

Austin families

Nicholas Austin I 1736-1821 (deceased at 85 years)
Married to Phebe Chesley 1746-1841

Sally	married to Captain Noble
Anna	married to Jonathan Weare
Betsey	married to Mark Spinney (1774-?)
Hannah	married to Joseph Buzzel
Moses (1780?-1852)	married to Temperance Glidden
Nicholas (1782-1867)	married to Lovina Harvey
John (1789-1861)	married to Anna Powell, Polly Wadleigh; Abigail Davis

Nicholas Autin III (son) 1782-1867 (deceased at 85 years)
Married to Lovina Harvey 1793-1851

Abigail	1819-1827
Sophronia	1821-1904
Clarissa Jane	1823-1884
Lovina	1826- ?
Sabrina Ann	1828- ?
Anna	1832- ?
Emily Adaline	1834- ?
William Harvey	1837- ?

Nicholas Austin II (nephew) 1768-1853 (deceased at 85 years)
Married to Mary Winslow 1778-1858

Sarah	1797-1874
James	1798-1884
Lydia	1800-1823
Benjamin	1802-1893
Rebecca	1804-1823
Amos	1807-1865
Jane	1812-1867
Anna	1813-1859
Mary Ann	1814-1850
Cynthia	1817-1887
Annis	1819-1899

Main sources

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Appendix

List of the Leader and those of his Associates
(Quakers and Protestants) who have appeared
before the Land Committee and Subscribed
the Declaration for the Township of Bolton
Missisqui Bay 11th day of April 1796. (Shufelt,
1971)

1 - Nicholas Austin, Leader	28 - Wihelmus Strailing
2 - Silas Peaslee	29 - Ezra Freeman
3 - Mark Randall	30 - Henry Groat
4 - Joel Fraser	31 - John Brill
5 - Jacob Place	32 - Caleb Groat
6 - Joshua Peevy	33 - David Groat
7 - Peter Dils	34 - Joseph Brill
8 - Simon Dm Wadleigh	35 - John Groat
9 - Alexander Thomson	36 - William Groat
10 - Charles Laflin	37 - Jonas Hunt
11 - James Taylor	38 - George Heiner
12 - Jeremiah Page	39 - David Brill Junior
13 - Joseph Buzzel	40 - Benjamin Brill
14 - Jeremiah Page Junior	41 - William Brill
15 - John Eastman	42 - Peter Yates
16 - Joseph Chandler	43 - Robert Manson
17 - Samuel Page	44 - William Manson
18 - Jonathan Folsom Kelly	45 - William Manson junior
19 - Jonathan Griffith	46 - Henry Burghart
20 - Andrew Clow	47 - Ernest Keisman
21 - John Moore	48 - Peter Rosenbergh
22 - Samuel Austin	49 - Bemsly Lord
23 - Nicholas Austin Junior	50 - Richard Adams
24 - Wilder Page	51 - Benjamin Page
25 - David Davies	52 - Peter Weare
26 - Jacob Rosenbergh	53 - David Brill
27 - Christopher Katsback	54 - Thomas Shepherd Junior

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Thanks to the Ball Duckworth family for their family
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The settlement of the Eastern Townships

Nicholas Austin and the Leader and Associate System

Adaptation of a presentation by
Dr. Jim Manson, Champlain College of Vermont.
Austin, October 1st 2011



Introduction

Nicholas Austin, a Quaker from New Hampshire, seemed an unlikely candidate for aristocracy in the 1790s wilderness of what came to be called the Eastern Townships. Yet the scheme under which he settled Bolton township was formulated by the British government precisely to create a new social order, including a landed aristocracy, that would counteract the rising power of the English-speaking merchant class along the border between the United States and Quebec. Known as the Leader and Associate system, the scheme was conceived by the British government to ensure that large landowners would hold control of the Legislative and Executive Councils.

Impact of the American Revolution

The American Revolution, which pitted colonial Americans against the British Crown had a devastating effect on life in the colonies. Not all colonials were wholeheartedly in favour of the Revolution, and many people had to choose which side to fight on, which in effect divided families and friends. Those who stayed loyal to the British Crown, the Loyalists, were seen as traitors and sometimes were persecuted and their properties were seized. When the Patriots won, these Loyalists found themselves looking for new land on which to settle and they looked to the British Crown to reward them for hardship they had endured during the Revolution.

After General Burgoyne was defeated at Saratoga, many Loyalist moved north into Canada, which was under British rule. Some moved to the rich fertile farmland around Missisquoi Bay, at the end of Lake Champlain. They were promised land in the St. Armand Seigneurie, of which two thirds lay, unbeknownst to them, in what was to become the United States of America when the border issue came to be settled. As there were no natural physical features such as rivers or mountain ranges to delineate the border, rumor had it that the border between the new United States and the British territory was to be the 45th parallel. However no one knew where the 45th parallel ran! This was to cause many problems for the new settlers.

Unfortunately, the Loyalists did not receive the support they expected from the British government. Governor Haldimand, in Quebec, did not want the border area to be settled by former Americans. He had conceived a plan for the area to be occupied by French settlers who had no ties across the border which would reduce the smuggling along the new border between the Loyalists and their former compatriots. He was also concerned that there would also be conflicts between them. Thus the Loyalists were barred from putting down roots in this area, a terrible blow to them as many had started to clear land and build farms. And so, in 1784, the British forcibly moved many of these Loyalist families to Cataraqui (Kingston) and the Gaspé peninsula. Nonetheless some 75 people defiantly refused to leave, even though their provisions were cut off.

After Governor Haldimand was recalled to England in 1785, British policy shifted with regard to the opening of the Eastern Townships, and the Missisquoi Loyalist settlers successfully petitioned his successor for the return of their provisions. They were, however, unsuccessful in their petition to grant them the entire area between the St. Armand Seigneurie and Lake Memphremagog. Two individuals stand out at this time as important political figures: Guy Carlton, who was responsible for the political reforms instituted in the Constitutional Act of 1791, and William Smith, who introduced the Leader and Associate System under which the Eastern Townships came to be settled.

The Leader and Associate System

To understand the Leader and Associate System, it is important to consider British constitutional theory of the 18th century, which was based on the idea that every one had a place in the political system, which made for a stable society. The colonies were to be organized in a similar fashion as in England, with the Governor being the King's representative and membership on the Legislative and Executive Councils was restricted to the aristocracy.

Fearing that the rising strength of the merchant class would upset the balance of power between the Governor and the legislative bodies, as it had in the American colonies, the British supported the idea of establishing a hereditary aristocracy in Canada. This was to be achieved through the Leader and Associate system, whereby a propertied and privileged elite would be granted very large holdings of land. The Leader would not be required to purchase the land but he would be expected to bear the expenses related to the registration of deeds, surveying and agents' fees, laying roads etc. Each Associate who came with the leader would be granted 1,200 acres of which 1,000 acres had to be handed over to the Leader, creating a propertied elite. William Smith, Lower Canada's Chief Magistrate, was convinced that there were thousands of settlers waiting to pour into Canada from the United States, and this system would "generate the surplus necessary to create an aristocracy". The Proclamation of Government of Lower Canada in 1792, officially opened the Eastern Townships for settlement. Petitioners had to prove that they



Detail of Lower Canada map by Samuel Gale, 1795, in R. Litalien, J.F. Palomino & D. Vaugeois, La mesure d'un continent. 2007

were willing and able to clear and cultivate the lands they had applied for and begin settlement within a year; as well, they had to swear an Oath of Allegiance to the Crown. There were plans to bestow on the Leaders titles such as “Lieutenant Colonel” or “Justice of the Peace” and so forth.

The problem was that there were very few British aristocrats willing to move to the frontier of Canada at this time, (those who did, came after the war of 1812 or Napoleonic Wars). So the initial settlers under the Leader and Associate system were American colonials from New England who saw a way to better themselves and their families. As it took some time for the government to set up a proper land registry system, many settlers found themselves in a difficult situation trying to get their land registered properly. When they made their way to the only land registry office in the area of Mississquoi Bay, to swear an oath

During the American Revolution, Nicholas Austin made a few of exploratory trips to the Eastern Townships. In 1789 he applied for a Township grant in Vale Perkins part of the Lake Memphremagog area. He started clearing 60 acres of land there on the southwest shore of the lake and began building a road from Potton to Bolton. However, the Land Committee ignored his petition and offered him land in Stanbridge, which he refused as too marshy. His request for land in Potton or Sutton was also denied. Instead, he was offered Bolton Township where he eventually settled on the shore of Lake Memphremagog in 1792.

In 1793, he sold his property in Middleton, New Hampshire, for 660 £, an important amount for the time, and moved to Bolton Township with his wife and at least four of his seven children. They made the trip with three yokes of oxen and with workers to clear the land. Along the way, they stayed

so. All they needed to do was apply for a Township, survey it and promise to settle it within three years. Afterwards they could sell off lots in a speculative market. Both the Executive Council and the Land Committee were made up largely of British merchants who were interested in land speculation in the Eastern Townships, e.g. Hugh Finlay, Thomas Dunn, etc.

Austin also had problems which were different from the challenges facing the other Leaders. Some of his Associates, such as Robert Manson, could not see any reason why 1,000 acres of land should be handed over. (Manson was finally persuaded to do so, and he did transfer these acres to Austin, keeping 200 acres for himself.) Other Associates had never intended to settle in Canada and they refused to give up the agreed upon acreage. Some banded together and sold their portions, some 1,200 acres, to George Cook. Austin was furious and hiring a lawyer to defend himself he traveled to Montreal to fight his case. He made his way to the south shore of the St. Lawrence river, where he expected to find a boatman to ferry him across to attend the court hearing. Cook had caught wind of this arrangement, and he crossed the river in his place. When Nicholas Austin arrived at the riverbank, there was no boatman to take him across. He lost his case for not appearing in court and returned home a broken man.

By the early 1800's he was seriously in debt even being sued by Mrs. Samuel Willard, the widow of another Leader, for an unpaid bill. Finally in 1808, 1,200 acres of his holdings were sold at a sheriff's auction to pay his debts.

Nicholas Austin died in 1821, a poor and discouraged man. His wife Phebe lived on for another twenty years. According to his Quaker beliefs, Austin is buried in an unmarked grave somewhere in Gibraltar Point. A commemorative stone has been erected nearby in his memory.

Nicholas Austin's Legacy

Nicholas Austin led an eventful life; he had big ideas and pursued his plans with much energy. Yet he endured many setbacks and did not reap much benefit from his work. His nephew, also called Nicholas Austin II, and his son, Nicholas Austin III, however were very active and resourceful in developing the area. Mills were built, roads



Map of the Eastern Townships of Canada, Eastern Townships Gazetteer, 1867

of allegiance, they were told to come back another year as there was no one to take their oath. This went on until 1795, when the government officially opened the land registry. Even at this point, when the American settlers did present themselves, they were still turned away because they had not taken an Oath of Allegiance! With all the confusion and hardship they had faced, many Loyalists gave up and moved back to the United States. Others fought for their claims and incurred heavy debts while trying to obtain clear title to their land. More than 98% of these initial settlers had to wait seven to eight years to get their titles registered, with the exception of two: Asa Porter and Nicholas Austin.

Nicholas Austin, a Leader

Unlike many of the other Leaders who came from a wealthy propertied class in New England, Nicholas Austin, a fifth generation Quaker, came from more humble circumstances. His family was of New Hampshire merchants and farmers. Governor Wentworth was a close friend because Austin had warned him of a kidnapping plot, thus allowing him to escape to Nova Scotia. While this action would imply that he was loyal to the British cause, Austin also did well in post-revolutionary New Hampshire as evidenced by being chosen as a delegate to the New Hampshire Convention, which ratified the Federal Constitution of the United States. For three years (1789, 1792 and 1793), he was elected town auditor for Middleton, where he had led a fairly comfortable life. His motives for moving to Canada are unclear: was it because of his Quaker pacifist beliefs or because he saw an opportunity to better his family holdings with the large land grants? In fact, although he was loyal to his king he wasn't a Loyalist as such.



*Monument dedicated to the memory of Nicholas Austin
From left to right: Emily Sargent (Mrs Jerome Ball,
Muriel Ball Duckworth's grandmother) Homer Sargent
(brother of Emily), Annis Ball Brock.*

with Asa Porter in Haverhill. Porter, an influential Loyalist lawyer, had been granted Brome Township, and he had many powerful friends in Quebec. Upon arriving in Bolton Township, Austin and his men started clearing land in preparation for the planting season.

In 1794, Austin and Porter journeyed to Quebec to present their proposals to the Land Committee. Austin presented a list of sixty four Associates; eleven of who had already settled in Bolton. Ultimately, in 1796 thirty three of these Associates remained in Bolton Township. A year later, Nicholas Austin was able to take the Oath of Allegiance in 1795 and his land grant was approved relatively quickly. Yet problems lingered amid complaints of government inaction in getting the Warrant of Survey. In October 1795, Austin visited Quebec City, to deplore the terms of his land grant, contesting, for example, the government's right to build roads across farmers' lands etc. It has been said that Austin went on foot several times to Quebec City during his life.

Unfortunately, the Land Committee of Lower Canada was absolutely riddled with corruption at this time. Under the French regime, settlers were mostly interested in land to farm whilst the British merchants were more interested in trade and transportation of their goods. By 1790, they saw an opportunity to speculate in land and the Leader and Associate System provided the means to do



*Abigail Austin (Mrs Sargent), granddaughter of
Nicholas Austin 1 and Phebe and 4 of her children:
low right Emily Sargent (Mrs Jerome Ball) and her
brother Homer.*

laid and land cleared for farms, particularly in the sectors called *The Head of the Bay*, *Gibraltar Point* and *Peasley's Corner*. The role of the pioneers of the first generation (1794 -1823) gave way to consolidation of the means of production such as the construction of different mills (grain, wool and saw mills) and a forge in the second generation (1824-1845). But by the third generation (1846-1870), many moved away or abandoned these commercial activities, rather than to undertake new developments.

The Austin descendents married and their children intermarried with other local families. While the name of Austin no longer appears in the village rolls, his legacy lives on in names such as Ball and Duckworth. One of his descendants, Martin Duckworth, author of a film dedicated to his ancestor, writes:

"Nicholas Austin had a vision of a new society. Austin was fifth generation Quaker and came from a family of New Hampshire merchants and farmers, a family, which had prospered in spite of Puritan establishment's persecution of religious dissidents.

The people of the municipality of Austin are deeply indebted to this pioneer and proud of his legacy.

Nicholas Austin

Original signature of Nicholas Austin