



## GASPÉ OF YESTERDAY

### THE SHOOLBRED SEIGNIORY \*\*\*\*\*

# 15

GRANTED IN FIEF AND SEIGNIORY, ACCORDING TO THE CUSTOM OF PARIS PREVAILING IN QUEBEC PRIOR TO THE BRITISH CONQUEST, LETTERS PATENT OF JULY, 1788, ISSUED BY LORD DORCHESTER, ESTABLISHED JOHN SHOOLBRED AS SEIGNIOR OF SHOOLBRED.

"GASPÉ OF YESTERDAY" RECALLS HIGHLIGHTS OF THE SUBSEQUENT STORY OF THIS INTERESTING PROPERTY AT THE WESTERN LIMITS OF BAY CHALEUR AND IN PARTICULAR THE ASSOCIATION OF THE STEWART FAMILY WITH THE SHOOLBRED SEIGNIORY.

KEN ANNETT

## THE SHOOLBRED SEIGNIORY

On July 24th., 1788, LETTERS PATENT were issued at Quebec over the signature of the Governor-in-Chief, Lord Dorehester, granting lands in Bay Chaleur to John Shoolbred of Mark Lane, London, England, in Fief and Seigniorship. The Preamble of these LETTERS PATENT read:-

"George III, by the Grace of God of Great Britain, France and Ireland, King, Defender of the Faith, etc. etc.

To all to whom these presents shall come, or may concern, Greetings :-

Whereas we did lately give order for the granting divers parcels of land, benefits and advantages within our Province of Quebec to John Shoolbred of London, Merchant, as by the said order, bearing date of the 29th., June in the 26th. Year of our Reign, on the record thereof reference thereunto being had may more fully appear; and whereas in pursuance of the application made to our Governor and Council of our said Province such proceedings have been had towards carrying our said order into execution, that on the Report of our Surveyor or Deputy Surveyor General approved by our said Governor and Council of the said Province, there has been set off for the said John Shoolbred the following tracts and parcels of land in the Bay of Chaleur..."

The "tracts and parcels of land" thus granted to John Shoolbred have been referred to in some detail in a previous article of the GASPE OF YESTERDAY series. In brief, they included:-

- . A fishing station at the mouth of the Bonaventure River.
- . Another fishing "room" on the North Beach at Percé.
- . Extensive lands at the Head of Bay Chaleur, extending along the shoreline of the Bay and Restigouche estuary from the Basin of the Nouvelle River to Battery Point and reaching inland to the

mountains.

As it is with the last of these three tracts, comprising many thousands of acres, that the name of Shoolbred remains associated, this account will concentrate on its story.

JOHN SHOOLBRED

It should be recalled that John Shoolbred, a contemporary of such Bay Chaleur merchant traders as Charles Robin of Jersey, was active in trade of fish and furs in the Restigouche region in the decade following the British Conquest of 1760. He suffered heavy losses from the American privateers that were the scourge of Bay Chaleur during the War of the American Revolution. Naturally he petitioned for compensation and the grant of lands to him in 1788 was the Government's award in consideration of his financial losses.

The grant of lands to John Shoolbred, "in Fief and Seigniory", according to the Custom of Paris practiced antecedent to the Conquest throughout the French Regime, was unusual and one of very few such awards under the British Regime. Shoolbred was charged by Lord Dorchester - "to bear Faith and Homage at Our Castle of St. Lewis in Our City of Quebec and to hold to the accustomed duties and dues according to the Custom of Paris" The LETTERS PATENT concluded:-

"...We do give, grant and confirm, unto the said John Shoolbred, his heirs and assigns, for ever, all and every the lands, tenements and hereditaments herein before particularly described, together with the rights and privileges of fishing and hunting".

As Seignior, John Shoolbred had the right to collect rent from any settlers upon his lands. The persistence of this right was upheld in Court of Law at New Carlisle as late as 1920 in a landmark case involving a Shoolbred descendant.

John Shoolbred died in 1801 and by his Will, dated May 27th of that year, bequeathed his Seigniory to his son, James, a merchant of Charlestown, South Carolina. In 1803, James Shoolbred gave Power of Attorney to William Smith and William Roxburg for the administration of the Bay Chaleur Seigniory. Six years later, in November,

1809, the Shoolbred Seigniory was purchased by Matthew Stewart. The purchase was negotiated by Thomas White, representing Matthew Stewart and Smith and Roxburg as agents of James Shoolbred. The Deed of Sale was drawn up by Notary Charles Voyer of Quebec and bears the date of November 19th., 1809. With this purchase Matthew Stewart became the new Seigneur of Shoolbred and in the RECORD OF ACTS OF FAITH AND HOMAGE his status is confirmed by the following entry:-

" Act of Faith and Homage of Thomas White, Merchant of Quebec, in name of and as lawyer for Matthew Stewart for the Fief and Seigniory of Shoolbred, situated in Bay Chaleur".

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#### MATTHEW STEWART AND THE STEWART FAMILY

A native of the Island of St. John (now Prince Edward Island) Matthew Stewart was a son of the large family of Robert and Annabella Stewart. His father, Robert, a native of Scotland, had emigrated to St. John's Island in 1770 and married Annabella Stewart, sister of Peter Stewart, Chief Justice of the Island. The family of Robert and Annabella included four sons - Charles, Dugald, Matthew and James and daughters - Janet, Annabella, Mary. The name of a fourth daughter has not, as yet, been determined.

Matthew Stewart had business and trading interests in Bay Chaleur long before his purchase of the Shoolbred Seigniory for as early as 1788 he was appointed a Justice of the Peace for Gaspé - an appointment that was renewed in 1781 and subsequently. Matthew married Sophia Prust, a native of England. Their children were sons - Stephen Prust; Robert; Charles Dugald; Edmund James - and daughters - Elizabeth Louisa; Annabella; Mary Sophia.

Stewart family records show that Matthew Stewart's brother, James was associated with him in his Gaspesian business affairs; that after the death of the father, Robert, the widow Annabella Stewart lived with the family of her son, Matthew in the Manor House of the Shoolbred Seigniory.

Mary Stewart was also a permanent member of the Gaspesian household; that his sister Annabella became a Gaspesian through her marriage with Oliver O'Hara, son of Felix O'Hara of Gaspé; that while not as yet documented it is presumed that the Miss Stewart that married Mr. Stuart of Gaspé Basin was the sister of Matthew Stewart. The widow Annabella Stewart died in January, 1818, aged 85 years and was buried near Stewart's Brook, near the shore of Bay Chaleur, where her tombstone still stands. She had survived her husband, Robert, by 31 years.

#### VISIT OF ARCHDEACON G.J.MOUNTAIN

It was six years after the death of the widow Annabella Stewart that Archdeacon G.J.Mountain, on a visit to the Gaspé Mission, was the guest of Matthew and Sophia Stewart at the Manor House of the Shoolbred Seigniory in 1824. In his "JOURNAL", Archdeacon Mountain referred to his host, Matthew Stewart, as "a most indulgent and fatherly Seigneur - for this particular place is a Seigneurie". Of his hostess, Sophia Prust Stewart, he wrote that she was - "a good, kind, religious woman". The "JOURNAL" makes mention of the Stewart children - "who have all been born and brought up upon the spot". Reference was made to a maiden aunt as a member of the household - (Mary Stewart, sister of Matthew). In describing the location of the Stewart home, Archdeacon Mountain noted that it was about a league by sea to the East of Point Maguasha. Always a keen observer of the human condition, Archdeacon Mountain commented that - "Mr. Stewart appears to be prematurely infirm from having gone thro' some hardship and much change of climate and in some degree impaired in memory.." The observation was prophetic, for only three years later, in 1827, Matthew Stewart died.

#### THE SEIGNIORY DIVIDED

The Will of the late Matthew Stewart, probated in 1832, gave a portion of the Shoolbred Seigniory to his widow, Sophia Prust Stewart and the balance to his sister, Mary, and to his children in equal shares. It was essential that the heirs reach definite agreement on the actual division of the extensive lands - this was worked out within the family and recorded in a Deed of Partition

made before J.G.LeBel, Notary Public of New Carlisle. The case of daughter Annabella as one of the heirs finds echo in the following extract from the RECORDS OF FAITH AND HOMAGE for April, 1836:-

"Act of Faith and Homage of Dr.George Mellis Douglas of Quebec, acting in the place and on behalf of Felix Stewart of Gaspé, of Annabella O'Hara and Martha Sophia O'Hara of major age, children of the marriage of Annabella Stewart with the late Oliver O'Hara and heirs of the late Felix O'Hara, their brother, also one of the children of the marriage of Jane Baird O'Hara, wife of John Douglas McConnell only residuary legatee of the late Felix O'Hara".

The above Act of Faith and Homage, made for the Seigniory of Grand Pabos is included here as illustration of the interwoven threads of early Gaspesian family history. The widow Annabella Stewart O'Hara died at New Carlisle in 1847 at the home of her daughter, Martha Sophia, wife of John Wilkie, Prothonotary of The District Of Gaspé. A week after the burial of Annabella Stewart O'Hara, a daughter of John and Martha Sophia O'Hara Wilkie was baptized and given the name, Annabella O'Hara Wilkie.

In 1848, Mary Stewart, sister of the late Matthew, died, and by her Will bequeathed to her brother's children, Mary Sophia; Stephen Prust; Charles Dugald and Edmund James, share and share alike, her property and rights in the Seigniory. Five years later the Widow Sophia Prust Stewart died in 1853 and by her Will devised her share of the Shoolbred Seigniory to her son, Edmund James and daughter, Mary Sophia.

#### THE SEIGNIORIAL REFORM ACT - 1854

The seigniorial system that had played an important role in the settlement and social evolution of New France, had outlived its usefulness by the 19th century and posed serious problems of land tenure. Faced with demands for change, the Legislature of Quebec passed The Seigniorial Reform Act of 1854. Commissioners were appointed to make a full and complete inventory of each and every

Seigniory of the Province - a lengthy and monumental task involving the recording of the tenants on each Seigniory, the amount of land each held, the rent paid, etc. In the case of the Shoolbred Seigniory, the record of its nine divisions with the names of the inhabitants living in each of them is such a unique and precious portrait of that part of Gaspesia in the year 1858 that it is shown as follows:

DIVISION I

Seigniors and Proprietors - Edmund James Stewart  
 - Charles Dugald Stewart  
 - Mary Sophia Stewart

- |                         |                                 |
|-------------------------|---------------------------------|
| 1. Veuve Jos. Arceneau  | 26. Theodore Dagneau            |
| 2. Edouard Arceneau     | 27. Aimé Bernard                |
| 3. Augustin Nadeau      | 28. Felix Savoie                |
| 4. Edouard Arceneau     | 29. Joseph Rousseau             |
| 5. Fabien Bujold        | 30. Aimé Bernard                |
| 6. Fidele Bujold        | 31. Theodore Dagneau            |
| 7. Fabien Bujold        | 32. Pierre Savoie               |
| 8. Frederick Le Blanc   | 33. " "                         |
| 9. Joseph Le Blanc      | 34. Patrick Green               |
| 10. Jean-Louis Le Blanc | 35. " "                         |
| 11. Michel Gauthier     | 36. Pierre Savoie               |
| 12. Jean-Bpte Labreque  | 37. Louis Dagneau               |
| 13. Martin Dugas        | 38. M.Gagné, Wife of J.P. Quinn |
| 14. Gilbert Alain       | 39. Hypolite Philippe, Jr.      |
| 15. Lazare Savoie       | 40. Hypolite Philippe, Sr.      |
| 16. Bernard LeBlanc     | 41. Arthur Ritchie              |
| 17. Joseph Savoie       | 42. Clement Arceneau            |
| 18. Fidele Savoie       | 43. Nicholas Bernard            |
| 19. Louis Savoie        | 44. James Dalton                |
| 20. Felix Savoie        | 45. Joseph Barthelotte          |
| 21. Theodore Dagneau    | 46. Nicholas Damboise           |
| 22. James Quinn         | 47. Julien Dagneau              |
| 23. Joseph Savoie       | 48. Widow Joseph Roy            |
| 24. Urbain Quessy       | 49. Joseph Cyr                  |
| 25. Felix Savoie        | 50. Francois X. Cyr             |

- |   |  |
|---|--|
| 51. Joseph Quessy                       | 85. André Landry                                   |
| 52. Abraham Quessy                      | 86. Pierre LaPointe                                |
| 53. Felix Dugas                         | 87. Frédérick Arceneau                             |
| 54. Nicholas Dugas                      | 88. Widow Francois Laviolette                      |
| 55. Joseph Gauthier                     | 89. Widow Louis Laviolette                         |
| 56. Hypolite LeClerc                    | 90. Joseph Levesque                                |
| 57. Joseph Cyr                          | 91. Augustin Landry                                |
| 58. Jean Landry                         | 92. John Cassey                                    |
| 59. Heirs Jean Doré                     | 93. Michel Lavoie                                  |
| 60. Pierre Day                          | 94. Rémond Laviolette                              |
| 61. Frederick Arceneau                  | 95. Narcisse LeBlanc                               |
| 62. Antoine Maltais                     | 96. Jean-Bpte N.Francoeur                          |
| 63. Louis Bérubé                        | 97. Ls. and Theo Dagneau                           |
| 64. Jean Gauvreau                       | 98. Jean-Bpte Ferland                              |
| 65. Remond LeBlanc                      | 99. Jean-Bpte Eskiambre                            |
| 66. Frederick Landry                    | 100. Chas. Eskiambre                               |
| 67. Widow Chs. Contange                 | 101. Joseph Gauthier                               |
| 68. Germain Lavoie                      | 102. L.and C. Francoeur                            |
| 69. Hypolite Lavoie                     | 103. Frs. X. Jolicoeur                             |
| 70. Fred. Arceneau                      | 104. Eloi LeBlanc                                  |
| 71. John Johnston                       | 105. Narcisse LeBlanc                              |
| 72. Hypolite Landry                     | 106. Mchl.Gauthier and M.Dugas                     |
| 73. Felix and Pierre Savoie             | <u>MIGOUACHA</u>                                   |
| 74. Michel Gauthier and<br>M.Dugas      | 107. Chas.Marie Labellois                          |
| 75. Hypolite Allard and<br>Fdk. LeBlanc | 108. Jean Cyr                                      |
| 76. Widow Luke Johnston                 | 109. Jacques Auffray                               |
| 77. Benjamin Angleheart                 | 110. Hypolite Quessy                               |
| 78. Joseph Quessy, Jr.                  | 111. Thomas Peter Bridget and<br>Catherine Elworth |
| 79. Hypolite Durette                    | 112. John U.Campbell                               |
| 80. Joseph Durette                      | 113. Ves.Ed.Power and Louis<br>Laviolette          |
| 81. Théophile Durette                   | 114. John Power                                    |
| 82. Michel Matte                        | 115. John U.Campbell                               |
| 83. Gilbert Allain                      | 116. Thomas Harrigan                               |
| 84. Aimé Allain                         | 117. Archibald McEwen                              |



8.

DIVISION II

Seignior and Proprietor - Dame Annabella Stewart, wife of  
John U. Campbell  
(Shown in record as Isabella Stewart)

1. Arthur Ritchie and Co.
  2. Jacques Labreque
  3. Thomas LeClerc
  4. Peter Johnston
  5. John U. Campbell
  6. Archibald Kerr, Sr.
  7. Alex. Campbell
  8. John U. Campbell
  9. Michael Connors
  10. John Walsh
  11. George Kerr
  12. Robert Woods
  13. James McGuire
  14. John Montgomery and Widow Jas. Butler.
- TOTAL OF RENTS..... £ 49/9/8

DIVISION III

Seignior and Proprietor - Edmund James Stewart

- |                               |                        |
|-------------------------------|------------------------|
| 1. Edouard Plourde            | 9. Jean Plourde        |
| 2. John Montgomery            | 10. Joseph Paquet      |
| 3. Edward (Edmund) J. Stewart | 11. Napoleon Bernard   |
| 4. John Wafer                 | 12. Sebastien Douceyte |
| 5. Hilaire and Chas Plourde   | 13. Edouard Paquet     |
| 6. Michael Naughton           | 14. Hilaire Plourde    |
| 7. Widow Joseph Dugas         | 15. Isaac Pentland     |
| 8. Pierre Plourde             | 16. John Muir          |

TOTAL OF RENTS..... £ 49/4/0

DIVISION IV

Seigniors and Proprietors - Stephen Prust Stewart  
 - Charles Dugald Stewart  
 - Edmund James Stewart  
 - Mary Sophia Stewart  
 Heirs of the late Mary Stewart, their Aunt.

- |  |                            |
|--|----------------------------|
| 1. John Muir                                   | 8. William Henry           |
| 2. John Bayly                                  | 9. Daniel Dunn             |
| 3. Estate Alex.M.Loone<br>and Robert Woods,Jr. | 10. Heirs Donald Fullerton |
| 4. William Gray                                | 11. Daniel Edwards         |
| 5. Jas. Dickey (mason)                         | 12. Dugald Stewart         |
| 6. Isaie LeBlanc                               | 13. Jas. Dickey,Jr.        |
| 7. Jas. Crawford                               | TOTAL RENTS.....£ 31/8/10  |

DIVISION V

Seignior and Proprietor - Mary Sophia Stewart as Heiress of her Mother.

- |                   |                                       |
|-------------------|---------------------------------------|
| 1. Thomas Peck    | 7. Daniel Forbes                      |
| 2. Jas.Dickey,Sr. | 8. School Lot- Common                 |
| 3. Benjamin Kean  | 9. James Anderson                     |
| 4. Geo. McKenzie  | 10. Dugald Stewart and James Laughton |
| 5. Hugh McCready  | 11. Allan Fraser                      |
| 6. James Peck     | TOTAL RENTS.....£ 23/1/0              |

DIVISION VI

Seigniors and Proprietors by  
 USUFRUCT - the children born  
 of their marriage to be the  
 Seigniors

- |                      |  |
|----------------------|--|
| 1. Peter Stewart,Jr. | - Charles Brown and Suzanna Grant<br>Succession of Robert Stewart. |
| 2. George Browne     | 4. William Winser  |
| 3. John Dickey       | 5. William Dickey  |
|                      | TOTAL RENTS..... £ 12/8/0  |

DIVISION VII

Seignior and Proprietor - Mary Sophia Stewart as legatrice of her father, the late Matthew Stewart.

It was noted that Arthur Ritchie, Esq., also claims this same Division as having acquired it from the Sheriff of the District of Gaspé in the case of Arthur Ritchie and Company vs Stephen Prust Stewart, Esq.

- |                  |                              |
|------------------|------------------------------|
| 1. John Esson    | 6. Samuel Allison            |
| 2. Hugh McDonald | 7. Heirs of Magnes Firth     |
| 3. Mungoe Murray | 8. Christopher Mullen        |
| 4. John Campbell | 9. John U. Campbell          |
| 5. Henry Harper  | TOTAL OF RENTS..... £ 25/1/0 |

DIVISION VIII

Seignior and Proprietor - Arthur Ritchie as legatee of Stephen Prust Stewart.

- |                     |                              |
|---------------------|------------------------------|
| 1. Vacant           | 4. Duncan Carmichael         |
| 2. Thomas Henderson | 5. Vacant                    |
| 3. Vacant           | 6. James Murchy              |
|                     | TOTAL OF RENTS..... £ 7/13/0 |

DIVISION IX

Seignior and Proprietor - Hon. William Hamilton as legatee of Dame Elizabeth Stewart, wife of William Donaldson, Esq.

- |                      |                             |
|----------------------|-----------------------------|
| 1. Vacant            | 6. Alex. Chamberlain        |
| 2. John McKillop     | 7. Vacant                   |
| 3. Vacant            | 8. Samuel Young             |
| 4. Alex. Chamberlain | 9. Thomas Young             |
| 5. John G. Fare      | 10. James Harper            |
|                      | TOTAL OF RENTS..... £ 2/5/0 |

NOTES OF THE COMMISSIONERS ON THE SHOOLBRED INVENTORY

1. No Seigniorial Mill existed on the seigniority.
2. No official survey had been made nor had "papier terrier" ever been issued.
3. Some 20 to 25 unofficial concessions had been made to settlers, " sous seigns privés".
4. Land rent had been 16-20 "chelins" per arpent (frontage) with 40 arpents depth.
5. The dues known as "Lods et Ventés" hsd been 2 farthings per arpent superficially.
6. As of 1858 the going price of land in adjacent areas of the County of Bonaventure was 1 "chelin" per acre.

MARITAL STATUS OF THE FAMILY OF MATTHEW AND SOPHIA STEWART

In tracing the devolution of the Shoolbred Seigniority it is helpful to have in mind the marital status of the sons and daughters of Matthew and Sophia Stewart.

Stephen Prust Stewart did not marry.

Mary Sophia Stewart did not marry,

Annabella Stewart married John Urqhart Campbell. 5 sons. 5 dtrs.

Elizabeth Louisa Stewart married William Donaldson.

Charles Dugald Stewart married Marie Louise Caissie.

Edmund James Stewart married his cousin, Elizabeth Stewart.

The marital status of Robert Stewart is as yet unknown.

REGARDING THE LANDS OF EDMUND JAMES STEWART

In 1862, Mary Sophia Stewart purchased the rights and land of her brother, Edmund James. Later that year she deeded the property thus acquired to the daughters of Edmund James - Jane Millicent, Annabel and Elizabeth Sophia Stewart. Jane Millicent died in 1894 and Annabel in 1917 - each willed their share of the property to the surviving sister, Elizabeth Sophia.

AN ECHO OF THE OLD SEIGNIORIAL SYSTEM

Under the provisions of the Seigniorial Reform Act those who had settled the Shoolbred Seigniority acquired, in time, full and legal title to their lands. However, not all did so, and as late as 1920 Messrs. Gauvreau of Nouvelle challenged the right of

Matthew Bruce Stewart, a descendant of Matthew Stewart, to collect seigniorial rent and dues on lands they were occupying. In a landmark case heard before Magistrate's Court, New Carlisle, the legal history of the Shoolbred Seigniority was examined from the time of the Letters Patent issued in 1788 to John Shoolbred by Lord Dorchester. The Court held that Matthew Bruce Stewart had right to rent for the lands occupied by the Messrs. Gauvreau and ordered them to pay the specified rent for the five year period in question.

#### IN PERSPECTIVE

In the span of time of human presence in the lands of Western Bay Chaleur and the Restigouche, the period related to these highlights of the Shoolbred Seigniority are, in the words of the Psalmist, "but a moment spent". For long before recorded history the Indians had ranged these lands to fish, hunt and trap. Later in time to its shores came Acadian refugees - sturdy pioneers seeking land to till and freedom to live and worship in their own traditions. Past Point Miguasha had sailed the armed schooners of rough and ready privateers - both French and American and along these shores was heard the thunder of naval guns as warships of the French and British navies fought for national and colonial supremacy. To its shores came English and Scotch merchant traders eager to exploit the rich resources of fish, fur and timber and also a new class of refugees, the United Empire Loyalists. Settlement took root and spread. The communities of today emerged. These many and varied strands were interwoven to create the human microcosm that helped to make Gaspesia unique and to give it just pride in its heritage.

