militia General Order of 9 September thanking the militia for "coming forward in the cause of a justly beloved Sovereign, and in support of a Form of Government, which has been proved by Experience to be the best calculated for promoting the Happiness and securing the Liberties of Mankind." A disgusted Colonel Brock pointed out that nothing actually had been done: "The men thus selected for service being scattered along an extensive line of four or five hundred miles, unarmed and totally unacquainted with every thing military, without officers capable of giving them instruction, considerable time would naturally be required before the necessary degree of order and discipline could be introduced among them."⁶²

62. On 18 October Lieutenant-General Sir James Craig arrived at Quebec to assume the long vacant appointments of "Captain-General and Governor-in-Chief in and over the Provinces of Upper & Lower Canada, New-Brunswick, Nova-Scotia, and the Islands of Prince Edward and Cape Breton, and their several Dependencies, Vice-Admiral of the same, Lieutenant-General and Commander of all his Majesty's Forces in the Provinces of Lower and Upper Canada, Nova-Scotia & NewBrunswick, and in the Islands of Prince Edward, Cape Breton, Newfoundland and the Bermudas." The 59-year-old Craig had been a junior officer with the ill-fated Burgoyne expedition of 1777, but had

subsequently fought with distinction in various parts of the world. Although no reinforcements could be expected from the British Isles, to follow the 10th Royal Veteran Battalion which had come as earlier scheduled, the arrival shortly from Halifax of the 98th Regiment of Foot and the Royal Newfoundland Regiment of Fencible Infantry did strengthen Craig's position.

63. Craig's secret instructions from Lord Castlereagh, Secretary of State for War and the Colonies, emphasized the importance of holding onto Quebec until help could arrive from overseas, in the event that an Anglo-American war erupted. Among other things, Craig was directed to breathe life into the militia of Lower Canada:

With regards to the British part of the Population there will be little difficulty, the inducing, the French Canadians to embody themselves is a subject of much delicacy, as they have in general hitherto shown themselves averse from taking any active part. I must leave the arrangement of this nice subject to your powers of Management and conciliation, and you will be particularly cautious as far as possible to prevent, any Jealousies arising between His Majesty's English and French subjects.³³

64. Craig realized from the lateness of the season that an American invasion was unlikely. Therefore he merely issued a Militia General Order on 24 November warning the inhabitants to be on their guard against strangers and directing that the "portion of the Militia, amounting to one-fifth,

directed to be balloted for, by His Honor the President [Dunn], is to continue to hold itself in readiness, to assemble, on the shortest notice." At the same time, Craig granted pardons to the misguided young men who had been imprisoned for refusing to be balloted in the parish of l'Assomption. During the course of his speech opening the Legislature of Lower Canada on 29 January 1808, Craig explained further:

Though a portion of the militia have been selected, and are directed to hold themselves in readiness, to assemble at the shortest notice, yet I have not thought it necessary to call them together; a measure, which no particular circumstance seemed immediately to call for, and which would have been attended with considerable inconvenience to the province, while, from the season of the year, it would not have been accompanied with the advantages that might otherwise have been derived from the opportunity it would have afforded, of exercising and training them.³⁴

Since the Militia Act would normally have expired, but for the continuance of the war in Europe, the Legislature extended the existing legislation as Craig requested.

65. British plans for 1808 involved the dispatch of three regiments of foot to Halifax, and a further battalion to Bermuda. Lord Castlereagh's letter of 22 January to Sir James Craig emphasized that "a great proportion of the Effort should be made by the People of the Country themselves."³⁵ Six

"unattached and intelligent" lieutenant-colonels were being sent to Quebec and four to Halifax to serve as Inspecting Field Officers of Militia. They were to supervise the training of 12,000 Militia in Canada and 8000 in the maritime provinces, and possibly command militia brigades on active service. Craig was directed to "lose no time in establishing a concert with Sir George Prevost [at Halifax], by which, in the event of an attack being directed against the Canadas, a due proportion of the Force stationed in Nova Scotia may move to your Support, and vice versa, should the latter Province be the subject of attack."

66. There were clear signs that the Anglo-American crisis engendered by the Chesapeake incident was blowing over, so Lord Castlereagh soon cancelled the shipments of arms ordered to Quebec.³⁶ This was sufficient excuse for Craig to cancel the plan to call out the militia for summer training. Thus the six Inspecting Field Officers newly arrived at Quebec found themselves without active employment, a situation that would continue and cause their appointments to become sinecures.³⁷ That Craig's prejudice against French-speaking Canadians, acquired during the years of the American Revolution, was being strengthened seems evident from his dispatch of 4 August 1808. Yet the following extract indicates that Craig was looking at the situation much more realistically than had Lord Dorchester:

...whatever may have been the case in former times the Canadian of the present day is not warlike or at all accustomed to arms. Nothing indeed can exceed the prejudices and absurd ideas that prevail among them. The Militia Service is ever in their mouths, they bring it forward

as a merit on every occasion and, they seem to wish to be thought proud of belonging to it; but they have not the most distant idea of being Soldiers, or the slightest desire of becoming such, they have indeed an invincible abhorrence for the subordination and restraint that would be necessary for training them, and I have strong doubts whether they will ever be brought to submit to them.³⁸

67. Craig became embroiled in controversy with members of the Legislative Assembly and the old soldier's judgment was not helped by incessant bickering and indiscreet acts on both sides. Convinced by his close association with the English-Speaking and mercantile minority that no good could be expected from the French-speaking inhabitants and that war with the United States was inevitable, Craig requested permission to resign and make way for a younger man. Permission having been finally granted, he sailed for England on 19 June 1811.

68. Lieutenant-Governor John Graves Simcoe had not asked the first session of the Legislature of Upper Canada to pass a militia bill when it met at Newark in 1792, even though his regular strength was little more than 1000 rank and file of the 5th and 24th Regiments of Foot and the revived Queen's Rangers.³⁹ A Militia Act, however, was the first piece of legislation approved by the parliamentary session which convened early in June 1793, a few days after word reached Upper Canada that Britain was at war with Revolutionary France.

69. As in virtually everything he attempted, in an effort to turn his backwoods province into a replica of the English countryside, Simcoe tried to copy slavishly the militia practice in England. There the lord lieutenant of the county was responsible for allotting his militia quota between subdivisions and parishes, where male inhabitants aged 18 to 50 were balloted for periods of three years liability for service. Those chosen could pay substitutes to perform their service, and the militia could not be compelled to serve beyond the limits of the county unless an enemy attempted invasion.⁴⁰ The first Militia Act of sparsely settled Upper Canada provided that militia companies be assembled not less than twice or more than four times in a single year. With the usual exceptions, all physically fit males aged 18 to 50 were to be enrolled. Quakers, Mennonites and Dunkers were excepted as having conscientious objections against military service, on the annual payment of 10 shillings during peace and five pounds during war. In the event of war or other emergency, the militia could be marched outside the particular county, but not out of the province.⁴¹ Men appointed lords lieutenant, before Simcoe received orders from London that this post was not to be introduced into Upper Canada, became colonels of their county regiments; other regimental commanders were merely gazetted to the rank of lieutenant-colonel, which would make them junior to any lieutenant-colonel in the British Army. Initially the regimental commanders were found from half-pay officers of British regiments or former loyalist corps, as were most of their senior subordinates. Their sons, or those of other prominent settlers, were appointed ensigns. Militia commissions were granted by the Lieutenant-Governor but, except in unusual circumstances, action was taken on the recommendation of the commanding officer of the unit in which the young gentleman would be serving. Since officers would have to work together they

would have to be congenial and no colonel could be expected to recommend anyone he disliked. If a lieutenant-colonel vacated his command, the major normally succeeded him. These officers were often related by blood or by marriage. The leading citizen in a rural community probably owned the general store as well as a good farm. However, beyond keeping nominal rolls up to date for the next muster, officers normally had no duties to perform. Even the post of Adjutant General of Militia was a well paid sinecure (out of provincial funds).

70. Simcoe urged the necessity of providing arms for his militia at government expense. When not actually required for training, and following English practice, the muskets might best be held in the custody of the unit officers, "whose consequence would naturally be increased by such an important trust."⁴² In a dispatch of 28 February 1794, Simcoe informed Mr. Henry Dundas, the Home Secretary, that militia officers were pressing him for such action. He further suggested the formation of militia artillery companies, which "possibly might be agreeable to the better sort of Inhabitants and would be most useful while we retain the Command of the Waters."⁴³ Dundas, however, had already written that muskets were being shipped for the use of the militia of both the Canadas (see para 45). On 11 May Dundas wrote that both Dorchester and Simcoe were to exert their "utmost endeavours" to put the militia upon "as respectable a footing as possible."⁴⁴ Dundas was impressed by simcoe's argument for having, a proper naval force on the Great Lakes, as being the cheapest mode of defence" for Upper Canada.

71. In consequence, Simcoe induced his Legislature to pass another Militia Bill in 1794. This Act empowered the Lieutenant-Governor in time of war to employ militia detachments upon the inland waterways in vessels, boats or bateaux, to station them at harbours or creeks, to train the men in the use of great guns either on land or water, and to form; one or more troops of cavalry whenever required. The maximum age for service was raised from 50 to 60 years. Militia rosters were to be compiled by balloting, but actual service was limited to a maximum period of six months.⁴⁵ On paper the militia of Upper Canada now consisted of 16 battalions and three independent companies, with a strength of four colonels, 13 lieutenant-colonels, 14 Majors, 89 captains, 119 lieutenants, 108 ensigns, 16 adjutants 16 quartermasters, 259 sergeants and 4716 rank and file.⁴⁶

72. Meanwhile Simcoe had become alarmed by the wide-spread apprehension in Upper Canada of hostilities with the United States. As early as 20 September 1793 he had written Lord Dorchester that "little is to be expected from a people who have already suffered severely for their Loyalty, & too many of whom poor & dispirited, are more apt to regret what they have lost, than to remember what they have received."⁴⁷ There was no hope of augmenting the strength of his two regular regiments by local enlistments: "no Recruits can be raised in this province, so very high is the price of wages." On 7 October Dorchester replied that the dearth of regular troops would make it impossible to defend the long frontier and that drastic action might be necessary to ensure the safety of Quebec City:

...notwithstanding this want of Troops, should Hostilities commence, the War cannot be

confined to Upper Canada, and the greatest part of the Forces may eventually be drawn from thence whatever may be the inconvenience to that province: I shall therefore recommend, that after securing the established and direct communication as well as circumstances will permit, you keep the rest of the Troops free to act, where the occasion may require. You will, no doubt, pay great attention to the Militia, and make such arrangements as shall enable them to bring forth their whole strength, and employ it to the best advantage; for it may so happen, that on their Strength alone they must depend for their defence.⁴⁸

Simcoe replied on 2 December that the Queen's Rangers had been concentrated at York as a mobile reserve. The defence of advanced posts would be left to invalid or worn-out regulars, and those veterans who had settled in the province. Simcoe did not think, however, that Upper Canada would remain part of the British Empire should all the regular troops be withdrawn.⁴⁹

73. On 15 December Simcoe complained directly to Dundas in London that he could not lay Dorchester's instructions before his Executive Council or encourage his militia in any forlorn hope. He thought that it was absurd to have enticed settlers to Upper Canada if they might now be left to fend for themselves.⁵⁰ On 11 May 1794 Dundas replied, assuring Simcoe that Dorchester had been wrong to suggest that Upper Canada might have to be abandoned. Dundas, who did not think an Anglo-American war likely, tried to impress upon Simcoe the need for "Pacific Conduct and Behaviour of His Majesty's Servants" in both the Canadas.⁵¹

74. Lord Dorchester's inflammatory speech of 10 February 1794 to an assembly of Indians at Quebec and his subsequent order that Fort Detroit's communication with Lake Erie should be strengthened by the construction of Fort Miami gave Simcoe a great deal to worry about during the early summer.⁵² Upon receipt of word that Major-General "Mad Anthony" Wayne was advancing into the Old Northwest with a mixed force of American regulars and militia, determined to pacify the Indians and avenge the defeats inflicted on Generals Harmar and St. Clair earlier, Simcoe ordered the militia at Detroit to reinforce the small regular garrison of Fort Miami. He called out a further 200 militia for duty in the Western District. On the morning of 20 August the Americans vanquished the Indians at Fallen Timbers, within gunshot of Fort Miami. Although some of the Detroit militia had sided with the Indians, the British garrison remained within Fort Miami and refused shelter to all fugitives.⁵³ The Americans could easily have reduced Fort Miami, but Major-General Wayne was careful not to exceed his instructions. President Washington did not want war and Chief Justice John Jay was even then in London negotiating a settlement of outstanding Anglo-American differences. The Treaty signed on 19 November 1794 provided for British surrender of the disputed forts by 1 June 1796 and openly abandoned Indian interests at long last. So far as Upper Canada was concerned, the possibility of danger from the United States now seemed to be at an end. In consequence, the two regiments of British regulars were withdrawn, to leave less than 500 rank and file of the Queen's Rangers and Royal Canadian Volunteers in the province.⁵⁴ Consequent upon the Treaty of Amiens, ending warfare between Britain and France on 27 March 1802, the Queen's Rangers and the Royal Canadian Volunteers were reduced (see para 55). All garrison duties were assumed by the 49th Regiment of

Foot, which had recently arrived from Europe and was commanded by Lieutenant-Colonel Isaac Brock.

75. On 12 February 1807 Colonel Brock supported a proposal that Lieutenant-Colonel John Macdonell, who had commanded the 2nd Battalion, Royal Canadian Volunteers, should raise a corps from among the Scottish settlers in Glengarry County. These had recently been augmented by the arrival from Scotland of a number of Roman Catholic members of the disbanded Glengarry Fencibles with their chaplain, Rev. Alexander Macdonell. In view of the untrained state of provincial militia and the small number of regulars available to hold secure even Quebec, Brock argued that such a corps:

...being stationed on the confines of the Lower Province, would be always immediately and essentially useful in checking any seditious disposition, which the wavering sentiments of a large population in the Montreal district might at any time manifest. In the event of invasion, or other emergency, this force could be easily and expeditiously transported by water to Quebec.⁵⁵

If anything, however, the local conditions which had mitigated against the Royal Canadian Volunteers being an effective corps (see paras 47-48) were now more pronounced, while the ex-members of the Glengarry Fencibles were likely to be more interested in cultivating their new farms than in returning to dull garrison life such as they had experienced in the Channel Islands and Ireland. These facts were appreciated in Whitehall. In turning down the proposal Lord Castlereagh noted that "every attempt of

this nature has generally failed and at this moment the Canadian Fencibles though endeavouring for nearly three years (authorized on 1 Aug 1803) to complete consists of only 124 men by the last Return.¹⁶⁶

76. During the so-called "Chesapeake Affair" of the following summer, Lieutenant-Governor Francis Gore hurried down to Montreal to consult Colonel Brock, but all he could get was a promise that 4000 stands of arms would be sent forthwith to Upper Canada.⁵⁷ In the meantime there were literally no weapons available to arm his untrained militia. On 7 October therefore Gore wrote Lord Castlereagh that he was refraining from calling out any part off the militia, "that the Americans may not be made acquainted with our weakness."⁶⁸ Gore was also greatly worried about the loyalty of the inhabitants of Upper Canada, a fear he subsequently transmitted to Lieutenant-General Sir James Craig at Quebec:

I think I may venture to state that the generality of the Inhabitants from Kingston to the Borders of the lower province may be depended upon, but I cannot venture, from the Industry that has been used by certain characters now and lately in this Province, to assert that the Inhabitants about the Seat of this Government (York), Niagara and Long Point are equally to be relied on. I have also to observe that excepting the inhabitants of Glengarry and those Persons who have served in the American War and their Descendants, which form a considerable body of men, the residue of the Inhabitants of this colony consists chiefly of Persons who have emigrated from

the States of America and of consequence, retain those ideas of equality and insubordination, much the prejudice of this government, so prevalent in that country.⁵⁹

The arrival in Upper Canada of the promised 4000 muskets in December made it feasible for Gore to order the militia to be balloted and then to proceed in a more realistic manner than in Lower Canada (see paras 60-64). "Our militia has been mustered, and arms issued out to them," wrote an inhabitant of Kingston on 3 January 1808, "also every fourth man draughted, which draughts are to keep themselves in Constant readiness, in case Jonathan should attempt an invasion. We are now learning the Exercise and are drilled twice a Week by a Sergeant from the garrison - and are already much improved Considering our Awkwardness...."⁶⁰

77. That same 3 January 1808 Gore finally received a letter from Lieutenant-General Sir James Craig explaining his secret instructions for the defence of Canada (see para 63) Craig suggested sending into Upper Canada the loyal militia of the Montreal district and any British regulars not involved directly in the defence of Quebec. This force, and Gore's regulars and militia, might then harry the rear of the American invaders who, after having occupied Montreal, would likely be moving down river against Quebec.⁶¹ In his reply dated 5 January, Gore agreed that the whole disposable force in Upper Canada might be so employed. Since the Americans had no naval vessels on the Great Lakes, Gore could retain supremacy there for some time. Obviously it would be impracticable to defend Upper Canada against anything but a "partial or sudden incursion," but this truth "must be concealed from

Persons of almost every description in this colony, for there are few People here that would act with Energy were it not for the purpose of defending the lands which they actually possess.'⁶² In order to give effect to such a policy, the consolidated Militia Act passed by the Legislature of Upper Canada on 16 March 1808 included the following provision, copied from the militia legislation of Lower Canada:

... it shall not be lawful to order the militia or any part thereof, to march out of this Province, except for the assistance of the Province of Lower Canada, (when the same shall actually be invaded or in a state of insurrection) or except in pursuit of an enemy who may have invaded this Province, and except also for the destruction of any vessel or vessels built or building, or any depot or magazine, formed or forming, or for the attack of any enemy who may be embodying or marching for the purpose of invading this Province, or for the attack of any fortification now erected, or which may be hereafter erected, to cover the invasion thereof.⁶³

78. The proposal to form a Glengarry Fencible Corps having been resubmitted, Sir James Craig was ill-advised enough to issue a letter of service to Lieutenant-Colonel John Macdonell and to request Lord Castlereagh's approval on 6 April 1808.⁶⁴ On 31 May, however, Craig wrote Castlereagh's that he had withdrawn the letter from the Glengarry Fencibles because "zeal has exceeded their ability" to raise as many men as quickly as they claimed.⁶⁵

79. By mid-summer the Anglo-American crisis had blown over and interest in the militia declined

(see para 66).

Lower Canada in 1812

80. Lieutenant-General Sir George Prevost's most pressing task, after assuming the duties of Governor-in-Chief and Commander of the Forces on 14 September 1811, was to conciliate the French-speaking Canadians who were a solidly knit opposition to the English-speaking oligarchy in Lower Canada. Prevost began deliberately to cultivate the French-speaking majority, which would have to provide the manpower needed to back up his 4000 regulars and fencibles in the event of war with the United States. On paper the militia numbered 60,000, but they were "ill armed and without discipline"⁶⁶ On 4 April 1812 the Legislative Assembly ceased wrangling long enough to approve a Militia Bill. It was much the same as the Act which was about to expire. Definite provision, however, was made to have 2000 bachelors aged 18 to 25 balloted for 90 days training or less, between 1 May and 15 August of two successive summers. In the event of war with the United States this Select Embodied Militia could be retained on service for up to two years, although half was to be replaced annually by ballot. Men would receive the same rates of pay as British regulars and would not again be liable for service until all men of the group had served. Since one of the strongest objections raised in the Assembly had been that French-speaking Canadians might contract military habits, the new Militia Act specified that select embodied militiamen could not be enlisted into regular or fencible regiments.⁶⁷ On 19 May Prevost prorogued the Legislature. A subsequent Militia General Order authorized the mobilization of four battalions of Select Embodied Militia.

81. The rules and articles for the better government of the militia of Lower Canada were applied to the Provincial Corps of Light Infantry or Voltigeurs which Prevost decided to raise for service during the war, or the apprehension of war, with the United States. Brevet-Major Charles Michel de Salaberry, a French-speaking officer of the 60th Royal Americans was appointed Major Commandant. De Salaberry had been serving as aide-de-camp to Major-General de Rottenburg, who had earlier introduced better methods of training light infantry into the British Army. De Salaberry was to select his officers from "the most respectable Families in the Province", subject to Prevost's approval.⁶⁸ They were, however, to be junior to all regular and fencible officers of the same rank, and were to have no subsequent claim to half-pay. They would receive their commissions as soon as they had recruited their quotas - 36 men for captains and 16 for lieutenants. The men were to be between the ages of 17 and 36, and not less than five feet three inches in height. Pay was to be the same as for regulars and Militia. The bounty money of four pounds was to include regimental necessaries. A further inducement to enlist was a land grant of 50 acres on disbandment of the corps. The Canadian Voltigeurs were to be outfitted in grey uniforms (presumably homespun), with black collar and cuffs, black buttons, Canadian short boots and light bearskin caps. De Salaberry's establishment called for six captains, 18 lieutenants, an adjutant, quartermaster, surgeon, sergeant-major, sergeant armourer, bugle major, 25 sergeants, 25 corporals, 10 buglemen and 475 privates "or more if they can be obtained"⁶⁹ An additional company of six chiefs and 60 warriors, armed in the Indian manner, might be attached to the corps, but would be reimbursed with presents rather than pay. Unfortunately a number of historians were later beguiled by the journalistic exaggeration which appeared in the Quebec Gazette of 23 April 1812:

This Corps now forming under Major De Salaberry, is completing with a dispatch worthy of the ancient warlike spirit of the Country. Capt. Perrault's company was filled up in 48 hours, and was yesterday passed by His Excellency the Governor; and the companies of Capts. Duchesnay, Panet and L'Ecuyer, have very nearly their complement. The young men move in solid columns towards the enlisting officers, with an expression of countenance not to be mistaken. The Canadians are awakening from the repose of an age, secured to them by good government and virtuous habits. Their anger is fresh; the object of their preparation simple and distinct. They are to defend their King, known to them, only by acts of Kindness, and a native country long since made sacred by the exploits of their forefathers.

Yet only 309 other ranks had been enlisted as late as 5 June.⁷⁰ Sir George Prevost then ordered the Canadian Voltigeurs to suspend recruiting. Until war should actually come, there were severe limitations on how he might expend his military chest. What funds could be spared were to be used to complete the Glengarry Light Infantry Fencibles.⁷¹ This corps was busy at Trois-Rivières, training the recruits which had been obtained during the winter in both Upper and Lower Canada, New Brunswick, Nova Scotia and Prince Edward Island.

82. The first intimation that the United States had declared war on Great Britain was received, through commercial channels, by two Montreal merchants on 25 June. Word was relayed to Lieutenant-General Sir George Prevost at Quebec. The flank companies of the regular and fencible

regiments in Lower Canada were formed into a flank battalion to man a chain a posts stretching from St. Jean to Laprairie the obvious route for an enemy to approach Montreal. Prevost himself hastened to Montreal, where the balance of his regulars and fencibles was soon concentrated. A Corps of Canadian Voyageurs was formed from employees of the North West Company to supervise the transportation of supplies, for which work the sedentary militia furnished quotas in rotation. Normal garrison duty at Quebec and Montreal was assumed by volunteers from the local sedentary militia units. Since this consisted mostly of guard mounting, the following account which appeared in the Montreal Herald of 1 August need not be taken too seriously:

The zeal and ardour evinced by the flank companies of the 2d and 3d battalions of the town militia, in voluntarily sharing the garrison duty with those of the 1st battalion, cannot but claim the warmest commendation of their fellow citizens, proving, in the most incontestable manner the enthusiasm which animates the Canadian soldier in the sacred cause of his country.

83. Except for disturbances in the Montreal district, there was no difficulty completing the quotas required from the sedentary militia for the four battalions of Select Embodied Militia earlier ordered to mobilize. At Lachine a company of the 49th Foot had to open fire on an angry crowd intent upon rescuing recalcitrants who refused to serve. This display of force, backed by the arrival of 450 sedentary militia from Montreal, restored order.⁷² The greater number of those who had absented themselves from Pointe-aux-Trembles returned on learning that the province was actually at war. Some

young men seem to have been brought to their duty by conscientious parents.⁷³ After rudimentary training these four battalions joined the concentration of troops in front of Montreal.

84. Tension soon eased when no invaders appeared. On 11 July the Montreal Herald reported that the inhabitants of the townships bordering on Vermont and New Hampshire had taken counsel with their American neighbours and all had "solemnly agreed" not to make any aggressive move against the other. All Americans in Lower Canada, however, were ordered to leave the country if they refused to take the oath of allegiance. Various war measures were passed by the Legislature, which terminated its emergency session on 1 August. The arrival of the 103rd Regiment in July and the 1/1st or Royal Regiment of Foot in August made it possible to release the sedentary militia on duty at Quebec and Montreal.

85. On 19 November Major-General Henry Dearborn finally led his American army from Plattsburgh to the border of Lower Canada. On the following day there was an inconclusive skirmish with Canadian outposts at Lacolle. The American militia then refused to cross the border into Lower Canada. After hesitating for three days, Dearborn withdrew his troops to Plattsburgh and ordered them into winter quarters.

86. Lieutenant-Colonel Patrick Murray's 5th Battalion of Select Embodied Militia, only recently organized at Montreal from 560 drafted militiamen,⁷⁴ and the sedentary militia units of the district, had

been alerted during the emergency. The North West Company's recently retired explorer and fur trader, David Thompson, recorded in his Journal on 21 November that a few of the men drafted for the two companies of sedentary Militia dispatched by the 2nd Battalion, Terrebonne Division had mutinied and returned home.⁷⁵ Thompson's entry for 28 November read: "The Militia marched from hence the 21st Inst returned: the American Camp, Thank God, have broke up gone home on the 22nd Inst." On the same day Prevost wrote the Secretary of State for War and the Colonies that "use has been made of and confidence placed in" the French-speaking Canadians by calling them out for service and giving them weapons to defend their homes.⁷⁶ This action would, Prevost believed, do something to remove former prejudices and distrust. The English-speaking members of the volunteer companies of the 1st Battalion of Montreal Militia, after their return home, jokingly referred to their week's service at Laprairie as a "party of pleasure."⁷⁷

Upper Canada in 1812

87. One of Sir George Prevost's first decisions, after assuming office on 14 September 1811, was to send Major-General Isaac Brock to Upper Canada to act as Administrator, so that Lieutenant-Governor Gore could have some leave in Great Britain. There were only the 41st Regiment of Foot and the 10th Royal Veteran Battalion in Upper Canada to garrison its widely scattered forts. The militia was calculated at 11,000 men, "of which it might not be prudent to arm more than 4,000,"¹⁷⁸ since "loyalist stock accounted for only one-sixth of the population and emigrants from their British Isles

and their children for another one-fifth.¹⁷⁹

88. Major-General Brock had some success with his preparedness programme, even though a bill to suspend habeas corpus was defeated in the Legislative Assembly because of the "great influence which the numerous settlers from the United States" possessed and because of the prevalent belief that war was unlikely.⁸⁰ The Militia Act of 1808 was extended and supplementary clauses authorized the formation of flank companies, each of 100 volunteers, for every sedentary militia regiment. These flank companies were to train six days a month until they became proficient. There was no provision for pay but, according to the new militia Act, volunteers "shall not be liable to any personal Arrest on any Civil Process, or to serve as Juror, or to perform duty as a Town or Parish Officer, or Statute labour on the Highways, during the time he shall continue in such flank Companies any law to the contrary in any wise notwithstanding."⁸¹ Brock had requested clothing for his militia but, since it would be some time before it arrived, his Adjutant General of Militia issued a circular letter suggesting that each man provide himself with a "Short Coat of some dark colored Cloth to bottom well round the Body, and Pantaloons suited to the Season, with the addition of a Round Hat."⁸² As much uniformity as possible was desired. Such clothing would be equally suitable for civilian use. Officers were further advised, when in the field, to dress in conformity to the men "in order to avoid the bad consequence of a conspicuous dress."

89. Initially most of the flank companies consisted of a captain, two subalterns, two sergeants, a drummer and 35 rank and file. According to the circular letter which Brock sent to all commanding

officers:

It is my earnest wish that the little the men have to learn may be acquired by way of a pastime, and not looked upon in the light of an irksome restraint. The generality of the Inhabitants being already acquainted with the use of the Musket, have the less to learn. You may therefore under existing circumstances, limit the Parade of the Companies to three times in each Month.

A little attention on the part of the men, will very shortly enable you to reduce even that short term of attendance.

The chief object of the Flank Companies, is to have constantly in readiness, a force composed of Loyal, Brave, and Respectable Young Men, so far instructed as to enable the Government, on any emergency, to engraft such portions of the Militia as may be necessary, on a stock capable of giving aid in forming them for Military service.⁸³

At Kingston and York the flank companies joined the regular garrisons in celebrating the King's Birthday on 4 June. The editor of the York Gazette waxed enthusiastically about the flank companies of the 3rd Regiment of York Militia:

It was highly gratifying to observe the expertness and correctness with which the two Flank

Companies (composed of smart, active young Men, selected from the Volunteers of the Regiment) performed their Manoeuvres, proving the great advantage of the new mode of Disciplining the Militia, adopted by His Honor GENERAL BROCK, and though drilled but a few times, shows how soon young Men animated by a zeal for the honor and defence of their Country, and prompted by an eagerness to learn, can be sufficiently trained fit for effective service.⁸⁴

90. The problem of what to do about the few militia colonels, who in the event of war would be senior to the lieutenant-colonels commanding regiments of the line or fencible corps, had been resolved earlier. Prevost had agreed with Brock that no militia officer should ever hold a rank higher than lieutenant-colonel commandant, but conceded that existing commissions could hardly be revoked. Therefore his letter of 24 December 1811 had authorized Brock to give Lieutenant-Colonel Thomas Bligh St. George the local rank of colonel in order to preserve his position as Inspecting Field Officer of Militia. Should circumstances make it necessary for large concentrations of militia to serve with regular troops, Brock could give a correspondingly higher local rank to the senior regular officer.⁸⁵

91. As soon as the news of war began to circulate unofficially in Kingston on 3 July, the 1st Regiment of Frontenac Militia mustered to reinforce Major Donald Macpherson's regular garrison, which consisted of less than 200 effectives of the 10th Royal Veteran Battalion. Macpherson had only 34 pistols and 1130 stands of arms to issue amongst the militia that turned out virtually en masse in the

loyalist settlements that stretched along the upper St. Lawrence River and as far west as the Bay of Quinte. Since the seven troops of militia cavalry had received no training as such, he wisely directed them to provide a courier service, men being posted in pairs at convenient intervals, westward towards York and eastward to the boundary with Lower Canada.⁸⁶ His request of 5 July for further stocks of arms and ammunition was reinforced by a personal letter addressed to Sir George Prevost by the Hon. Richard Cartwright. As well as being colonel of the Frontenac Militia, the elderly Cartwright was Kingston's leading merchant and a member of the Executive Council of Upper Canada. After dwelling upon the defenceless state of Kingston and the necessity of retaining command of the river communications with Montreal, Cartwright's letter emphasized the desirability of having a regular officer of seniority and ability to exercise command. His letter then got to the crux of the militia problem:

In the first fervor of their zeal it has not perhaps occurred that it is not possible to keep on military service for any considerable length of time the whole male population of a country and arms put into the hands of people not actually arrayed for service are soon allowed to become unserviceable. Yet it might be expedient to have depots in the different counties to be resorted to in case of emergency. Every man along the frontier supposes that his property will be the object of immediate attack but it is to be presumed that mere predatory warfare will be discountenanced on both sides.⁸⁷

92. Following receipt of these letters in Montreal, where Prevost now had his headquarters, small

stocks of arms and ammunition were sent forward for use by the militia of Cornwall, Stormont, Dundas and Prescott.⁸⁸ Colonel Robert Lethbridge, an Inspecting Field Officer of Militia, was ordered to proceed to Kingston to take command and to exercise a "vigilant general superintendence" of the whole eastern portion of the province.⁸⁹ En route Lethbridge was to ascertain the efficiency of the several militia units and make such arrangements as should be necessary to ensure the general defence and security of the line of communications with Lower Canada. "Under the existing state of affairs," his instructions continued, "it is not desirable that you should engage the enemy, on the contrary use every precaution to preserve the tranquillity of that part of the Province which does not in itself afford an eligible position for offensive operations."⁹⁰ Colonel Lethbridge set out for Kingston on 20 July and seems to have been favourably impressed by what he encountered on his journey. He reported uniform zeal by the militia of the counties of Stormont, Dundas, Glengarry and Grenville "to exert their best endeavours for the defence of their country, tho' as yet almost in the infancy of discipline with the exception of the manual & platoon exercise owing to the general want of instructors."⁹¹ Bare amenities as well as munitions were lacking: at Prescott a stockaded fort was being erected to control river navigation and to offset any American enterprise from nearby Ogdensburg, but the men were without blankets. The militia battalions were soon stood down and only the flank companies retained for further service. These flank companies guarded points where the channel of the St. Lawrence River was narrow or there were rapids, and provided additional escort for the convoys of bateaux that were to transport supplies for the balance of the war (except during the winter months when horses and sleighs took their place).

93. Meanwhile Major-General Brock had been busy in the more westerly parts of Upper Canada. His first thought had been offensive operations, but almost immediately he had realized that the weak strength of his widely scattered garrisons would prevent them achieving any lasting success. The militia in the Niagara Peninsula had turned out cheerfully to the number of 800 men. There were no tents for the men guarding the river bank, however, and it was necessary to purchase blankets, hammocks and kettles from the civilian trade.⁹² On 12 July Brock reported that the militia were becoming impatient with inactivity. In response to widespread clamour to return to their farms, he had released many; but he was afraid that the remainder would leave as soon as the harvest was ready to be gathered, without permission and in defiance of the Militia Act which authorized only fines to be levied against offenders.⁹³

94. That same 12 July Brigadier-General William Hull's makeshift American force crossed from Detroit into Upper Canada without opposition and was welcomed by many of the inhabitants. After specifying that he had come as a liberator, Hull's flamboyant proclamation struck a popular note:

In the name of my Country and by the authority of my Government I promise you protection to your persons, property and rights. Remain at your homes. Pursue your peaceful and customary avocations. Raise not your hands against your brethren, many of your fathers fought for the freedom & Independence we now enjoy. Being children therefore of the same family with us, and heirs to the same Heritage, the arrival of an Army of friends must be hailed by you with a cordial welcome. You will be emancipated from Tyranny and oppression and restored to the

dignified station of freeman. Had I any doubt of eventual success I might ask your assistance but I do not. I come prepared for every contingency. I have a force which will look down all opposition and that force is but the vanguard of a much greater. If, contrary to your own interest & the just expectation of my country, you should take part in the approaching contest, you will be considered and treated as enemies, and the horrors, and calamities of war will stalk before you.⁹⁴

In consequence, most of the 600 Canadian militiamen in the garrison of Fort Malden, at nearby Amherstburg, deserted and returned to their homes. On 20 July Brock wrote from Niagara to Prevost that he had never been "very sanguine" in his hopes of assistance from the militia: moreover, "a general sentiment prevails that with the present force resistance is unavailing."⁹⁵ This feeling of defeatism in the Western District was increased when the flank companies of the Norfolk Militia refused to move to Amherstburg at the behest of the generally unpopular Colonel Thomas Talbot. Even the Indians of the Six Nations decided to remain neutral on their Grand River Reserve, being disillusioned by British policy during the years since the American Revolution. The possibility that these Indians might even espouse the enemy cause was a further deterrent to the militia, who were afraid to leave their homes and families unprotected.⁹⁶

95. Brock issued a counter-proclamation on 22 July, but he knew that actions speak louder than words.⁹⁷ Thus recalling to duty at Niagara the portion of militia released earlier for the harvest would

be unpopular. "I am prepared to hear of much discontent in consequence," he wrote Prevost on 26 July; "the disaffected will take advantage of it and add fuel to the flame but it may not be without reason that I may be accused of having already studied their convenience and humour to the injury of the Service."⁹⁸ When Brock returned to York on 27 July to open an emergency session of the Legislature he found defeatism in that town also. The Assembly proved recalcitrant. Although supplies were voted, the malcontents were strong enough to prevent bills being passed to suspend habeas corpus and to put teeth into the punitive clauses of the Militia Act.⁹⁹

96. News now opportunely reached York that Captain Charles Roberts, commanding at Fort St. Joseph, had captured Michilimackinac. Upon receipt of Brock's authorization to use his own discretion, Roberts had surprise an American garrison still unaware that war had been declared.¹⁰⁰ This bloodless victory of 17 July, achieved by about 45 all ranks of the 10th Royal Veterans, 180 fur traders and 300 Indians, was the first encouraging circumstance and persuaded Brock to go to the relief of Amherstburg. Immediately after proroguing the Legislature on 5 August, Brock hurried westward with 50 British regulars, 250 militia who had volunteered for the expedition and one 6-pr. gun.

97. Although Brigadier-General Hull had sent raiding parties as far into Upper Canada as the Moravian Town on the Thames River, he had not ventured to attack fort Malden at Amherstburg. He was now worried lest the surrender of Michilimackinac should decide the hesitant Indian tribes to take the warpath. Therefore he recrossed the Detroit River to American soil on 8 August.

98. Late on 13 August Brock reached Amherstburg with his relief force. The next day he organized his 300 regulars and 400 militia into three tiny brigades. The first consisted of the 50 officers and men of the Royal Newfoundland Regiment and the detachments of Essex and Kent militia; the second included 50 all ranks of the 41st Regiment and militia detachments from the counties of York, Lincoln, Oxford and Norfolk; the third comprised the remaining 200 all ranks of the 41st Foot. Command of each of these "battle groups" was entrusted to a British officer - Lieutenant-Colonel St. George and two captains of the 41st Foot who were given the local rank of major.¹⁰¹ Shortly after dawn on 16 August this little - force crossed the Detroit river and advanced against the town. The Indian allies who had crossed during the night were now prowling through its outskirts. Hull asked for terms and surrendered without a fight. Brock then hurried back to Fort George on the Niagara frontier. According to Rev. Michael Smith, an itinerant Baptist preacher subsequently repatriated to the United States:

The surrender of the fort at Detroit, and all the Michigan Territory, were events which the people of Canada could scarcely believe, even after they were known to be true. Indeed, when I saw the officers and soldiers returning to Fort George, with the spoils of my countrymen, I could scarcely believe my own eyes.... After this event, the people of Canada became fearful of disobeying the government - some that had fled to the wilderness returned home - and the friends of the United States were discouraged, and those of the King encouraged.... The army now became respectable, and a dread fell on those who had opposed

the government. The people now saw that it was as much as their property and lives were worth to disobey orders, and new what they had been compelled to do, after a while they did from choice.¹⁰²

99. Resounding victory over the Americans at Queenston Heights on 13 October put an end to the talk of defeatism. If anything, Brock's untimely but spectacular death while leading a premature counter-attack raised civilian morale. His successor, Major-General Roger Sheaffe, reported to Prevost on 23 November that the number of militiamen remaining in the field had considerably increased. According to Sheaffe's description:

... they are very alert at their several posts, and continue generally to evince the best disposition. Some old Loyalists who bore arms in the American War, have come in tho' exempt from Service in the Militia. I retain them for the present, as they are still capable of stationary Service, and their lessons and example will have a happy influence on the youth of the Militia Ranks.¹⁰³

100. Neither Sheaffe nor any other British officer paid any attention to the following remarks credited to Rev. John Strachan, Dean of York, following his sermon of 22 November:

... the Province of Upper Canada, without the assistance of men of arms, except a handful of

regular troops, repelled its invaders, slew or took them all prisoners, and captured from its enemies the greater part of the arms by which it was defended.... And never, surely, was greater activity shown in any country than our militia has exhibited, never greater valour, cooler resolution, and more approved conduct; they have emulated choicest veterans, and they have twice saved the country.¹⁰⁴

F flank companies of militia had performed creditably at Queenston Heights, but without a nucleus of regulars, the militia on either side was likely to give a sorry performance. Two incidents which occurred along the banks of the upper St. Lawrence River may be taken as typical. When the village of Gananoque, 17 miles east of Kingston, was attacked at daybreak on 21 September by a mixed enemy force built around Captain Benjamin Forsyth's company of riflemen - the only American regulars in northern New York State - the defending members of the flank companies of Leeds Militia fired their muskets and then ran.¹⁰⁵ A Canadian attack launched against the American post on the Salmon River, near St. Regis, on 23 November succeeded because the Cornwall and Glengarry Militia placed themselves under the command of a British staff officer, Captain Andrew Gray, who was proceeding up river with 70 regulars guarding a convoy of bateaux. Gray subsequently reported that the militiamen had performed creditably after he had "got them in motion, and all properly arranged."¹⁰⁶ Initially suffering from too much zeal and not enough discipline, militia officers and men had argued that the attack should be made from the river side. "I saw what would happen by following their advice," Captain Gray wrote in his report. "The only difference between us was, that I saw it before, and they

after the capture of the place. They were all fully convinced of their error had we gone by the River, we would have been shamefully beaten, as they expected us in that direction, and had a Picquet of 20 men on the River banks, that might have killed the whole Party."

Lower Canada Militia 1813-1814

101. On 8 February 1813 Sir George Prevost reported in a dispatch to the Secretary of State for War and the Colonies the "zeal and alacrity with which the Militia both embodied and sedentary continue to discharge their several duties; The Sedentary Militia who have been called out to do duty for a short period in this garrison, Quebec as well with a view to relieve the King's Troops as to obtain the instruction so necessary for them have obeyed the call with the greatest cheerfulness, and are daily improving in discipline.¹⁰⁷ Since about 900 of the select embodied militia would be entitled to discharge (after selection by another ballot) in June, he had ordered a draft of 2000 recruits to be made from the sedentary militia in March to replace them and to increase the five battalions of select embodied militia to a strength of 4000 ranks. The flank companies of these five battalions were subsequently grouped with the light infantry companies of the regular regiments in Lower Canada to form 1st and 2nd Militia Light Infantry Battalions, which existed as units from 30 June to 25 November 1813. On 6 February a 6th Battalion of Quebec Embodied Militia had commenced garrison duty on a permanent basis, replacing a shortlived corps of Quebec Volunteers.

102. Only in the parish of St. Joseph de Nouvelle Beauce was resistance offered to service in the select embodied militia. "The draft had been regularly made," reported the Quebec Gazette on 1 April, "and the young men were dissuaded and even prevented from marching by some ignorant and obstinate persons, who pretended, that not having voted at the elections, they were not bound by the Militia Laws; and that the Militia Officers had no authority for what they had done." The 25 recalcitrants were taken into custody and were sent to join the 6th Battalion of Quebec Embodied Militia.¹⁰⁸ An earlier Militia General Order had stated that men would be required to serve in battalions of the select embodied militia for only one year, unless there should be an unusual emergency.¹⁰⁹

103. The humdrum garrison duty performed by the Quebec Embodied Militia was but little more than the type of training done by part-time volunteer units attached to the sedentary militia. In the District of Quebec there were the Quebec Volunteer Cavalry and the Dorchester Provincial Light Dragoons. In the Montreal District were the Royal Montreal Troop of Cavalry, the Compagnie des Guides, the Royal Militia Artillery and the Montreal Incorporated Volunteers. These last, according to Robert Christie, were four companies organized by merchants and tradesmen "to avoid the rigour of the militia Laws, which permitted of no substitutes."¹¹⁰ It would be more kind to suggest that such citizens were willing to soldier if absolutely necessary for the safety of the province, but otherwise they felt that their time could be better employed. Many years later one of the country's French-speaking political leaders implied as much, when recalling his own service in the 5th Battalion of Select Embodied Militia:

Les premières personnes de Montréal, avocats, négociants, notaires, bourgeois, gens à peu

près tous mariés, et engagés dans les affaires, avec un zèle vraiment louable, s'empresserent de prendre du service dans ce bataillon, et comme il s'y trouvait un bon nombre d'avocats, on appela ce bataillon, ceci soit dit sans malice, - The Devil's Own. Leur officiers étant tous instruits et fort intelligents, ce bataillon fit des progrès rapides et remarquables, et en peu de temps fut aussi bien instruit et exerce que les bataillons levés plusieurs semaines auparavant. Jusque-la tout allait à merveille; mais vers la fin de la première campagne, la guerre continuant, il devint évident que le Devil's Own serait, comme les autres bataillons, force de marcher à la frontière, la campagne suivante, et il arriva alors, ce qui arriverait encore aujourd'hui, le cas échéant, que la plupart de officiers furent obligés de résigner, ne pouvant abandonner leurs affaires sans compromette sérieusement leur avenir.¹¹¹

The replacement officers proving to be a poor lot, the 5th Battalion did not make a creditable showing during 1813.

104. On the other hand the men who were due to receive their discharge from the 1st Battalion of Select Embodied Militia on 3 June cheerfully took part in that day's skirmish which resulted in the American schooners Growler and Eagle being captured off Isle aux Noix.¹¹²

105. Three troops of Canadian Light Dragoons and a Corps of Provincial Royal Artillery Drivers authorized in January 1813 for 18 months' service or the duration of the war were able to recruit

sufficient volunteers in the Montreal area.¹¹³ Recruiting for the Canadian Voltigeurs was helped by raising the bounty from four to five pounds sterling: ¹¹⁴ on 11 March Lieutenant-Colonel de Salaberry reported his Voltigeurs as being 438 strong "independent of many recruits not yet formed."¹¹⁵

106. On 19 March Prevost reported that he had ordered four companies of the Canadian Voltigeurs to proceed to Upper Canada: "I have been induced to adopt the latter measure to afford an early proof of the disposition of the Canadians of the Lower Province, to contribute to the defence of Upper Canada...."¹¹⁶ Two volunteer companies of Frontier Light Infantry, drawn from the six sedentary militia battalions of the Eastern Townships, and an Independent Company of Militia Volunteers were subsequently attached to the Canadian Voltigeurs in replacement. The Corps of Provincial Commissariat Voyageurs, which was authorized on 8 April in place of the recently disbanded Corps of Canadian Voyageurs, with an establishment of 14 officers and 410 other ranks, was also recruited for 18 months or the duration of the emergency.¹¹⁷

107. The rates of pay for members of the sedentary militia employed on corvée to transport stores by bateaux, carts or sleighs was raised during 1813 - the first increase since 1787.¹¹⁸ Twice during the autumn the sedentary militia of the Montreal District was alerted: in late October when Major-General Wade Hampton's enemy army moved north from Plattsburgh and early in November when Major-General James Wilkensen's army was reported to be moving down the St. Lawrence River against Montreal. However, only the 2nd Battalion, Beauharnois Division and Les Chasseurs of the sedentary

militia were on the battle field of Chateauguay. Therefore the following eulogy in the Quebec Gazette of 25 November is pointless:

The militia of every age left their homes, many of them for the first time, not only without a murmur, but with that ardor which announces an energy of character stimulated by all the generous sentiments. Although they perceived the usual course of agriculture would be seriously interrupted, and had to encounter all the inconveniences of the season, they marched on to their stations signing and cheering in one general concert. The very old men and the infirm, wished to join in the patriotic gathering. Many of the Parishes were nearly abandoned to the care of the women. The spectacle was greatly interesting, and has given unequivocal evidence of the noble temper of the people, and the tried beneficence of the government.

108. 1814 was a quiet year for the militia of Lower Canada. As in 1813, replacements reported in the spring to maintain the strength of the Select Embodied Militia at approximately 4000 men. Since the Militia Act permitted it, certain more affluent citizens bought substitutes to perform the service for which they had been balloted.¹¹⁹ The 3rd Battalion of Select Embodied Militia and the Canadian Chasseurs (organized in place of the inefficient 5th Battalion) accompanied the unsuccessful expedition against Plattsburgh; arrival of enough British reinforcements to swell Prevost's strength to better than 30,000 troops in both Canadas had made an offensive possible. During year members of the sedentary militia continued to be employed on corvée. According to the Quebec Gazette of 10 March 1814:

The militia of Col. Tache's division distinguished themselves in forwarding the (British) Troops lately arrived from New Brunswick. They conducted the 6th and 7th divisions in their carioles and sleighs, from the River du Loup to St Roc. Several Gentlemen along the road presented refreshments to the Soldiers as they passed their houses, and had dinner prepared for the whole of the Officers.

Upper Canada Militia, 1813-1814

109. On 21 January 1813 Prevost wrote suggesting that Major-General Sir Roger Sheaffe, then administering the Province of Upper Canada, attempt to raise two or three battalions of incorporated militia. A land grant and a bounty should entice sufficient volunteers. Field and Regimental Staff Officers should be obtained from regiments of the line rather than from the militia.¹²⁰ To the Secretary of State for War and the Colonies, Prevost subsequently explained:

In Upper Canada the difficulties in forming an efficient Militia, inseparable from scanty population spread over an extensive surface, and from the emigration to the United States of many who were discontented with, or disaffected to the Government, have rendered it expedient to organize more regular corps to serve during the war with America, and subject to such regulations, as should ensure the establishment of good order and discipline in them.¹²¹

110. On 13 March Sheaffe replied to Prevost's letter that his Legislature had agreed to the organization of an of an incorporated militia.¹²² Being short of funds it was able to offer only \$8.00 bounty for recruits, but Sheaffe was able to add \$10.00 from his Military Chest to cover the purchase of necessaries.¹²³ According to Article 10 of the regulations subsequently promulgated: "It is His Honor Major General Sheaffe's intention to recommend the Services of the Incorporated Militia to the favourable consideration of His Royal Highness The Prince Regent for a Grant of Land."¹²⁴ Shortage of volunteers, however, made it impossible to raise more than one battalion. Command of this battalion and the rank of lieutenant-colonel went to Captain William Robinson of the 8th (or King's) Regiment of Foot. The adjutant and quartermaster were provided by the 41st Foot, while the paymaster came from the Glengarry Light Infantry Fencibles. Most of the remaining officers were obtained from the militia flank companies organized in 1812. One company was given to Captain Thomas Fraser of the 1st Leeds Militia. The 10 companies recruited were concentrated at York as the Volunteer Incorporated Militia Battalion of Upper Canada.

111. Also raised for 18 months' service or the duration of the war were Captain W.H. Merritt's Troop of Dragoons, Captain Alexander Cameron's Incorporated Militia Artillery Company and a small troop of Provincial Royal Artillery Drivers. Although Captain Merritt experienced some difficulty "getting young men to enlist as private soldiers who were able to keep a horse," he succeeded in obtaining his complement of two subalterns, one sergeant major, three sergeants, two corporals, a trumpeter and 40 men in the Niagara District by 25 March 1813.¹²⁵ The maximum strength achieved

by the Artillery Company seems to have been four officers and 31 other ranks; that of the corps of Provincial Royal Artillery Drivers was five officers and 48 men.¹²⁶

112. Prevost unburdened himself in a letter addressed to Lord Bathurst on 26 May, almost a month after York had been captured by the Americans and barely three days before his own unsuccessful attack on Sackets Harbor:

The growing discontent & undissembled dissatisfaction of the Mass of the People of Upper Canada, on consequence of the effects of the Militia Laws upon a population thinly scattered over an extensive range of Country, whose zeal was exhausted & whose exertions had brought want and ruin to the doors of many, & had in various instances produced a considerable Emigration of Settlers to the United States from whence most of them originally came, have compelled me for the preservation of that Province to bring forward my best and reserved Soldiers to enable me to support the positions we hold on the Niagara and Detroit Frontier. I have also been induced to adopt this measure from the further consideration that the Militia has been considerably weakened by the frequent desertion of even the well disposed part of them to their farms, for the purpose of getting seed into the ground before the short summer of this Country had too far advanced.¹²⁷

113. Much of the wanton destruction of private property in the Niagara Peninsula during 1813-1814

seems to have been caused by American-born former residents now belonging to Lieutenant-Colonel Joseph Willcock's Corps of Canadian Volunteers; these renegades were not to settle old scores and convince the American authorities of their zeal.¹²⁸ The several raids against Port Talbot on Lake Erie were led by similar ex-residents who bore personal grudges against the autocratic Colonel Talbot. In the London and Western Districts raiders pursued a determined policy of destroying the dwellings and property of the most loyal residents and attempting to disorganize the local militia by kidnapping their officers.¹²⁹

114. During the winter of 1814 Lieutenant-General Gordon Drummond, Administering the Province of Upper Canada, toyed with the idea of incorporating further battalions of militia, but soon realized that the nature of the population made such action impracticable. Indeed by 1 June 1814, the existing Volunteer Incorporated Militia Battalion had a strength of only 39 officers and 386 other ranks.¹³⁰ Shortly thereafter it suffered 142 casualties, including seven killed, at Lundy's Lane¹³¹ and little could be done to replenish its strength. By September there were only one officer and nine gunners on the strength of the Incorporated Militia Artillery Company. Only 22 drivers served throughout the campaigning seasons of 1813 and 1814 in the tiny Corps of Provincial Royal Artillery Drivers; four of the others were killed, 11 deserted, and seven completed shorter militia engagements of service.¹³² The strength of the British Army in the Canadas, however, now totalled nearly 31,000 regulars and fencibles.¹³³ Whereas the reaches of the upper St. Lawrence River had been guarded by only flank companies of militia in 1812, there were now substantial numbers of British gunners and infantry on

frontier duty: 12 officers and 224 other ranks were at Coteau-du-Lac; 25 officers and 507 other ranks were at Cornwall; 19 officers and 421 other ranks were divided between Prescott and Gananoque.¹³⁴

115. The record of the sedentary militia had little to command it to prosperity. Being an officer could be pleasant enough for any small community's more prosperous citizen, since he was reasonably well compensated for strutting about in uniform. The rank and file, however, were paid far less than civilian wages for performing such dull and arduous tasks as rowing boats filled with provisions, building roads, or guarding American prisoners. During the summer of 1813, for example, Colonel Joel Stone of the 2nd Regiment of Leeds Militia was unable to make good his assurance to Sir George Prevost that militia detachments of an officer and 20 men would repair the road both east and west of the village of Gananoque. Despite the threat of fines, Ensign Samuel Kelsey never found himself with more than seven men. Colonel Stone finally had to confess that "Mr. Kelsey and the four men left are giving their best Endeavours on the Road."¹³⁵ On the other hand, militiamen could be victimized by petty injustices. Private John Henesy of the 1st Regiment of Hastings Militia was just about to drink a glass of grog in the general store owned by the commanding officer, at Thurlow on the Bay of Quinte, when Captain John Macintosh appeared and ordered him first to say "God Bless the King."¹³⁶ Henesy refused and was promptly put under arrest, protesting that "he Could not Say that word; as he had not received any more than Sixpence a Day from the King, he Could not say God Bless that man that had Given him not more than Sixpence a Day." During the subsequent Regimental Court Martial the senior member asked whether Henesy could say "God damn him." Henesy answered that he could not say that either. Yet he

was found "Guilty of the Crime laid to his Charge" and fined one pound, plus costs of 17 shillings and sixpence.

116. What was better remembered fortunately, as the years passed and personal recollections became blurred, were the relatively few occasions on which local militia had come face to face with the enemy. These were magnified in importance and naturally tended, in almost every instance, to become major victories. After American raiders had been deterred from landing at Turkey Point on 16 May 1814, Colonel Talbot did report that he had "every Confidence in the determined Spirit of the Militia to oppose the Enemy," but he added that "their ardour is greatly increased by the Support of the [British] 19th Light Dragoons, whose anxiety to face the Enemy cannot be described."¹³⁷ Lieutenant-General Drummond's report of the Battle of Lundy's Lane on 25 July mentioned that the "zeal, loyalty and bravery with which the Militia of this part of the Province have come forward to co-operate with His Majesty's Troops in the expulsion of the Enemy, and their conspicuous gallantry... claim my warmest thanks."¹³⁸ Yet the 500 sedentary militia present on this battlefield suffered only 22 casualties, including one man killed.¹³⁹

Lower Canada, Post-war

117. During March 1815 action was taken to disband the volunteer units and the Select Embodied Militia. Members of the Canadian Voltigeurs received land grants along the banks of the St. Francis

River; contrary to expectation, the officers were placed on the half-pay list. Only on 24 April 1819, however, did the Legislature of Lower Canada vote 3000 pounds to facilitate the grant of 100 acres of crown land to all those who had served in volunteer corps, the Select Embodied Militia and the Provincial Marine.¹⁴⁰

118. Sir John Sherbrooke had attempted, during his short tenure as Governor-in-Chief, to follow the same conciliatory policy by which Sir George Prevost had held together the divergent elements in Lower Canada. No permanent success was possible, however, as long as the Legislative Assembly did not really control the purse strings and there was what Lord Durham would later describe in his Report as "two nations warring in the bosom of a single state."¹⁴¹ Refusal of the Legislative Assembly in 1819 to pass a Militia Act satisfactory to Sherbrooke's successor, the Duke of Richmond, was also based on the natural desire to deny commissions to non-residents and those who were neither property owners nor sons of property owners. French-speaking members of the Assembly were not impressed by the Duke of Richmond's contention that the efficiency of the militia would be improved "with the services of half-pay officers settled in the province, or others from the regular forces, as well as those of enterprising young men, drawn from the cities or towns on any emergency."¹⁴²

119. The unsuccessful attempt in 1822 to persuade the British Parliament to unite Upper and Lower Canada, which would have resulted in French-speaking members being submerged in an Assembly of predominantly English-speaking members, made the radical Louis Joseph Papineau an enemy of every

succeeding administrator sent out from London. When Papineau persuaded a majority of the members of the Assembly not to renew the Militia Act in 1827, and not to pass a supply bill, Lord Dalhousie dissolved it. On the advice of the law officers of the Crown, Dalhousie decreed that Lord Dorchester's unrepealed Militia Ordinances of 1787 and 1789 were once more in effect. Disciplinary action was taken against 432 militia officers who refused to muster their men on one Sunday in each of July and August. But the Petition of Grievance taken to London in July 1828 by John Neilson, Augustin Cuvillier and Denis B. Viger received a favourable hearing from a Special Committee of the House of Commons, which also accepted their supplementary argument that dismissal of many militia officers had been for the "constitutional exercise of their civil rights."¹⁴³ The British Government recalled Lord Dalhousie. The Assembly then appointed its own Special Committee, which reported on the militia in February 1829.¹⁴⁴ A year later the Legislature approved a Militia bill along similar lines to the Act which had expired in 1827.

120. The sedentary militia continued ineffective. The 2200 officers and 90,000 men organized in 85 battalions were unarmed and untrained. By 1832 there were about 800 volunteer militia, organized as six troops of light cavalry, three companies of artillery and three rifle companies, but there was little to justify Joseph Bouchette's contention that "the martial ardour, and the spirit of discipline that characterize these corps are such as to render them very efficient, should any event occur to call their services into action."¹⁴⁵

Upper Canada, Post-War

121. The incorporated volunteers and other militia on duty in Upper Canada returned to civilian life during the early spring of 1815. Legislation passed in 1819 authorized land grants as in Lower Canada (see para 117), but Lieutenant-Governor Sir Peregrine Maitland took it upon himself to refuse land grants to men who had supported Robert Gourlay's attempt to have grievances aired.¹⁴⁶ Only on 21 January 1820 was he forced, by a Colonial Office ruling, to issue a Militia General Order proclaiming that all those who had served as volunteers in flank companies, the Provincial Marine, Incorporated Militia, or as staff officers, could claim 100 acres of crown land either north of the Bay of Quinte or north of the Thames River.¹⁴⁷ Unfortunately many men considered this grant to be a windfall and quickly disposed of the land to speculators.

122. Opening the Legislative at York on 6 February 1816 the then Lieutenant-Governor, Francis Gore, had waxed eloquent about the wartime service of the militia. "Experience shows," he continued, "that the most disposable, and therefore the best form in which it can be moulded, so as to serve with a Regular Force, is that of Independent Companies, upon the principle on which the Flank Companies were formed in the year 1812."¹⁴⁸ Not until 17 January 1822, however, was an Act passed to repeal and amend where necessary all militia legislation placed on the statute books since 1808. Although there was still to be only a one day annual muster for men between the ages of 18 and 45, those who volunteered for service in flank companies could be called out as frequently as 10 times in the year.

Section XXI specified that colonels and lieutenant-colonels of the militia were to rank after lieutenant-colonels of the British Army; all other militia officers were to be regarded "as youngest of their respective ranks."¹⁴⁹ According to the next section, "no officer, non-commissioned officer, private militia-man, or other person, shall directly or indirectly give to or treat with rum or other spirituous liquors any militia-men assembled under the authority of this or any other militia law of this province." The sections dealing with the formation and training of flank companies were, however, repealed by the Militia Act of 1824.¹⁵⁰

123. On 5 February 1828, during the course of a debate in the House of Assembly at York, the controversial half-pay Royal Artillery officer, Captain John Mathews, asked "what good effect had arisen from militia training?" According to his vivid description:

... the people assembled from various parts of the country, and on reaching the ground a spectator would find beer kegs and whiskey kegs, and the people drinking and stimulating themselves with ardent spirits; the officers and men often make fools of themselves going through a few manoeuvres they know very little about. Then comes the whiskey, again. The officers go to some tavern and fall to drinking, and the men profit by their example. The question is perhaps asked, of how many men are absent, and how many present, and there the matter ends.¹⁵¹

A number of historians have quoted, or even misquoted, portions of Mrs. Jameson's account of the

militia training day at Erindale on 4 June 1837, but it is worth giving in full. This day of surprises began when Mrs. Jameson came downstairs to join her host and hostess for breakfast:

...two of the young men of the family were buckling on swords and accoutrements, and furbishing up helmets, while the sister was officiating with a sister's pride at this military toilette, tying on sashes and arranging epaulettes: and certainly, when they appeared - one in the pretty green costume of a rifleman, the other all covered with embroidery as a captain of lancers - I thought I had seldom seen two finer-looking men. After taking coffee and refreshments, we drove down to the scene of action.

On a rising ground above the river which ran gurgling and sparkling, through the green ravine beneath, the motley troops, about three or four hundred men, were marshalled - no, not marshalled, but scattered in a far more picturesque fashion hither and thither; a few log-houses and a saw-mill on the river-bank, and a little wooden church crowning the opposite height, formed the chief features of the scene. The boundless forest spread all around us. A few men, well mounted, and dressed as lancers, in uniforms which, were however, anything but uniform, flourished backwards on the green sward, to the manifest peril of the spectators; themselves and their horses, equally wild, disorderly, spirited, undisciplined; but this was perfection compared with the infantry. Here there was no uniformity attempted of dress, of appearance, of movement; a few had coats, others jackets; a greater number had neither coats nor jackets, but

appeared in their shirt-sleeves, white or checked, or clean or dirty, in edifying variety! Some wore hats, others caps, others their own shaggy heads of hair. Some had firelocks; some had old swords, suspended in belts or stuck in their waistbands; but the greater number shouldered sticks or umbrellas. Mrs. M. Told us that on a former parade day she had heard the word of command given thus - "Gentlemen With the umbrellas, take ground to the right! Gentlemen with the walking-sticks, take ground to the left! Now they ran after each other, elbowed and kicked each other, straddled, stooped, chattered; and if the commanding officer turned his back for a moment, very coolly sat down to the bank to rest. Not to laugh was impossible, and defied all power of face. Charles M. made himself hoarse with shouting out orders which no one obeyed, except, perhaps two or three men in the front; and James, with his horsemen, flourished their lances, and galloped, and capered and curveted to admiration. James is the popular storekeeper and postmaster of the village, and when after the show we went into his warehouse to rest, I was not a little amused to see our captain of lancers, come in, and, taking off his plumed helmet, jump over the counter to serve one customer to a "pennyworth of tobacco," and another to a "yard of check. Willy, the younger brother, a fine young man, who had been our cavalier on the field, assisted; and half in jest, half in earnest, I presented myself as the purchaser of something or other which Willy served out with a laughing gaiety and unembarrassed simplicity quite delightful. We returned to sit down to a plain, plenteous, and excellent dinner; everything on the table, the wine excepted, was the produce of their own farm. Our wine, water, and butter were iced, and everything was the best of its kind.

The parade day ended in a drunken bout and a riot, in which as I was afterwards informed, the colonel had been knocked down, and one or two serious and even fatal accidents had occurred; but it was all taken so very lightly, so very much as a thing of course, in this half-civilized community, that I soon ceased to think about the matter.¹⁵²

124. The situation in the United States was so similar as to evoke repeated reports of the "worse than useless muster" and "assemblies of the idle and dissipated."¹⁵³ Yet militia continued everywhere for various reasons. "The promotion in the sedentary militia seems at first view to be a matter of little moment" a subsequent Lieutenant-governor of Upper Canada would be told shortly after his arrival, "and perhaps in a military point of view it really is so, but it must be remembered that Commissions in the militia - appointments as justices, & Commissioners of the Court of request and the like being open to the whole of the population above the degree of labourers, the jealousy and discontent produced by injudicious selections is much more formidable, than the out cry which is raised against the successful candidate for high office, where the competition and personal disappointment is confined to a few."¹⁵⁴ Decent citizens who might be ignored by erratic or bigoted colonels were likely to become permanently embittered against a government which merely approved recommended appointments.

125. An exception to such a slothful state of militia organization was the volunteer troop of West York Cavalry raised in 1822 by Captain George T. Denison, who had served in a militia flank company during the War of 1812. Officers and men had to supply their own uniforms, equipment and horses.

The swords and pistols promised from time by the authorities never materialized, but the troop went on drilling anyway.¹⁵⁵

Rebellion in Lower Canada, 1837

126. The cause of trouble in Lower Canada in 1837 was primarily racial. Lord Durham would later report:

...every institution which requires for its efficiency a confidence in the mass of the people, or co-operation between its classes, is practically in abeyance in Lower Canada. The militia, on which the main defence of the Province against external enemies, and the discharge of many of the functions of internal police have hitherto depended, is completely disorganized. A muster of that force, would in some districts, be the occasion for quarrels between the races, and in the greater part of the country the attempting to arm or employ it would be merely arming the enemies of the Government.¹⁵⁶

Social and economic factors were destroying the traditional well-being of the French-speaking habitants and persuading them to elect more extremists and fewer moderates to the Legislative Assembly during the eighteen-thirties. Discontent was most pronounced in the Montreal region, where English-speaking commercial enterprise and penetration had been most effective.¹⁵⁷

127. Crisis was hastened by British official approval of the Ten Resolutions that Lord John Russell placed before the House of Commons on 10 March 1837. These rejected completely the demands made by the Assembly of Lower Canada for control over all public expenditure. The indignation meetings held by Louis Joseph Papineau and his followers became quite virulent as the summer progressed. The tenor of the resolutions passed at these meetings, and the defiant attitude adopted, persuaded Lord Gosford, the Governor-in-Chief, to deprive these so-called patriotes of their militia commissions. Since commissions were prized for their prestige value, Lord Gosford's action constituted a public slap in the face. As retaliation, the patriotes subjected continuing, militia officers to varying degrees of intimidation until a number did agree to resign their commissions. Mounting tension finally forced Lord Gosford to look to the military. Since there were only 150 officers and 3175 other ranks of the British Army serving in both the Canadas, he requested Lieutenant-General Sir John Colborne, Commander of the Forces, to obtain additional troops from Nova Scotia.¹⁵⁸

128. Rioting between Les Fils de la Liberté and members of the Doric Club broke out in Montreal on 6 November, when the former tried to parade. The British garrison was turned out to restore order. That night the streets were patrolled by the volunteer Royal Montreal Cavalry, whose strength was increasing daily. According to the Courier of 8 November, a "pretty strong body of the [Irish] independent mechanics of Griffintown patrolled the streets for some time last night, pretty well prepared for all emergencies. They could find nothing to do, however. Nobody was out at night to execute the threats of the day." A belated attempt was made to organize an efficient police force in Montreal.

Lord Gosford sanctioned the formation of further volunteer corps of cavalry, artillery and rifles. On 25 November the Montreal Herald reported that the city had been converted into a barracks:

All the wards are armed, and the volunteer brigades have pretty well completed their organization. In the remote contingency of any attack on the city, there will be no want of arms or of men to wield them; but, as discipline is absolutely requisite to make the few equal to the many, we cannot too strongly impress on the powers that be the necessity of regularly drilling all the volunteers, and of as regularly paying all such as may stand in need of any.

Four days later the Quebec Gazette reported that about 1000 volunteers would be enrolled at Quebec and armed within the next two or three days, and ready to start drilling.

129. As early as 16 November, however, Papineau's sudden departure from Montreal had alarmed the authorities into issuing warrants for the arrest of all the principal patriotes. Two prisoners being taken to Montreal by a detachment of the Royal Montreal Cavalry were freed by patriotes. The punitive expedition sent against the rebels gathered at St. Charles included detachment of Royal Montreal Cavalry, but the expedition initially repulsed at St. Denis, also in the Richelieu country, consisted entirely of British regulars. The largest rebel concentration, at St. Eustache, northwest of Montreal, was easily dispersed on 14 December by Sir John Colborne's mixed force of regulars and volunteers. The following day they left the still burning village and moved against St. Benoit. Although

the greater number of its inhabitants were waiting for them with white flags and eager to make their submission, the volunteers set fire to a good part of the village and watched the dwellings burn to the ground. "It is scarcely possible to suppose," Colborne wrote in his official dispatch of 22 December to the Secretary of State for War and the Colonies, "that the loyal and peaceable subjects, whose property had been pillaged, and who had so recently suffered from the outrages committed by the rebels of Grand Brulé and the Rivière du Chien, a population of the worst character, could be prevented on being liberated from aggressors, from committing acts of violence at St. Benoit." Whether Colborne could have prevented this destruction is, of course, another matter entirely.

130. In the Eastern Townships it was a different story. Hon. Robert Jones warned his battalion of English-speaking Missisquoi Militia to be ready for any emergency. On 8 November two companies assembled at Frelighsburgh:

Captain Thomas led his company in a body, from three miles distance through wretched roads, and was received with loud cheers by the company of Captain Kemp. Many of the men were armed with muskets and pistols. Colonel Jones arrived while the enrolling was going on, and addressed the meeting at some length on the disturbed state of the country. He expressed his gratification at seeing so many sound-hearted loyalists around him, and the pleasure he felt at the alacrity with which they had answered the call of duty.

Three cheers were moved by Captain Thomas for the Queen and constitution, three for Sir John Colborne, and three cheers for Col. Jones for manfully refusing to deliver his commission to a rabble.¹⁵⁹

Over the next few days the members of eight companies signed a declaration that they would be "in readiness with such weapons as we can provide ourselves, to act at a moment's warning upon any and every emergency when our services may be required to protect our fellow subjects from insult and outrage, to assert the laws and sustain the institutions of our country and to put down Rebellion."¹⁶⁰ About 300 of these militia had their chance on the evening of 6 December, when they gathered at Moore's Corners and repulsed about 200 patriotes who had crossed the border from Swanton, Vermont.

131. On 23 December Lord Gosford wrote the Secretary of State for War and the Colonies that he did not anticipate any further attempts at insurrection.¹⁶¹ However, the several volunteer corps recruited under the provisions of the Militia Act would remain on duty until 1 May 1838, if necessary. The largest units were the Royal Quebec Volunteers, Royal Township Volunteers and three battalions of Montreal Royal Volunteers. There were two companies of a Quebec Engineer Rifle Corps authorized for employment at Quebec by the Commanding Royal Engineer, and the Quebec Loyal Artificers (Faugh a Ballagh). Most of the numerous corps were organized on a company basis in individual communities. The volunteers were paid and treated like regular soldiers except that they could not be flogged as a

form of punishment. Their actual strength, which was 973 short of the establishments authorized, was:

		Cavalry	Artillery	Rifles	Total
Officers		28	15	178	221
N.C.Os.		24	10	168	202
Rank & File		<u>328</u>	<u>258</u>	<u>3119</u>	<u>3705</u>
Total	380	283	3465	4128(162)	

There were also 52 small corps of unpaid volunteers who continued to drill on their own.

Rebellion in Upper Canada

132. Failure of the Reform Party to win the election of 1836 and the ensuing economic depression, which threw many men out of work and led banks to foreclose the property of those with outstanding loans, were the immediate causes of the unrest in Upper Canada. The authorities soon became aware that the disgruntled men who listened to the fiery oratory of William Lyon Mackenzie were secretly drilling with home-made pikes, but Lieutenant-Governor Sir Francis Bond Head had had enough military experience to realize that no amount of close order drill could make up for a lack of muskets:

In proportion as Mr.McKenzie's paper became more and more seditious, and in proportion as

these armed meetings excited more and more alarm, I was strongly and repeatedly called upon by the peaceable portion of the community forcibly to suppress both the one and the other. I considered it better, however, under all circumstances, to await the outbreak, which I was confident would be impotent, inversely as it was previously opposed; in short, I considered that, if an attack by the rebels was inevitable, the more I encouraged them to consider me defenceless the better.¹⁶³.

Thus Bond Head sent the 24th Regiment of Foot to reinforce the troops in Lower Canada as soon as rebellion seemed imminent there. This left only three officers of the Royal Engineers and 23 all ranks of the Royal Artillery in Upper Canada; a large store of muskets at Toronto was left in the care of two constables. On 2 December the Executive Council finally issued a warrant for Mackenzie's arrest and authorized the organization of two militia regiments.

133. Mackenzie's plan to seize Toronto backfired on 5 December. The Adjutant General of Militia, Colonel James Fitzgibbon of Beaver Dams' fame, organized into impromptu companies and armed the men who had heeded the Lieutenant-Governor's call to arms. Around noon on 7 December Fitzgibbon led about 1200 militia, with two guns, against the rebels collected at Montgomery's Tavern. After a mere skirmish the rebels fled. Mackenzie and other mounted fugitives managed to escape to the United States. Bond Head's intuition had been proved right, as he reported to London in a triumphant vein:

On the day of Mr. Mackenzie's defeat, as well as on the following morning, bands of militiamen,

from all directions poured in upon me, in numbers which honourably proved that I had not placed confidence in them in vain.

From the Newcastle district alone 2000 men, with nothing but the clothes in which they stood, marched, in the depth of winter, towards the capital, although nearly 100 miles from their homes.

From Gore, Niagara, Lake Simcoe, and from various other places, brave men, armed as well as unarmed, rushed forward unsolicited....

The numbers which were advancing towards me were so great [10,000-12,000 men] that, the day after Mr. McKenzie's defeat, I found it absolutely necessary to print and circulate a notice declaring that there existed no further occasion for the resort of militia to Toronto; and the following day I was further enabled to issue a general order, authorizing the whole of the militia of the Bathurst, Johnstown, Ottawa and Eastern districts, to go and lend their assistance to Lower Canada.¹⁶⁴

134. News of Mackenzie's defeat caused the rebels assembled under the leadership of Dr. Charles Duncombe, at the village of Scotland in the London District, to scatter on 14 December. They had no desire to try conclusions with the force of militia and Indians advancing against them under the

leadership of Colonel Allan MacNab of the Gore Militia. Yet the fugitives were hunted down by the Indians and a number of completely inoffensive farmers had their homes plundered and their livestock commandeered.¹⁶⁵

135. The two battalions of volunteer militia authorized earlier at Toronto were ordered to continue until 1 July 1838 as the Queen's Rangers and the Queen's Light Infantry. According to a document issued at Fort Erie on 20 December 1837, "Colonel Kirby is authorized to raise a Body of men to be employed on actual service until the first July next, to receive the pay of her Majesty's forces, without deducting any charge for Rations, to have each a Bucket Cap, a coat, a pair of Mittens and a shirt and the families of married men to be allowed rations."¹⁶⁶ Several companies of negroes resident in the western section of the province volunteered for service along the Niagara or Detroit frontiers. In all, the paid volunteer corps totalled 127 all ranks of cavalry and 1823 of infantry.¹⁶⁷ The Legislature passed another Militia Act to regularize the position of existing militia units incorporated for actual service. At Kingston, for example, were the 1st and 2nd Frontenac Regiments and the 1st and 2nd Addington Regiments, dressed in red flannel shirts, grey trousers, strong boots with iron creepers, light grey overcoats, mittens and fur caps; the Queen's Marine Artillery wore the ordinary dress of Great Lakes' seamen, while the Frontenac Light Dragoons were uniformed in blue at their own expense.¹⁶⁸ Although the actual strength of this incorporated militia must have varied from time to time, pay was allowed for 5063 all ranks as follows:

	<u>Cavalry</u>	<u>Artillery</u>	<u>Infantry</u>
Officers	6	21	302
N.C.Os.	6	19	261
Rank & File	<u>100</u>	<u>245</u>	<u>4103</u>
Total	112	285	4666 (169)

136. Other able-bodied inhabitants residing some distance from the scene of possible operations turned out for periodic inspection and rudimentary training. According to a newspaper account from Bytown, four companies of Russell county militia assembled at New Edinburgh on Saturday, 6 January 1838:

Notwithstanding the men had a long distance to travel, (some of them more than 20 miles, and the road from the recent thaw in a very bad state,) the number, nearly 400, which appeared on the ground, clearly evinced their ardent zeal in the cause. They made a highly respectable appearance, being almost all finelooking young fellows in the prime of life, and such of them as have had an opportunity of being drilled, appear to have made a very fair progress.¹⁷⁰

The Bytown Volunteer Company, which drilled with them, subsequently had a tour of duty in Lower Canada.

Border Disturbances

137. With the arrival of William Lyon Mackenzie at Buffalo, New York on 11 December 1837, recruiting got under way openly for a "Patriot Army" which would invade the Canadas and establish republics there. The first steps were the occupation of Navy Island, in the Niagara River above the Falls, as a base for filibustering, and Mackenzie's proclamation of a provisional government for Upper Canada. Other patriots drilled openly at Detroit and made no secret of the fact that they intended to attack Bois Blanc Island and the Canadian shore of the Detroit River. On the other hand, Vermont was alive with rumours that bands of Canadian militia would cross the international border and abduct rebels who had fled from Canada.¹⁷¹

138. Since patriot activities did not form, part of Bond Head's concept of maintaining law and order in Upper Canada, the Lieutenant-Governor requested military assistance from Sir John Colborne.¹⁷² On the assumption that the patriots could not remain on Navy Island indefinitely and that the U.S. authorities would intervene to maintain law and order, Bond Head ordered Colonel Allan MacNab to keep on the defensive the 2000 Canadian militia assembled along the Niagara frontier. In an effort to alleviate boredom however, MacNab sent Commander Andrew Drew with seven boatloads of men on the night of 29 December to seize the American-owned steamer Caroline which was running supplies and sightseers to Navy Island. Ignoring the niceties of international law, Drew led his men aboard Caroline which was docked on the American side at Fort Schlosser, and drove off the crew and

passengers, after a skirmish during which one man was killed and several wounded. Drew's party set fire to the ship, after it had been towed into mid-stream where it sank. Fortunately Major-General Winfield Scott soon arrived from Washington, with instructions to prevent further American-based filibustering along the Niagara frontier. Upon his insistence, the patriots vacated Navy Island on 14 January 1838. By the end of the month two regiments of British regulars, sent from Lower Canada in answer to Bond Head's request, were on duty at Toronto and London, with small garrisons detached to Niagara, Amherstburg, Penetanguishene and Newmarket to bolster the militia defences.¹⁷³ The militia on duty along the length of the Niagara River were dismissed to their homes, except for the Queen's Rangers, Queen's Light Infantry, 1st Simcoe Incorporated Militia (Royal Foresters)," and Major Dixon's troop of cavalry.¹⁷⁴

139. Other efforts by filibusterers were equally abortive. The 700 patriots gathered at Detroit failed in their attempted attack of Amherstburg on 7 January 1838. On the following day the self-styled General Edward Theller was captured when the schooner Anne ran aground and was boarded by Canadian militiamen. Attempted operations across Lake Erie were equally unsuccessful - an advance across the ice towards Fighting Island on 26 February, a skirmish farther west two days later, and an attack against Pelee Island on 1-2 March. The only easterly demonstration had seen patriots occupy Hickory Island in the St. Lawrence River near Gananoque on 22 February; but the bitter cold had quickly persuaded them to return to the warmth of the American shore.

140. On 24 March Sir John Colborne wrote to the new Lieutenant-Governor of Upper Canada, Sir George Arthur, expressing a personal belief that the United States "must be anxious" to avoid a war.

But, his letter continued:

...if we should again have disturbances in either Province, we can only depend on our own force and exertions to defend the Colonies against the attacks which will be made on us by the people of the adjoining states. It is my intention to send two Regiments to the Upper Province as soon as our reinforcements arrive from Halifax.¹⁷⁵

Then, he hoped, it would be possible to disband several of the provincial volunteer corps. Colborne suggested that Arthur continue the corps commanded by Colonel Van Koughnet in the Eastern District, since it was composed of unemployed labourers, whereas Colonel MacDonell's Glengarry Highlanders had farms to which they could return.¹⁷⁶ Colborne would send a number of the British officers specially dispatched from the United Kingdom to Upper Canada, where they could serve as Inspecting Field Officers of the continuing volunteer corps at Kingston, Toronto and Niagara, and in the Western District.¹⁷⁷

141. In his reply dated 5 April, Arthur agreed that he would be glad to get rid of the remaining militiamen who had not signed definite engagements. "Numbers are at this season of the year most anxious to get back to their homes," he wrote, "and if we do not get the seed into the ground we shall

have no Harvest - and besides this Military life will have a bad effect upon the Yeomanry if too long continued.¹⁷⁸ Even now, he was afraid that militia officers would resent the arrival of Inspecting Field Officers:

Colonel MacNab and the "gallant Militia" have been so stuffed up that I doubt if they think any Troops on Earth are to be compared with them, or that any officers have the like experience or capacity. But this nonsense will I hope soon he got over - I mean the excess of it, for to a degree it is most desirable.

On 25 April Arthur wrote that he had released militiamen anxious to return to their homes and all others not serving on fixed engagements. Because the border area was still disturbed, and it was his impression that the disaffection in Upper Canada was deeper and more widespread than Bond Head had imagined, Arthur felt that no further reductions were advisable.¹⁷⁹ The following report on the militia detachment at Port Dover would have worried anyone:

There is a guard of Twenty Men at Port Dover but they might just as well be in Toronto, they all go to bed at night and told me themselves if a landing was attempting they would run away as there would be no use in so few of them attempting to prevent it. There is not even a guard over an immense quantity of arms placed in a room in a Tavern there. The same is the case at Brantford where they are only protected by a Pad lock. At Port Dover the room in which the

arms are, opens into the street and there is nothing to prevent them being taken away in open daylight by anyone that wishes; the door was not even locked the night I slept there, I mentioned this to Capt. Markham who said he would have them taken care of.¹⁸⁰

142. Anticipating the arrival at Quebec of a large reinforcement, which would increase the British Army's strength in the Canadas to 283 officers and 7055 other ranks, Colborne ordered the reduction of 15 volunteer corps in Lower Canada with effect from 30 April 1838; eight more corps were disbanded on the last day of May. Only the Royal Montreal Cavalry and the Missisquoi Dragoons, with a combined strength of 184 all ranks, and the Frelighsburgh Infantry Company of 53 all ranks continued to serve until 31 July. Sir George Arthur had written Colborne on 28 May that he would release all the Upper Canada militia whose time would be up on 1 July, if they so desired. If it should become necessary to continue the employment of militiamen, he would prefer to effect a thorough-going reorganization. "The Coloured Companies seem very useful men," his letter continued, and "will be highly serviceable on the Frontier to prevent desertion (from regular regiments)."¹⁸¹ By 1 July all the volunteers had been released and only 2857 all ranks of incorporated militia remained on duty. These 112 cavalymen, 111 gunners and 2634 infantrymen were also released at the end of July, prior to the receipt by Lord Durham of a letter from the Secretary of State for War and the Colonies stating that "H.M. Govt. fully concur with you in opinion that the employment of a regular Military Force is in every respect preferable to that of Volunteers but they trust that the Force now in B.N. America including the 5 Regts. in the Nova Scotia command and the Artillery will prove sufficient for the security of H.M.

possessions on that continent."¹⁸²

143. Growing discontent in Lower Canada, to which the so-called Hunters' Lodges were spreading from Vermont and New York, did not go unnoticed by the military authorities during the summer.

Interpreting the loose talk by Frères Chasseurs of the coming "great hunt" as being filibustering, the government took the precaution of embodying volunteers for general or local service. By 30 October the following force was embodied:

	Local	General
Shefford Loyal Volunteers	432	108
Shefford Troop of Cavalry	-	8
Stanstead Loyal Volunteers	-	108
Eastern Townships Loyal Volunteers	540	-
Missisquoi Borderers	-	54
Noyan Loyal Volunteerss	-	54
Henryville Loyal Volunteers 208	108	
Lacolle Frontier Company	-	54
Hemingford Frontier Company -	54	
Huntington Loyal Volunteers 420	108	

1st Bn. Volunteer Militia	-	28	
Huntington Troop of Cavalry	-	432	
Frelighsburgh Light Infantry	-	54	
St. Johns Loyal Volunteers		54	-
Williamstown Glengarry Highlanders	-		648
Lancaster Glengarry Highlanders	-		648
St. Andrews Loyal Volunteers	-	432	
Bytown Loyal Volunteers		-	54
New Paisley Loyal Volunteers	<u>54</u>	<u>-</u>	
Total other ranks	2028	2962	(183)

Among the numerous corps called out during the following week were the Royal Montreal Cavalry, Montreal Volunteer Artillery, Montreal Volunteer Rifles, three battalions of Montreal Volunteers, Queen's Light Dragoons, Sorel Troop of Cavalry, Longueuil Loyal Volunteers, Rawdon Loyal Volunteers, Chateauguay Loyal Volunteers and the Stanstead Volunteer Cavalry. These units added better than 5000 all ranks to the volunteer strength on duty in Lower Canada.¹⁸⁴

144. Sir George Arthur had initially authorized the recruiting in Upper Canada of three companies of volunteers for service along the upper St. Lawrence River, two companies for the Niagara River, two companies for each of sandwich and Amherstburg and, one company for Sarnia.¹⁸⁵ Recruiting was

very poor, however, and a perturbed Arthur wrote Colborne on 24 October that there was "an apathy, an indifference, about that part of the Population by whom the greatest zeal was displayed last Winter.... they do not appear anxious to come forward."¹⁸⁶ In the hope that a lengthy engagement would have a greater appeal, Arthur had authorized 18 month enlistments - embracing two winters - for four battalions of incorporated militia. A battalion was to be raised at each of Hamilton, London, Niagara and Toronto. Each battalion had an establishment of 31 officers, 70 N.C.Os., 16 drummers or buglers, and 608 rank and file. Recruits were given \$10.00 bounty money and were to receive a gratuity equal to 14 days' pay upon discharge.¹⁸⁷ Colborne replied that it might be "satisfactory to the officers of the Militia to be called out, but the best men if they are kept long from their homes inactive, will become disgusted."¹⁸⁸ Yet with trouble imminent, Colborne wrote Arthur on 29 October to embody all the militia that could be mobilized quickly.¹⁸⁹ Among the units subsequently embodied for six months' service were nine provisional battalions of infantry raised at Port Credit, Toronto (two), Cornwall, Glengarry (two), Peterborough, Kingston and Brockville, two coloured companies at Chatham, a coloured corps at Niagara, and troops of cavalry at each of Toronto and Niagara.¹⁹⁰ The officer selected to raise the 9th Provisional Battalion of Militia at Brockville issued the following handbill¹⁹¹ to attract recruits:

LOYALISTS TO YOUR DUTY.

QUEEN's Royal Borderers

Commanded by Lieut. Colonel Gowan.

Wanted 400 Loyal Volunteers, for the above Corps, for six months service only.

Each man will get 8 dollars bounty, a new suit of clothes, and a great Coat & pair of Boots, also a free Gift of seven days pay when discharged at the end of the six months. Their pay will be one Shilling Sterling Money, per DAY, and free Rations.

Let no Man pretending to LOYALTY HANG BACK at this time.

FORWARD LADS, FORWARD

By Lieut. Colonel Gowan at Brockville

GOD SAVE THE QUEEN

Arthur, however, pointed out to Colborne that he would need arms, clothing and bedding for what would be close to 12,000 men.¹⁹² The provincial cavalry, he added, had their own horses, but no equipment. Arthur subsequently explained to Colborne:

If the Militia are kept out, we shall be obliged to give their wives and children rations. I caused the number of Married People to be limited to six [per company as for the British Army] on the first order. - But, now we must take such men as we can get. - What do you think of this. -

Further, if matters get worse, we ought to venture to promise 50 acres to every Militia Man who stands by us during the contest. This would bring them out - and better will it be to give up a million acres in this way, than to let the Traitors have them.¹⁹³

145. Fortunately matters did not get worse, for most of the filibusterers assembled along the border showed little enthusiasm for actually crossing into Canada. About 2500 discontented habitants joined the small party of patriotes which Robert Nelson led from Vermont to the village of Napierville on 4 November, but large parties of them were defeated by volunteers at Lacolle and Odelltown and the remainder fled to the safety of Vermont before Colborne's regulars arrival from Montreal five days later. On the following day a last pocket of resistance was cleared at Beauharnois by a force consisting of a detachment of the 93rd Regiment of Foot, 200 volunteers from the 1st Stormont Militia and a band of Indians from St. Regis. According to the official report, "they advanced to attack the rebels with bagpipes playing, and with British cheers, together with the war whoop of the Indians, which struck the rebels with such terror, that they evacuated their strong position and took to flight, retreating down the Chateauguay River, into the arms of Colonel Carmichael's force...."¹⁹⁴ On 12 November about 200 Hunters crossed the St. Lawrence River and seized a stone windmill east of Prescott. This they held against a sizable force of volunteers and militia, reinforced by British regulars from Kingston, and inflicted 80 casualties before they surrendered on 17 November. About 200 Hunters crossed the Detroit River on the morning of 4 December and burned an empty militia barracks, but they quickly fled on the approach of two militia companies, dressed in redcoats and thus mistaken for British regulars.

During the brief skirmish 21 raiders were killed. Colonel John Prince of the militia had the first four apprehended prisoners summarily shot. After trials by courts sitting at Kingston and London, 16 prisoners were hanged and 75 deported to an Australian penal colony. The remaining Americans - the young and naive - were eventually deported to the United States. Nearly 100 minor ringleaders apprehended in Lower Canada were tried by courts-martial; 12 were executed, the others were sent to Australia.¹⁹⁵

146. Although the Hunters loudly proclaimed their intention of trying again, their cause was a lost one. The respectable element living in the American border states withdrew its support. The United States Government dispatched additional regulars to its frontier posts and ordered the commanding officers to report every substantial rumour to the nearest British garrison commander. The State of New York placed a number of its militia companies on duty at key points.¹⁹⁶

147. The two British regiments of the line transferred from New Brunswick during the winter of 1838-1839 increased Colborne's regular strength to almost 12,000 all ranks.¹⁹⁷ In consequence, there no longer was any need to keep 21,162 provincial troops on duty.¹⁹⁸ During April 1839 Colborne therefore reduced the volunteer corps of Lower Canada to a strength of 700 infantry and 300 cavalry, who would garrison a chain of frontier posts along the 45th parallel.¹⁹⁹ About 3500 of the volunteers enlisted in Upper Canada for 18 months service were retained; these were organized as (five) Incorporated Battalions at each of Chatham, Niagara, Hamilton, Kingston and Cornwall, and a troop

of dragoons at Toronto to serve as couriers.²⁰⁰ The six regiments of regulars in Upper Canada were organized as counter-attacking forces at Kingston, Toronto, London and Amherstburg. Yet, as Colborne wrote Arthur:

We shall however be at the mercy of the Vagabonds, and a constant expense must be incurred in maintaining a large regular force, and a well organized Militia, prepared to concentrate at a short notice. The periodical alarms to which we are opposed, and the dread of an attack by Pirates formidable from the uncertainty as to the extent of their means, will be ruinous to Upper Canada, unless we have a disposable force at all times ready to repel invasion, without calling the agriculturalists from their homes. A more expensive system could not be adopted than the one to which we have been compelled to resort, in consequence of the menaces of the American population on our frontier. The same game may be continued with little inconvenience to the patriots for many years. If we were to diminish our force in this district, there can be no doubt that the hatred towards us, and the virulence which has been demonstrated by the conduct of the adjoining States, would be again exhibited by the borderers.²⁰¹

Reduction of Provincial Corps

148. Although the Secretary of State for War and the Colonies wanted the "irregular force" in the Canadas reduced as speedily as public safety would permit, the Governor General replied on 29

February 1840 that considerable numbers must be retained after their term, of enlistment expired on 30 April.²⁰² Mr. Poulet Thomson, soon to be raised to the peerage and to be better known in Canadian History as Lord Sydenham, wished to retain 87 officers and 1777 other ranks of Incorporated Militia in Upper Canada. He envisaged continuing requirements for the land frontier region of Lower Canada as being 45 officers and 1056 other ranks, organized as five troops of cavalry and a battalion of infantry. The term of enlistment should be two years, since this would attract a better class of volunteer, and there was little likelihood that a further strength reduction would be justified within that period. This was approved, since the Governor General needed all the support he could get to unite Upper and Lower Canada into a single province during 1841. Undoubtedly the continuing depressed state of the Canadian economy was an influencing factor in the achievement of the following strength:

<u>Lower Canada</u>	<u>Officers</u>	<u>Other Ranks</u>
Cavalry	12	267
Infantry	27	616
 <u>Upper Canada</u>		
Cavalry	3	60
Artillery	2	47
Infantry	77	1674 (203)

149. Sir Richard D. Jackson, Lieutenant-General Commanding in North America, subsequently urged that these embodied militia and volunteers should be continued after their engagements expired on 30 April 1842. A new Governor General, Sir Charles Bagot, approved the retention until 1 May 1843 of all corps except Colonel Dyer's 1st Provincial Regiment of Lower Canada.²⁰⁴

150. The immediate crisis in Anglo-American relations was ended on 9 August 1842, when all outstanding differences were settled by the Webster-Ashburton Treaty. During September the British garrison began to be reduced. On 24 January 1842 Sir Charles Bagot recommended disbandment of the bulk of the incorporated militia and volunteers. Bagot proposed retaining only three troops of provincial cavalry, with a total strength of 120 officers and other ranks, for duty along the 45th parallel; somewhat larger companies of infantry should still garrison Coteau-du-Lac and Sandwich; a continuing infantry company of coloured men would serve as a nucleus around which large numbers of negroes resident in Canada might be recruited in any emergency.²⁰⁵ The Secretary of State for War and the Colonies, Lord Stanley, did not reply until 1 May, when he voiced his disapproval of retaining provincial troops on garrison duty at a higher cost than regulars in colonies "where the price of labour is high."²⁰⁶ It may be presumed that he had studied the letter submitted by Lieutenant Colonel Peter Adamson, a retired British officer who had commanded the 1st Provisional Battalion of Incorporated Militia of Upper Canada. Adamson did not consider that officers of such units should be placed on the half-pay list. After pointing out that the incorporated militia, unlike the earlier fencibles, had done no fighting, Adamson's letter of 6 March continued as follows:

They have enjoyed good pay & quarters and have never been more than a days march or a days sail from their own homes; then what claim can they have for such a reward, which is only given to Line Officers after having spent their time and youth in serving their Country in every quarter of the Globe. When the disturbance here [i.e. Upper Canada] was put down, there was little use in keeping up such Corps which are even more expensive than the Line and not of equal use. I speak against my own interest, because, having commanded one of these Corps, I may claim along with the others.

The men who rushed to arms during the last outbreak have mostly retired to their own homes; those employed just now are of a different description, but whether better or worse I do not pretend to determine, but I have my doubts.²⁰⁷

151. A new Governor General, Sir Charles Metcalfe, replied to Lord Stanley on 22 June. Metcalfe argued that a nucleus of provincial troops should be continued: "Every additional tie established between the Crown and the Subject will tend to maintain the connexion of this Colony with the Mother Country."²⁰⁸ Coloured troops should be continued because they suffered less than European soldiers from the malaria then prevalent in low-lying areas of Upper Canada. Even if the 1st Dragoon Guards were not under orders to return to the United Kingdom, regular cavalymen could not be employed to police the open country along the 45th parallel and apprehend deserters from regiments of the line:

...because in addition to any other motives that may account for desertion, the Regular Cavalry would have the temptation of selling Her Majesty's Horses and Appointments in the neighbouring States; whereas the Provincial Cavalry, being mounted on their own Horses, have no such temptation, and are altogether of a class that have no inducement to desert. It would be scarcely possible, I conceive, in any Army in the world to find a more trustworthy Body of Privates than those who are in those Troops; their conduct on all occasions has been exemplary; and their loyalty and attachment may, as far as I can learn, be confidently relied on.

Approval for the continuance of three troops of cavalry and the infantry company of coloured men was given on 27 July 1843.²⁰⁹

152. Despite the election slogan of "Fifty-four Forty or Fight," which elected James K. Polk to the Presidency of the United States, and the consequent Oregon Boundary Crisis of 1845-1846, the British Government made no addition to its forces in North America. On 10 November 1847 another Governor General, Lord Elgin, backed a request by the Lieutenant-General Commanding that the provincial troops should be continued until 30 April 1850.²¹⁰ The three cavalry troops were continued, but the company of coloured men was disbanded when its existing engagement terminated on 30 April 1848, since its existing, duties along the Welland Canal could be performed more cheaply by British regulars.²¹¹

163. A few weeks earlier the Secretary of State for War and the Colonies, Lord Grey, had pointed out that the need for economy would make further military reductions necessary.²¹² The economic theories of the Manchester School were now widely accepted in the United Kingdom; although there should be no unseemly haste in granting independence to colonies enjoying a measure of self government, it was believed to be inevitable and their inhabitants might just as well get used to the idea of bearing the cost of local defence forces in peacetime.²¹³ Lord Elgin, however, wrote Lord Grey on 6 December 1848 that "Canada has a special claim for protection beyond any other Colony, because it is the fact of her connexion with Great Britain which exposes her to hostile aggression - She has no enemy to dread but the States, and they would cease to be dangerous to her if she were annexed. This subject is covered in detail in C.P. Stacey, Canada and the British Army, 1846-1871: A Study in the Practice of Responsible Government (Revised Edition, Toronto, 1964). Lord Elgin's letter of 29 January 1849 emphasized that the provincial cavalry could "very ill" be spared:

For my own part I would rather part with two Regiments - The Young farmers who enlist in this corps make excellent soldiers with very little training - They have the esprit de corps very strongly - and after serving two or three years many of them return to their farms and make way for recruits - thus scattering along the frontier a body of men in the prime of life, animated by the best feelings towards England, and capable of furnishing in case of need a considerable force of disciplined cavalry.²¹⁴

Lord Grey remained adamant on this point, however, and the provincial troops of cavalry ceased to exist with effect from 30 April 1850.²¹⁵

Militia Act of 1846

154. Meanwhile the protection provided at British expense had persuaded most members of the Legislature of the United Province of Canada that reform of the sedentary militia was neither urgent nor important. Only the struggle for responsible government was.

155. Had Sir Charles Bagot not been forced to resign as Governor General on 30 March 1843, because of ill health, the militia bill being prepared on the advice of the Commander of the Forces might have been enacted. Bagot's successor, Sir Charles Metcalfe, who was determined to govern in fact as well as in name, soon brought about the resignation of the Lafontaine-Baldwin Ministry while it was still considering the same bill. Because the Executive Council formed by Sir Allan MacNab commanded only a narrow majority in the newly elected Legislative Assembly of 1844, it contented itself with renewing the Militia Act of the former Lower Canada and slightly amending the Militia Act of the former Upper Canada.²¹⁶ Before the next session of the Legislature of Canada was due to meet, Sir Charles Metcalfe was on his way home to die.

156. A military man, Lord Cathcart, succeeded him because of the Anglo-American bad feeling

engendered by the Oregon Boundary Dispute. Cathcart was told that "the honour of the Crown Requires that a suitable Militia should be enrolled and trained in Canada particularly."²¹⁷ Arms and accoutrements, but not clothing, might be provided at British expense where the legislature was unlikely to vote funds. In consequence, Lord Cathcart had an entirely new militia bill drafted for submission to the Legislative Assembly of Canada. This bill called for six days annual training for physically fit men aged 18 to 40, with the usual exceptions. Training would be supervised by inspecting field officers provided from the British Army. The result would be a partially trained force of 50,000 militia in Lower Canada and 30,000 in Upper Canada. In lieu of payment for training, men would be excused the equivalent of six days statutory labour on the roads.²¹⁸ The section dealing with training was deleted before the bill was passed on 9 June 1846, however, leaving men liable to only the traditional annual muster and rendering unnecessary the appointment of inspecting field officers.²¹⁹ Once enrolment had been completed there would be little employment for the Adjutant General and the two Deputy Adjutants General newly appointed at the height of the Oregon Crisis. The sedentary militia therefore continued as before.

157. A few of the volunteer militia units embodied for temporary duty during 1837-1838 and 1838-1839 had continued a precarious existence, but without the arms and equipment that had been turned back to the Board of Ordnance as soon as the emergencies had ended. There was the Montreal Volunteer Militia Artillery and a Troop of Quebec Cavalry which claimed continuity with "Bell's Cavalry" of the War of 1812. In Toronto there was a West York Cavalry Troop, officered and

maintained by the Denison family which purchased uniforms, swords and other equipments and owned many of the horses.²²⁰

158. A Militia General Order of 7 March 1847 authorized the formation of a corps of Montreal Voltigeurs, to consist of volunteers from the 7th, 8th, 9th and 10th Battallions of the Regiment of Montreal (sedentary militia). This was soon followed by the creation of the Volunteer Fire Battalion of Montreal, which drilled without arms at its fire hall. A similar Volunteer Fire Battalion of Militia was organized at Quebec. According to Lieutenant-Colonel George T. Denison's autobiographical Soldiering in Canada, his father's West York Cavalry Troop endeavoured to continue a sheltered existence:

The presence of a British [cavalry] regiment in good condition, and splendidly maintained and drilled [at Toronto], rendered it impossible for a militia corps self-supported to compete either in numbers, equipment or drill, and, naturally, comparisons were drawn much to the disadvantage of the latter. The men used to be laughed at and ridiculed to such an extent, that it was found much more pleasant to keep out of sight as much as possible, and carefully avoid attracting any attention. At this time Bloor Street, Toronto, was not opened westwards through the woods and the upper part of Spadina Avenue was cleared, so that a glade of clearance, about two or three acres in extent, was situated there surrounded by woods. It was at that time, about 1848 or 1849, a very secluded spot, and it was there on a summer's evening, I first saw

a number of men of the corps with which I was to be connected nearly all my life, being drilled by my father. The men had gathered by by-paths to avoid notice.²²¹

Yet this Troop boldly escorted Lord Elgin when he opened Parliament in May 1850, braving the ill-feeling that was still high in Tory Toronto against a Governor General who had dared to sign a "Rebellion Losses Bill" for Lower Canada.

III - VOLUNTEER FORCE

Militia Act, 1855

159. Any sense of complacency Canadians might have developed in military matters because of improved Anglo-American relations was rudely shattered in August 1854, when the British Government withdrew all but, two, companies of artillery and two regiments of infantry from Canada because of its war with Russia. British troops continued only at Quebec, Montreal and Kingston.¹ As an interim measure, the Canadian Government embodied a provincial corps of 150 "enrolled-pensioners" for duty at posts vacated by the regulars.² Several hundred of these British veterans had earlier received small grants of ordnance land on the understanding that they should be available in aid of civil power,³ as was the case in the United Kingdom where units formed from out-pensioners of Chelsea Hospital were employed from time to time to assist inadequate police forces cope with industrial unrest.⁴

160. On 13 October 1854 the Canadian Government of Sir Allan Macnab appointed a Commission to investigate and report on the best means of reorganizing the Militia and providing an "efficient and economical system of Public defence."⁶ Headed by Sir Allan Macnab himself, and including the British Army's Assistant Quartermaster General in North America, Colonel George Baron de Rottenburg, the Commission was also directed to plan for a more efficient police system in cities and larger towns, since regular troops would no longer be available as an aid to the civil power.* Deliberations were strongly influenced by the British Government's offer to turn over all its military reserves in the Province - except

ordnance land at Kingston, Montreal and Quebec - in return for the Canadians making ample provision for their own ordinary defence and protection.⁶

161. "The defence of the Province, from the nature of the Country", emphasized the Report submitted on 19 February 1855, "must at all times be mainly dependent upon Artillery and Infantry; the services of Cavalry being principally confined to keeping up communications, and to patrol and out-post duties."⁷ The report suggested that the "most efficient, economical and popular system of public defence" would be the formation of a Volunteer Force of 4047 all ranks, comprising 16 troops of cavalry, seven field batteries and five foot companies of artillery, and 50 companies of riflemen.⁸

*Lack of organized police forces had imposed an unpopular burden on the British Army since its inception. Only in 1829, did Sir Robert Peel establish a Metropolitan Police for the London area. The Royal Irish Constabulary was formed in the following year. Yet the organization of paid police forces for all counties in the united Kingdom was not made obligatory until 1856. Police forces had been created by Lord Durham at Quebec and Montreal, but elsewhere in Canada there were only occasional town and village constables.

Although all Volunteers should pay for their own uniforms, there should be a clothing allowance; both officers and other ranks should be paid for annual training and any period of service in aid of the civil power. Marine companies should be formed at Kingston, Cobourg, Toronto, Hamilton, Port Stanley,

Dunnville and Oakville for possible service on the Great Lakes.⁹ This proposed Volunteer Force, completely distinct from the sedentary militia, was intended to copy the organizations that were extremely popular in New York, Connecticut and Massachusetts, where the traditional militia had also fallen into general disrepute during the years following the War of 1812.¹⁰ Gaily uniformed units of horse artillery, lancers, hussars and riflemen had mushroomed after 1830 and were doubling as social clubs. In Massachusetts the volunteers received pay. In New York expense of arming and training the volunteers was defrayed by a commutation tax levied upon all other males, who theoretically continued liable for militia service.¹¹ In Canada, however, it was hoped that revenue derived from the sale or leasing of ordnance lands would meet all the expenses of maintaining an efficient Volunteer Force.

162. Sir Allan Macnab presented the resultant Militia Bill to the Legislative Assembly on 13 March 1855. As well as there naturally being opposition by the "Clear Grits" to any Liberal-Conservative proposal, there was a genuine reluctance among provincial politicians to assume responsibility for military matters. The estimated annual appropriation of 24,000 pounds seemed a colossal amount to politicians accustomed to vote only 2000 pounds annually for a useless sedentary militia. They preferred to ignore the publicised fact that each regular regiment of the line, consisting of 953 all ranks, cost the British taxpayer 43,000 pounds every year that it served in Canada.¹² During the Bill's committee stage George Brown unsuccessfully sought deletion of the clause authorizing payment for all ranks.¹³ When the former rebel, William Lyon Mackenzie, objected to the amount of training prescribed in the Bill, Hon John A. Macdonald gently asked: "Did not the honourable gentleman drill his

men for more than ten days?"¹⁴ The fact that the Bill passed its third reading by a vote of 58 to 34 on 11 April must be attributed, in part at least, to the knowledge that the British Army was making little headway in the Crimea.

163. The Colonial Secretary's dispatch of 13 April expressed the British Government's hope that the Canadian Government would consider using the revenue from the sale or other use of transferred military reserves for internal defence; but "they do not wish to impose it as a condition of the transfer".¹⁵ There would be no change in British military policy, which would "remain charged as before with the supply and maintenance of Military force for the defence of Canada, as of any other part of Her Majesty's dominions, in the event of it being menaced by foreign arms". The British Government also proposed "to continue to maintain the force now existing in Canada, or whatever force may be strictly required, for the Military occupation of the few posts of first-class importance, so as to form a nucleus for the defence of the Province".

164. The Militia Act, which came into effect on 1 July 1855, was to continue for only three years unless "there should happen to be War between Her Majesty and the United States of America."¹⁶ Since the principal effort in the event of war must come from the sedentary militia, considerable attention was still devoted to its organization. Apart from the annual muster, on the Queen's Birthday in Upper Canada (excepting a Sunday) and on 29 June in Lower Canada no service or drill was required in time of peace.* Although the Governor General was now authorized to dispense with even this

service, should he so desire, this was a matter decided each year and so notified in Militia General Orders.

* Canada East and Canada West were the designations now given to the geographical divisions which had formerly been lower and Upper Canada, except for Militia matters where the former terminology continued.

165. The sections of the Militia Act dealing with the Active or Volunteer Militia differed slightly from the Commission's Report because of legislative amendments. The 16 troops of cavalry, seven field batteries and five-foot companies of artillery, and companies of rifles could not exceed 5000 all ranks. Each troop of cavalry, company of foot artillery and company of riflemen was to consist of a captain, lieutenant, cornet or ensign, three sergeants, three corporals, a trumpeter or bugler, and 43 privates; yet a rifle company might enlist as many as 75 privates. Each battery of field artillery could have a captain, two lieutenants, a second lieutenant, a sergeant major, three sergeants, three corporals, three bombardiers, a trumpeter, a farrier, and 59 privates. Each of the proposed marine companies was limited to two officers and 50 other ranks. Pay for each of the authorized drill days ranged from five shillings for other ranks to 10/6 for captains. Volunteers were liable to be called out in aid of the ordinary civil power, as well as in the event of national danger. When employed on the former duty the affected municipality was responsible for pay and subsistence. Volunteers were excused duty as jurors and constables. Although a man could leave a unit after giving one month's notice to the commanding officer, the normal engagement was for five years.

Organizing the Volunteers

166. The Canadian Government decided that Dr. E.P. Taché could supervise militia matters without adding to his official appointment as Receiver General for Canada East. Dr. Taché had served during the War of 1812 and the Rebellions of 1837-1838 and had held a sinecure appointment as Deputy Adjutant General of Militia for Lower Canada during 1846-1848. The appointment of Adjutant General of Militia was accepted by Colonel de Rottenburg, on the understanding that he could receive both half-pay as an officer in the British Army and 750 pounds from the province.¹⁷ Son of the Major-General de Rottenburg who had served in the Canadas during the War of 1812, he had spent a considerable part of his own 30 years military service in Canada. Melchior Alphonse J. de Salaberry and Donald MacDonell continued in the appointments of Deputy Adjutant General for Lower and Upper Canada respectively, with the rank of lieutenant-colonel and a salary of 500 pounds per annum. The same Militia General Order dated July 9, 1855, divided the Province into 18 Military Districts on a primarily county basis:

LOWER CANADA

No 1 - Gaspé, Bonaventure and Magdalen Islands.

No 2 - Rimouski, Temiscouata, Kamouraska, L'Islet, Montmagny and Bellechasse.

- No 3 - Lotbinière, Lévis, Dorchester, Megantic and Beauce.
- No 4 - Nicolet, Drummond, Athabaska, Wolfe, Sherbrooke, Compton, Shefford, Stanstead and Missiquoi.
- No 5 - Yamaska, Richelieu, St. Hyacinthe, Bagot, Rouville and Iberville.
- No 6 - Beauharnois, Huntington, Laprairie, Vercheres, Chambly, Chateauguay, Napierville and St. Johns.
- No 7 - Chicoutimi, Tadoussac, Saguenay, Montmorency, Quebec County and City, Portneuf and Champlain.
- No 8 - St. Maurice, Three-Rivers, Maskinonge Berthier, Joliette, Montcalm, L'Assomption, Terrebonne and Laval.
- No 9 - Pontiac, Ottawa, Argenteuil, Two Mountains Vaudreuil, Soulanges, Island and City of Montreal.

UPPER CANADA

- No 1 - Renfrew, Lanark, Carleton, Russell, Prescott and Ottawa City.
- No 2 - Leeds, Grenville, Dundas, Stormont, Glengary and Prescott Town.
- No 3 - Hastings, Prince Edward, Frontenac, Lennox and Addington, and Kingston City.
- No 4 - Victoria, Durham, Peterborough, Northumberland and Cobourg Town.
- No 5 - Simcoe, Peel, York, Ontario and Toronto City.
- No 6 - Huron, Perth, Bruce, Waterloo, Wellington, Grey and Guelph Town.
- No 7 - Haldimand, Lincoln, Welland, Wentworth, Halton and Hamilton City.
- No 8 - Middlesex, Elgin, Oxford, Norfolk, Brant and London City.
- No 9 - Essex, Kent, Lambton and Chatham Town.

Subsequent Militia Orders listed the colonels to command these Districts and the officers to serve on their staffs - all on a part-time basis. Districts were divided into regimental and battalion divisions.

167. The first volunteer corps were promulgated in a militia General Order dated 31 August 1855:

Volunteer Militia Field Battery of Artillery of Quebec; Volunteer Militia Company of Foot Artillery of Quebec; First Volunteer Militia Rifle Company of Montreal. Subsequent weekly Militia General Orders listed of Montreal. Subsequent weekly Militia General Orders listed units being formed elsewhere in the province. Only with the publication of the Militia General Order dated 27 December, however, was recognition given to the Denison family's existing York Light Dragoons: 1st and 2nd Troops of Volunteer Militia Cavalry of the County of York were then authorized at Toronto.

168. While in England with the delegation of Canadian Ministers sent to arrange for the transfer of the military lands, Dr. Taché had purchased sufficient arms and accoutrements to equip half the authorized number of volunteers. An arrangement was shortly made whereby the Canadian Government could purchase warlike stores from the British Army's depots in Canada, at cost price in the United Kingdom plus 15 percent to cover departmental expenses.¹⁸ As an initial gesture of goodwill the British Government donated 29 field guns and ancillary stores for issue to the seven artillery field batteries, on condition that these be inspected annually by the senior Royal Artillery officer in Canada. A large quantity of greatcoats were made available at half price.¹⁹ Volunteer units had, however, to arrange for the purchase of their own uniforms. British-type tunics were to be blue for cavalry and artillery, and green for rifle corps. Initially units could choose their own head-dress, trousers and the facing for their tunics.²⁰ However, the provision of boots was, and was to remain, the responsibility of each individual officer and man.

169. Following the conclusion of the Crimean War three regular regiments of the line were ordered to Canada as part of the plan to return the British Army to peace-time stations.²¹ The Governor General did not think that their presence would dampen the "spirit or energy" of the Canadian volunteers.²² Colonel de Rottenburg's first annual report argued as follows:

...as soon as an opportunity was afforded of forming Volunteer Corps, and the people generally were satisfied that good Arms and Accoutrements would be given to those volunteering, there was no lack of men to wield them. The persons who have joined this Force are not the dissolute and idle, but they are, on the contrary, the respectable Mechanics of the several Towns and Villages where the Companies of this force are located. The idle or the dissolute would never devote the time nor the money which are required to qualify the Men of the Active Force to gain a knowledge of their duties and to provide their Uniforms - and so respectably is this Force constituted, that the By-laws of the several Companies to generally contain clauses providing for the expulsion of any Members whose conduct in any way may bring discredit on the Corps they belong to.³

Yet the Militia General Order that officers and men might meet together monthly after the style of secret society lodges to discuss unit business roused some ire. The young and brash Captain George T. Denison, commanding the Toronto cavalry troop that was soon to become the Governor-General's Body Guard, told his sergeants that such meetings would be "unmilitary and unsoldierlike".²⁴ They

would never do for cavalry and "any man that wanted monthly meetings to discuss business should be
into the infantry".

170. In the constitution of the Volunteer Force, Colonel de Rottenburg's first annual report
continued:

... it is of course natural that Gentlemen of the same national origin and of the same sentiments,
whether Scotch or French, Irish or English, would become members of the same Company,
Troop or Field Battery. Thus, we have a French field Battery at Quebec, a French Troop of
Cavalry at Montreal, and some French Rifle Companies in Montreal, Quebec and Ottawa, five
Highland Companies of Rifles at different places, and some others who are principally if not
entirely Irish. I desire it, however, to be strictly understood, that in forming this Force as a
whole, especial care has been taken that no exclusion from its ranks on the score of differences
in Politics or Religious opinions or Races should be tolerated. Loyalty to the Crown,
respectability, and a desire to serve their Country, being the only qualifications requisite in those
Volunteering, I have been assured by persons who are well qualified to give a correct opinion,
that both in Montreal, Quebec, and elsewhere, the best results have been obtained from its
present constitution as a whole in allaying party feelings and differences. Men of very different
views in politics stand side by side in its Ranks, and act in concert, and, as in the Regular Army,
appear to forget past differences when serving together in the common cause of their Sovereign

and Country.²⁵

171. The first instances of "aid to the civil power" occurred in July 1856. On Saturday night, 12 July, a riot occurred at Guelph after a small number of Orangemen, returning to their lodge hall from the railway station, were attacked and had to seek refuge in a nearby saloon. The Mayor swore in 15 special constables and read that Riot Act, but ended by calling on Captain J.J. Kingsmill's Volunteer Militia Rifle Company to restore order. Kingsmill's was a promising young lawyer and a son-in-law of the county sheriff. Kingsmill and his company continued on duty until after justice was meted out to the miscreants on Monday morning. That evening Kingsmill's men frustrated an attempt to damage the local Roman Catholic Church in revenge. At Toronto, on the afternoon 15 July, Nos. 1 and 3 Volunteer Militia Rifle Companies helped to extinguish a serious fire that claimed several lives.²⁶

172. Although only 14 of the 16 authorized cavalry troops and 34 of the 50 rifles companies had been formed by the end of 1956, all the artillery units were uniformed and drilling and there could be little doubt that the volunteers would soon reach their authorized strength. The shortage of rifle companies was mostly in Lower Canada, but Colonel de Rottenburg was hopeful that more corps could be formed in rural areas once the Volunteer Movement became better known. Additional corps were planned for Montreal and Quebec City because recruiting had gone so well there.²⁷ Since it would be unwise to discourage volunteering anywhere, the Militia Act had been amended on 19 June 1856 to permit the formation of unpaid or Class B units. The others became Class A units.²⁸ A few of

these became defunct, because of internal dissension or disinterest, but Class B units were available to enter the preferred category. Militia General Order of 2 April 1857 transferred the five Highland Volunteer Rifle Companies at London, Hamilton, Toronto, Kingston and Montreal from, Class B to Class A, because they were fully uniformed and generally efficient. These might continue their existing strength, but, not more than 50 other ranks of each would receive pay for the authorized 10 days annual drill.

173. The same Order stated that the "Adjutant General's 'Book of Instruction for Drill' of the Volunteer Militia Rifle Companies of the Province is being translated into French, and will be issued to all Officers of the Active Force requiring it as soon as possible".

174. Enthusiastic corps progressed because they drilled much more often than the number of days for which they could draw pay. The Volunteer Field Battery and Foot Company of Artillery and the Volunteer Militia Rifle Companies of Montreal manoeuvred on the icy St. Lawrence with the 39th Regiment of Foot on 16 March 1857, in the presence of Lieutenant-General Sir William Eyre. "The manner in which the Field Battery took up its position on the Ice and opened Fire was most creditable", reported the Lieutenant-General Commanding in North America, "and the general conduct of the whole was satisfactory".²⁹ Colonel de Rottenburg commanded the turnout of volunteers at Toronto to celebrate the Queen's Birthday in the presence of the Governor General. This parade included a troop of cavalry from Markham and rifle companies from Barrie and Brampton.³⁰ On 6 July Colonel William

Bell, R.A., inspected Lieutenant-Colonel Robert Jackson's Volunteer militia Field Battery of two 9-pr. guns and one 24-pr. howitzer at Kingston. In addition to Jackson, who drew pay as a captain, there were two lieutenants, one surgeon, seven N.C.Os, 52 gunners and 36 horses on parade; five men were sick and 14 were absent with leave. This battery was clothed as Royal Artillery and had the use of the artillery barracks formerly housing a regular unit. According to Colonel Bell:

This Demi Battery drilled very steadily, the gunners being fine young men, and sponged and loaded very correctly, and fired with blank ammunition. The Drivers require more instruction. The harness was clean, and the Horses were generally too slight for the Ordnance. The Gun Carriages and Ammunition Waggon were in good order. They have great coats and knapsacks, but were not in marching order. The ammunition was well packed. I expressed to Lieut.-Col. Jackson, the officers and men my satisfaction at their good appearance and steadiness in the Field.³¹

175. Yet there was no provision for summer camps, where the more isolated companies could be instructed in battalion drill and all could be taught to act as light troops. One of the main obstacles would seem to have been the Canadian Government's unwillingness to purchase tents.³² Colonel de Rottenburg's annual report for 1857 again deplored this lack. Furthermore, there was no proper accommodation for drilling during the winter months and only a few corps were fortunate enough to have the use of gun or drill sheds belonging to the British Army.³³

176. The financial crisis of 1857, although a worldwide phenomenon, was aggravated in Canada by crop failure. The provincial deficit estimated for 1858 seemed staggeringly large and curtailment of militia expenditure was an obvious step, particularly when the Report on the Militia for 1858 indicated that administrative difficulties were being experienced. "There is a general impression among the men", reported the Inspecting Field Officer for Lower Canada who saw 95 officers and 1412 other ranks, "that they are not obliged to turn out except for the 10 days' drill, which accounts in no small degree for so many absentees on the days of Inspection".³⁴ The Inspecting Field Officer of Militia for Upper Canada saw 144 officers and 2078 other ranks of Class A units, and 37 officers and 424 other ranks of Class B units; most of the remaining men had performed the prescribed 10 days' drill but had been absent from annual inspection because of "the great stagnation of trade, and their having been obliged to seek temporary employment elsewhere, than at their permanent places of abode."³⁵ In consequence, the Militia Act finally passed by the Legislature early in 1859 imposed a number of restrictions on Class A units after 31 December of that year: the number of foot artillery and rifle companies was reduced from 55 to 50; the number of days for which pay could be granted was reduced from 20 to 12 for field artillery and from 10 to six for other units; only the five senior cavalry troops in each of Lower and Upper Canada could receive pay (now \$1.00 a day for other ranks).³⁶ No successor was appointed for Colonel de Rottenburg who had resigned as Adjutant General of Militia early in 1858 in order to command the 100th Royal Canadian Regiment of Foot being recruited in the province as an addition to the British Army. The two Deputy Adjutants General, militia officers with no real professional military experience, had to continue the volunteers as best they could. The only forward step was hesitant

implementation of Section 15 of the new Militia act: this authorized the grouping of independent companies into battalions. A Militia General Order dated 17 November caused the existing nine Volunteer Companies of Montreal to be styled the First Battalion Volunteer Militia Rifles of Canada. On 26 April 1860 six volunteer companies in the Toronto area were designated the Second Battalion Volunteer Militia Rifles of Canada. These units are still in existence and are known respectively as The Canadian Grenadier Guards (6th Battalion, The Canadian Guards) and The Queen's Own Rifles of Canada.

The American Threat

177. This lackadaisical attitude towards military matters received a rude jolt following the outbreak of the American Civil war. "The aspect of affairs is most serious", the Governor General wrote to a friend 12 days after the shore batteries at Charleston, South Carolina, opened fire on Fort Sumter; "whenever their own fighting is over I do not think it will be a pleasant thing to have 100,000 or 200,000 men kicking their heels with arms in their hands on our frontier & all the habits acquired in a Southern Civil War."³⁷

178. Shortly thereafter the British Prime Minister, Lord Palmerston, decided to send three regiments of the line and a battery of field artillery to Canada,³⁸ to increase its dangerously small British garrison to

5100 officers and other ranks.³⁹ The elderly, but still bellicose, Lord Palmerston insisted that three further regiments of regulars should be kept in readiness for possible despatch.⁴⁰ To the question whether Canada might be willing to share the additional expense, the Governor General, Sir Edmund Head, replied on 9 September that any outbreak of hostilities must be caused by purely Anglo-American disagreement:

The Colony would have no voice in determining this question and there exist no causes of difference with the Government of the United States arising out of the affairs or interests of Canada. The Colony would be involved in such a war only as part and an exposed part of the Empire....

The feeling of the Colony and its representatives in the Provincial Parliament would I believe be adverse to any contribution in money out of Colonial Funds towards the cost of such increased armament.

That our long exposed frontier is inaccessible by sea and not easily reinforced in winter, is a line of weakness through which an enemy might, wound England is the misfortune of Canada as well as the Mother Country, but I doubt whether the people of Canada would see in this fact, a sufficient reason for charging them with a large portion of the burden of defence in a war caused

by interests in no degree of a local or colonial character.⁴¹

179. On 7 October 1861 Lieut.-Colonel A. Booker, commanding Military District No. 7 of Upper Canada, complained that efforts were being made to recruit his officers and men into the 2nd Regiment of Michigan Cavalry: a uniformed lieutenant-colonel from Detroit was operating a recruiting office in his Hamilton hotel room.⁴² More serious was the case of Colonel Arthur Ranking, M.P., commanding Military District No. 9 with headquarters at Chatham, also in Canada. He was arrested for contravening the Foreign Enlistment Act by trying to raise a regiment of lancers; but he got off lightly, merely being dismissed from the Canadian Militia as were such other officers who accepted commissions in American regiments.⁴³ Recruiting posters continued appearing in border cities and towns, however, and other ranks of the British Army received attractive offers from recruiting agents anxious to obtain battle-experienced personnel.⁴⁴ Since American enlistment records were often incomplete or falsified, there is no way of knowing how many Canadians were actually recruited during the war years. Many of the English-speaking and French-speaking Canadian seasonal workers in the United States when war broke out may have enlisted for the attractive enlistment bounty. Youngsters in Canada enlisted for adventure or as crusaders against slavery.⁴⁵ There were persistent complaints of the "crimping", or kidnapping, of British soldiers and Canadian civilians who were sold by American agents for the bounty money.⁴⁶ Yet some of the reported incidents actually involved kidnapping by law enforcement officers of known criminals who could not then be extradited for the offenses they had committed.⁴⁷ There were also instances of Canadian soil being invaded by American soldiers in search

of deserters.* The overall result was the growth of an anti-Northern rather than pro-Confederate sentiment in Canadian border areas.

* Secretary of State William H. Seward invariably defended such incidents on the ground that non-commissioned officers were ignorant of existing neutrality legislation.⁴⁸

180. Long before conditions had got that bad, however, word from Washington reached a new Governor-General, Viscount Mock, that U.S.S. San Jacinto had stopped the British mail steamship Trent on the high seas on 8 November 1861, and forcibly removed two Confederate diplomatic agents on their way to Europe. The British Army in Canada moved onto a war footing at once and preparations were made to accommodate the reinforcements certain to be sent from the United Kingdom. The Canadian Government agreed to call out 38,000 of the sedentary militia, if necessary, and to increase the strength of the volunteers. At long last a Minister of Militia Affairs was designated, with the appointment going to Hon. John A. Macdonald who was attorney General for Canada West and joint leader of the Government. Since the appointment of Adjutant General of Militia was still vacant, Colonel Daniel Lysons was despatched from England to advise the Canadian Government. He had served as a subaltern in the 1st (or Royal), Regiment of Foot in Lower Canada during the Rebellions of 1837 and 1838 and subsequently in Nova Scotia; latterly he had been involved in the organization of the Volunteer Movement in the United Kingdom. An instructional cadre of 12 officers and 46 sergeants for the Canadian volunteers accompanied the 11,175 British Regulars hurriedly

dispatched from the United Kingdom.⁴⁹

181. Lethargic attendance at parades ceased at once and volunteer corps once again drilled at full strength. Even some battalions of sedentary militia began drilling. For their benefit, and that of the volunteers in the Toronto area, The Globe published extracts from the authorized drill manuals. On Saturday evening, 21 December, about 200 skilled workers attended a meeting, called by a group of employers in the lecture room of the Mechanics' Institute of Toronto to consider the formation of a new volunteer unit to be known as "The Toronto Engineers and Mechanics Rifle Corps". After listening to suitably patriotic speeches the meeting agreed that volunteers should be charged \$1.00 entrance fee and a monthly subscription of 1/3d. This fund would be used to defray the cost of uniforms and equipment, for the men; officers and N.C.C.s, however, would be expected to pay for their own. A second meeting was held on 28 December with about, 400 present. In consequence it was decided to try for 10 companies. The committee's slate of 48 officers was accepted. These subsequently met to elect a lieutenant-colonel and two majors for what was to become officially The 10th Battalion Volunteer Militia Rifles, Canada.⁵⁰

182. Meanwhile the crisis had been resolved by President Lincoln's decision on 26 December to release the two Confederate diplomats to a British ship at Baltimore. The British Government decided, however, to continue with the movement of troops to Canada since there might be other crises. Only S.S. Persia had been able to land troops at Bic in the lower St. Lawrence, before ice and snow put an

end to navigation. The local inhabitants had transported them by sleigh to Riviere-du-Loup, which was the eastern terminus of the Grand Trunk Railway. Alternative arrangements had been made, however, to land the remainder in New Brunswick and transport them in sleighs over the snow-covered roads to Rivière-du-Loup. During January, February and early March, 6823 British regulars made this trip. The remaining troops, together with the heavy military stores, were held at Halifax until it, should once again be possible for ships to navigate the St. Lawrence River. The British regulars assigned to Upper Canada were concentrated at Kingston, Toronto, Hamilton, Guelph and London, from which places they might launch counter-attacks against any attempt at aggression.⁵¹ Sir Williams Fenwick Williams, Lieutenant-General Commanding in North America, resisted all pleas for garrisons from Lake Erie and Lake Ontario towns, whose worried mayors were silly enough to imagine that the Americans might consider them worth attacking.⁵²

183. The Canadian volunteers now numbered 829 officers and 13,390 other ranks. They were organized in 34 troops of cavalry, 27 batteries of artillery, 182 companies of rifles and five companies of engineers. The excitement subsided almost as quickly as it had arisen, however, and in Toronto. The 10th Battalion Volunteer Militia Rifles was authorized on 14 March 1862 with only seven companies.⁵⁴ Not having anticipated this Canadian ability to lose interest so quickly in military matters, Lord Mock and his Ministers had established a Parliamentary Commission to plan a more effective militia. Lord Mock also appointed a Royal Commission, headed by Colonel J.W. Gordon, R.E., to report upon a system of fortification and defence for Canada.

Inertia again

184. On 15 March 1862 the Parliamentary Commission reported. Manpower requirements were estimated as being 50,000 in an Active Force and the same number as a Reserve. "A reference to the map of Canada will," the Report stated, "clearly point out that even this number of men would be insufficient, without the co-operation of a strong body of regular troops and a powerful fleet of gun boats on the lakes"⁵⁵ The battalion system should be adopted by volunteers in all the cities and larger towns. Rural areas, however, should provide active battalions of Regular Militia, filled by volunteers or by ballot from the sedentary militia. As in the past, bachelors and widowers aged 18 to 45 would be drafted first. Both the volunteer and regular militia should be liable to annual training of from 14 to 28 days, with officers receiving pay of \$1.00 per day and other ranks 50 cents. No balloted man should be required to serve for a longer period than one year in time of war, but volunteers would have to serve out the balance of their five-year engagement. In time of war the Governor General might also raise "regiments of militia by voluntary enlistment for general service during such war, and for a reasonable time after its termination".⁵⁶ Yet the accompanying draft Militia Bill still permitted substitution: "No militiamen drafted for actual service shall be exempt from serving, unless he forthwith pays a penalty of forty dollars, which shall be given to any approved man of the same class who is not himself drafted for service, and will serve in the place of the militiaman paying such penalty, or such militiaman may provide an approved substitute of the same class and not drafted to serve in his place; and any volunteer or substitute, by his consent to serve as such, shall become liable in all respects as if drafted".⁵⁷

185. Both the Militia Bill and the Macdonald-Cartier Government, however, were doomed. "Make the militia efficient", The Globe of Toronto had urged as clearly as 12 March. "Drill and arm the volunteers, and let the business of the country go on. We are not afraid of the Americans provoking a war; we are not afraid of them if they do provoke it". Since this United States was making no headway in its war with the Confederate States of America, little quarrel could be taken with this sentiment. Yet the Bill was unpopular with the existing volunteers because of the importance attached to the creation of a regular militia. The Grand Master of the Loyal Orange Order was disgruntled with the Canadian Government's policies and withdrew his support.⁵⁸ Hon. George E. Cartier's supporters were angry at the abandonment of the principle of legislation by "double majority" and were being sorely tempted by the speeches of the radical (Partie Rouge) leader, Louis V. Sicotte. Macdonald was deliberately vague as to details, when he finally introduced the Bill to the House on 2 May. Too much was left to the decision of the Government as to what might actually be done at any particular time. Final admission by the Finance Minister that the calling of even 30,000 men for 14 days' training during the first year would cost about \$480,000.00 startled a majority of the members, who felt that the Macdonald-Cartier Government had grown too corrupt because of its long tenure of office to be entrusted with this large expenditure of public money. While opposition mounted, Macdonald absented himself from the debates to engage in one of his well-known drinking bouts. When he did resume his seat on 20 May, and forced a vote on second reading, 15-French-speaking supporters bolted and the Bill was defeated by a vote of 61 to 54. On the following day the Government resigned. Seemingly Macdonald had become tired of holding office and was willing to accept defeat on a patriotic issue of his own choosing.⁵⁹

186. The incoming Ministry headed by John Sandfield Macdonald and Louis V. Sicotte effected some economies in expenditure. Its successful Militia Act merely doubled the number of days of paid annual drill from six to 12 for a maximum of 10,000 volunteers, permitted the Governor General to raise volunteer regiments independently of the Militia in wartime, and authorized Drill Associations for citizens not belonging to volunteer corps.⁶⁰ Lord Mock's dispatch of 10 June to the Colonial Secretary in London included the following:

While I do not question the right of the Provincial Parliament to act as they have done in providing, in my judgment, so scantily for the defence of their territory, and while I am ready to admit that events may prove that in taking this course the representatives of the people in this province are acting with sounder judgment than if they adopted a different line of conduct, I am on the other hand very anxious that should their views unhappily prove erroneous, I may be in a position to make the most efficient use of the means placed at my disposal.

It is with this object that I would earnestly press upon Your Grace the propriety of largely augmenting, during the present navigation season, the supply of arms and ammunition in store in Canada, and of forwarding the other articles for which I have applied, cavalry equipments included, not for immediate issue to the militia force of the Province, but to meet the demand which must arise if the necessity for calling out the militia should ever unhappily occur.⁶¹

187. British newspapers had been very outspoken in their criticism of the Canadian Parliament. Even The Times had declared on 6 June that "if Canada will not fight to protect its independence from foreign invasion, neither will England". This last caused The Globe of Toronto to report on 18 June:

The Times had done more than its share in creating bad feelings between England and the United States and would have liked to see the Canadians take up the quarrel which it has raised There would be no talk of war but, for the mischief-making of newspapers in England and America, of which The Times was the worst because the most influential... We cannot agree to the dogma that Canada should provide entirely for her defence when she is not the author of the quarrels against the consequences of which she is called upon to stand on guard. What can fairly be demanded of her she has done.

188. The Colonial secretary's lengthy dispatch of 21 August expressed the British Government's concern over Canada's lack of defensive measures when the United States had a really large army for the first time in its history. The Colonial Secretary suggested that 50,000 partially-trained militia were a necessary adjunct to the British regulars and Canadian volunteers. Lord Mock was requested to investigate the possibility of creating a uniform militia system, which might be entered into willingly by all provinces. "The political union of the North American Colonies has often been discussed", the dispatch continued. "The merits of that measure and the difficulties in the way of its accomplishment have been well considered, but none of the objections which oppose it seem to impede a union for defence. This

matter is one which all the Colonies have interests common with, each other and identical with the policy of England".⁶²

189. The Canadian Government put off consideration of this dispatch as long as possible. The decision reached on 28 October was against establishing compulsory training for the militia. The Government felt that the Volunteer Movement was the outlet through which "the military spirit of the people must find vent in a period of peace".⁶³ The countryside was too sparsely populated for farmers to have to abandon their labour in order to drill at a distance from their farms. In the event of war, the able-bodied could be depended on, but it was "not desirable to excite discontent amongst them, by any premature attempts to exact compulsory service". Canadians would never do anything to provoke war with the United States. "No probable combination of regular troops and militia would preserve our soil from invading armies", this Council Minute continued; "and no fortune which the most sanguine dare hope for would prevent our most flourishing districts from becoming the battlefield of the war. Our trade would be brought to a standstill, our villages destroyed, homes, happy in peace, would be rendered miserable by war, and all as a result of events for the production of which Canada would be in no wise accountable". Union of all the provinces, even for defence, was not feasible until there should be an Intercolonial Railway - an opinion that was subsequently confirmed both by the Lieutenant-Governors of New Brunswick and Nova Scotia and by the Governor General.⁶⁴

190. On 17 December Lord Mock tried again, urging the necessity of creating the substantial

Canadian part-time force recommended by the Royal Commission which he had appointed to report on a system of fortification and defence for Canada.⁶⁵ Again, however, the Canadian Government's answer was in the negative. It was equally impervious to a further letter from the Colonial Secretary. This attempted to refute the stand taken by the Macdonald-Sicotte Ministry in October and argued that "the main security against aggression which Canada enjoys as a portion of the British Empire is the fact known to all the world that war with Canada means war with England; not in Canada only, but upon every sea and upon the shores, where situated, of the aggressive power itself."⁶⁶

191. Although 29 volunteer corps with an authorized strength of 1450 all ranks disappeared during 1862, some 13,070 recruits for continuing and new corps increased the volunteer total to 25,010 effectives.⁶⁷

	<u>Volunteers</u>	<u>Population</u>	Percentage of
<u>Lower Canada</u>			
Urban	5500		3.6
Rural	4730		0.5
<u>Upper Canada</u>			
Urban	3025		2.9

At long last the Volunteer movement was making some headway in the rural areas of Lower Canada. There were now 11 Military Districts in Lower Canada and 10 in Upper Canada. The 46 British drill sergeants sent to Canada at the time of the Trent Affair were still instructing volunteers. During January 1863 arrangements were made to obtain additional sergeants from the British Army in Canada: 28 to train city corps and 40 for rural corps. These instructors were paid by the Canadian Government. The British garrisons at Quebec, Montreal, Kingston, Toronto, Hamilton and London set up Boards of Officers to examine volunteer officers on their ability to command battalions or companies: Class I or Class II certificates were issued to the successful candidates.⁶⁸ These garrisons also provided Inspecting Field Officers for the volunteer corps.⁶⁹

Improvements in training

192. Confederate loss of Vicksburg and defeat at Gettysburg, both in July 1863, suggested that the North was likely to win the Civil War and then have armies available for an attack on British North America. Thus improved militia legislation was enacted in Canada by the Government of John Sandfield Macdonald and Louis Sicotte, which had been given a new mandate by the voters.

193. One Act authorized an increase in the volunteer force to 35,000 all ranks. No one was to be

paid for drilling, but other ranks were to be clothed and armed at public expense; prizes were to be awarded to efficient battalions and personnel.⁷⁰ The other Act provided that there should be a careful enrolment of the sedentary militia in 1864, and every three years thereafter. Men should then be balloted for possible embodiment in service battalions and liability for six days' annual drill. Existing officers of the sedentary militia and all interested applicants could obtain appointment to the Service Militia only by, attending one of the Schools of Instruction to be operated, at Canadian expense, by British regiments in garrison at Quebec and Toronto. Expenses of all candidates would be paid for a period not, exceeding three months; then \$50.00 would be paid to everyone obtaining a Class I or Class II certificate.⁷¹

194. The first large review of the volunteer force was held at Toronto on 8 October 1863, when 211 officers, 2888 other ranks and 132 horses from 81 units paraded before Major-General James Lindsay of the British Army. The Toronto City Council voted \$1000.00 to help defray the expenses of out-of-town corps: this provided lunch, dinner and forage, leaving, only railway fare to be paid by the volunteers. According to an official report:

The Cavalry being placed under the command of Lieut. Colonel Boulton, the Infantry were formed into two brigades under the respective commands of Lieut. Colonel Peacocke, 16th Regiment, and Colonel Denison, Commandant Volunteers, Toronto, and were manoeuvred in conjunction with the regular garrison, the whole under the command of Major General Lindsay.

After the usual evolutions of a brigade field day, which were executed in the presence of a vast concourse of spectators, the officers commanding corps were called to the front, by the reviewing General, who expressed to them his pleasure at what he had witnessed, complimenting those corps which had drilled in battalion, and made the most of the opportunity, while he made the proper allowance for such as had not had that advantage.⁷²

195. Several of the nine corps attending the earlier Military District No. 9 review at Amherstburg, in Upper Canada, had travelled by steamer. After a lunch of bread, cheese and beer on the grounds adjoining Fort Malden, the 379 all ranks paraded before nearly 6000 spectators. The Chatham Tri-Weekly Planet of 2 October reported a monster banquet in the evening: "Beer, turkey, mutton, chicken, tongue, vegetables, cakes, pies, tartlets, and beer, cider and Adam's ale were there and easy to obtain without the least scrambling or disorder". Following the review of the 22nd Battalion or Oxford Rifles at Woodstock on 3 December, the commanding officer treated the six companies to an excellent dinner at Bishop's Hotel. After-dinner speakers were unanimous in suggesting that the Government should spend more money on the Volunteer Movement.⁷³ The six companies of this county battalion were the Woodstock Rifles, Beachville Rifles, Princeton Rifles, Wolverton Rifles, Embro Rifles and North Oxford Rifles.

196. Although 88,000 men were balloted as service militia during the spring of 1864, none were called for training because the Military Schools at Quebec and Toronto, had opened with a limited

enrolment of officer candidates only on 1 March. These Schools proved so successful that the Canadian Government appropriated funds for four more in 1865 - at Montreal, Kingston, Hamilton and London.⁷⁴ The British drill sergeants were withdrawn from instructional duty with volunteer corps in the summer of 1864. British garrisons continued to help local volunteer units, but elsewhere instruction developed upon such volunteer officers as had been granted Class I or II certificates.⁷⁵ During that same year military training was introduced into most colleges, the normal schools, and many grammar and elementary schools.⁷⁶ The opportunity for outdoor exercise attracted to the volunteers many townsmen who worked inside all day. Farmers, however, had to travel considerable distances after working outside all day to attend evening drills, The two Deputy Adjutants General were convinced that even villages in the midst of a well-populated countryside would have difficulty continuing volunteer corps unless they had armours or drill sheds for use in inclement weather. They also agreed that "the only feasible and reliable means for conveying military instruction to the great mass of the people in the country parts must be through the organization of the Service Militia, and the adoption of a fixed period of continuous and compulsory drill, coupled with a money payment to both officers and men proportionate to the period for which they are called out from time to time".⁷⁷ After all, there was no leisure class of gentlemen, as in the United Kingdom, to pay the expenses of getting rural units together for drill.

197. On 6 April 1865 the Canadian Government finally approved the appointment of an adjutant General of Militia, at a salary of \$3000.00 per annum plus \$1000.00 in lieu of the customary

allowances.⁷⁸ The appointment went to Colonel Patrick L. MacDougall, who could also continue to draw halfpay as an officer of the Royal Canadian Rifles. Commissioned in 1836, he had joined the Royal Canadian Rifles as a captain in 1844. Following employment as a staff officer during the Crimean War, he had written a textbook on Theory of War, served at first Commandant of the Staff College at Chamberley, functioned as a planning officer during the Trent Affair, and then visited Canada briefly.

198. Colonel MacDougall persuaded the Canadian Government to finance a three-weeks' camp at Laprairie during September 1865 for 1050 cadets who had completed courses at the Military Schools. These cadets were formed into three battalions - Toronto, Hamilton and London graduates; Kingston graduates and English-speaking graduates from Montreal and Quebec; Frenchspeaking graduates. The emphasis was on drill, and the cadets served in rotation as junior officers, so that they might themselves be able to train service militia battalions at subsequent annual camps.⁷⁹ The Commandant, Colonel Garnet (later Field-Marshal The Viscount) Wolseley, was given 30 British Army drill sergeants as instructors. He later wrote that the cadets took the course seriously: the more drill they were given the more they enjoyed their camp life.⁸⁰ It was here, he continued, that "nearly all the best Militia officers of that generation were drilled and given some practical knowledge of military duties". Colonel MacDougall later regretted, however, that he had formed the French Canadian cadets into a distinct battalion I was induced to adopt this measure by the belief that the French Canadians would be at a disadvantage unless they were officered by men of their own race, who could give them the customary

explanations in their own language; but I find they understand so well both the English words of command and the cautions when spoken in English, that the measure was unnecessary.¹⁶¹ There had been one untoward incident, Hon John A. Macdonald reported to an Ottawa audience after visiting the cadets at Laprairie: "some were afflicted with dysentery, yet they were well on the whole".⁸²

Border Duty, 1864-1865

199. During the summer of 1864 the strength of the British Army in Canada was reduced to roughly what it had been prior to the Trent affair. The unreformed British Army had been too weak at the time of the Schleswig-Holstein Crisis to intervene in Europe and prevent the defeat of Denmark by Prussia and Austria; by withdrawing troops from North America and elsewhere the British Army might become strong enough at home to act the next time the balance of power was threatened in Europe. At the moment there was little possibility of war with the United States, because the Northern armies commanded by Lieutenant- General U.S. Grant were making little progress in the all-out attempt to capture Richmond. The Confederate agents, who had been wined and dined in Canadian border centres by volunteers anxious to learn about war at first hand from amateurs who had experienced it, now determined on desperate attempts to stave off defeat. On 20 September they seized two American steamships on Lake Erie but then failed to destroy them. A subsequent attempt to employ the Canadian lake steamship Georgian in belligerent activities was frustrated by the Canadian authorities. On 19 October, a score of Confederates in uniform did, however, stage a successful raid on St. Albans,

Vermont. They robbed its banks, killed one citizen and set fire to several buildings before returning to Canadian soil. To make matters worse, the apprehended raiders were hastily and improperly released by a Montreal magistrate on a writ of habeas corpus. The Canadian Government immediately acted to suspend the magistrate; it managed to have five of the culprits re-arrested and to make good the money stolen. Yet the Government of the United States quickly applied stringent passport regulations along the Canadian border and gave notice of intention to abrogate both the Rush-Bagot Agreement of 1817 and the Reciprocity Treaty of 1854.⁸³

200. This prompted the Canadian Government to take preventative measures against further possible incidents. Stipendiary Magistrates were placed on duty along the American border with a considerable Preventive Police.⁸⁴ On 16 December the Government decided to call out 30 rifle companies of volunteers for frontier service. Each of the designated company commanders was told to select 65 other ranks who should report for duty on the day after Christmas. Western, Centre and Eastern Administrative Battalions were authorized, with headquarters to be located respectively at Windsor, Niagara Falls, and Laprairie. As far as possible, volunteers from Lower Canada were sent to Upper Canada and vice versa, with companies being transported by the railroads to their concentration points. Command of the First (or Western) Administrative Battalion went to Lieutenant-Colonel W. Osborne Smith of the 3rd Battalion. The Victoria Volunteer Rifles of Montreal. The three battalions were placed under the orders of Lieutenant-General Sir William Ferlwick Williams. The volunteers became subject to Queen's Regulations and Orders and all other laws applicable to the British Army but not

inconsistent with the Province's Militia Act (27 Vict. chap. 3). Daily pay ranged from 50 cents for privates to 80 cents for pay sergeants. Both officers and men received a daily subsistence allowance in lieu of rations and quarters.⁸⁵

201. Major-General George Napier of the British Army at Toronto reported on 13 February 1865 that the companies of the First Battalion stationed in pairs at each of Windsor, Sandwich, Sarnia, Amherstburg and Chatham were very "soldierlike" on parade, While Lieutenant-Colonel Smith seemed to be a most zealous and active officer".⁸⁶ General Napier added that the conduct of the men had been very good indeed and they are very cheerful and obedient to their officers". Major-General James Lindsay at Montreal remarked, however, that the Third (or Eastern) Administrative Battalion at Laprairie needed a regular officer to smarten it up generally, and the loan of a quartermaster. Some musketry instruction should be given before the time came for it to be disembodied.⁸⁷

202. Although the Confederate States of America collapsed in April 1865, the Frontier Volunteer Force continued on duty until 3 July. Each member then received a gratuity equal to seven days' pay of rank. Later that month each of the Stipendiary Magistrates was ordered to discharge all but five of his most competent policemen: these were continued as counter-intelligence agents.⁸⁸

Fenian Raids

203. The Grand Army of the Republic was quickly disbanded, except for occupation troops in each of the former Confederate States of America. In consequence, the secret society known as the Fenian Brotherhood began to attract the support of those Irish veterans who had not held steady employment prior to enlistment: these now professed interest in striking a blow against the hated British, who were considered to be oppressing their relatives still living in Ireland. The dissemination of Fenian propaganda was greatly helped by the fact that American politicians had managed to keep alive old grudges by fiery anti-British speeches designed to win votes and distract attention from the squalid conditions in which most of the Irish lived in Boston, New York and other large cities.

204. A warning, from the British Consul at New York caused the Canadian Government to act on 9 November 1865. Nine companies of volunteers were called out for duty at Prescott, Brockville, Niagara, Windsor and Saranac. These companies were mobilized from Quebec, Montreal, Ottawa, Morrisburg, Port Hope, Toronto, Hamilton, Woodstock and London, and placed at the disposal of Lieutenant-General Sir John Michel, who now commanded the British troops in North America. He was also temporarily administering the government of Canada because the Governor General was ill.⁸⁹ This time the pay scale for the volunteers was considerably lower, with private soldiers receiving only 25 cents per day. Thus only about 500 other ranks came forward against a requirement of 685. Some companies resorted to drafting members. An additional company of 100 men was raised at Brockville.⁹⁰ Yet Sir John Michel did not anticipate any Fenian action that he could not easily crush: should something serious develop, he would "at once call out the remainder of the volunteer militia, and

act as respects H.M.'s Troops as circumstances may appear to demand.⁹¹ For several weeks the unmobilized volunteer units at Montreal, Kingston, Toronto and London maintained a nightly guard on their armours. On several occasions the volunteers on duty at Cornwall, Prescott and Brockville turned out and remained under arms all night to repel rumoured attack. Along the land frontier, from St. Régis to Rouse's Point a system of squad alarm posts was established at two mile intervals.⁹²

205. By the beginning of 1866 the Fenian movement in the United States had split, with John O'Mahony preaching action in Ireland and W.R. Roberts advocating, an invasion of Canada. Although it was not then generally realized, the Irish in Canada had no particular grievance against the Canadian Government which had peaceably achieved complete self-government in local matters during, the years following the mass migration from Ireland of the "hungry forties". Moreover the Irish Roman Catholic element in Canada West was not strong enough to risk more than an occasional skirmish with the militant members of the Loyal Orange Order, when parades were held on St. Patrick's Day or the Twelfth of July.

206. Reports reaching the Canadian Government from both its secret service operatives and several British Consuls in the United States, suggesting that a Fenian invasion was being planned for St. Patrick's Day, caused 10,000 volunteers to be ordered for duty on 7 March 1866. By Saturday afternoon, 10 March nearly 14,000 officers and men were on duty at the designated stations: whole companies had turned out, instead of merely the required quotas; other patriotic citizens had just turned

up, including a number who had hurriedly abandoned jobs in the United States and rushed home. The air of excitement and expectancy was heightened by widespread requests for arms and ammunition to equip groups calling themselves "Home Guards". Subscriptions were raised in the principal towns and cities to assist the families of those volunteers whose livelihood as daily wage earners had been temporarily terminated. Nothing having happened by 28 March, however, the number of volunteers on duty was reduced to the authorized 10,000 all ranks. Two days later all but the companies serving at the advanced border posts were relieved from full-time duty and merely requested to continue drilling twice a week.⁹³ That "no check should be given to the Volunteer spirit", the astute members of the Macdonald-Cartier Government agreed on 19 April that all volunteers should receive pay for twice weekly drill.⁹⁴

207. Reports that the Fenians planned a three-pronged invasion of Canada caused 14,000 volunteers to be called for service on 31 May 1866. They began moving to their concentration points within 24 hours.⁹⁵ Members of The Queen's Own Rifles were alerted by buglers marching along the streets of Toronto sounding "assembly" and by N.C.Cs. going from door to door.⁹⁶ For some perverse reason, only artillery and infantry units were mobilized by the Adjutant General of Militia. Admittedly the volunteer troops of cavalry were indifferently trained and inadequately equipped, but they would have been better than nothing in a reconnaissance role, since the British army did not then have even one cavalry regiment in Canada. This lack of cavalry was rectified on 2 June, when the balance of the Canadian volunteers was called out. Once again numbers of Canadians returned from the United

States to offer their services. For example 60 Canadians from Chicago formed a volunteer corps at Toronto. More than 20,000 amateur soldiers were at the disposal of Lieutenant-General Sir John Michel. He had instructed his commissariat to make bulk issues to volunteer units serving in the field with regular troops. There were no arrangements, however, to provide the remainder with blankets, tents or rations and these had to depend upon the local population for their sustenance, which mostly meant doing without. Major George T. Denison, whose cavalry troop then known as the Governor General's Body Guard for Upper Canada was among those belatedly mobilized, later wrote:

...I found a great quantity of commissariat stores going over to Port Colborne. I took a barrel of hard tack from the officer in charge and gave a receipt for it, and distributed one large biscuit to each man, and told him I would expect him to produce his biscuit for inspection that night. Some carried them in their holsters or wallets, some in their rolled great coats, and some wags bored holes in them, hung them around their necks and wore them as medals. But when we bivouacked at dark at Bown's farm that night these biscuits were all the men had, and I believe the other corps did not have anything.

The want of organization or preparation in view of the long threatenings seems almost incredible. I had to take my corps on a campaign without the carbines I had asked for, but with revolvers for which we had only some four or five ten-year-old paper cartridges for each. We did not know whether they would go off or not. We had no haversacks, no water bottles, no

nose bags. Some of us had small tin cups fastened on our saddles. We had no canteens or knives or forks, or cooking utensils of any kind, or valises. We had no clothes except those on our backs (I had an extra flannel shirt and one pair of socks in the small wallets in front of my saddle.) We had no tents and no blankets.⁹⁷

208. The Canadian Government had earlier authorized the chartering of local steamships on the St. Lawrence River and the Great Lakes for conversion into gunboats. These were now armed and manned by personnel of the Royal Navy and volunteer naval companies.

209. Only about 600 of the 1500 Fenians collected at Buffalo seem to have actually crossed the Niagara River from Buffalo on the night of 31 May and to have landed on Canadian soil. They were led by General John O'Neill, who had been an American cavalry officer during the Civil War. No opposition was met as they passed through Fort Erie. After cutting the telegraph line and tearing up part of the Buffalo and Lake Huron Railway's tracks on the following morning, the Fenians moved inland.

210. Major-General Napier, commanding the British troops in the western part of the province from his headquarters at Toronto, was widely considered "quite useless at all times as a commander", so Colonel Wolseley was dispatched from Montreal to advise him.⁹⁸ In the meantime, however, Napier had ordered Lieutenant-Colonel George Peacocke of the 16th Regiment of Foot to take charge of operations in the Niagara Peninsula, and to establish his base at St. Catharines. On Peacock's arrival

there with a battery of Royal Artillery and 400 regulars of the 16th and 47th Regiments, he found seven rifle companies of volunteers. Peacocke quickly pushed on to Clifton with his enlarged force. After ensuring the continued safety of the suspension bridge over the Niagara River, he continued to Chippawa while it was still light on 1 June. By then Lieutenant-Colonel A. Booker, commanding the volunteers of the Hamilton District, had reached Port Colborne by train with his own 13th Battalion. Here he found The Queen's Own Rifles from Toronto and the York and Caledonia rifle companies. The Trinity College Company soon arrived to swell his force to about 850 all ranks.⁹⁹

211. Neither Peacocke nor Booker had cavalry to reconnoitre the enemy's whereabouts, nor had they detailed maps of the area. Apparently peacocke had been given, just as he was leaving Toronto, "a piece cut out of Dewey's post office map of Upper Canada, which showed the Niagara peninsula on a scale of about ten miles to the inch, which showed the post offices and the way in which the mails were sent, but without showing the roads or the natural features of the country at all."¹⁰⁰ Reliable intelligence reached Peacocke that the Fenians were spending the night along Frenchman's Creek - not having travelled nearly as far as they might have; but there was no knowing where they might head next. Thus there was little reality about the forward converging movement that Peacocke planned for his force and Booker's on the following day, which was Saturday, 2 June.

212. During the Saturday morning O'Neill halted his little army near the village of Ridgeway and disposed his men along the high Limestone Ridge, to await the arrival of reinforcements from Buffalo

and possible attack from the troops which the inhabitants told him were being mobilized. Rumour abounded. It was being spread by word of mouth and magnified from the dispatches printed by the daily newspapers. The Toronto newspapers had correspondents with the forces commanded by both Peacocke and Booker, and were also printing stories which newspapermen in Buffalo, filed about Fenian activities.

213. Peacocke spoiled his own timetable by making a late morning start from Chippawa. Then he was led on a circuitous route by local guides, who did not understand what he was trying to achieve. On the other hand, and on time, Booker's force descended from its train at Ridgeway to learn that the Fenians were somewhere in that area. This ran counter to existing intelligence, so he continued with the planned advance, to meet Peacocke. Thus Booker's force was marching along the road in column of route when the Fenians were discovered on the Limestone Ridge. The volunteers quickly formed line and shortly opened fire. All might have been well if a few Fenians on horseback had not appeared on the horizon. This caused The Queen's Own Rifles to form a square "to repel cavalry", and incidentally to present a better target for Fenian riflemen. Reforming line, however, necessitated two companies making a partial retirement. Clumsily performed by amateur soldiers under fire for the first time in their lives, this evolution was misunderstood by the balance of the force which now began a general retreat, leaving behind 10 killed and 38 wounded. The battlefield was left to the Fenians, but these were incapable of staging a pursuit. The Fenians were no longer the disciplined soldiers who had fought in the Grand Army of the Republic and no longer were they interested in running any real risk of getting

killed. Being a realist, O'Neil soon decided to withdraw on Fort Erie.

214. Here the Fenians surprised the Dunnville Naval Brigade and the Welland Canal Field Battery, which had just disembarked from the requisitioned tugboat W.T. Robb, instead of continuing to patrol the Niagara River in order to prevent the crossing of more Fenians from Buffalo. For 15 to 20 minutes the volunteers put up a good fight from behind a natural barricade of cordwood; those sheltered in the postmaster's house resisted a few minutes longer. Six Canadians were wounded and 54 were taken prisoner. The remainder fled, with Lieutenant-Colonel John Stoughton Dennis getting rid of his uniform and taking refuge in a hayloft. The real thing had proved very different from "Saturday Night" soldiering. "Your correspondent not being well up in military tactics beat a graceful retreat along with the flying crowd", read the story printed in The Globe on the following Monday morning. "The bullets went whizzing along and across the road, several very near him, until at last as escape seemed dubious - a house loomed up, into which he went with two wounded soldiers and several civilians"¹⁰¹ Seven Fenians were killed in the fighting and about three times that number were wounded.

215. During the night of 2/3 June the Fenians recrossed the Niagara River, since the leaders in Buffalo were deterred from sending over reinforcements by the presence of U.S.S. Michigan. Rather belatedly the Fenians were taken into custody by the American authorities who paid their railway fares to New York or other Irish-American centres. Thus all was peaceful when Lieutenant-Colonel Peacock's force reached Fort Erie. The Governor-General's Body Guard had caught up with him and

was now providing a cavalry screen.

216. On 7 June about 1000 Fenians crossed from Vermont into Missisquoi County of Lower Canada. They easily dispersed the nearest volunteer companies on frontier duty and occupied Pigeon Hill. Reinforcements failed to arrive and the U.S. authorities seized their stores at St. Albans, so they conveniently retired the short distance to American soil when British regulars arrived from Montreal on 9 June. Only a few shots were exchanged, but 16 Fenians were captured.¹⁰²

217. A third Fenian force concentrated at, Ogdensburg, New York was deterred from crossing the St. Lawrence River by the sizable force gathering about Fort Wellington at Prescott, and by the gunboat patrolling the river. A fourth Fenian gathering at Malone, New York was similarly deterred from attempting to seize the Cornwall and Beauharnois Canals on the St. Lawrence River.¹⁰³

218. On 7 June the number of volunteers authorized for continuing service was reduced to 2500 all ranks. With danger at an end, for the moment anyway, and the approach of a busy summer, the Adjutant General had advised the Canadian Government that he would "have great difficulty in getting even that number who would desire to remain".¹⁰⁴ By this time the actual strength of the volunteers stood at 23,750 all ranks, plus 1860 Grand Trunk Railway employees of the recently formed Railway Corps. On 21 June the Government agreed that the actual strength of the volunteers might be increased to 35,000 all ranks. "Recent experience has shown", this minute of the Executive Council

continued, "the efficiency of the Volunteer Force and that it is obviously better to accept the willing Services of Such men than to resort to the conscription provided by the Militia Act."¹⁰⁵

219. The Governor General's request for the transfer of an additional infantry battalion of British regulars from Halifax was approved, and he was allowed to retain temporarily two battalions due to leave Canada that summer. The Royal Navy sent three small gunboats up the St. Lawrence to augment the ad hoc force policing the Great Lakes. That autumn the 13th Hussars, two infantry regiments of the line and a reinforcement draft of 500 rank and file joined the British Army in Canada.¹⁰⁶ By the end of the year there were 11,741 British other ranks in Canada.¹⁰⁷

220. Reports of renewed Fenian activities along the Niagara frontier had resulted in a Volunteer Camp of Exercise being opened at Thorold on 22 August 1866. Its commandant, Colonel Garnet Wolseley, was given a wing of the 16th Regiment of Foot and a demi-battery of Royal Artillery as a permanent brigade nucleus for the volunteer units which were limited to a single week of camp. Lieutenant-Colonel George T. Denison's troop of the Governor General's Body Guard, however, was continuously employed patrolling the shore line of Lake Erie and the Niagara River from Port Colborne to Chippawa. In practice, of course, there were only five days for instruction in each of the seven weekly periods of camp, during which 472 officers and 6157 other ranks received training.¹⁰⁸

Colonel Wolseley subsequently reported that the efficiency of the volunteer battalions varied in direct

proportion to the number of retired British officers and graduates of the Military Schools present in camp. He "found that the Volunteers were soon knocked up from sore feet, owing to the Wellington boots, with small high heels, being in common use amongst them."¹⁰⁹ Range practice disclosed that a "large proportion of the arms would not go off, for although clean outside, the nipples of many were clogged with dirt." The Adjutant General of Militia's Annual Report explained that the volunteers "take a pride in turning out on parade smart and clean and soldierlike so far as regards the outward appearance; but it is too often the case., that their rifles are so foul that they cannot be fired. Yet it is upon the serviceable condition of his weapon at any moment that the value of a volunteer depends. Unless it is kept constantly in a state for immediate use the volunteer is only a sham soldier, and his external trappings are but a useless expense to his country."¹¹⁰

221. The Governor General's suggestion that a similar camp should be held in Lower Canada for rural units was accepted by his Ministers¹¹¹ and plans were completed early in October for a concentration at St. Johns. The actual assembly of units, however, was postponed from week to week by continued inclement weather until the approach of winter made cancellation necessary.¹¹²

222. During the autumn arrangements were completed to facilitate the co-operation of British and volunteer units in case there should be another emergency. Three mixed brigades were organized on paper in Upper Canada and four in Lower Canada for employment in a mobile role. Each consisted of an infantry battalion of regulars, three battalions of volunteers, a field artillery battery of regulars or

volunteers and a cavalry troop of volunteers. The commander and his key staff officers were to be British regulars. The remaining volunteer units were organized into static brigades on a District basis for garrison duty along the frontier and the principal railways and canals.¹¹³

223. During 1867 the Volunteer Force of Canada increased to a maximum of 569 troops, batteries or companies, with a strength of 33,754 all ranks. By now, however, most of the rural rifle companies had been Grouped into battalions, on a county basis where possible. The issue of breech-loading Snider rifles to infantry units was complete. Cavalry were armed with Spencer repeating carbines and were at long last adequately supplied with military saddlery. All field artillery batteries now had three muzzle-loading rifled 9-pr. guns and one 24-pr. howitzer. Reserve stocks of clothing and general stores were available in each Military District.¹¹⁴

224. The Schools of Military Instruction conducted by British Army units issued 136 First Class and 807 Second Class Certificates during 1867. Military schools at Hamilton and London had been closed because of the withdrawal of their British garrisons but the Schools at Quebec, Montreal, Kingston and Toronto continued with enthusiastic support from the candidates. Temporary Schools of Gunnery were formed by the Royal Artillery at Montreal and Toronto, and a School of Cavalry was opened by the 13th Hussars at Toronto.¹¹⁵

225. The Adjutant, General of Militia described in his Annual Report for 1866 how the Fenian Raids

had subjected the Volunteer system to a severe test:

...continuous service of a Volunteer Militia for any length of time is not applicable to a country like Canada, where there are no idlers in the community, and where all are in receipt of daily wages. The whole force which has been retained on active service during the busiest season of the year, both commercially and agriculturally, has served at great individual inconvenience. Many men have sacrificed wages more than twice the amount of pay received from Government, rather than seek to withdraw from their duty.¹¹⁶

Since every citizen should make some sacrifice towards the common defence, Colonel MacDougall now urged that every man not belonging to the volunteers should pay a tax commensurate with his personal property.¹¹⁷ However, the explanation given in the Annual Report for 1867 for there being only three rifle companies in the 4th Brigade Division, which embraced the six counties of Terrebonne, Montcalm, Joliette, Berthier, Maskinonge and St. Maurice of Canada East (two at Trois-Rivières and one at Ste. Thérèse), was that "the French Canadians, although most loyal and willing to defend their country as any other British subject, have no inclination for voluntary service: they appear to hold to the French system, which, when the Government thinks it necessary, orders the service of a part of the male population, calling on the whole for an equal share of risks and actual service: they seem to think that when the country requires them, it will not call for volunteers, but will order a certain proportion of men for service, and were a compulsory military service introduced, I believe they would cheerfully

perform their duties".¹¹⁸ Colonel MacDougall also explained that volunteer battalions could not continue to be efficient without a full-time adjutant and sergeant-major, who should be well enough paid to attract "young men of intelligence and social position."¹¹⁹ Finally, he emphasized the fact noticeable with any volunteer movement: "a great reaction almost invariably follows periods of intense excitement, and those who come forward in throngs at the first call, and submit themselves cheerfully and readily to the wholesome restraints of military discipline and the regular routine of a soldier's life, on their return to their homes on disbandment, become singularly inactive, and do not probably for months resume the regular routine of parades, drills &c., to which they had accustomed themselves previously."¹²⁰

Conclusion

226. The importance of defence in the negotiations leading to the creation of the Dominion of Canada in 1867 has been discussed almost, ad nauseum by recent historians. The British North America Act of 29 March 1867 declared that the Parliament of Canada should have exclusive legislative authority for the Militia, Military and Naval Service, and Defence." This was a British statute which became effective on 1 July 1867, but the militia legislation subsequently debated by the first Canadian Parliament did not receive the Governor General's assent until 22 May 1868. Practical reasons determined that many sections of this Militia Act should have wording identical to that of the earlier legislation for the Province of Canada. Sir John A. Macdonald's senior French-speaking colleague, Sir George E. Cartier, became Minister of Militia and Defence.

227. This Report was drafted by Dr. J. Mackay Hitsman.

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