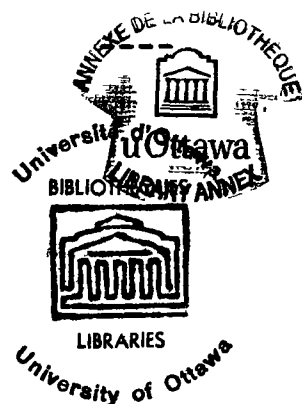


THE SONS OF AARON HART

By
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A history thesis submitted to Ottawa University
in fulfillment of the requirements for an M. A.

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INTRODUCTION

This is the story of Aaron Hart and his four sons: Moses (1768-1852), Ezekiel (1770-1843), Benjamin (1779-1855), and Alexander (1782-1835). Part One for the most part contains a general description of the businesses of Aaron Hart and his sons and Part Two describes the Harts' contribution to the Jewish community and to Lower Canada. However, in this thesis there is information dealing with other aspects than these two general divisions. This thesis contains business, religious, political, and social history pertaining to the Hart family. In this thesis the economic, political, and social activities of the sons of Aaron Hart will be examined. How did they earn their living? To what economic group did they belong? What were their political views? Did their political views differ? Where did they fit in economically in the colony of Lower Canada in the British Empire and in North America? With which group the French or the English were they more closely aligned? Were they bilingual and bicultural? These are some of the questions to which answers will be provided in this thesis.

One of the difficulties in writing this thesis was the fact that this is the first thesis or historical work to be written about a Jewish family in Quebec in the period 1760 to 1852. Since so little has been written and researched about Jews during this period by historians, economists, and sociologists, this pioneering effort was quite difficult. This thesis will deal with problems faced by a Jewish family, the Harts, problems similar to those faced by most other Jewish families in Lower Canada. The three major problems faced by Jews coming to Quebec

in 1760 were: the problem of earning a living, of having the same rights as other British merchants who came to Quebec, and the problem of survival as Jews. The importance of the story of the Harts from 1760 to about 1852 is that the history of this family helps to elucidate the story of other Jews and is in some ways a microcosm or sample case of the story of other Jews who lived in Quebec from 1760 to 1852.

This thesis contains not only the economic, political, religious, and social life of the sons of Aaron Hart but also some information about Lower Canadian society, the French, English, and Jewish communities and their relations with one another. In this thesis, there is not only the story of the growth and development of a family but the growth and development of Lower Canada. This thesis contains material about the growth of the town of Three Rivers, the home of the Harts and of its change from a fur trading centre during Aaron Hart's lifetime to a port and lumbering centre during the lifetime of Moses Hart; of the story of Montreal and its growth as an important importing and exporting port, as well as information about the inhabitants of both Three Rivers and Montreal. In this thesis, racial prejudice shown towards the Harts because they were Jews will be pointed out. Racial prejudice shown by leaders of not only the French Canadian but also of the English group. By seeing how conditions and prejudices were in the past, one can better appreciate the present and the efforts made by those in the past to bring about reforms in order to make the future better.

An important reason why Aaron Hart was successful as a merchant was his aptitude for quickly learning to speak French.

As far as the penmanship of the Hart's, Aaron Hart's writing is very difficult to decipher. His English grammar and spelling is about fifty per cent correct; Aaron Hart's French is much better and shows continual improvement with time. The handwriting of Moses and Ezekiel Hart is still difficult but less difficult to decipher than their father's. Benjamin Hart had a much clearer handwriting, better punctuation, a wider vocabulary, and greater lucidity of expression in English than Moses and Ezekiel. However, the French of Moses and Ezekiel is superior to that of Benjamin as far as style. Of the brothers, Moses was best able to express himself in French. The correspondence of the Hart brothers among themselves was in English. The sons of Aaron Hart also knew Hebrew and Jewish.

Aaron Hart, the father of Moses, Ezekiel, Benjamin, and Alexander, was a man with an unassuming personality. He made his money through avoiding as much risk as possible. His eldest son, Moses, was a dynamic businessman with progressive and imaginative ideas. Moses did not allow personal friendships to interfere with his business dealings. Of all the sons of Aaron Hart, Moses did the most travelling. Most of Moses' travelling was in New York state, especially to Albany, Plattsburgh, and New York City. Benjamin Hart was a good speaker, proud, forthright, charitable, brave, and sometimes impetuous. Benjamin supported his political beliefs with action. For example, he actively supported the English community of Montreal during the 1837-1838 Rebellion and openly advocated annexation to the United States in 1849.

Moses wanted to be but was never fully accepted as an important citizen by the English community of Lower Canada. Toward the end of his life, Ezekiel came to feel himself closer to the French Canadian than the English community of Lower Canada. Benjamin and Alexander were aligned with and were accepted by the English community of Montreal. The political views of the Harts are directly related to their businesses which will be described in Part One.

Aaron Hart was the first Jew to settle and raise a Jewish family in Lower Canada. This thesis will not only consider how he and his sons earned their livelihood but the political, social, and religious problems they faced as Jews and as a minority group in Lower Canada. Material on the personal life of Aaron Hart and his sons has been included in order to help better understand the Harts. One chapter will be devoted to a Lower Canadian author, Moses Hart, whose writings are almost completely unknown. This thesis shows the Hart's way of life, their views, their military careers, their political activities, and their work to gain equal status for the Jews of Canada. This is the story of the rise and fall of the Harts as a business family and of the contribution of Aaron Hart and his sons to their country. The main source for much of the information in this thesis is derived from the Hart Papers where there is a vast amount of material. This thesis will present a general picture of who the Harts were and what they did.

PART I
THE HARTS AS A BUSINESS FAMILY

Introduction

Part One presents primarily a general history of the businesses of Aaron Hart and his sons. Although there have been many general historical interpretations of Canadian history, there have been few histories of a family and its business enterprises. One exception is The Barley and the Stream, The Molson Story, by Merrill Denison. Unlike the Molson family which continued the family business from one generation to the next, with the death of the sons of Aaron Hart, the Harts as a prominent business family came to an end. Part One will point out how Aaron Hart, who came with the British conqueror, was able to become an important merchant in Three Rivers and area. Part One will also show the business activities of his sons, who were also prominent merchants.

Unlike some other Jews, who came to Quebec to seek their fortune but failed, Aaron Hart was a successful merchant. Aaron Hart was able to work himself up to become the dominant merchant in Three Rivers. It was due primarily to his own business entrepreneurship that he was successful. Aaron Hart's establishment of a general store in Three Rivers gave him an economic foundation from which to build up and then diversify his wealth. He began buying land and in his later years with the help of his sons established a brewery and potasserie. Although it was due to Aaron Hart's own ability and desire that he

became a successful merchant, his wife through egging him on, probably made him a more successful merchant. In financing their businesses, the Harts mostly utilized their own capital. If money were needed, it was borrowed from Jewish merchants in New York City. The fact that Aaron Hart was Jewish gave him connections with other Jewish merchants in the United States and England. As a result, Aaron Hart knew market prices and what was and what not in demand. Although the sons of Aaron Hart did not instinctively become merchants, it was under their father's guidance that they learned how to carry on in business.

Of Aaron Hart's sons, Moses, Benjamin, and Alexander, had a greater desire to be important businessmen than Ezekiel. Ezekiel was content to remain in Three Rivers and to carry on in business and religion as closely as possible as his father had carried on before him. Ezekiel derived a steady income from properties he owned, from his general store in Three Rivers, from mortgages, loans, his brewery, and the fur trade. Ezekiel had no desire like Benjamin to seek his fortune in Montreal or like Moses to engage in new business ventures. Ezekiel was basically conservative in business, temperament, religion, and marriage. As far as I have been able to determine, the one instance Ezekiel Hart departed from his basically conservative personality was when he tried to be elected to the Lower Canadian Assembly. Although he was aligned with the English merchant community, Aaron Hart, in contrast to his sons, never ran as a candidate in any elections.

The important characteristic of Moses Hart was his restless dynamism. Unlike his conservative father and brother Ezekiel, Moses Hart at all times did what he pleased. He had no

hesitation at defying established authority. He rejected traditional Orthodox Judaism and tried to found a new universal religion. In contrast, his brother, Ezekiel, who had the same educational upbringing basically remained an Orthodox Jew. Unlike Ezekiel and his other brothers who remained in Three Rivers under their father's watchful eye, Moses Hart defied his father and on his own initiative moved to Sorel, (William Henry) to establish his own business. Unlike Ezekiel or his father, Moses Hart had no hesitation at breaking the law if he felt he would not be caught. He had no qualms about writing to or speaking to anyone or ~~doing~~ anything he pleased. The fact that he shocked his family and relatives by his religious views and extra-marital relations did not seem to bother Moses or prevent him from doing what he wished. Moses Hart benefitted from the British imperial preferences and considered himself a loyal British subject. However, he resented the fact that he was never given a position of prominence in the government of Lower Canada. This was a major reason why Moses criticized those in power.

It was quite difficult to write about the businesses of Benjamin and Alexander because of the lack of sufficient information. The Hart Papers contain material relating mostly to the activities of Moses Hart. Of the sons of Aaron Hart, the least amount of material available in the Hart Papers, deals with Alexander Hart. Only a small fraction of the total correspondence of the Harts has survived. Thus there is no correspondence or accounts covering the entire business transactions of any member of the family for a week, month or year. The system of numbering the pages on the microfilm reels by letters of the alphabet and of classifying material under the headings of places, names other than that of the Harts, and topics as well as non-chronologically, has made my effort to portray a coherent story of the Harts extremely difficult.

Benjamin and Alexander faced competition in Montreal yet though their business ability, good organization, and good commercial connections, they were able to successfully carry on their businesses. In his store in Three Rivers, Benjamin Hart had dealt extensively in hardware. In Montreal, he began as an importer of hardware for Lower Canada, Upper Canada, and the northern United States. As he prospered, he began importing other products on a large scale. As a result of business connections developed through his import business, Benjamin Hart was able to enter the business of exporting products from Upper and Lower Canada to England. Benjamin allowed his import business to remain constant, while he increasingly devoted most of his attention to exporting products to England. By the early 1840's, Benjamin Hart's export business made up about eighty per cent of his business. Politically and economically, Benjamin Hart was a zealous supporter of England and the political and economic positions of the English community of Montreal. Consequently, when the English government withdrew its preferences on goods, especially grain coming from British North America, Benjamin Hart felt his loyalty to England had been betrayed and expressed his resentment by advocating annexation to the United States.

Alexander Hart first came into prominence in Montreal as a result of his exports during Jefferson's embargo. An arrangement was arrived at in 1818 between Benjamin and Alexander as to what areas each would concentrate on so as

not to be in competition with one another. Benjamin was to concentrate more on exporting, while Alexander's main business was to be importing. In contrast, to his brother Benjamin, who imported manufactured metal products from England, Alexander dealt in what may be described as luxury items such as silks and spices. Alexander had the ability to have available imports which other merchants were not able to obtain. Benjamin attempted to fill the gap in the import business resulting from Alexander's death. However, Benjamin was not able to regain Alexander's commercial contacts nor did Benjamin share Alexander's unscrupulousness in illegally importing items from the United States. However, following Alexander's death, as seen from advertisements in the newspapers, Benjamin Hart did begin to import items which his brother had formerly imported.

In the total perspective of Lower Canadian society, Aaron Hart and his sons should be seen as members of the merchant class amidst a province with a large farming population. The fact that they were Jews made political advancement more difficult but on the whole they enjoyed a rather prosperous financial life. They could be described as belonging to the upper middle class. The Harts were not included among the governing ranks in Lower Canada. They were on a level just below those governing elements who held power and made the decisions. Due largely to the fact that they were within the British commercial empire, the Harts, especially Moses, Benjamin, and Alexander, became prosperous merchants.

Ezekiel was worth about the same as his father. Moses Hart was at his financial peak from about 1834 to 1844. In contrast to Moses and Benjamin, Ezekiel Hart's wealth remained steady and did not fluctuate as did the fortunes of Moses and Benjamin. Benjamin was wealthiest at about 1845. Alexander was at the height of his financial career at the time of his death. The fortune that Aaron Hart had accumulated and which was augmented by his sons was quickly dissipated by most of the children of his sons. The children of the sons of Aaron Hart lived off of but did not increase the wealth which they had inherited.

While Aaron Hart and his sons were businessmen, the grandchildren of the sons of Aaron Hart had professional occupations such as being lawyers, doctors, and teachers. The grandchildren of Aaron Hart in Three Rivers assimilated into the French-Canadian milieu of Three Rivers, while the sons of Benjamin Hart in the larger Jewish community of Montreal were able to survive as Jews.

I

The purpose of this chapter is to provide background material on Aaron Hart. This chapter presents the story of Aaron Hart, his family life, his friends, his relations with the British who governed Quebec, with the French Canadians, and with Jews in the United States as well as information about his business. With a knowledge of who Aaron Hart was, his business operations, his family life, his political opinions, and religious beliefs, the reader will have a better understanding of his sons.

The beginning of Jewish settlement in Quebec coincides with the time when the country came under British rule for the conquest of Quebec by the British removed the previous existing bar against non-Catholic settlers. The first Jews who made their home in Canada came with General Jeffrey Amherst, who entered Montreal in 1760, several being members of his army. Among the Jews who came to Canada at the time of the British occupation was Aaron Hart.¹ Aaron Hart was born in the vicinity of the mountains of the Haardt in western Germany.² While Aaron was still a boy, his father, Moses Hart, moved to England in order to escape from the oppressive conditions in Germany. Aaron Hart's father became a money-lender and wholesaler in London.

1. J. M. Gibbon, Canadian Mosaic, (Toronto, 1938), p. 398.

2. The motto of the Hart family is 'Shnell, Fussig Und Frey' or roughly translated in English, run fast and free. The Hart family's coat of arms consists of a stag in flight from his pursuers.

In 1752, Aaron Hart accompanied Sir Frederick Haldimand to the American colonies and stopped at New York City.¹ He later enlisted in the British army and was appointed commissary officer to the troops of Sir Jeffrey Amherst. When Amherst and his invading army marched on Montreal, Aaron Hart was a member of his staff and when, following the city's surrender (September 8, 1760), Amherst triumphantly rode through the old city gates, Hart was given the privilege of being one of those who rode by Amherst's side.

Aaron Hart settled in Three Rivers where he continued to hold his position as a supply agent for the British troops under Burton, the military governor of the Three Rivers district then under his friend, Sir Frederick Haldimand. When Haldimand assumed command in 1778,² he appointed Aaron Hart his Commissary General for the British troops occupying the forts of the Upper St. Lawrence. Aaron Hart, besides being a commissary for the British Army, was at the same time a merchant in Three Rivers engaged in fur buying and supplying the French Canadian habitants with consumer goods. Aaron Hart, who had better financial connections with London than anyone else in Three Rivers and the largest amount and assortment of British goods, was able to become ascendant in the fur trade in the Three Rivers area. Aaron Hart's financial records from 1760 to 1800 show an average annually of £1,500 worth of furs being sent to London.

-
1. From a note Aaron Hart wrote in his prayer-book, it can be established that his arrival in America was in 1752. He crossed the ocean that year coming first to Jamaica, then went to New York City.
 2. H. Neatby, Quebec, 1760-1791, (Toronto, 1966), p. 172.

In 1761, A. Hart began his business in Three Rivers as a general store merchant by renting a store. Despite a fire in 1762, he still carried on.¹ In 1763, his friend, Governor Haldimand, put him in charge of the post office in Three Rivers, a post which he held to 1770 and which helped to supplement his income in the early years of his business career.²

From 1764, Aaron Hart began to acquire valuable properties in the town of Three Rivers. A. Hart also dealt extensively in money-lending. Aaron Hart acquired the lands of large proprietors such as those of Jean-Baptiste Poulin de Courval, Drouet de Richerville, the lands of the families of de Niverville and de Tonnancour. These seigneurs, who borrowed heavily from Aaron Hart, were unable to repay their loans and thus lost their lands.

In spite of the fact that he became a large landowner, Aaron Hart had no desire to play the role of an English gentleman or to copy the French-Canadian seigneurs. He wanted to be a successful merchant, nothing more and in this endeavour he was a success. Aaron Hart's financial success is to be ascribed not only to his own ability but also to his friends in the British army and his good connections in the commercial world.

1. M. Trudel, Le Regime militaire dans le gouvernement des Trois-Rivières, 1760-1764, (Trois-Rivières, 1952), p. 96.

2. Hart Papers, reel 3, J-A-5.

The Hart Family Papers are located in the Archives of the St. Joseph Seminary, Three Rivers. They have been put on microfilm by the Public Archives of the Province of Quebec.

II

One of Aaron Hart's close friends in Lower Canada was Samuel Jacobs, a Jewish merchant, who first conducted his business from Quebec City, then from St, Denis. Aaron Hart was always willing to do what he could to help his friend, Samuel Jacobs. The Nugent affair was a case in point. Nugent was a merchant, in the Three Rivers area, who owed Jacobs money. The latter heard that Nugent was near failure in his business dealings and might abscond. Accordingly, he asked Aaron Hart to keep an eye on Nugent. It was sometime later that Hart wrote Jacobs and warned him that Nugent—Newgon he called him—had gone to Crown Point, where, Hart implied, he was preparing to leave his creditors in the lurch.¹ He was right. Nugent failed and Hart, as one of the men authorized to liquidate Nugent's assets, did what he could to salvage something for Samuel Jacobs.

Although Aaron Hart and Samuel Jacobs were friends, the attitude of the Jewish merchants in Lower Canada to one another were not as peaceful as might be thought. Although the Jews in Lower Canada were frequently linked through marriage and had common problems, business rivalries and personal affronts tended to magnify and make bitter the difficulties in personal relations. The result was that quarrelling was common and mutual hatreds were quick to flare up among the Jewish merchants.

1. P.A.C., M. S., Letters of Samuel Jacobs, reel I, p. 177.

III

Under English rule, wheat could be exported from Quebec when there was a good crop. The British authorities at various times gave permission to certain merchants to send grain out of the country. One of the merchants who was allowed to export grain was Aaron Hart. In a letter to the Newport shipper, Aaron Lopez, who was Jewish, A. Hart suggested a barter arrangement of wheat for rum.¹

Why did Aaron Hart want rum for wheat? Rum was an important item in Aaron Hart's business and Newport was a well-known source for this commodity. Rum was not only an important item in the fur trade, but one of the commonest staples stocked by every country merchant. Aaron Hart not only sold rum to the Indians but to the inhabitants of Three Rivers and area.

IV

Due primarily to the lack of Jewish women in Quebec, most Jewish men who had come to seek their fortune in Quebec married French-Canadian women. Although mixed marriages were quite prevalent at that time in Quebec, Aaron Hart solved this problem by sailing to London where he married his cousin, Dorothea Judah, a sister of Uriah Judah who was Prothonotary of Three Rivers. Dorothy Judah (b. 1747 - d. August 1827) married Aaron Hart on February 7, 1768.²

1. Hart Papers, reel 3, J-A-3.

2. J. R. Rosenbloom, A Biographical Dictionary Of Early American Jewry, (Lexington, 1960), p. 79.

V

Aaron Hart's political views were typical of those of the English merchant group in Quebec in their common desire for more control by the merchants of the government of Quebec. Among the petitioners in 1770 for an Assembly among other things for Quebec was Aaron Hart.¹ In 1774, the British Parliament passed the Quebec Act. So little pleased were the English merchant minority that on November 12, 1774, they forwarded a petition to the King asking that the Quebec Act be repealed and that the country be given an elected House of Assembly. Some fifteen Jews were among the signers of this petition, including Aaron Hart.² The outbreak of the American Revolution constituted an abrupt setback to the movement to obtain an elected Assembly, English commercial law, and other reforms. Although its progress was halted for a few years, the movement for an Assembly later re-emerged.

VI

For over six months during the invasion by the Americans, Three Rivers and the surrounding district were in the hands of the American army. Aaron Hart had no alternative but to place his warehouses, general store and his other assets, at the disposal of the Americans who did not hesitate to take full advantage of any benefits they could obtain. Some of the items which the Americans confiscated from Aaron Hart were: 811 gallons of rum, some cognac, clothing, blankets, shovels,

1. P.A.C., Series Q, vol. II, p. 98.

2. P.A.C., Series Q, vol. 7, p. 359.

stoves, firewood, thousands of pounds of bread, and sleighs with which to transport these supplies. Before the Americans left, they had run up a series of debts of around £500.¹ However, neither Aaron Hart nor any of his heirs were able to recover even a part of the debt. This loss of Aaron Hart to the Americans served to stimulate him to greater financial activity. His financial records show larger profits following his loss to the Americans. During the American invasion, A. Hart acquired a considerable amount of property.

During the same period, Aaron Hart acted as official paymaster for the British troops and cooperated closely with the British forces attempting to oust the Americans. On June 11, 1776, Thomas Carleton, the younger brother of Sir Guy Carleton, granted Aaron Hart, who was also quartermaster of the English army in Quebec, a pass entitling him to travel freely.²

During the American revolution, almost all the Jewish merchants in British North America remained loyal to Britain. Although the Jewish community of Lower Canada had close family and business ties in the thirteen colonies, yet the importance of the London market as a source of credit, consumer goods, and market for selling products obtained in Lower Canada was the main reason for loyalty to Britain.

1. H. Biron, Index to Hart Papers, p. 15; Hart Papers, reel 2, F-A-3, Receipt signed by John Taylor in the name of the commander, J. Halsted.

2. H. Biron, ed., Index to Hart Papers, p. 14; Hart Papers, reel 2, F-A.

VII

Despite their loyalty to Britain, the Jewish merchants, like the English merchants in Lower Canada, were still not satisfied with their influence over the government. On November 24, 1784, a petition expressing the desire of the "British freeholders, merchants and traders in the Province of Quebec on behalf of themselves and others" for reform, was presented to the Governor. This memorandum, couched in much stronger terms than the previous petitions, demanded a House of Representatives with the power to lay taxes and duties, and for a "constitution and government based on fixed and liberal principles." The merchants also wanted English Commercial law. Among the many signatures which accompanied the document were those of some twenty-five Jews, among them, Aaron Hart~~and~~ two of his sons, Moses (b. 1768) and Ezekiel (b. 1770).¹

When the provincial Committee for Commerce and Police wrote to the merchants of Three Rivers asking for suggestions to improve the province, Aaron Hart's name headed the list of the four who answered. The other three were a Frenchman, a Scotsman, and an Englishman. He and his fellow businessmen believed that they had the solutions. If the province were to prosper, if trade and commerce were to flourish, then it was imperative they argued that there be a larger measure of local political autonomy. In their reply in 1786, they advocated the establishment of public schools and public

1. P.A.C., M.S., SeriesQ, vol. 27-1, p. 431.

markets, the regulation of coinage, measures, and weights, the proper registration and preservation of deeds and mortgages, and adequate bankruptcy laws. Also proposed were new local courts that would meet weekly and have the power to recover petty debts according to English commercial law. Almost all these proposals would directly benefit these petitioners.¹

Aaron Hart did not have any personal desire for a political career. When Moses, Aaron's first-born, proposed running for political office, his father warned him that any honour he might secure by being elected would be more than counterbalanced by attacks on him as a Jew. Aaron Hart was right. When Ezekiel Hart, a younger son, ran for office in the province about twelve years later, and was elected, his father's prediction came to pass. Unlike his sons, Aaron Hart had no ambition to be politically and socially prominent, but Aaron Hart apparently was eager to form a Hart dynasty. His will created a sort of entail for his first-born, but he also made ample provision for his wife, his three younger sons, and his four daughters.

1. P.A.C., Series Q, Vol. 72-73-2, p. 370.

VIII

Three Rivers was the home of Aaron Hart and also of his relatives, the Judahs. Aaron Hart's cousin and wife, Dorothy, or as she was called, Dolly, was a Judah, a sister of Uriah. Another of his wife's brothers was Samuel Judah, a merchant in Montreal. The war for American independence had not been fortunate to Samuel Judah; he was bankrupt and was trying to settle with his creditors for ten percent on the pound. Now, in the spring of 1784, he was on his way to Detroit again with a cargo hoping to improve his fortune. Before he left he wrote to Aaron Hart that he was sending him a load of goods, including some tea, rum, and a package of books. The large candles which Aaron wanted were all gone; Samuel's father had taken them with him to New York, and they had been used in the Shearith Israel synagogue on the Day of Atonement in memory of the dead. The books he was sending were twenty-one volumes of Bell's British Theatre and a fifteen-volume edition of Smollett's History of England. Don't let the children get at the plates in the book, he warned; they'll smear them or destroy them.¹ Apparently Samuel Judah was the intellectual of the clan—maybe that was why he was not a financial success.

1. Hart Papers, reel 3, J-A-4.

As Aaron Hart's prosperity grew, his acts of charity increased. He was particularly generous to the Ursuline nuns in Three Rivers.¹ When Aaron Hart's daughters studied at the Ursuline convent, they were given special consideration as the children of a devoted friend. Although he was almost completely cut off from Jewish communal influence by virtue of his residence in Three Rivers, Aaron Hart did not abandon his faith. In his own home he was scrupulously observant of Jewish practice. For example, an inventory of his estate revealed that he possessed two sets of dishes and cutlery.

IX

In February, 1786, Aaron Hart sent his son, Moses, to the United States on a combination business and pleasure trip and to make sure that the eighteen year old boy would observe all the holy days he gave him a note showing the Jewish holidays that fell in the months of March and April. Under his father's orders, Moses kept a combination itinerary and complete and detailed expense account on his journey from Three Rivers to New York and back. It was to be a quick trip, no dawdling, for his father expected him to be back early in April to spend Passover at home.

1. P. V. Ayotte, Les Ursulines Des Trois-Rivières, II, 380.

Moses took the shortest route to New York City which was by the Champlain-Hudson route. He headed up the St. Lawrence River to Montreal, bought his father a shaving box there, travelled to La Prairie on the other side of the St. Lawrence, journeyed to St. Johns, and continued by horse and boat till he reached Kingsbury, New York, where his Uncle Harry was then living. Kingsbury was a town about fifty-five miles north of Albany, at the portage point between the Hudson and the Lake George-Champlain chain. Moses was to talk to his Uncle Harry about the possibility of getting the United States government to pay for the goods and supplies furnished by his father for the American troops at Three Rivers during the American invasion.

"See if something can't be done to settle the Congress debt for cash or government securities or land grants. And what are we going to do about the Continental currency they gave us? If Uncle Harry has anything of real importance to report in this matter, invite him to come to Three Rivers, but if he doesn't want to go that far, tell him I'll meet him about halfway, at St. Johns. And ask your Uncle Harry what he means by telling me to move to New York. I've always made a good living in Three Rivers. What could I do in New York? My correspondents, Phyn and Ellice, would not ship me any goods there; they have their own agents in that town. You want me to go to New York, Harry, but what are you doing at Kingsbury and Albany, amongst the worst set of men from the outcast parts of New England? And by the way, don't forget to tell Uncle Harry to stay out of the staves business; prices are so low they barely cover the freight. Let him go in for making potash; there's an excellent profit in it if he can only produce it cheaply enough." 1

From Kingsbury, Moses went to Albany and then by sloop to New York. Once in the big city, Moses determined to tarry and to have a good time. Of course there were things his

1. Hart Papers, reel 3, J-A-4-5. Aaron to Moses Hart.

parents wanted. His father wanted two dollars worth of cakes to be bought at Mr. Gaines's. His mother wanted him to buy a good Negro wench for housework¹—the last one had died—and if the price was right his father also wanted a Negro hand who knew something about farming, could handle an axe, and work in the garden. Then there were relatives to be visited. There were friends to be visited: the Myers', Uriah Hendricks, the rich Mr. Hayman Levy, the aristocratic Gomez', and Mr. Eleazar Levy.

Moses went to synagogue. He bought a pair of shoes, an expensive hat, and had the tailor measure him for vestcoat, coat, and breeches. While waiting to be fitted and between calls on relatives, he made an excursion to Long Island (two shillings, six pence). He went to the theatre; he saw The Provoked Husband and She Stoops to Conquer, and before he left town he had time to squeeze in a third play. The barbers found him a good customer and he did not forget to tip the maid.²

Moses noted that Passover began on the eve of the twelfth of April but it was not until at least a month later that he started up the river for Montreal on the return trip, carrying with him for the voyage a liberal supply of cocoanuts, limes, lemons, and assorted sweetmeats. All this was not according to schedule; originally, he was to be home by Passover. In

1. M. Trudel, L'Esclavage Au Canada Francais, (Quebec, 1960), p. 118.

2. Hart Papers, reel 3, J-A-4-6.

his last postscript Aaron Hart had asked his son to present his compliments to all his "auld achventances," and then recorded most of them by name. This list was really a roster of some of the best mercantile houses in the city of old New York.¹ Moses Hart was to strengthen the Harts' business connections with these firms.

X

Although Aaron Hart lived in a French-speaking, Roman Catholic village with few and sometimes no Jewish associates, he remained an Orthodox Jew and wanted his children to remain Orthodox Jews. Thus it was that on March 28, 1790, he wrote to his eldest son, Moses, who was trying to independently make his fortune at William Henry, (Sorel), asking him to return to Three Rivers for the Passover holiday. Had Moses stayed at William Henry (Sorel) on the St. Lawrence, according to Orthodox Jewish law, he would have had to remove all leaven from his house and perform other ritual acts. Aaron Hart also told his first-born that he had written to the United States to summon his younger sons, Benjamin, age eleven, and Alexander, age eight, home for the summer. These boys were in Philadelphia, receiving a Jewish education. Moses and Ezekiel had received their Jewish education in New York City. The

1. Hart Papers, reel 3, J-A-2-3.

younger boys were to return home by way of New York, the Hudson Valley, and Lake Champlain. Moses would meet them near the lake, at Kingsbury, where Aaron's brother Harry was in business. With the children was Uriah Judah, a brother of Mrs. Hart. Judah served as an escort until Moses could assume charge of his younger brothers. Since Aaron Hart's English is at times almost beyond comprehension, the letter below has been translated into intelligible English.

28th March, 1790,
(Paraphrase)

Dear Mo:

I see no way for you to keep Passover at William Henry. Therefore, you had better come over here the Sunday before. Then you need not do anything to your house to get the leaven out of your house

I have written to H. Judah and to Ben and Alex to set off for New York the 1st of May next, as I am determined to have them here. If you can, at any rate go across the lakes for them; I will pay all expenses you may be at. As I hope you will not fail being here Passover, shall then say more to you about that journey. It will save you trouble and expense of baking unleavened bread if you come here.

I have only one letter by the December packet from Phyn, Ellice & Co., of the 5th of December. Nothing new, the full (post?) had not then arrived. Having (nothing) further to mention until I see you, I am, dear Mo,

Your loving father,
Aaron Hart.¹

1. Hart Papers, reel 3, J-A-2-4.

XI

After staying a short while in Lower Canada after the British conquest, some merchants who had come north from the American colonies, returned back to New York, Philadelphia, and other points. Such was the case with Eleazar Levy and several other Jewish merchants who had earlier settled in Quebec, for several years later they are to be found among the members of the Spanish-Jewish Shearith Israel congregation in New York City.¹ Eleazar Levy, a Jewish merchant from New York City, had come to Quebec in 1760 and had worked closely with Hart in supplying and feeding the British troops. The friendship that developed between Eleazar Levy and Aaron Hart, was never broken and almost to the day of Aaron Hart's death, forty years later, Eleazar played the part of a mentor, watching over the interests of Aaron Hart and his family in the United States.

In December 1760, Eleazar Levy was appointed by the trustees of a bankrupt English merchant in Quebec City to handle the estate and make proper payments to the creditors as the assets were liquidated. One of the creditors, an army officer, demanded preferred treatment and appealed to his friends to help him. An order for immediate payment was issued even though Levy did not as yet have any funds of the bankrupt person in his possession. Levy's store was entered, his wares seized by British soldiers and a part of them were sold. The remainder of Levy's wares stored in the military provost marshal's office, were later destroyed by fire. After civil law was introduced into the province, Levy appealed his case to the civil courts. After

1. The Lyons Collection, Publications of the American Jewish Historical Society, Vol. 27, p. 40.

eleven years of litigation, even after a verdict had been rendered in his favour by the Crown, after the expense of hiring competent counsel and of making two trips to London, he still had not been able to collect a single penny. All in all, Levy's loss on this suit amounted to at least £1,500.

By the time the Revolutionary War broke out, Levy was completely disgruntled with British justice and fleeing from New York City to the Continental stronghold of Philadelphia, he threw in his lot with the rebels. After the peace he returned to New York City and continued to remain in close touch with his lifelong friend, Aaron Hart. Despite allegiances to different countries, Eleazar Levy and Aaron Hart remained good friends. The affection which the two men had for one another was such that Levy never hesitated to write bluntly to Hart when the occasion demanded.

Levy was offended when Aaron Hart sent Moses and Ezekiel to New York City for a Jewish education but did not consult him. Having scolded his good friend for not consulting him in the past, he next turned to the subject of Hart's letter to him: the education of young Benjamin Hart for the medical profession. There were two ways to secure a medical education, Levy wrote: one was formal ad academic training, the other was through apprenticeship. Levy favoured the latter method and pointed out that Bernard Judah was studying with Dr. Bard. Samuel Bard had been chosen by George Washington as his personal physician inspite of the fact that Dr. Bard had been a Tory.¹ Here is Levy's letter:

1. "Samuel Bard," Dictionary of American Biography, (New York. 1928). I, 598-599.

"New York, June 4, 1794.

Mr. Aaron Hart,

Dear Sir:

I am favor'd with yours of 29th April regarding your son Benj. If you intend him for a doctor, he should have the Latin language in some degree of perfection. Therefore not a day should be lost to put him to a Latin school and that can be done under your own eye at Montreal or Quebec Seminary, tho' I believe his cousin, Bernard Judah, is to be a doctor without Latin. He is with Doctor Bard . . .

All over this continent a practitioner, of what is called a D'r, is included an apothecary, a surgeon, and physician. This can be learn'd in N. York, Philadelphia, etc., and can be learned equally as well in Quebec or Montreal where there are equal as good practitioners as here. You will be at less expence, and he be under the superintendence of his parents and family, and that he stands much in need of.

I neither knew your intention and for what purpose the boys were sent here, but as you say in your last letter, for them to learn to be good Yehudim (Jews). . .

I wish you would come to N. York this summer. I will come a considerable part of the way to meet you, and at N. York my house and every think therein will be as your (own). You need be at no other expence than your pocket money and of y'r journey, nay shall be glad if you will spend the winter with me.

I think you can easily come now as your two sons are grown up and in business, and there is no great business doing in the winter.

It is unnecessary troubling you with any Congregation news or a description of people here, your sons having been so recently here and at Philadelphia.

Wishing happiness to yourself, wife, and family,

I am

Truly and sincerely your friend,

Eleazar Levy." ¹

The advantage of the apprenticeship type of training was that young Benjamin could study in Montreal or Quebec City where his father could keep an eye on him . . . and the boy sorely needed that care. At least Levy thought so. Apparently Benjamin, who was

1. P.A.C., M. S., H. Biron, ed., Index to Hart Papers, p. 16; Hart Papers, reel 2, G-A-1.

fifteen, tended to run wild, if unsupervised. However, this was only an adolescent phase for in later years Benjamin became a prominent merchant, president of the synagogue Shearith Israel in Montreal, a magistrate, and was also one of the founders of the Montreal General Hospital.¹ Although Benjamin Hart never became a doctor, Aaron Hart nevertheless got a physician in the family when, three years later, his daughter Catherine married Bernard Judah, the Bernard Judah of Levy's letter. Aaron Hart was later glad that Benjamin became a businessman and not a doctor for he was often called upon to give his son-in-law, Dr. Judah, financial aid.²

Levy's bark was far worse than his bite, for as seen in the foregoing letter, he pleaded with his old friend Hart, now seventy, to leave his village and to spend the winter with him in metropolitan New York and to let his two older sons, Moses and Ezekiel, run the business. In this last supposition Levy was probably wrong. Aaron Hart was a busier and richer man than even his friend imagined.

1. J. R. Rosenbloom, A Biographical Dictionary of Early American Jewry, (Lexington, 1950), p. 51.

2. H. Biron, ed., Index to Hart Papers, p. 14; Hart Papers, reel 3, Nov. 14, 1797.

For Aaron Hart, the coming of the Loyalists provided a welcome means to earn money. Governor Haldimand established a settlement for the Loyalists at Machiche or Yamachiche near Three Rivers and Aaron Hart was the man largely responsible for helping provide the Loyalists there with supplies. J. M. Gibbon believes that "Aaron Hart deserves a lot of the credit for having helped to provision the United Empire Loyalists."¹

XII

When Aaron Hart first began his business, his home was located on the floor above his store in Three Rivers on la rue du Platon. However, by 1778, Aaron Hart was quite able to afford to move out of the rooms on the second floor of his shop to a spacious, well-built house on Notre-Dame Street which he had longed to possess and finally in 1778, Aaron Hart acquired it. Due to his wife's demands, Aaron Hart purchased furniture for his new home in Montreal and New York City.²

1. J. M. Gibbon, Canadian Mosaic, (Toronto, 1938), p. 398.

2. B. Sulte, "La Maison Hart," Trois-Rivières D'Autrefois, Vol. 19, (Montreal, 1932), p. 49.

The store in Three Rivers was the hub of Aaron Hart's business life. A. Hart was Three Rivers' chief money-lender. When his chests were opened by the notaries after his death, they found £3,700 in gold and silver coins. A. Hart owned choice pieces of property in Three Rivers and he gradually acquired thousands of acres of farm land. Much of this land came to him in payment of old debts. Aaron Hart owned the fiefs and seigniories of Sainte-Marguerite, Vieux-Pont, Becancour, Grondines,¹ the island of la Trinite in the mouth of the Sainte-Maurice River and several valuable sites in the town of Three Rivers such as the Marquisat of Sablé. At his death Aaron Hart owned about sixty properties.² Additional income came from the fur trade and the brewery which he built. Later Moses and Ezekiel Hart each operated a brewery in Three Rivers.³

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1. On October 6, 1791, Aaron Hart bought at a sheriff's sale most of the seignior of Becancour. At the time Aaron Hart also owned the neighbouring land. The Harts acquired the rest of the seignior when Francois Baby later sold them what he owned. By the acquisition in 1791, Aaron Hart became the first Jew with the title of seignior in Canada. It is significant that a Jew was allowed to acquire land and become a seignior for at this time such a thing was forbidden in England and France.
 2. A. Tessier, "Deux enrichis: Aaron Hart et Nicolas Montour," Les Cahiers Des Dix, 3, 1938, 232-233.
 3. P.A.C., Map of Three Rivers, H 3/340, 1820.

Aaron Hart formed a company with three of his four sons. In the company of Aaron Hart and Sons, Aaron Hart held 4/10, Ezekiel 3/10, Moses 2/10, and Benjamin 1/10 of the capital and shares of the company. Each of the shareholders invested in his own enterprises yet the four consulted and cooperated with one another. Profits and losses were shared. The shareholding form of arrangement was a means by Aaron Hart to give his sons a sense of responsibility, so that they would be able to carry on in business after his death. The company was also a means to lighten the burden of work upon Aaron Hart in his later years. Although Aaron Hart in his will gave the eldest, Moses, the largest share of his estate, he only gave Moses a 3/10 share in the company because Moses had earlier gone to Sorel to seek his fortune, despite his father's disapproval, had shown signs of irresponsibility in his early life; for example, having affairs with women, and was becoming less and less an Orthodox Jew. Aaron Hart died at Three Rivers on December 28, 1800, at the age of seventy-six.¹

1. J. R. Rosenbloom, A Biographical Dictionary of Early American Jewry, (Lexington, 1960), p. 50.

By 1800, Aaron Hart and his sons dominated the business life of Three Rivers. Merchants such as Aaron Hart in British North America contributed to the commercial life of Lower Canada. In a predominantly agricultural country, Aaron Hart exported native products and imported manufactured goods from whomever and wherever he could obtain them. Aaron Hart contributed to the development of the trade and commerce of Lower Canada while he also advanced his own personal fortune. The diversity of the investments of Aaron Hart helped him to survive and flourish as a merchant. Aaron Hart could have been a failure as a businessman as other Jews who came to Quebec at the time of the conquest were; however, Aaron Hart was a success as a businessman.

XIII

Information on the merchandise sold in A. Hart's store on rue de Platon in 1800 is derived from a detailed inventory. The goods which A. Hart possessed in his store and warehouses provide insight into consumer goods sold at this period in Canadian history. The merchandise in A. Hart's store and his warehouse in 1800 consisted of two major items, liquor and cloth. Of the 1500 gallons of liquor on hand, most of it in the store was rum. Most of cloth and manufactured goods were obtained through Phyn, Ellice and Company. Besides all types of cloth such as linen, silk, lace, satin, velvet for the women, there were shawls, kerchiefs, combs, rings, buttons, needles, pins, and perfumes. Necessities such as toothbrushes, shoes, blankets, and spectacles could be purchased at A. Hart's store. Other items sold were cards, locks, dominos, soap, sugar, pomatum, bees-wax, molasses, tobacco, tea, coffee, alum, mustard, cooking oil, salt, flour,

panes of glass and putty, mirrors, nails of all sorts, spikes, chains, paint, ropes, fish-hooks, knives, forks, spades, shovels, saws, hammers, chisels, axes, sickles, candles, writing paper, quills, crayons, and many varied types of dishes and cutlery. Other items were obtained upon request. The availability of a large variety of goods to the people of Three Rivers was due to the business connections of Aaron Hart. A. Hart obtained most of his manufactured goods from London, England. Among Aaron Hart's buyers and suppliers were Phyn, Ellice and Company, Forsyth and Company, and toward the end of his life, Bainbridge, Ainsley and Company.¹ Aaron Hart also obtained some goods from the United States.

XIV

G. Badeaux, who was the family notary, drew up Aaron Hart's will. Aaron Hart left to his wife the home that he owned on Notre-Dame Street. His wife also receive £2,500 as well as income from property of her husband in Three Rivers to support her suitably the rest of her life. Alexander was to receive his mother's share of his father's will upon her death. Aaron Hart's store located on the bottom floor of his first house in Three Rivers was left to Ezekiel and Benjamin. Moses Hart inherited the seigneuries of Courval and part of Ste. Marguerite and the fief of Marquisat du Sablé. The Marquisat du Sablé was quite valuable since it was

1. Hart Papers, reel 3, J-A-10.

adjacent to the town of Three Rivers.¹ Moses became seigneur of Courval and Grondines. Ezekiel received the seigneurie of Becancour, Vieux-Pont, part of the seigneurie of Grondines² and part of the seigneurie of Saint Marguerite; Benjamin received a two-storey store which he later sold to Moses.³ Alexander inherited a shop on Notre-Dame Street and another shop on la rue des Forges which were sold when he left Three Rivers. To his single daughters Charlotte, Elizabeth and Sarah, Aaron Hart gave £1,000 each annually until the money allotted to them expired. If upon their death, they were unmarried, the money remaining was to revert to Aaron Hart's eldest living son. Catherine Hart, who had married Dr. Bernard Samuel Judah,⁴ was to receive £1,000.⁵ After their father's death, Sarah married Samuel David of Montreal, Charlotte married Moses David of Montreal, while Elizabeth remained unmarried.⁶ For a few years after the death of her husband, Dolly Hart stayed in Three Rivers. Following a quarrel with Moses

1. P.A.C., Map Division H2/340, 1829.

2. The seigneurie of Grondines yielded Aaron Hart about 80 louis^a a year and sometimes more. On the other hand, his son, Ezekiel, who inherited part of the seigneurie, lost a great deal of money there on the flour mills which he established and the vast stretches of land which he cleared for cultivation. The timber cleared by Ezekiel Hart was sold to his brother, Moses.^b

a. louis - a gold coin worth about \$4.79.

b. Hart Papers, reel 7, K-N-5.

3. Hart Papers, reel 2, I-2-8, June 17, 1813.

4. Hart Papers, reel 3, J-C-4-12;
Marriage Contract of Catherine Hart to Bernard Judah.

5. Hart Papers, reel 4, J-G-1-A.

6. I. Singer, ed. The Jewish Encyclopedia, (New York, 1916), VI, 242.

and Ezekiel over some aspects of her husband's will, she left with her youngest son, Alexander, (born January 31, 1782, died September 16, 1835) to Montreal, after selling both their properties in Three Rivers. Dolly Hart moved to a house on 13 Saint-Gabriel Street in Montreal¹ where she lived in moderate wealth as a result of the money left to her by her husband until her death in August 1827.

XV

After their father's death, Benjamin, Ezekiel, and Moses each carried on in business in Three Rivers. They were able to work fairly harmoniously from 1800 to about 1812. During Jefferson's embargo, the exports of the Harts of Three Rivers to England, mostly of agricultural products, greatly increased. Not only did the purchases by the Harts of local agricultural products in Lower Canada increase twenty per cent but purchases from New England, especially Vermont and from upstate New York, increased eighty per cent. The money which the sons of Aaron Hart, especially Moses, earned at this time, helped to augment the foundation of wealth which their father bequeathed to them.

1. T. Doige, An Alphabetical List Of the Merchants, Traders, and Housekeepers Residing In Montreal, (Montreal, 1819), p. 109.

For forty years Aaron Hart was engaged in business in Three Rivers. Of his four sons, three, Moses, Ezekiel, and Benjamin, carried on and expanded upon his business activities in Three Rivers and area. Alexander moved to Montreal where he independently sought his own business career. Most of the Hart business was done on credit. John Lambert, in 1807, recorded that Moses, Ezekiel, and Benjamin controlled almost all the commerce in Three Rivers.¹ The Hart brothers constructed a large potasserie where potash was made which they exported to England.² The Harts also exported staves to England. The Harts, on May 28, 1798, made a large potash sale, when they sold forty-six tons of potash at £58 a ton to the firm of Harrison, Hawkes and Company in London.³ The fact that the Hart brothers in Three Rivers cooperated rather than worked against one another helped to strengthen their economic domination of Three Rivers and area. The Harts were also engaged in the construction of buildings and were the main lenders of money and credit in Three Rivers and area.⁴

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1. John Lambert, Travels Through Canada and the United States, (London, 1813), I, 482.
 2. Hart Papers, reel 4, J-G-1-B.
 3. Ibid.
 4. H. Biron, ed., Index to Hart Papers, p. 90; Hart Papers, reel 2, I-Z-5-A.

The main export of Aaron Hart had first been furs but as the Canadian economy changed so did the type of exports. In the economy of Three Rivers, furs and potash were gradually replaced by the timber trade. Some of the grist mills owned by the Harts were located at Champlain, Nicolet, and on the Blanche River at Saint-Gregoire.¹ The wild animal skins which the Harts bought and exported were: beaver, deer and elk (moose), muskrat, otter, mink, martin, squirrel, wolverine, red fox and lynx.² Moses Hart had fifteen middlemen or agents working for him.³ Of the fifteen, most would buy furs using Moses Hart's money and goods on credit and later sell the furs back to Moses Hart at a modest profit to themselves. After Moses became involved in the timber trade, Ezekiel took over the fur business using both his store and the agent system of Moses Hart. The fur trade in the Three Rivers area remained profitable for Ezekiel Hart till 1840. Ezekiel Hart carried on independently in the fur trade inspite of competition from the North West Company and the Hudson's Bay Company. Those who sold their produce to the Harts often went to the licensed inn⁴ of Moses Hart where they would drink beer made from the Hart breweries as well as other liquor.⁵ The Harts were not bothered by religious principles in their charging interest for loans. Losses the Hart suffered in the fur trade were due to varying prices received

1. H. Biron, ed., Index to Hart Papers, p. 51; Hart Papers, reel 7, K-n, 1-5.

2. Ibid., p. 91.

3. Ibid., p. 75; Hart Papers, reel 3, I-Z-5-0.

4. P.A.C., M., Tavern Licenses, 1839.
RB4, B28, Vol. 93.

5. Hart Papers, reel 11, N-B-1-2, N-B-1-3.

in London and due to Indians or trappers to whom credit was extended who did not return with furs to pay their debt.¹

Besides furs, the Harts received in exchange for products in their stores, wheat, hides, meat, tobacco, peas, butter, cheese, vegetables, and other farm produce from the habitants. The habitants often contracted debts to pay for items. Agricultural products were exported to England by the Harts of Three Rivers, especially during the Napoleonic wars. The Harts brewed ale and spruce beer most of which was consumed by the people in Three Rivers and area. One of the rivals of the Molson family in Lower Canada in the first half of the nineteenth century was the Hart family. Moses and Ezekiel Hart each successfully operated their own brewery at a substantial profit. However, their volume gradually diminished due to competition from Molson's brewery which was more efficient, adopted the newest methods, and which was the first to brew beer having a higher alcoholic content than the beer manufactured by the Harts. In the brewing industry, in steamboats, and banking, the Molson family greatly surpassed the Harts.

Most of the exports of the Hart brothers of Three Rivers went to London, although some did go to importing firms in Glasgow and Liverpool. Aaron Hart dealt mainly with Phyn, Ellice and Company, while Moses exported these same products

1. John Lambert, Journeys Through Lower Canada,
(London, 1813), I, 482.

mostly to the firm of Bainbridge, Ainsley and Company, which became Bainbridge, Brown and Company of London.¹ There are records of the Harts' exports and imports from London but only scanty records of business dealing with firms in the United States. Although the Harts imported items from the United States, few records were kept because most of the goods were smuggled into Lower Canada.

There were a few other merchants in Three Rivers but none provided serious competition to the Harts. Philip Burns, a licensed auctioneer, owned two shops located on the rue du Fleuve. The fact that Burns was a licensed auctioneer enabled him to survive against the competition of the Harts for he derived much of his income from being an auctioneer.² Malcolm Frazer was a small storekeeper whose shop was located at the intersection of Notre Dame and Platon Streets. The only other competition to the Harts came from several French Canadian merchants, who owned some small shops. Moses Hart established his store at the southern corner of Notre Dame Street and Ezekiel established his store at the eastern end of Platon Street on the south side. While the three Hart brothers each had a large store,³ the other merchants in Three Rivers had what could only be considered as small shops.

1. Hart Papers, reel 3, J-A-2-3-H.

2. John Lambert, Travels Through Canada and the United States, (London, 1813), I, 482.

3. Ibid., p. 492.

During the war of 1812 against the Americans, the Harts combatted the Americans by arms and through supplying the British forces. Exports by the Harts of Three Rivers to England during the war of 1812 almost completely ceased. However, this was more than made up for by the profits derived from sales in Lower Canada. The product most in demand was beer brewed by the Harts. Large amounts of agricultural products such as flour and meat were sold to the British troops and Canadian militia by the Harts, especially Moses Hart. Most of the agricultural products, which the Harts sold to the British, were purchased in Vermont and northern New York state. After the war of 1812, Moses, Ezekiel and Benjamin in Three Rivers no longer did business cooperatively.

CHAPTER TWO - MOSES HART

I

Introduction

In my opinion, of the sons of Aaron Hart, Moses Hart was the best businessman. Moses used his sons to help him run his business. He invested his wealth in not one but several enterprises. His imagination, unscrupulousness, and excellent organizational and managerial ability allowed him to engage in many business ventures and to become the wealthiest of the sons of Aaron Hart.

II

In connection with the political storm that raged around the person of Ezekiel Hart during the years 1807-1809, when he attempted to be elected to the Legislative Assembly, it may be of interest to note that Ezekiel was not the only member of the Hart family to early desire a Parliamentary career. His elder brother, Moses Hart had entertained similar aspirations during the first several years after the Constitutional Act of 1791. His father, Aaron Hart, who was still alive, strongly opposed Moses' projected move to run as a candidate on June 10, 1796, for the riding of William Henry. In a letter to his son, Moses, he urged him not to announce his candidature and warned him because he was a Jew he would encounter obstacles which would inevitably bring greater humiliation. He wrote,

"Dear Moses,

I should be glad if you were elected a member of the House. However, I do not think it will be possible. You will be opposed as a Jew. You may go to Court, but be assured you never will get a jury in your favour, nor a Party in the House for you. You will bring disgrace upon yourself and your fellow Jews."¹

While at William Henry, (Sorel), Moses Hart provided ex-Loyalist soldiers with supplies and beer. Moses, seeing that the government was giving away free land to these men, had six individuals claim to be Loyalist soldiers and apply for certain lands from the Land Committee on May 2, 1795. Moses Hart had previously made an agreement with the six who were in reality not ex-Loyalist soldiers that he was to obtain all the land in return for their receiving a slight sum for signing their names. However, the land committee discovered this fraudulent attempt of Moses Hart and the six were refused free land as Loyalists.² This was not the only illegal scheme of Moses Hart. From 1820 to 1826, he imported large amounts of merchandise from the United States without paying customs.³ While at William Henry, Moses Hart acquired substantial amounts of land in Nicolet and region as well as cheaply obtained land from Loyalists and British soldiers.⁴

1. P.A.C., M.S., MG, 23 /G 111.

2. P.A.C., M.S., Series Q, Vol. 72-73-1, p. 86;
Hart Papers, reel 7, K-M-40-C.

3. H. Biron, ed., Index to Hart Papers, p. 23;
Hart Papers, reel 2, I-M.

4. H. Biron, ed., Index to Hart Papers, p. 50;
Hart Papers, reel 7, K-M-40-a, c, d.

While Moses Hart was seeking his fortune at William Henry, (Sorel), Ezekiel at Three Rivers managed to purchase for £250 from Jean-Baptiste Corbin on Haut-Boc Street land, where hops for brewing were cultivated and flourished. Aaron Hart had previously bought land adjacent to as well as some land belonging to the Ursuline Convent, where there was an excellent source of spring water. This location for the Hart brewery also gave close access to the river for easy transportation. A. Hart had his doubts as to whether he should buy land adjacent to and some land belonging to the Ursulines to build a brewery. However, he justified his action by reassuring himself that the Ursulines had obtained a good price for their land and thereafter A. Hart also helped them out financially.

Due to his father's urging, Moses Hart returned from Sorel and his general store to the town of Three Rivers. Moses Hart had gone to Sorel to seek his fortune contrary to his father's advice. Moses came to realize that he could advance much quicker economically with rather than without his father's financial support. One of Moses' first contributions to the Hart family business in Three Rivers was to have barges built to transport the beer made by the Harts at Three Rivers to supply the taverns along the St. Lawrence River and its tributaries. Between St. Anne to Berthier on the north shore of the St. Lawrence and between Nicolet and Becancour on

the south shore of the St. Lawrence was the region for the initial market for the Hart beer. The Harts gradually came into competition with the breweries in Montreal and Quebec City and in the 1840's went out of business. The Harts under Moses' leadership, built a quay at Three Rivers,¹ despite the disapproval of the government of Lower Canada. The Harts later built unloading facilities at Port St. Francis. (St. Francois du Lac).²

III

In 1810, Moses acquired the seigneurie of Grondines, a rather barren possession, which was one league and three-quarters in front and up to ten leagues in length. Moses purchased the seigneurie of Gaspé, that of Ecureuils, and large amounts of land south of Three Rivers, especially in the county of Nicolet. On the south shore of the St. Lawrence, he purchased land at Warwick, Lingwick, Drummondville, Grand Saint-Esprit, Saint Celestin around Brompton located near Sherbrooke and around Kingsey. Moses also acquired some land in northern Vermont. Besides owning seigneuries in Lower Canada and land in the Eastern Townships, Moses Hart owned land around Cornwall and Plattsburgh. From time to time he offered his land for sale. A circular entitled 'To Agriculturists' dated 1823 offered for sale lots in fourteen municipalities on the southern side of the St. Lawrence.³

1. H. Biron, ed., Index to Hart Papers, p. 94.

2. Hart Papers, reel 4, J-L-1. April 20, 1835.

3. H. Biron, ed., Index to Hart Papers, pp. 45-51.

Moses Hart owned lots in the following places in the Eastern Townships: Ascott, Aston, Brompton, Beresford, Caxton, Chester, Clifton, Compton, Cranbourne, Dudswell, Durham, Eaton, Ely, Grantham, Kingsey, Melbourne, Simpson, Shipton, Somerset, Warwick, Wendover, Wickham.¹ Moses Hart owned six thousand acres around Chambly, one-half of which were sold in small lots. In this case, as in others, before selling the land, Moses Hart first cut and sold the best timber.²

Peter McGill³ offered and Moses Hart bought shares in the British American Land Company which had secured a grant of over 800,000 acres in the Eastern Townships.⁴ The British American Land Company also bought lands of the Harts located in the Eastern Townships.

Since Moses, Ezekiel, and Benjamin were three of the very few in Three Rivers and area who possessed a substantial sum of money, they were able to cheaply increase the amount of land in their possession. Of the three, Moses amassed the most amount of land especially in the rural areas. Ezekiel Hart acquired most of his property in Three Rivers. Besides owning land, Moses Hart also owned a large amount of cattle.⁵

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1. H. Biron, ed., Index to Hart Papers, p. 45; Hart Papers, reel 6, K.K-1-21.
 2. Hart Papers, reel 4, J-0-2-D-15.
 3. Peter McGill was President of the Bank of Montreal, Chairman of the Champlain and St. Lawrence Railway, and a friend of Moses Hart.
 4. H. Biron, ed., Index to Hart Papers, p. 25.
July 9, 1833. Peter McGill to Moses Hart.
 5. H. Biron, ed., Index to Hart Papers, p. 23;
Hart Papers, reel 2, I-p.

In order to maintain a lot of cattle, Moses had to provide barns and a substantial crop of hay which he harvested.¹ Most of Moses Hart's cattle were located on his farms in northern New York state. His cattle were usually marketed at Albany. When there was a chance for a substantial profit for himself, he would purchase additional livestock in the northern New York state and Vermont and drive them north to Lower Canada for sale.

Moses Hart owned land in commercially valuable sites; for example, in order for the market place at Three Rivers to expand, it was necessary to buy land belonging to Moses Hart at a high price.² Moses Hart contributed to the building of the road between Shawinigan and Three Rivers.³ One of the reasons Moses Hart was willing to donate a substantial amount of money for the construction of a road to Shawinigan was to facilitate communication to lands he owned there. Moses wanted but was unsuccessful in his bid to include the land containing the Shawinigan Falls among his land-holdings.⁴

1. Hart Papers, reel 4, J/L-2, August 8, 1835.

2. Hart Papers, reel 2, I-F.

C. R. Ogden to Moses Hart, Nov. 28, 1831.
..... Dec. 1, 1831.

3. H. Biron, ed., Index to the Hart Papers, p. 22;
Hart Papers, reel 2, I-H, October 20, 1831.

4. H. Biron, ed., Index to Hart Papers, p. 45;
Moses Hart to M. Craig, Secretary of the Governor, May 26, 1832.

Moses Hart, who owned seigniories in Lower Canada, was one of those who wanted the rules and regulations involved in the seigniorial system to be brought to an end and to have the system of land holding in Upper Canada or the United States put into full effect throughout Lower Canada. As a result of the depression in agriculture, less revenue was available to pay the seignior. Moses Hart had trouble collecting cens and rentes and on several occasions had to take his tenants to court.¹ To induce people to pay their debts to him, Moses Hart had Francois Rocheleau, the town crier of Three Rivers, announce on Sunday morning at the door of the Roman Catholic church, the names of those who had not paid their debts.² If the freehold system were implemented, Moses Hart believed it would increase the value of his land. He believed that for giving up the seigniorial system, the seigniors should be fully compensated by the government of Lower Canada prior to any Union of Upper and Lower Canada.³ Moses Hart advocated the building of roads to his land holdings in the Eastern Townships in order to promote and facilitate their development and settlement. Moses Hart also wanted mass emigration to Lower Canada in order to increase the price of his land.

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1. H. Biron, ed., Index to Hart Papers, p. 25.
 2. H. Biron, ed., Index to Hart Papers, p. 24.
 3. H. Biron, ed., Index to Hart Papers, p. 45;
Petition of Moses Hart to Lord Dalhousie, 1825.

IV

As a result of the Napoleonic Wars and the Continental System, British preferences were introduced for Canadian timber with the result that the timber trade was greatly stimulated. Not only lumbering in the Saint John and Ottawa valleys was stimulated, but also in the Three Rivers area. Moses Hart who dominated the lumbering industry in Three Rivers,¹ besides his exports to Britain, also exported lumber from Three Rivers to the great seaports of the eastern United States. "A good market was being found in the great seaports of the United States of lumber from Three Rivers."² While the production of potash and pearl ash had been an important source of revenue for Aaron Hart, for Moses Hart the production of potash and pearl ash became decreasingly important. Moses Hart cut a lot of timber on land of his which bordered on the St. Lawrence and its tributaries. The poorer quality wood cut by Moses Hart was used for fuel for his steamships, and for firewood.³ The better quality timber went for export through Quebec City to England. There are many receipts of deliveries to the Atkinson firm, the chief English Company dealing in the export of timber at Quebec City.⁴ The iron for the saws for Moses Hart's sawmills

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1. H. Biron, ed., Index to Hart Papers, pp. 45, 72; Hart Papers, reel 4, J-H-2-2.
 2. Journal of Assembly of Lower Canada, 1836, Appendix C, evidence of B. P. Wagner, Three Rivers.
 3. Hart Papers, reel 4, J-L-1.
 4. Hart Papers, reel 7, K-0-1. 22 Juin, 1836.
22 Juin, 1838.

in Three Rivers and region were made at the Saint-Maurice forges. Lumber from Moses Hart's sawmills were used in Three Rivers and area. If timber were to be exported, log rafts were constructed and usually towed by steamboat to Quebec City.¹ Several of Moses Hart's letters deal with unsuccessful attempts by him to obtain permission to cut timber on Crown lands or Clergy Reserves in Lower Canada. Moses Hart did cut timber on Crown land (Wendover).² Apart from London, Moses Hart shipped a lot of his wood products such as lumber and potash directly to Glasgow from about 1820 onwards.³ Moses Hart's sons, especially Ezekiel-Moses, Alexander-Thomas, and Aaron-Moses, assisted their father in some of his business activities. Aaron-Moses and Ezekiel-Moses managed the steamboats and their traffic,⁴ while Alexander-Thomas managed the lumbering.⁵ Sons on whom he could trust helped account for Moses Hart's financial success and diversity of commercial enterprises.

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1. Hart Papers, reel 4, J-F-2; Hart Papers, reel 4, J-L-2, Aug. 7, 1835.
 2. Hart Papers, reel 7, K-0-2.
 3. Hart Papers, reel 4, J-K, Contract arranged on Feb. 9, 1820.
 4. Hart Papers, reel 4, J-L-1.
 5. Hart Papers, reel 4, J-L-2.

In the Hart Papers, there is a description of a timber drive from April to August 1835 as well as a lot of material for the years 1834-1841 on the lumbering industry of Moses Hart. From the records of Moses Hart and his sons, spruce and pine were the two main types of trees from which boards of lumber were made. The Harts employed mostly French-Canadians as well as some Irish immigrants to cut down the timber.¹ The Harts supplied the saws, axes, food, drinks, and a cook for the men in the lumber camps as well as oxen, horses, harnesses and chains. It is interesting to note that oxen more than horses were used in the logging operations of Moses Hart. Provisions purchased by Moses Hart in order of quantity for the lumberjacks he employed were: pork, biscuits, potatoes, beef, and tobacco.²

From the correspondence between Moses Hart and his sons, the extent of the area from which Moses Hart obtained his timber can be ascertained. The area extended as far south as Berthierville on the north and Sorel on the south shore of the St. Lawrence. On the north shore trees were cut by Moses Hart not only in the immediate vicinity of Three Rivers but around the Shawinigan Falls. Lumber was also obtained in Nicolet and Lobtiniere counties. A sawmill was built by Moses Hart in the town of Nicolet which became the centre of his lumbering operations on the south shore of the St. Lawrence River.³ Moses Hart developed the Three Rivers

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1. Hart Papers, reel 4, J-L-2;
Hart Papers, reel 7, K-0-7—a and b.
 2. Hart Papers, reel 7, K-0-1.
 3. Hart Papers, reel 7, K-N-2.

area, especially the St. Maurice River and its tributaries on the north shore as a centre for lumbering. His son, Alexander-Thomas, personally built up the timber trade on the south shore of the St. Lawrence, especially around Nicolet. Next to the Three Rivers area, including the St. Maurice River and its tributaries on the north shore, most of the logging operations of Moses Hart took place around Nicolet. Timber rafts of the Harts which were built at certain places along the St. Lawrence would be attached to a steamboat or steam-tug and then towed to Quebec City for sale. At first the timber rafts were connected to the steamboat or steam-tug by ropes but it became necessary to use heavy iron chains.¹ The Harts not only towed their own logs but also as part of the steamship business, the rafts of others. Transportation of the timber rafts was mostly along the south side of the St. Lawrence River. This is evidenced by the fact that correspondence from Moses Hart's sons during the log drives originated from villages along the south shore of the St. Lawrence where the steamboats would stop to refuel and hitch on extra rafts.² The major purchaser of the timber delivered to Quebec City by Moses Hart was Atkinson, Osborne and Company.³

1. Hart Papers, reel 11, N-C-3.

2. Hart Papers, reel 4, J-L-2.

3. H. Biron, ed., Index to Hart Papers, p. 72; Hart Papers, N-A-1.

The Harts had several small sawmills which cut lumber for local consumption. In each of their seigniories was a gristmill which usually had a sawmill under the same roof. Moses Hart had two mills cutting deals¹ for the English market, one located in Three Rivers, the other in Nicolet. Several of Moses Hart's sawmills were quite modern. Letters of Moses Hart reveal that he had installed a sawmill with a circular saw on the southwest branch of the river Nicolet in 1831.² A circular saw was found to be more efficient than one moving up and down. Before this Moses Hart had built sawmills consisting of one single saw and one gang of eight saws "with machinery to draw in the logs to be sawn."³ Moses Hart often gave out contracts to various individuals to cut timber on his lands for a specified price for each log and to deliver the timber close to or at his mill.⁴ Some timber contracts of Moses Hart are for labour alone. For example, in their work contract with A. T. Hart, William Starkey and Daniel Cronon were to receive four dollars for the first month after which they were to receive five dollars a month for cutting timber for Alexander-Thomas Hart at Nicolet. Room and board were to be provided

1. Standard deal—such a plank cut 9 by 3 inches by 12 feet.

2. Hart Papers, reel 7, K-N-3. May 20, 1831.

3. Hart Papers, reel 7, K-N-3.

4. Hart Papers, reel 7, K-N-3. Three Rivers, 3 April, 1843.
Simon Bergeron contract with Moses Hart.

free of charge by Alexander-Thomas Hart. No time is stated in the contract as to how long Starkey and Cronon had to work per day.¹

William Jones was one of those individuals given a contract to cut timber on Moses Hart's property. These are the prices William Jones received for cutting timber on Moses Hart's seigniory of Courval. For spruce logs at least 12' 2" in length and not under 13" in diameter, one shilling and 3 pence or 27 cents. For pine logs at least 12' 2" in length and not under 13" in diameter, one shilling and 8 pence or 32 cents. This was the price paid for timber delivered at the Hart mill at Nicolet or one shilling and two pence (26 cents) for spruce and one shilling and six pence (30 cents) for pine delivered on the southwest branch of the River Nicolet.² At this mill, the logs were reduced to the standard size and then assembled into rafts. Most of the logs handled by the Harts were white pine, then spruce, the ratio being about five pine to one spruce.³

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1. Hart Papers, reel 7, K-0-2. Trois-Rivières, 3 Mai, 1834.
 2. Hart Papers, reel 7, K-0-1, December 10, 1831.
Moses Hart to William Jones.
 3. Hart Papers, reel 7, K-0-1, March 14, 1835.
Moses Hart to A. T. Hart.

Here is a copy of the contract between Moses Hart and
William Jones:

" . . . spruce and pine logs of twelve feet two inches in length and not under thirteen inches in diameter at the rate of one shilling and three pence for spruce and one shilling and eight pence for pine—delivered at the mill. (Nicolet) The said spruce logs to be reduced to the standard of fifteen inches in diameter and the pine at eighteen inches in diameter or one shilling and six pence for pine and one shilling and two pence for spruce of the same standard delivered on the bank of the S. W. Branch of the river Nicolet. The said logs to be cut on the Sig. Courval No. four, five, six, seven, eight, nine, in the eleventh range of Wendover. No. Ten, Eleven, twenty four and twenty five in the fifth range. No. twenty eight in the tenth range. No. ten, in the eleventh range of the Township of Simpson. The said Jones further agrees to keep a pair of oxen belonging to Moses Hart to clear logs and keep the said oxen in good order and to return them when demanded by M. Hart. The said Jones further agrees to pay three dollars per 100 logs that they draw.
Seigniory Courval December Tenth Eighteen Hundred and thirty one. Wm. Jones contract for Logs and Loan of Oxen." ¹

1. Hart Papers, reel 7, K-N-2.

Moses Hart had a sawmill built for his son, Areli-Blake

"on the north side of the southwest branch of the river Nicolet at the summit of the large falls of the said river near the rear line of the seignior of Courval, with a dam across the river nicolet. The whole to be built by and completed on the 30th May next (1831) . . . with flume wheels, gates, cranks, saws, boom, and every other machinery and apparatus compleat for sawing timber and a log house for the work men for the sum of one Hundred and fifty pounds currency." ¹

Moses Hart felt that the establishment of this sawmill would help Areli-Blake settle down. The sawmill at Nicolet was driven by the Nicolet River. Difficulties arose during the winter in operating the sawmill and in transporting the timber when the water level was low. ²

". . . notwithstanding all the heavy rain which fell lately the river here has fell more than when I left it a week ago ad I am afraid that we shall not be able to bring any wood down this season although we have about 16,000 deals³ and boards here⁴ People say it (river) will not rise till very late."

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1. Hart Papers, reel 7, K-N-2. Three Rivers, May 20, 1830.
 2. Hart Papers, reel 7, K-N-2. Courval, 30 December, 1831.
 3. A deal was a plank three inches or more thick, carefully sawn from the best material and suitable for resawing in England; a standard deal was a plank nine by three inches by twelve feet.
 4. Hart Papers, reel 7, K-O-1. Alexander-Thomas Hart from Hartville to Moses Hart, Three Rivers, 7 Oct., 1832.

While the large trees suited to square timber were cut for overseas shipment to Britain, the smaller trees suited to the production of saw logs were available for the manufacture of lumber for the American trade. From 1835 or 1836, Moses Hart began to export lumber to the United States. Not only was the Chambly Canal used to transport the lumber but also the St. John's-Laprairie Railway. In the Second Report of the Special Committee on the trade of the Province evidence was given that concerning lumber from Three Rivers, "a good market was being found in the great seaports of the eastern United States."¹ As Moses Hart was the only large entrepreneur in lumber in Three Rivers, it was mostly his lumber which was referred to. While the two industries, square-timber making for the British market and sawn-lumber production for the American (and later for the British, too), existed side by side for many years, eventually lumber won and the square-timber trade disappeared.

1. Journal of Assembly of Lower Canada, 1836.

Appendix C, evidence of B. P. Wagner, Three Rivers.

V

The change in economic conditions can be seen in the different businesses entered into by the sons of Aaron Hart. Ezekiel Hart continued to own a general store, properties, stocks, and manage his brewery. His brothers in Montreal went into the export-import business, while Moses invested mostly in lumbering, steamboats, and banking.

Aaron Hart's sons witnessed and took part in the changes occurring in transportation. They saw the stage coach being succeeded by railways and the sailing vessel by steamboats. The sons of Aaron Hart invested in both of these new means of transportation. Moses Hart attempted but failed in his attempt to purchase the telegraph owned by John Molson.

On Saturday, November 4, 1809, Molson's first steamboat the 'Accommodation' on its maiden voyage stopped at Three Rivers.¹ The sight of a steamboat at Three Rivers inspired Moses Hart to also construct steamships. Iron to build parts for the steamboats of Moses Hart came from the St. Maurice forges. Wood for Hart's steamboats came from the Three Rivers area. Profits from steamboat traffic for Moses Hart and his sons proved to be quite lucrative.

H. Biron, ed., Index to Hart Papers, p. 71;
Hart Papers, M-b-1-10.

Moses Hart tried using coal as fuel for his steamboats but it was too expensive, so he reverted back to wood.¹ Moses Hart also supplied wood for other steamboats which stopped to refuel at Three Rivers on their journey between Quebec City and Montreal. The steamboats of Moses Hart had dining facilities (after every voyage it was necessary to replace stolen cutlery) and sleeping quarters for passengers. However, the steamboats of the Harts were not luxury liners. Their main source of revenue came as a result of transporting freight or from acting as towboats. Moses Hart was a minor rival of John Molson in the steamship transportation business. Moses Hart did not keep as abreast of the technological improvements to steamboats as John Molson. When someone pointed out that his steamboats were not as fast as Molson's, Moses Hart replied, "I am well aware of that, but if my steamboats do not go fast, at least they go straight." Moses operated such steamers with the names of Toronto,¹ Hart,² Montreal,³ Lady Aylmer,⁴ Little Alex,⁵ between the cities of Montreal, Three Rivers and Quebec City. They also stopped at Nicolet, Berthier and Sorel. Moses Hart invested in the Halifax and Steam Navigation Company,⁶ whose

1. P.A.C., M.S.

Ship: Toronto.
Type: Square sterned steamboat.
Tons Gross: 203

Registered:
Port of Registry—Lost.
Built: Three Rivers, 1835.

2. P.A.C., M.S.

Ship: Hart
Type: Steamer
Tons Gross: 164
Broken up at St. Nicholas, 1851.

Registered: 1840, Quebec City.
Built: Three Rivers.

3. Hart Papers, reel 4, J-L-2, Aug. 1835.

4. Hart Papers, reel 8, L-D-57.

5. Hart Papers, reel 10, M-A-1.

6. H. Biron, ed., Index to Hart Papers, p. 95.

purpose was to establish communication by means of a steam vessel between the ports of Lower Canada and the Maritime Provinces. In 1832, the year of the great cholera outbreak, the steamship, the Royal William, which was to establish this communication, was so harassed by quarantine restrictions, that her losses became quite considerable. As a result in the spring of 1833, Moses Hart and the other owners sold her for less than a third of her original cost.¹ The Royal William subsequently became the first steamship to cross the Atlantic later in 1833.²

On the New York Stock Exchange, Moses Hart invested mostly in bank stock. Banks in which Moses Hart held shares in 1822 included Pennsylvania Bank, Philadelphia Bank, North American Bank, Manhattan Bank, Merchants Bank, Bank of America, Maryland Bank, and Baltimore Bank.³ Moses Hart's stocks in the Mechanics Bank and Manhattan Company were together worth \$3,632.00.⁴ Moses Hart bought stocks on the New York Stock Exchange⁵ and obtained loans⁶ by dealing through Prime Ward and Sands of New York City.⁷

Footnotes for page 58

1. W. Wood, "All Afloat," eds., G. W. Wrong and H. H. Langton, Chronicles of Canada Series, (Toronto, 1914), XXXI, 140-143.
2. M. J. Patton, "Shipping and Canals," eds., A. Shortt and A. G. Doughty, Canada and Its Provinces, (Toronto, 1914), X, 590-595.
3. Hart Papers, reel 4, J-G-2-2.
4. Hart Papers, reel 4, J-O-3-2, July 8, 1854.
C. M. Potter, 61 Wall Street, New York, to Wm. McDougall, Three Rivers. C. M. Potter was the lawyer in charge of settling Moses Hart's estate in New York City and Wm. McDougall was the lawyer in charge of settling Moses Hart's estate in Three Rivers.
5. Hart Papers, reel 10, M-C-10, 1823-1824.
6. Hart Papers, reel 10, M-C-13, 1812-1814. M-D-1, 30 December, 1817. July 1825. 9 October, 1827. 18 August, 1833. 24 September, 1839. 9 October, 1839.
7. Hart Papers, reel 10, M-C-8. New York Stock Exchange and Loan Office, No. 83 Wall Street.
"In consequence of the decease of our friend and partner, Mr. Joseph Sands, the business in future will be conducted under the firm of Prime, Ward, King, and Company.^a
- a. Hart Papers, reel 10, M-C-9. New York, 7 September, 1825.

Moses Hart invested in the Welland Canal Company,¹
 Not only was Moses Hart unable to obtain the interest he
 desired² on the money he invested in Welland Canal stock
 but his estate, although it tried, was also unable to receive
 any of the interest they felt was due to them.

" . . . the nine years interest claimed by the estate
 of the late Moses Hart, for which the late Hon.
 Hamilton Merritt gave his receipt to pay . . . has
 never been paid." ³

One of Moses' ambitions was to establish a chain of
 banks in Lower Canada. This idea had its initiation in
 Three Rivers when in 1835, Moses Hart opened a bank there.
 However, Moses Hart's bank never extended itself beyond
 Three Rivers and vicinity. In 1839, Moses Hart petitioned
 the Government to incorporate the bank, but this was never
 done and the bank was discontinued at his death. Moses
 Hart was assisted in his banking enterprises by his sons,
 Alexander Thomas and Ezekiel Moses. Moses Hart's bank in
 Three Rivers issued its own notes in varying denominations.
 The bank remained in existence from 1835 until his death in
 1852 when it closed its doors. It neither went bankrupt nor
 suspended payments at his death, but merely called in its
 outstanding bills and redeemed them.

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1. Hart Papers, reel 4, J-E-I-1.
 2. H. Biron, ed., Index to Hart Papers, p. 72;
Hart Papers, reel 4, J-G-1-B.
 3. Hart Papers, reel 4, J-O-2-A, August 25, 1862.

Moses Hart especially wanted to see^{the} Three Rivers area develop as fully economically as possible, and to this end, he established a bank to provide credit. By opening a bank in Three Rivers, Moses Hart helped out commerce in Three Rivers as well as his own business activities. The presence of a reliable paper currency served to stimulate commerce. Moses Hart also used the money invested in his bank to promote himself financially. Besides the bank in Three Rivers which he completely owned, Moses Hart had money in the Bank of Albany, Bank of British North America, Bank of Canada, Bank of Upper Canada,¹ Bank of Montreal, City Bank (Montreal), Bank of Quebec City, Provident and Savings Bank in Quebec City, and the Bank of the People in Montreal.² Among the original shareholders in stock in the Bank of Montreal in 1817 were Moses and his brother Ezekiel.³

1. Hart Papers, reel 4, J-0-2-F.

2. H. Biron, ed., Index to Hart Papers, p. 71; Hart Papers, M-b-1-10.

3. Ezekiel Hart

June 27, 1817 - subscribed for 8 shares
(shares worth £50 each).

January 27, 1818 - sold 8 shares to Moses Hart.

Moses Hart

June 23, 1817 - Subscribed for 20 shares (maximum number
allowed per person).

Jan. 27, 1818 - bought 8 shares from Ezekiel Hart.

VI

Areli-Blake, son of Moses Hart, in 1829 when he was twenty-five years old, was sent to England¹ by his father to strengthen commercial connections with their English importers² and also to possibly find new markets in other European countries. Areli-Blake made a stopover in London.³ One reason why Areli-Blake Hart was sent to London was because George Joel, who had been one of Moses Hart's importers in England from 1802 to 1828 had died.⁴ Judith Joel, wife of George Joel, was Moses Hart's aunt and Areli-Blake was to personally convey the sympathies of the Hart family as well as a slight pension for Mrs. Joel.⁵ Another good reason for Areli-Blake's departure was on account of the fact that he had become involved with the wife of James Burns.⁶ From London Areli-Blake went to France and Italy for his own pleasure not for business much to the despair of his father. From Paris, Areli-Blake Hart wrote to his father, Moses, long letters full of detailed observations on the customs and ways of the French people. On April 12, 1830, Areli-Blake wrote:

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1. H. Biron, ed., Index to Hart Papers, p. 31; Hart Papers, Areli-Blake left July 4, 1829.
 2. H. Biron, ed., Index to Hart Papers, p. 44; Hart Papers, M. Hart to G. Joel, 1802-1828.
 3. H. Biron, ed., Index to Hart Papers, p. 39; Hart Papers, Aug. 10, 1829.
 4. H. Biron, ed., Index to Hart Papers, p. 92; Hart Papers, reel 4, J-P-2; Hart Papers, P-a-35.
 5. H. Biron, ed., Index to Hart Papers, p. 44.
 6. H. Biron, ed., Index to Hart Papers, p. 76; Hart Papers, James Burns to Areli-Blake Hart.

"Dear Father,

" . . . France is the land of political and religious freedom; all the French are Deists. On Sunday the shops are all opened the same as another day. The revolution and Voltaire has destroyed the Christian religion in this country . . . I have enjoyed excellent health since I am in this happy country. There is no country so beautiful as France. . ."¹

Through his letters, Areli-Blake Hart presents a fascinating account of his travels and what he saw. After Paris, Marseilles most impressed Areli-Blake Hart. But this was said before he had crossed over into Florence, Italy, where he fell in love and was married.² Areli-Blake was advanced money on orders of the London bankers, Brown, Dawson and Company,³ to the Florentine banker, Ferrizi. One morning Ferrizi received word not to provide Areli-Blake with any more spending money; later, there arrived a harsh letter from his father reprimanding Areli-Blake for wasting money and for living like a libertine. On his promise that he would return home, Areli-Blake received an advance of £244 which he used to live several months more in Italy. A quarrel with his newly acquired wife primarily over his lack of money caused him to return home in 1832.

1. Hart Papers, reel 4, J-H-1-3.

2. H. Biron, ed., Index to Hart Papers, p. 39;
Hart Papers, reel 4, June 17, 1831, Judah Joseph to M. Hart.

3. Moses Hart dealt with the banking firm in London of Brown, Dawson, Willis, and Company, and in Liverpool with the firm of Willis and Swanson.^a On January 1, 1833, the London firm became Brown, Duncan and Company, due to the death of Dawson.^b

a. Hart Papers, reel 4, J-H-1-2.

b. Hart Papers, reel 4, J-H-1-3.

Moses Hart offered \$100 on behalf of his son to his Italian wife, Mrs. Areli-Blake Hart, the former Rosalinda Fiacchi, if she would grant him a divorce. Since this approach didn't work, Moses Hart wrote to his son's Italian wife:

"I feel for your misfortune. I was once affluent, but I have met lately with such severe losses that I am nearly reduced to ruin. Please let me know how much you will take for all your claims under your marriage contract." ¹

By exaggerating his state of poverty, Moses Hart helped to get his son out of this marriage for the main reason Rosalinda Fiacchi had married Areli-Blake was for the wealth which Areli-Blake had claimed his father possessed. Moses Hart was adversely affected financially at this time, but not nearly as much as he claimed. Not only was Moses Hart facing increasing competition in the fields of brewing and steamboats but at the same time, there was a decline in available markets for the sale of his timber.

Areli-Blake let his father carry on with the correspondence and make all the arrangements for the dissolution of his marriage. Within a year, Areli-Blake had married again. His second wife was Julia Seaton, daughter of an English officer stationed in Lower Canada. After a rather adventurous early life, Areli-Blake together with his second wife lived a much more subdued life in Three Rivers in a luxurious house on Alexander Street. Areli-Blake Hart died on February 3, 1857.

1. H. Biron, ed., Index to Hart Papers, p. 40;
Hart Papers, M. Hart to Mrs. Rosalinda Hart, Nov. 4, 1846.

The only similar characteristic between Areli-Blake and his father, Moses, was their affairs with women. Areli-Blake lacked his father's financial ability. Areli-Blake spent but did not increase the wealth given to him by his father. This example of Areli-Blake Hart provides an illustration of the credit which should be given to Aaron Hart, who was able to make businessmen out of his sons.

VII

When Moses Hart died on October 15, 1852, what remains of his will reveals that he left to his son, Aaron-Moses, various lands and a three-storey brick house on Platon Street; to his son Alexander-Thomas, who had helped to manage a flourishing business in the timber trade in the parishes on the southern side of the St. Lawrence, he bequeathed the seigniority of Courval; to his legitimate daughters Sarah-Dorothy and Charlotte, he left the fief of Godefroy; to Samuel-Judah, the seigniority of Gaspe; to Reuben-Moses, the seigniority of Belair; and to Areli-Blake Hart, the seigniorities of Marquisat Dusable and Ste. Marguerite. Additional money was received by the estate of Moses and Ezekiel Hart¹ following the ending of the seigniorial system.² The children of Aaron Hart's sons spent but did not add to the wealth they inherited from their fathers. None of the sons of Aaron Hart became financial successes.

1. Hart Papers, reel 4, J-0-2-B.

2. M. Trudel, "The Seigniorial Regime,"
C.H.A. Booklet, No. 6. (Ottawa, 1956), p. 17.

CHAPTER THREE

THE BUSINESSES OF BENJAMIN AND ALEXANDER HART

I

While the eldest son of Aaron Hart, Moses, remained in Three Rivers with Ezekiel, Benjamin and Alexander moved from Three Rivers to Montreal. Alexander left with his mother to live in Montreal shortly after his father's death. Benjamin moved out of Three Rivers when it was obvious that he was coming into competition with Moses and Ezekiel. To avoid competing in business with his brothers and to maintain family friendship, Benjamin set up his business in Montreal. The wealth, inherited from their father, gave Benjamin and Alexander a financial base from which they were able to go into business in Montreal.

II

While in Three Rivers, Benjamin Hart cooperated with his brothers in their business affairs.¹ Benjamin's main business was in his hardware store which offered for sale: nails, spikes, chisels, chains, paint, etc. Benjamin Hart, the third son of Aaron Hart, married his cousin, Harriet Hart on April 1, 1806. Harriet Hart was the daughter of Ephraim Hart.² Ephraim Hart was one of the original members of the Board of Stockbrokers in New York or the New York Stock Exchange. He was also a large land speculator and became one of the wealthiest Jews in New York. In 1810, he became a state senator.³ Upon his death in 1825,

1. Hart Papers, reel 4, J-E-I.

2. Publications of the American Jewish Historical Society,
Fol. IV, 215, VI, 155.

3. David de Sola Pool, Portraits Etched In Stone,
(New York, 1952), p. 289.

Ephraim Hart left a considerable sum of money in his will to his daughter, the wife of Benjamin Hart. With this money, Benjamin Hart was able to greatly expand his business in Montreal. Benjamin Hart's wife was also left valuable real estate in New York City.

From 1813 to 1818, Benjamin Hart lived in both Montreal and Three Rivers. Gradually, he sold out his assets in Three Rivers and made Montreal more and more his home and place of business. However, in the period from 1813 to 1818, he still carried on business in Three Rivers. In late 1817,¹ he sold his home and remaining assets in Three Rivers and in 1818 made Montreal his sole place of residence and business. Benjamin Hart moved to Montreal in order to avoid economic conflict with Moses and Ezekiel, because he felt Montreal offered bigger and better opportunities for economic advancement, and also because Montreal had a substantial Jewish community where he could properly raise his children as Jews. On May 10, 1818, Benjamin Hart made out an application to become a General Agent and Commission Merchant,² and his application was approved.³

Benjamin Hart also became an importer and wholesaler of English manufactured goods.

"Benjamin Hart, Esq.

Respectfully informs Friends and the Public, that he has found connections in England with respectable merchants and manufacturers, and will constantly have a supply of goods, suitable for Upper and Lower Canada and the northern part of the United States. By the spring ships he expects an extensive assortment of all kinds of goods; and has on hand at present, some superior manufactured Ironmongery and hardware goods, which he can recommend with confidence and which will be sold at reduced prices for cash or approved credit or for produce at the best market prices."

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1. La Gazette des Trois-Rivières, Mardi, le 23 Septembre, 1817, p. 3.
Mardi, le 18 Novembre, 1817, p. 3.
Mardi, le 16 Decembre, 1817, p. 3.
 2. Hart Papers, reel 4, J-E-2-A.
 3. Hart Papers, reel 4, J-E-3-1.

Goods offered for sale by B. Hart included:

"Pit saws; Hand, Ripping, Dove Tail, Sash and Tennon Saws; Wood-Cutters Saws; Saw Files; Smiths Files; Edge Tools; Planes; Drawing Knives; Chests of Tools; Scythes and Sickles; Nails; Weighing Machines; Iron Weights from 4 lb downwards; Frying Pans; Sail Irons; Iron Candlesticks; Crowley Britannia Metal Steel Pots; Sugar Basons and Cream Ewers; Queen and Britannia Metal Spoons; Tin'd Iron Spoons and Forks; Cork Screws; Powder Flasks; Slot Belts; Razors In Cases; Table Knives and Forks; Pocket, Pen and Sportsmen's Knives; Walking Sticks; Blacking; Awl Blades; Scissors; Needles, Butcher's Knives; Sewing Prints; Books; Paper; a Printing Press . . ."1

Benjamin Hart's warehouse was located on St. Paul Street.² The store where he sold his products was located at the corner of Recollet and Ste. Helene Streets.³ As a commission merchant, Benjamin Hart received raw products from individual producers and small merchants and acted as the middleman who stored and then shipped the goods to the London market. Benjamin Hart also received and sold manufactured goods and other items he ordered from London. Here are some items regularly advertised for sale by Benjamin Hart: nails, chains, tin, copper, paints, axes, scythes, sickles, lead shot, gunpowder, patent leather, alum, putty, cement, copperas, saws, shovels, spades, millstones, ink, castor oil, vinegar, salt, sugar, mustard, black and red pepper, saltpetar, indigo, nutmeg, black shoe polish, glue, files, frying-pans, linseed and olive oil, sponges, soap, brooms, brushes, matting, mineral water, Jamaican rum, cognac, wine, glass-ware, carbonate soda, and potassium soda. Benjamin Hart

1. Hart Papers, reel 4, J-E-3-1, December 24, 1818.

2. T. Doige, An Alphabetical List of the Merchants, Traders, and Housekeepers Residing in Montreal, (Montreal, 1819), p. 109.
Hart, Benjamin, Commission merchant, 69 St. Paul Street.

3. Montreal Directory, 1842, p. 63.

also usually had 6,000 barrels of flour and 75 barrels of lard for sale. Benjamin Hart also offered for sale: tea, bricks, Liverpool salt, and coal. With the arrival of the ships from England in the spring, Benjamin Hart would advertise for sale, in both French and English newspapers of Montreal, items he had ordered. Large quantities of these products would arrive and Benjamin Hart would sell them to small shop owners through his warehouse as well as to individual citizens at his store.

Benjamin Hart charged on the average $3\frac{1}{2}\%$ personal commission for exporting products. Benjamin Hart forwarded his imports to Upper Canada for a commission of 5% on the English invoice. The Upper Canadian merchants made their payments to B. Hart and had no direct dealings with the London merchants. The goods which Benjamin handled were sent to London. Benjamin owned a ship which was named after him.¹ Benjamin like his brothers, Moses and Ezekiel, also invested money he earned in Bank of Montreal stock.² It was principally due to Moses' advice that Benjamin invested in the Bank of Montreal.³

For footnotes, see page 68 A.

Footnotes for page 68

1. N. Rosa, La Construction des navires à Québec,

(Québec, 1897), p. 68;

P.A.C. M.S., Shipping Register, Québec City, Que.

Vol. 191, pp. 0029-0030.

Ship:	Benjamin Hart	Registered:	Québec City
Type:	Square sterned bark		
Tons Gross:	322	Built:	Québec City,
Owner:	Benjamin Hart		June 14, 1839.
Bridge:	I		
Masts:	3		
Length:	97		

2. June 1, 1837. - Subscribed for 6 shares of new stock issue on which he deposited £30. Further instalments on June 14, 1837, December 3, 1838, and April 4, 1839, result in shares being fully paid up (£300)

December 31, 1840 - Bought 4 shares fully paid-up (£200)

October 14, 1842. Bought 30 shares from Theodore Hart.

3. Hart Papers, reel 4, J-E-2-A-1

III

Alexander Hart, who began as an importer and exporter in Montreal,¹ gradually built up his business. Alexander's business became lucrative in 1808 when he was an exporter during the Jefferson embargo. He bought and exported American produce, especially wheat which he sent to Glasgow and London.² In his early years of business, Alexander Hart imported rum, tea, sugar, spices, and paper and exported potash and furs to London and imported products from Albany. By the 1820's, he had become a prominent importer. His firm was known as Alexander Hart and Company, Importer of European and Indian Goods.³ Alexander's imports by this time included: salt, tea, silks, satin, lace, velvet, spices, perfume, sugar, cloths, brandy, champagne, and jewels. Alexander smuggled in tea from the United States where it was admitted free of duty. Alexander also obtained sugar and molasses from the British West Indies. Owing to the smuggling into Lower Canada of tea, silk and other East Indian goods from the United States, a British act was passed in 1824 authorizing the East India Company to send ships directly from their East Indian ports to Lower Canada.⁴ The new policy

1. Hart Papers, reel 4, J-F-1-A, June 29, 1807,

2. Hart Papers, reel 4, J-F-1-B, July 25, 1808.

3. Hart Papers, reel 4, J-F-1-A, 1827.

4. A. Shortt, "General Economic History, 1763-1841," eds. A. Shortt and A. G. Dought, Canada and Its Provinces, (Toronto, 1914), IV, 575.

of the British government led to a sharp decline in the smuggling in of tea to Lower Canada from the United States by Alexander Hart and others. Alexander owned a large warehouse situated parallel to the unloading docks alongside the St. Lawrence River in the port of Montreal. An etching of this scene is on some of his stationery.¹ Alexander also had another warehouse on Dorchester Street in Montreal.² The hub of Alexander's business was at his counting-house located on Craig Street and Fortification Lane.³ Alexander Hart was successful in different commercial ventures in Montreal. Alexander had considerable money invested in Montreal in property, mortgages and loans.⁴ Alexander also had funds invested in City Bank of Montreal as well as in the Bank of Montreal.⁵ Alexander sold all his lands in the Three Rivers area and invested his money in "shares in the Canada Company with the exception of two lots. . ."⁶

Benjamin in his early years imported manufactured metal products from England, while Alexander imported other types of goods so that both brothers were not in competition. Both were on friendly terms with one another. From 1822, with the completion of the Champlain Canal and in 1825, the Erie Canal, the export business of Benjamin Hart declined

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1. Hart Papers, reel 4, J-F-1-A.
 2. Hart Papers, reel 4, J-F-1-B-1, November 2, 1830.
 3. T. Doige, An Alphabetical List of the Merchants, Traders, and Housekeepers Residing in Montreal, (Montreal, 1819), p. 109.
 4. Hart Papers, reel 4, J-F-2.
 5. Hart Papers, reel 4, J-F-2.

about 30%. Freight ships of Benjamin Hart upon returning from England after having discharged their exports, sometimes brought back Irish or English immigrants.¹ On immigrant ships were often cases of cholera. Among the papers of Benjamin Hart there is his moving description of a cholera epidemic and the widespread panic which resulted in Lower Canada.² Alexander Hart died of cholera on September 16, 1835. Thus was cut short a brief but successful financial career. Alexander was buried in the family cemetery at Three Rivers. After Alexander's death, Benjamin took over his brother's importing business.

IV

In 1837 and 1838, Moses and Ezekiel Hart bought a great deal of land cheaply due to the economic depression which forced many to sell.³ Moses Hart dissipated part of his wealth through buying up too much land especially from 1838 to 1846.⁴ As a result of the panic of 1837, stocks fell drastically on the New York Stock Exchange. Moses and Benjamin Hart, both of whom had invested considerable money, suffered setbacks. Stocks of Benjamin Hart, such as Manhattan Bank, Neptune, and Union Insurance fell to the "lowest they have been yet."⁵

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1. Hart Papers, reel 4, J-F-A.
 2. H. Biron, ed., Index to Hart Papers, p. 19, June 26, 1832.
 3. Hart Papers, reel 4, J-F-1-B, March 18, 1838.
 4. Hart Papers, reel 10-L-i-1 to L-i-15.
 5. Hart Papers, reel 4, J-F-1-B, June 4, 1837.

V

It appears that following Alexander Hart's death, Benjamin began to invest his earnings. Benjamin invested in railways with the hope that railways would help his export business which had been declining due to American competition. The Americans had a more extensive communication system of railways and canals, part of whose costs had helped to be financed by the state governments. In Lower Canada, the merchants without help from the government, had to try and finance a railway with their own capital.

Benjamin Hart, a Lower Canadian merchant, was a contributor¹ to the building of the Champlain and St. Lawrence Railway, which was at first just a sixteen mile railroad built in 1836,² between La Prairie and St. Johns to circumvent the rapids of the Richelieu River. Its first cars were horsedrawn until it acquired a locomotive in 1837. Between 1840 to 1852, this line was extended to the American border so as to connect to the American railway system. In 1844, Benjamin Hart invested in a railroad which was to connect Montreal to Portland, Maine, in the hope that it would help his export business and provide him and other Montreal merchants with an ocean port through which they could import and export throughout the year. However, by 1852, only enough funds to

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1. H. Biron, ed., Index to Hart Papers, p. 89;
Lucien Brault, Le Premier Chemin De Fer du Canada, (Ottawa, 1937), pp. 26, 28;
"The Champlain and St. Lawrence Railroad," The Railway and Locomotive Historical Society, Bulletin No. 39, (March 1936), p. 11.
 2. "The Champlain and St. Lawrence Railroad," The Railway and Locomotive Historical Society, Bulletin No. 39, (March 1936), p. 9;
S. J. McLean, "National Highways Overland,"
eds., A. Shortt and A. G. Doughty, Canada and Its Provinces, (Toronto, 1914), X, 376.

build 71 miles of track from Montreal to Melbourne had been raised.¹ Benjamin's investments in railways only served to deplete his funds.

Benjamin Hart was a commission agent in Montreal, who by the 1840's dealt largely in flour for export to Britain. He exported flour which came down the St. Lawrence from Upper Canada and especially wheat which came from the United States. Naturally, B. Hart was against anything which would stop American wheat from going to England, via Montreal. Therefore, B. Hart was for measures or political programs which he believed would help to improve the navigation of the St. Lawrence and for the British preference on flour from Canada.

VI

The economic boom of 1845 in England came to an end and there followed the panic of 1847, lengthening into the depression of 1848 and 1849.² This depression adversely affected both Moses and Benjamin Hart. In 1846, a new American tariff increased the duties on Canadian wood, thus temporarily closing that market³ for the lumber of Moses Hart and his sons. In 1847 and 1848, overproduction for the British market was carried to heights never reached before. When, therefore, the demand in England shrank, there was left in Canada, on the

1. F. Ouellet, Histoire Economique Et Sociale Du Quebec, 1760-1850, (Montreal, 1966), p. 528.

2. A.R.M. Lower, The North American Assault On the Canadian Forest, (Toronto, 1938), p. 105.

3. Loc. cit.

hands of producers, like Moses Hart, the largest stock of unsold lumber on record. Moses Hart's sons withdrew from the timber trade following Moses Hart's death. Coincident with this crash in the lumber trade, there was a flour-milling crisis affecting Montreal and the Niagara Peninsula which hurt Benjamin Hart, who exported flour to Great Britain. Upper Canada began to import from the United States, thus evading the middlemen of Montreal. This also helped to bring about the financial downfall of Benjamin Hart as it cut down his import business. To New York City via the New York Central Railway and the Erie Canal went Upper Canadian exports that had earlier went through Montreal. Benjamin Hart expressed his resentment politically by advocating annexation to the United States. The ending of the British preference on flour from Canada severely hurt Benjamin Hart, whose export business had come to rely on this market for flour in which he had invested a lot of money. After 1849, neither Moses nor Benjamin were active businessmen. An important reason why they did not attempt a recovery was their old age. Moses and Benjamin were too old to try and continue on in business. The events of the late 1840's provided them with a reason for retiring. Both their business enterprises were not continued for their sons lacked the ability to carry on. It should be noted that Benjamin and Moses did not die penniless. Despite economic setbacks at this time, they both died wealthy men.

PART II

THE HART FAMILY AND THE STATUS OF THE
JEWISH COMMUNITY IN LOWER CANADA

Introduction

In Lower Canada, the Jews were allowed freedom of religion. They were not prevented from worshipping, building a synagogue or having their own cemetery. Freedom to worship without state interference was a benefit appreciated by the Jews in Lower Canada for elsewhere at this time Jews were not allowed freedom of worship. In Lower Canada, Jews such as the Harts, could engage in any occupation they wished. Elsewhere in the world, Jews were not allowed to pursue any occupation they desired. Not only was there no state interference in the religious affairs of the Jews of Lower Canada but also the people of Lower Canada did not interfere. In Montreal and Three Rivers, there were no cases of desecration of synagogues or destruction of the property of Jews as occurred in other parts of the world. Even though most Jews in Lower Canada were merchants, there were never any acts of violence against Jews or their property. In Three Rivers, the Harts were able to make their home, worship freely and be accepted as part of the society. Even during the 1837-1838 Rebellion, a time of severe economic difficulty, there were no attacks upon the Harts or their property.

Although there was freedom in the religious, economic and social sphere for the Jews of Lower Canada, there was not

complete political equality. Prior to the case of Ezekiel Hart, most Jews in Lower Canada assumed that they had full political rights. This was why there was such anger among the Jewish community when Ezekiel Hart was not permitted to take his seat in the Legislative Assembly of Lower Canada. The Jews of Lower Canada continued to attempt to gain equal status with the rest of the citizens of Lower Canada until they were successful because they felt it was due to them

In Part II religion and politics become closely intertwined. The fact that the Harts were Jewish affected their political ambitions and motivated them into helping bring about reforms to the rights of Jews in Lower Canada. Part II will not only examine the Harts participation in gaining political equality because they were Jews but also attempt to examine how Jewish they were.

CHAPTER FOUR

I

In comparing Britain with her colony of Lower Canada in their attitude to and treatment of Jews, Britain proved to be more backward than Lower Canada in giving her Jewish citizens full political and civil rights. The issue of Jewish rights was first presented in tangible form in Lower Canada during a session of the Legislative Assembly. The central figure was Ezekiel Hart (1770-1843), the second son of Aaron Hart. The controversy helped to lead^{to} the passing of a bill in 1832 granting full political rights to Jews in British North America, while it was not until 1858 that Jews could sit in the British House of Commons.

In Lower Canada, the representative assembly came increasingly into conflict with the executive branch which was sympathetic to and represented the aims of the English-speaking merchant community. The conflict was building up when in 1807, Ezekiel Hart was elected to the assembly as a member for Three Rivers. The French-Canadian majority in the assembly led by P. S. Bedard, expelled E. Hart from that body on the ground that a Jew could not take the oath prescribed for members of the assembly. One approach is that the expulsion of Ezekiel Hart was an example of anti-semitism in Lower Canada. This anti-semitism arose as a result of the educational

background and rising French-Canadian nationalism at the time. I believe that the expulsion of Ezekiel Hart was an example of an aspect of rising French-Canadian nationalism. Another explanation is that the expulsion of Ezekiel Hart should be viewed in the larger perspective of economic conflict, since the majority in the Assembly objected to Ezekiel Hart because he represented the English-speaking mercantile interests. However, the fact remains that E. Hart was excluded because he was a Jew. Ezekiel Hart received most of his support from the French-Canadian members of his constituency and although like many of the English-speaking merchants he was for laws protecting the merchant, he was more attuned and sympathetic to the aspirations of the French-Canadians in the political, religious, and cultural fields than the other English merchants. As a storekeeper and moneylender, Ezekiel Hart was for the protection and preservation of his economic position.

II

During the 1807 session, John Lee,¹ who since 1792 had been one of the two representatives of Three Rivers, died; the other representative of Three Rivers at this time was Judge L. C. Foucher.² Mathew Bell, Thomas Coffin, Pierre Vezina,

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1. R. Christie, A History of the Late Province of Lower Canada, Parliamentary and Political, (Quebec, 1848), I, 256.
 2. Yvon Theriault, Trois-Rivières, (Trois-Rivières, 1954), p. 84; B. Sulte, Pages d'histoire du Canada, (Montreal, 1891), pp. 401-432; H. T. Manning, The Revolt of French Canada, (Toronto, 1962), p. 52; Pierre-Georges Roy, Les Juges De La Province De Quebec, (Quebec, 1933), p. 219.

and Ezekiel Hart were the candidates in a by-election in 1807 to fill the seat left vacant by the death of John Lee.

From 1800 to 1804, Thomas Coffin and Mathew Bell¹ had been the two deputies from Saint Maurice county. Although T. Coffin was of the government party, he opposed the seating of E. Hart and voted for his expulsion in 1808. Proof that T. Coffin was of the government party can be seen in his previous consistent voting for measures supported by the government party.² T. Coffin (1762-1841) represented Saint Maurice county from 1792 to 1804, 1808 to 1809; Three Rivers from 1810 to 1814; and was on the Legislative Council of Lower Canada from 1817 to 1838.³

Mathew Bell held a concession for the Saint Maurice Forges. This is one major reason why Bell was elected in Saint Maurice county. Mathew Bell held the lease for the Saint Maurice Forges for just over fifty years, 1793 to 1843.⁴ Revenue which helped to keep the executive of Lower Canada independent from the control of the assembly was derived from

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1. F. J. Audet and E. F. Surveyor, Les Deputées de Saint-Maurice et de Buckinghamshire, (Trois-Rivières, 1934), pp. 26-34.
 2. A. G. Doughty and D. A. McArthur, eds., The Constitutional History of Canada, 1791-1818, (Ottawa, 1914), II, 356;
F. J. Audet, et L'Hon. Juge Fabre Surveyor, Les Deputées de Saint-Maurice et de Buckinghamshire, (Trois-Rivières, 1934), pp. 5-15.
 3. F. J. Audet and J. F. Surveyor, Les Deputées des Trois-Rivières, 1792-1808, (Trois-Rivières, 1933), p. 11.
 4. A. Tessier, Les Forges Saint-Maurice, 1729-1883, (Trois-Rivières, 1952), p. 114.

the annual rent from the forges of Saint Maurice.¹ In 1804, T. Coffin (1762-1841) and M. Bell were defeated in Saint Maurice county. After his defeat in 1804, Bell like Thomas Coffin, attempted in a by-election in 1807 to be elected again but this time as a member for the area adjacent to Saint-Maurice county, Three Rivers, where Bell thought he had some influence because of his control of the nearby St. Maurice Iron Works. However, Bell only managed to obtain ten votes.

As a member for Saint-Maurice county, Mathew Bell had voted with the government. Bell was also a member of the Legislative Council of Lower Canada. He acted like an English Lord. He held picnics, balls, concerts, and hunts with his pack of hounds. Bell kept continually spending thousands of dollars in entertaining and pursuing a lavish way of life.² Bell can be classified as a member of the Chateau Clique and was given privileges by the government in return for his support.

Judge L. C. Foucher (1760-1829) represented Montreal West in the Legislative Assembly of Lower Canada from 1796-1800, York from 1800 to 1804, and was one of the two members from Three Rivers, 1804-1808, when Ezekiel Hart ran for election in 1807. In 1803, Foucher was appointed judge of the Court of King's Bench for the district of Three Rivers. He was a

1. D. G. Creighton, "The Struggle for Financial Control In Lower Canada, 1818-1831," C.H.R., XII, No. 2 (June 1931), 123.

2. F. J. Audet and L'Hon. Juge Fabre Surveyor, Les Deputées de Saint-Maurice et de Buckinghamshire, (Trois-Rivières, 1934), pp. 181-182.

supporter of the men who were in control of the government of Lower Canada at the time. It was due to his membership in the government party that he was made a judge. However, Foucher fought against the election of Hart.¹ It was only when it became apparent that Bedard and his followers were also going to expel judges as well as Ezekiel Hart, the Jew, from sitting in the Assembly that Foucher opposed the expulsion of Hart.

Ezekiel Hart was quite generous as far as credit was concerned. He frequently extended the time required to pay debts owed to him for supplies from his general store. This is one of the reasons why he was popular in Three Rivers. He had a reputation for being honest and just in business and for contributing generously to the welfare of the community of Three Rivers.

III

E. Hart's first election was on Saturday, April 11, 1807, and Governor Craig² arrived in Lower Canada on October 18, 1807, so E. Hart was first elected without Craig's support. Another candidate in the 1807 election, Thomas C. Coffin, the son of a United Empire Loyalist, was both the sheriff and coroner in Three Rivers. He had formerly represented Saint-Maurice county from 1792 to 1804.³ Pierre Vezina, a lawyer and militia officer, was the third candidate. Of the two members for Three Rivers, the other member for Three Rivers, Judge Foucher gave his support to Thomas Coffin. During this

See page 81 A for footnotes.

Footnotes for page 81

1. W. S. Wallace, The Dictionary of Canadian Biography, (Toronto, 1963), p. 242;
A. G. Doughty and D. A. McArthur, eds., Documents Relating to the Constitutional History of Canada, 1791-1818, (Ottawa, 1914), II, 342.
2. A. G. Doughty and D. A. McArthur, eds., Documents Relating to the Constitutional History of Canada, 1791-1818, (Ottawa, 1914), II, 360.

James Henry Craig (b. 1748 - d. 1812) first came to British North America during the American War of Independence. He saw action at Bunker Hill and Ticonderoga. In Quebec, he commanded a company at Three Rivers, where he was garrisoned at the home of Aaron Hart. He was in the forefront of the British army which drove out the Americans from Quebec. In recognition for his service he was given the rank of major. By 1795, he was a Major-General and led in the capture of the Dutch Colony located on the Cape of Good Hope. He remained in charge of the government of the colony until 1797. In 1805, he was made a general and was to lead a British expedition which was to land in Italy. However, his plans were changed as a result of Napoleon's victories at Ulm and Austerlitz. In August 1807, he was appointed Governor-in-Chief of Upper and Lower Canada. He resigned this position and returned to England in October 1811.

3. F. J. Audet and L'Hon. Juge Fabre Surveyor, Les Deputées de Saint-Maurice et de Buckinghamshire, (Trois-Rivières, 1934), pp. 5-15.

hard-hitting campaign, Foucher ridiculed Ezekiel Hart for his short height and religion. Although Judge Foucher campaigned against E. Hart, he still continued his business dealings with the Harts. He paid rent to the Harts for pasturing his cows and several times took out loans from them. Moses Hart also continued to consult Judge Foucher for his legal opinions.¹ When it became apparent to Pierre Vezina that he was not going to be elected, he withdrew in favour of Colonel Thomas Coffin.

From 1807 to 1809 the number of registered voters in Three Rivers varied from 100 to 120. Elections for Three Rivers were conducted in a building on Notre-Dame Street. The results of the first election in 1807 of the 116 votes were: Hart 59, Coffin 41, Bell 16.² Most of E. Hart's supporters were French-Canadians from Three Rivers. Ezekiel Hart had not foreseen his success. This is why when the returning officer asked him to validate his election by signing his name, E. Hart replied that he was not able, since being an Orthodox Jew, he was not able to perform a servile act on the Sabbath. He asked the returning officer to wait until sunset when the Jewish Sabbath would be over. Upon reading the document and seeing the words "In the year of our Lord, 1807," Hart again refused to proceed. Finally, he yielded by writing "Ezekiel Hart, 1807."

1. H. Biron, ed. Index to Hart Papers, p. 24;
Hart Papers, reel 2, I-Q.

2. Journals of Assembly of Lower Canada, 1808, p. 60.

Far from being terminated, the battle was just beginning. A few days after his election, The Mercury had some articles praising Ezekiel Hart and his family and his electoral victory inspite of the fact that the government **party** and the opposition had both campaigned against the election of Ezekiel Hart. With these articles in The Mercury, the battle commenced over the seating of Ezekiel Hart. The tone of the articles in the opposition newspaper, Le Canadien can be gathered from this poem:

"Si Caligula l'Empereur
Fit son cheval consul à Rome,
Ici notre peuple électeur
Surpasse beaucoup ce grand homme:
Il prend par un choix suprenant
Un Juif pour son représentant."¹

IV

E. Hart was victorious despite attempts by men such as Judge Foucher to incite popular prejudice against him because of his race.² However, his political success was not to be enjoyed. Disappointment confronted Ezekiel Hart from the very beginning. The returning officer's papers arrived in Parliament April 16, 1807, on the last day of the session of the Legislative Assembly which prevented Ezekiel Hart from sitting that year.

V

The Legislative Assembly met again on January 29, 1808. When the oath was proposed to him, Hart refused to take it upon the New Testament, but insisted on taking the oath upon

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1. Le Canadien, samedi, 18 avril, 1807.
 2. T. P. Bedard, Histoire de Cinquante Ans, 1791-1841, (Quebec, 1869), p. 71.

the Old Testament with his head covered. No objections were raised and on January 30, the day following the opening of Parliament, he arrived to take his seat. This was the signal for a general outburst with protests being raised by the French-Canadian members.

VI

After the nomination of a committee to reply to the speech from the throne, a member raised the question if Hart had taken the oath in the regular manner. Two members of the assembly, Berthelot and Turgeon replied that he had taken the oath on the Pentateuch with his head covered. The French-Canadian members' party led by P. S. Bedard contended that this form of oath was not recognized by the British Constitution and that a member whose religious beliefs prevented him from taking his oath on the Evangels and of repeating the words "on the true faith of a Christian" was not able to take the specified oath and was therefore ineligible to sit in the Lower Canadian Assembly.¹ On February 1, 1808, a resolution was introduced stating that Ezekiel Hart had not taken the oath in the ordinary manner. On February 9, 1808, a petition was presented on the part of M. Thomas Coffin, one of E. Hart's opponents in the last election stating that Hart's election was illegal and that he should be the representative of Three Rivers in Parliament since he had received the second most amount of votes.² The French-Canadian followers of

1. Journals of Assembly of Lower Canada, 1808, pp. 22-23.

2. Ibid., p. 60.

Bedard in the Assembly took this opportunity of avenging themselves on E. Hart by literally ejecting him from the House.

Religious antipathies cannot be said to have been the only motive behind the objection to Hart's occupying his seat. Bedard and his followers attempted to capitalize on the fact that Hart was a Jew in order to deprive the English minority of a member. The reason the expulsion of Ezekiel Hart was important to the party patriot was due to the fact that many members of the party patriot were unable to be present for the entire session of the Legislative Assembly. Unlike members of the English party who could afford to stay for the entire session, most members of the party patriot had to attend to their farms or their business in order to maintain their livelihood. With sometimes only a four vote majority, the party patriot felt it was to its own advantage to expel Ezekiel Hart. Whatever the interpretation of his adversaries' motives, the polemics hurled against E. Hart and the debate as to whether he could take his seat derived from Hart's being a Jew. The question was whether or not, as a Jew, he had the same right as a Christian to sit in the House and to take part in its deliberations. The French members contended that the oath he had taken was not in conformity with the Constitution and that a deputy whose religious persuasion did not permit of his taking the proper oath upon the New Testament could not be considered a Parliamentary representative. This,

inspite of the fact that the form of oath taking had been modified to permit Roman Catholics in Lower Canada to take the oath and to sit in the Assembly, a privilege not permitted in Britain for Roman Catholics or Jews.

On February 12, 1808, after a prolonged and heated debate, the House finally decided to receive a petition of Ezekiel Hart. In this petition consisting of five concise paragraphs, he reiterated his right to retain his mandate and deplored the opinion of the Legislative Assembly to the effect that his oath was invalid. He was convinced, he continued, that the oath taken by him on January 29 was in conformity with the English statute which allowed Jews to omit the words "on the true faith of a Christian" when taking an oath. When, for example, Jews had taken oaths for jury service in Lower Canada, they had taken the oath in the same way as Hart had done. Hart therefore contended that his oath was legal and valid. He stated that on January 29, 1808, he took the oath required by the statute of the 31st year of the reign of His Majesty George III, (Constitutional Act of 1791), Ch. 31e, section 29e. He therefore requested that he be permitted to take his place as ~~a~~representative of the people.¹

For two days, the 15th and 16h of February, the House was rocked by stormy debates. The discussion revolved around the rights of Jews as they were, or could be, interpreted by

1. Journals of Assembly of Lower Canada, 1808, p. 76.

English law. Hart's petition, which was considered by a general committee of the House, was the focal point of the controversy. At the beginning it appeared as if the efforts of Hart's friends, who conducted a spirited defence of him, might be successful, for at the sitting of February 17, they succeeded in steering through a resolution which declared that in the opinion of Parliament "the manner in which the said Ezekiel Hart, Esquire, took the said oath is that practised in Courts of Justice when oaths are administered to persons professing the Jewish religion."¹ Two members of the Assembly, Mure and Mondelet testified that Ezekiel Hart was an adherent of the Jewish faith and Judge Foucher stated that since 1803, he had known E. Hart who had often requested that his affairs in court not be on Saturday for this was the Sabbath of the Jews.²

When the House carried a resolution expelling E. Hart by a vote of twenty-one to five, Hart was compelled to accept the will of the majority. Typically medieval anti-Jewish prejudices were evident in the arguments of Hart's opponents. The Attorney-General of Lower Canada declared that Hart was being barred from the Legislative Assembly on the grounds that although the validity of oaths sworn according to Jewish custom was of necessity recognized in the Courts of Justice in Lower Canada, this did not apply to Parliament. In support of the argument that Hart's oath was invalid the Attorney-General even

1. Journals of Assembly of Lower Canada, 1808, p. 77.

2. Ibid., p. 121.

invoked the Canon Law of the Anglican Church from which he cited a passage to the effect that all oaths must be taken on the Evangelists.

Under the leadership of Pierre Bedard,¹ the opposition of the French-Canadian deputies to Ezekiel Hart assumed an outright anti-Semitic character. On the other hand, the friends of Ezekiel Hart led by John Richardson,² stressed the principle that no man should be excluded from the Parliament of Lower Canada because of his being a Jew. Richardson contended that since there was no law specifically preventing a Jew from sitting in the Legislative Assembly of Lower Canada, E. Hart could take his seat. Two other English members in the Lower Canadian Assembly, John Mure and Ross Cuthbert,³ also openly defended Hart's right to sit in the Assembly. Appealing to the entire House, they asked the members not to permit themselves to be swayed by prejudice towards Jews. Their appeals had little effect.

Not only did E. Hart personally protest his expulsion but a petition containing the signatures of most of the Jews of Lower Canada was sent to Sir James Craig. The case of Ezekiel Hart represented the first stage of a long and arduous struggle for equal rights for Jews in Canada. Not until more than a quarter of a century later were the last bars to full rights of Canadian citizenship for Jews removed. However, it should be noted that the granting of full civil and

For footnotes, see page 88 A

Footnotes for page 88

1. A. G. Doughty and D. McArthur, eds., Constitutional Documents, 1791-1818, (Ottawa, 1914), II, 379.

Pierre Stanislas Bedard (1762-1829) in 1792 was elected to the first parliament of Lower Canada for the County of Northumberland which he continued to represent until 1808. In the general election of that year he was elected for the Lower Town of the City of Quebec and on April 21, 1810, was returned for the County of Surrey. He was the leader of the party in the House of Assembly which opposed the policy of Sir James Craig and his allies who controlled the Executive and Legislative Councils. He was also one of the founders and editors of the newspaper, Le Canadien, which expressed his views and those of his party.

2. F. J. Audet, Les Députés de Montreal, 1792-1867, (Montreal, 1943), pp. 18, 36.

In 1773, John Richardson (1755-1831) left Scotland for America where he entered the employ of his first cousin, James Phyn at Schenectady. In 1790, he became a partner in the firm of Forsyth, Richardson and Company. This Company supplied the XY Company; and with the union of the XY and North West Companies in 1804, its members became partners in the North West Company. John Richardson was a member of the Legislative Assembly of Lower Canada for Montreal East from 1792-1796; for Montreal West from August 6, 1804, to April 27, 1808; in 1804, he was appointed a member of the Executive Council of the Province; and in 1816, a member of the Legislative Council. In 1817, he was one of the founders of the Bank of Montreal. He died at Montreal on May 18, 1831.

3. F. J. Audet, Les Députés de Montreal, (Montreal, 1943), p. 219.

political rights to Jews in Lower Canada preceded similar legislation in England. In England, Baron Lionel de Rothschild was elected to Parliament in 1847; it was not however till 1858 that he was permitted to take his seat.¹ The Constitution of the United States of America states that no religious test should be required as a qualification to any office or public trust in the United States.²

Especially fierce in the Assembly were the speeches of Pierre Bedard, the leader at this time of the French-Canadian majority in the Assembly. What is apparent in his speeches is his profound hatred of Jews whom he described as the embodiment of evil. Bedard's main speeches were reproduced in Le Canadien. This newspaper, of which Pierre Bedard was one of the founders, was the organ of the militant French-Canadian representatives in the Assembly.³

In the Assembly debates Bedard asked, how was it possible to permit a Jew living in a British colony, whether a naturalized or a natural-born British subject, to exercise a privilege which the Jews in England did not enjoy, such as that of sitting in Parliament? It was true, he conceded, that the Law (Statute 13 George II, Chap. 7) prohibited them from sitting

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1. M. L. Margolis and A. Marx, A History of the Jewish People, (Philadelphia, 1958), p. 648.
 2. This Is The United States, (U.S.I.S., 1959), p. 114.
 3. H. T. Manning, The Revolt of French-Canada, (Toronto, 1962), p. 82.

Le Canadien was a French-Canadian newspaper founded in 1806 by Pierre Bedard, Louis Bourgages, J. L. Borgia, Dr. Francis Blanchet, and Thomas Taschereau.

in the British Parliament only and contained no reference to the colonies. However, it could not be inferred that in Canada a Jew could be a member of Parliament while the same Jew would be barred from the House of Commons. Indeed, Bedard continued, the Jews had once been expelled from England and at no time prior to their expulsion had they possessed citizenship rights. They were regarded as chattels of the King who could buy, sell or imprison them at his pleasure. Even after Oliver Cromwell permitted them to return to the country, their status was still that of non-citizens with no civil rights. In other Christian countries their lot was no better for nowhere was there any desire to confer the rights of citizenship upon them. The Jews, Bedard insisted, are dispersed over the entire world and consider no land their own. Religious convictions alone determine their attitude to life since they await the coming of the Messiah, their own King, and until the time of his coming they refuse to bind their loyalty and allegiance to any other King or Kingdom. Bedard then concluded that no Jew, regardless of where he was born within the British Empire, could by law be permitted to sit in any Parliament in any of the King's Dominions. Ezekiel Hart, the person under discussion, was born in a British colony and could most certainly not be considered an exception.¹ It is interesting to note that many of the arguments and accusations employed by Bedard were re-echoed in the British

1. Le Canadien, 2 mars, 1808.

Parliament some twenty-five years later during a debate on the same question—the question of political rights for Jews—by an anti-Semitic faction that attempted to bar Jews from sitting in the British House of Commons.¹

Most of the English minority group led by Richardson, Mure and Cuthbert, vehemently protested against the action of Bedard and his followers. Richardson rejected Bedard's allegations as empty and stupid perversions. According to law, Richardson, Cuthbert and Mure argued, Jews had the right to fill all civilian and military offices in the colonies; whereby it followed that a Jew could legally sit in the Legislative Assembly in Lower Canada. However, several English members of the government party such as Jonathan Sewell, the Attorney-General Blackwood, and Thomas Coffin, opposed the seating of Ezekiel Hart. In the voting on various motions dealing with the exclusion of E. Hart from the Assembly because he was a Jew only several of the English members steadfastly defended E. Hart's right to sit and vote in the Assembly. Even a few of those French-Canadians who were identified with the government party as well as the followers of P. S. Bedard voted against motions which might have allowed or helped E. Hart to keep his seat. Among the French-Canadian members of the government party who at least one time supported E. Hart's position were: De Bonne, Mondelet, De Salaberry, and Dumont.

1. Sir Erskine May, Constitutional History of England, (London, 1862), II, 474-75.

Hart's political foes were able to force his expulsion. Once the issue of Ezekiel Hart's eligibility had been raised, however, it was not confined to the Lower Canadian Assembly. This issue was enthusiastically taken up by the press. Here the part played by the English weekly, The Quebec Mercury, was as typical as that played by Le Canadien on the other side. The English newspaper plunged into the fray with a spirited defence of Hart and minced no words in castigating his opponents. His expulsion was termed "an act of tyranny of ignorant fanatics." A correspondent, who signed his letter "An Elector of Three Rivers," angrily gave vent to his opinions and spoke of Canada as a "cold desert" where attempts were made to deprive citizens of their rights. He ascribed the treatment accorded Ezekiel Hart to the whim of an ignorant and fanatical rabble and considered it an outrage to the voters of Three Rivers.¹

In the issue of February 29, the same correspondent of The Quebec Mercury became more vituperative. He declared that the constitution and laws of England gave greater rights to Jews than to Catholics and that only by virtue of the Quebec Act had the latter been given political rights in Lower Canada. A clause in this Act, he continued, prevented the Assembly from disqualifying any of its members before a bill enabling them to do so had been ratified by the English Parliament. He asked,

1. P.A.C., The Quebec Mercury, February 22, 1808,
Vol. IV. No. 8, p. 58.

"What is there ~~that~~ empowered the Catholics by a mere vote of the House to deny the just rights to a people more sympathetic to the English than they are? Will the Governor General allow the Legislative Assembly to overrule the Legislative Council, the King, the House of Lords and the English Parliament in such questions of law? Ezekiel Hart had been legally elected, has taken his oath and could therefore not be deprived of his rights as a member of the Legislature. If the members of the Assembly deem a Canadian Jew unworthy of sitting in their midst, if the Catholics altogether wish to deprive the Jews of their natural rights, let them state it expressly in a bill and not in a resolution framed in such cowardly fashion. Let the Catholics remember that they are themselves gathering the sticks with which they shall later on be trounced. It is reported that some members of the Legislative Assembly were talking about the religious superstitions of Ezekiel Hart. These superstitions cannot however be compared to the idolatrous worship of the Catholics, who expose wooden images on public roads. Let these gentlemen remember that they are more superstitious than he. Many a Jew in South America has fallen victim to the fanatical frenzy and the wild superstitions of the Catholic monks! The present tyrannical dictator of France (he refers to Napoleon Bonaparte) seeking means of saving his ruined finances has deprived the Jews under his rule of many rights which they previously enjoyed, while other Jews were raised to the Legion of Honour. Were Ezekiel Hart an ignorant Catholic, he would be received solemnly and with profound respect by the Assembly. The Jewish member has the right of sitting in Parliament. Our city is otherwise denied of its constitutional representation and all proceedings of the Assembly are unlawful." ¹

Thus the first act of this drama ended with the expulsion of E. Hart. ²

The barring of Ezekiel Hart from the assembly of Lower Canada by the French-Canadian majority was partially due to rising French-Canadian nationalism. One form which French-Canadian nationalism took at this time was in racial and religious prejudices to Ezekiel Hart, the Jew. Besides French-Canadian nationalism, the roots of anti-Semitism among French-Canadian members can be more

1. The Quebec Mercury, Feb. 29, 1808.

2. Journal of Assembly of Lower Canada, 1808, p. 248.

directly ascribed to French Canadian education.

During the 1808 session, two of the issues attracting the most public attention were: the measure to bar judges from being representatives in the Legislative Assembly and the expulsion of Ezekiel Hart. In the election campaign of 1808, De Bonne and Foucher opposed and campaigned against the election of E. Hart. However, during the 1808 session, when it appeared that judges as well as Jews were to be excluded from the Assembly, De Bonne instead of being for the expulsion of E. Hart voted against the expulsion of E. Hart.

VII

The people of Three Rivers went to the polls in May 1808 and Ezekiel Hart once more was a candidate. E. Hart has been branded a government candidate. I believe that E. Hart was more an independent than a government candidate. Of the candidates, Coffin and Bell were more government party candidates than E. Hart. However, Hart had the best chance to be elected in Three Rivers due to the financial hold of the Hart family on Three Rivers.¹ Part of the success of E. Hart at the polls was due to his brother, Moses, who was his campaign manager. Benjamin Hart also helped out in the election and proved quite effective as an orator. When Ezekiel Hart ran

1. John Lambert, Journeys Through Lower Canada, (London, 1813), I, 492-493.

for election, he was not a member of either party. He was elected due to his own influence and the economic control of him and his brothers in Three Rivers.¹

In the second election for two deputies from Three Rivers which took place on Monday, May 16, 1808, the results of the voting was as follows:

Joseph Badeaux	47
P. Vezina	46
Judge Foucher	32
E. Hart	59

After the 1808 election in which he was defeated, Judge Foucher left the life of active politics to become a judge in the Court of King's Bench in Montreal in 1812. In this election, Colonel Coffin chose to run again in St. Maurice county, where he was elected. It is interesting to note that E. Hart maintained the 59 votes that he had won in the preceding by-election. The other member, elected for Three Rivers, was Joseph Badeaux (1777-1834), a notary who belonged to an old and respected family of Three Rivers. The Harts were on good terms with Badeaux who was their notary. Both J. Badeaux and E. Hart supported each other as the second candidate. A reason for J. Badeaux's loyalty to the Harts was the fact that he was in debt to them.

1. John Lambert, Journeys Through Lower Canada, (London, 1813), I, 482.

"The family of the Harts, who are Jews, carry on nearly all the business that is transacted in the town."

Judge Foucher had lost support in Three Rivers because of his mixing of justice and politics. One incident which greatly contributed to Foucher's failure to obtain a sufficient number of votes was that concerning Le Regiment Des Fencibles. Judge Foucher and Pierre Vezina were two of the principal leaders who complained to the authorities against the recruiting methods of Le Regiment des Fencibles. This regiment had been originally raised in Scotland and was composed of a thousand men. However, when this regiment received the order to leave for Lower Canada in British North America, since the Scottish servicemen had never expected they would have to leave Scotland, most of them refused to go. As a result, the Scottish officers, without soldiers to command, arrived in Canada where they began to recruit soldiers from among the population in the Three Rivers area. In 1808, after three years of effort, the Scottish officers had about 500 men under their command, composed mostly of French-Canadians and some Americans. John Lambert remarked that the French-Canadians made good soldiers, while the few enlisted Americans caused much trouble by their drunkenness and high rate of desertions.¹ The headquarters of this regiment was in Three Rivers and the Colonel-in-Chief was Colonel Shank.

1. John Lambert, Travels Through Canada and the United States, (London, 1813), I, 477.

Judge Foucher was the Colonel of the militia of Three Rivers while Pierre Vezina was an officer in the militia. Intense rivalry existed in Three Rivers between the militia and Le Regiment des Fencibles. Governor Craig, after an enquiry into the charge of forcible recruitment by Le Regiment des Fencibles, dismissed the charges of Foucher and Vezina as being without foundation. This explains the enthusiasm exhibited by the Fencibles regiment at the defeat of the two main enemies of their regiment. To celebrate the electoral victories of E. Hart and J. Badeaux, Le Regiment des Fencibles with a band escorted the two elected members for Three Rivers to the City Hall then each to their home where a victory celebration took place.¹ Ezekiel Hart provided free beer from his brewery for his supporters.

The opening of the Legislative Assembly took place on April 10, 1809, and Ezekiel Hart again took his seat among the English members. For a short time, his opponents made no hostile move while they vacillated over the attitude to be adopted toward him. E. Hart even took part in several Parliamentary votes, during which he voted on the government side. But this time as well as he was not allowed to enjoy his triumph. Nine days later, on April 19, Jean-Marie Mondelet, the member for East Montreal, drew the attention of the House to Ezekiel Hart's presence and the question of Hart's eligibility.²

1. Quebec Mercury, May 23, 1808.

2. Journal of Assembly of Lower Canada, 1809, p. 110.

Motion after motion was presented in order to deprive him of his mandate. J. M. Mondelet¹ was one of the leaders of the movement against Hart and exploited the preponderant French Canadian voting majority of the party patriot. The first resolution he formulated read as follows:

"Resolved that Ezekiel Hart, Esquire, returned as one of the representatives of the Borough of Three Rivers, to serve in the present Provincial Parliament, and who is now sitting in the House, is the same Ezekiel Hart who was returned to serve in the fourth session of the Provincial Parliament in place of the late Honourable John Lees for the aforesaid Borough."

This resolution was carried by a vote of twenty-four to twelve.

Mondelet soon proposed another resolution:

"That Ezekiel Hart, Esquire, who sits in the present Parliament as one of the representatives of the Borough of Three Rivers, is the same Ezekiel Hart, who was returned as one of the representatives of the said Borough, in the last Parliament, and was declared incapable of sitting and voting in the last session as he professed the Jewish religion."²

The adoption of this second motion by a vote of thirty-five to five was the prologue to a renewed attack on Hart and his eligibility to sit in Parliament. For several consecutive sittings the oath he had taken was the chief topic of discussion; also the right of a Jew to sit in a House that legislated for Christians was disputed. Hart soon perceived that the sentiment of the majority was inimical to him and that a repetition of the

1. F. J. Audet, Les Députés de Montreal, 1792-1867, (Montreal, 1943), p. 18.

Jean-Marie Mondelet was the member for the Legislative Assembly of Lower Canada for the riding of Montreal West from 1804-1808 and for Montreal East from 1808-1809.

2. Journal of Assembly of Lower Canada, 1809, p. 112.

previous year's procedure was imminent. He did not have to wait long. On May 5, 1809, P. S. Bedard as he had the year before, proposed a motion to expel Ezekiel Hart from the Assembly. The new resolution differed from the previous one in that it did not merely express an opinion but definitely declared that—"Ezekiel Hart, Esquire, professing the Jewish religion, cannot sit, nor vote in the House." By eighteen votes to eight the resolution was carried and for the second time Ezekiel Hart was compelled to withdraw from Parliament.¹

According to the evidence, Hart is said to have taken his oath upon the Evangelists with his head bared after his second return to the House. Two French members of the group that consistently voted against him testified that they had seen Hart swear in this manner. He held his hand upon a book, they declared. When the same book was handed to Mr. Blackwood, the Solicitor-General, the latter asked: "What book is this?" Whereupon the commissioners administering the oath replied: "The New Testament." Blackwood then took the oath, kissed the book and handed it to Hart who did the same.² It was nine days after the incident had taken place that it was recorded in the Journal of the Assembly.

1. Journal of Assembly of Lower Canada, 1809, p. 242.

2. Ibid., p. 243;
Minutes of The Executive Council;
 A. G. Doughty and D. A. McArthur, eds.,
Constitutional Documents, 1791-1818,
 (Ottawa, 1914), II, 364-365.

VIII

Although the second expulsion of Ezekiel Hart, despite the protests of the English group, represented a definite triumph for the French Canadian members of the House, they were not yet fully satisfied. There was still the likelihood of Hart being returned to the Legislative Assembly for a third time by the voters of Three Rivers. Legislation to thwart any such eventuality was hastily introduced. A bill was proposed to disqualify Jews from sitting in the Lower Canadian Assembly under any circumstances. A bill was also introduced to bar judges from the Assembly. This bill was aimed primarily at Judge de Bonne, who at the eleventh hour, after seeing that the same group was going to expel him made a volte-face and came out in Hart's favour. At several sittings of the Executive Council the matter of Ezekiel Hart as well as that of the eligibility of judges had been discussed.¹

IX

May 15, 1809, was the day set for the third reading of the bill specifically disqualifying Jews and judges from the Lower Canadian Assembly. In order to put a halt to the proceedings, the Governor-General dissolved the Assembly after thirty-six days of the session before either the bill debarring Jews or judges had been passed. On May 15, 1809, the members were informed to discontinue their debate and to listen

1. P. A. C., M.S., Minutes of the Executive Council, State Book E, pp. 504-511, 513-519.

to an address by Governor Craig who harshly rebuked the members. "You have dissipated your time," he said, "in passing acts which appear to be unconstitutional as well as repugnant." At the same time the Governor General declared that he gratefully acknowledged the services of a considerable number of the representatives who had endeavoured to combat the unjust activities of the Assembly.¹

"Although there was nothing in their proceedings so far as they had hitherto gone," Craig wrote to the Colonial Secretary, "that bore any appearance of particular opposition to his Majesty's Government or of personal hostility to myself, yet it was impossible that I could view them with indifference." In justifying to the Colonial Secretary his dissolution of the recently elected legislature, Craig stated that the chamber had been wasting its time in fruitless debates caused by private and personal animosity. Lord Castlereagh, the Colonial Secretary, rebuked Craig for his actions and told him that an Assembly should not be so quickly dissolved unless he was sure of getting one favourable to him in the next election. As far as the exclusion of the Jew, Ezekiel Hart, Castlereagh felt the Assembly's desire to exclude Jews was justifiable.²

1. Loc. Cit.

2. A. G. Doughty and D. A. McArthur, eds., Constitutional Documents, 1791-1818, (Ottawa, 1914), II, 368-369.

"The two Grounds of Complaint against the Assembly which you specify are their Proceedings for preventing judges sitting in the Assembly, and for endeavouring to expel a member on the allegation of his being a Jew, altho' he had taken the regular Qualification Oath on the Gospels.

The first of these objects can never, as you admit, be considered in itself as an improper or illegitimate one to pursue, however, the motive giving rise to discussion may be factious; nor am I by any means persuaded that the Regulation would be an unfit one in itself: And further when the Bill which they had passed, had been thrown out by the Legislative Council, the Assembly had a right, if they thought fit to appoint a committee to examine the inconveniences which arose from judges canvassing at elections.

So again with regard to the endeavours to expel Mr. Hart for being a Jew, it was obvious that a real Jew could not sit in the Assembly, as he could not take an oath upon the Gospels—it was therefore competent to the Assembly to inquire whether Mr. Hart had complied with all such Requisitions as might be legally necessary to prove his bona fide conversion to Christianity, and that he took the Oath without mental Reservation."¹

In the official correspondence between Quebec City and London, the actions of the French members of the House with reference to their treatment of Ezekiel Hart were alluded to. Craig wrote:

"With a view to see how far they would be permitted to go, motions were frequently made implying a right in the Assembly to superintend and control the Executive power, and more particularly to decide by their own resolves on the privileges to which the House might lay claim. The right of prohibiting not only individuals, but certain classes of His Majesty's subjects from being elected members of the Assembly, was attempted in the sessions of 1808 and 1809, to be carried by a simple resolve of the House, and such was the nature of the proceedings on the occasion, that the Governor, with unanimous advice of the Executive Council, dissolved Parliament and issued writs for a new one."

1. A. G. Doughty and D. A. McArthur, eds.,
Constitutional Documents, 1791-1818, (Ottawa, 1914), II, 364-365.

X

In the middle of June, Governor Craig began campaigning through the province. One of Craig's stops was at Three Rivers in support of E. Hart. On July 8, 1809, in the newspaper, Le Canadien, an article signed with the initials C.M.D., revealed those behind a declaration of loyalty presented to Governor Craig on his arrival in Three Rivers. The petition stated the happiness of the citizens of Three Rivers in personally seeing the King's representative. The petition went on to give the disapproval of the citizens of Three Rivers to the actions of Bedard and his followers. The petition also approved the Governor General's action in dissolving the Assembly. The correspondent of Le Canadien stated this petition had been prepared by and represented the views of four or five individuals who held government posts in Three Rivers.¹ During his visit to Three Rivers, Governor Craig stayed at the home of Ezekiel Hart on La Rue des Forges.²

1. P.A.C., Le Canadien, July 8, 1809.

2. The house, which was known as 'Hart House', located on La Rue des Forges, was bought from the Reverend Jehoshaphat Mountain by Ezekiel Hart in the autumn of 1800.^a Reverend Mountain was willing to sell the house for he was appointed a Rector in Montreal.^b Reverend Robert Q. Short succeeded Jehoshaphat Mountain, the brother of Bishop John Jacob Mountain as Rector of Three Rivers in 1800.^c

a. B. Sulte, "La Maison Hart," Trois-Rivières D'Autrefois, (Montreal, 1932), p. 48.

b. T. R. Millman, Jacob Mountain, First Lord Bishop of Quebec, (Toronto, 1947), p. 111.

c. T. R. Millman, Jacob Mountain, First Lord Bishop of Quebec, (Toronto, 1947), pp. 105, 110-111.

Elections for a new Assembly in Lower Canada were to be held in October 1809 and for the third time E. Hart announced his candidature in Three Rivers. However, E. Hart withdrew before the final balloting. Ezekiel Hart received little support from the people of Three Rivers the third time he ran. From the death of John Lee in early 1807 to June 1808, Ezekiel Hart and his brothers had not pushed for the payment of debts owed to them. However, after his second election, Ezekiel Hart and his brothers had pressed for and collected debts owed to them. As a result, many who had voted for Ezekiel Hart twice before were not willing to support him a third time. Those who voted for Ezekiel Hart at the previous two elections were probably those citizens of Three Rivers who bought supplies from him or his brothers and were in debt to him or his brothers or rented their property.

In the town of Three Rivers, many of the streets are named after prominent individuals of this period. Hart Street was named after Aaron Hart. Other streets bearing names of personalities of this period are Badeaux, Bedard, Craig, Foucher, Papineau, Mondelet, Vezina, and Viger. On October 23, 1959, the city of Three Rivers erected a bronze plaque to the memory of its Jewish ex-deputy, Ezekiel Hart in Champlain Park which had formerly belonged to Ezekiel Hart but the land was expropriated by the city in 1869.¹ Thus, one hundred and fifty years later, the citizens of Three Rivers paid tribute to their former Assembly representative.

1. Jacques Coulon, "Les Hart des Trois-Rivières," Perspectives, 20 fevrier, 1965, Vol. 7, No. 8, p. 17.

In 1789, Louis Christian de Heer did an oil painting of Ezekiel Hart. This painting was given as a gift to the Chateau de Ramezay by Mr. Edgar J. M. Hart, November 18, 1898.¹ Another portrait painter, Guiseppe Fascio met Ezekiel Hart in New York City and did a miniature of him there. This portrait is presently at the Archives of the Province of Quebec in Quebec City. The above picture is a copy of the original portrait. Fascio spent several months in Montreal and then went to Three Rivers and finally to Quebec City in 1835. In 1843, his studio burnt down and he migrated to Bytown, where he died in 1851.²

G. Morisset, Coup d'oeil sur les arts en Nouvelle-France,
pp. 54-55;
Catalogue Du Chateau de Ramezay,
(Montreal, 1957), p. 33.

Gérard Morisset, Coup d'oeil sur les arts en Nouvelle-France, pp. 90-91;
Emile Falardeau, Artistes et Artisans Du Canada,

CHAPTER FIVE

I

Aaron Hart and his sons, Ezekiel and Benjamin, were prominent members of the Jewish community of Lower Canada. Not only were they leaders in the religious and communal life but were leaders in striving to attain equal political treatment from the government of Lower Canada not only for themselves but for the rest of the Jewish community of Lower Canada.

II

What was the Jewish environment in Three Rivers like in which the sons of Aaron Hart grew up? Although Aaron Hart was the first Jew to settle in Three Rivers, several Jewish families soon followed. However, the small Jewish community of Three Rivers declined as a result of assimilation, lack of economic opportunity and due to the fact that many of the jobs which had been given to them by the British at the time of the conquest were gradually given to Loyalists or French-Canadians who supported the government. An important reason why Jewish families did not come to settle in Three Rivers and other small towns in Lower Canada, was due to the lack of adequate Jewish educational facilities. It was extremely difficult for a small number of Jews to maintain their identity amidst a large Gentile population. Since there was no incentive to induce Jews to move to Three Rivers, the existent Jewish community continuously declined from the time of Aaron to the death of Moses Hart.¹

1. P.A.C., Check-List of Quebec Census Returns for
Trois-Rivières, 1825, C-718.
1831, C-723.
1851, C-1139, C-1141.

Dominion Bureau of Statistics.

An example of the effect upon a very small number of Jews living in a small town amidst a large Gentile population can be seen on the descendants of Aaron Hart in Three Rivers. Eventually all the male descendants of Aaron Hart in Three Rivers intermarried with Roman Catholics and Protestants and their children followed the religion of their mothers. From the records in the City Hall of Three Rivers it can be seen that the grandchildren of Aaron Hart in Three Rivers assimilated among the population of Three Rivers.¹ In Three Rivers today, there are many descendants of Aaron Hart and his sons, but none are Jewish, ~~while~~ in Montreal, there still exists Jewish descendants of Benjamin Hart. While Aaron Hart sent his children to Jewish parochial schools in the United States, his sons (with the exception of Benjamin), sent their children to non-Jewish schools in Lower Canada. As a result, Aaron Hart's grandchildren assimilated and became culturally and religiously part of the community with whom they attended school.

Aaron Hart was the main organizer of religious and communal activities of the Jews in Three Rivers. He was an Orthodox Jew and raised his family as Orthodox Jews. In contrast to Ezekiel and Benjamin, Alexander and Moses in his later life did not practise the Jewish religion. But even Ezekiel and Benjamin were less orthodox than their father. From the Hart Papers, it is clear ~~there~~ was correspondence and visits between

1. P. E. Marchand, Bureau de Protonotaire, Palais de Justice.

members of the Hart family in the United States and Lower Canada. There were close economic, social, cultural, religious, and family connections between Jews in Lower Canada and the United States.

III

Aaron Hart beginning in 1800 and after him, his son Ezekiel, were the chief supporters of a synagogue in Three Rivers located at the intersection of Saint-Antoine and Badeaux streets, not far from the market place. The existence of this synagogue, burnt about 1860 and not rebuilt, is confirmed by a municipal plan of Three Rivers.

IV

The first Jewish cemetery in Three Rivers was located at the intersection of present day Bonaventure and Hart Streets. Aaron Hart had set apart a portion of his garden as a burying ground for his family and others of the Jewish faith. In 1869, the town took over this cemetery and converted it into a public park and gave it the name of Champlain Square. A larger cemetery for all Jews in Three Rivers was located on the south side of rue des Prisons between la rue Des Champs (present-day Laviolette Street) and Saint-Francis-Xavier Street. The land for this cemetery was donated in 1827 by E. Hart¹ but was expropriated by the town of Three Rivers in 1909. In 1909, all Jewish graves in Three Rivers were finally transferred to the Jewish cemetery on Mount Royal in Montreal.

1. H. Biron, ed., Index to Hart Papers, p. 6;
Hart Papers, Alexander to Moses Hart, Aug. 19, 1827.

V

The Jews in Lower Canada were without a spiritual leader until 1840. The Rabbi of a Jewish synagogue in New York City would from time to time minister to the religious needs of the Jews in Lower Canada. Travel between New York and Montreal was not easy and only on rare occasions was a rabbi from New York able to come to Canada. In the Minute Book kept by Rabbi Lyons of the Congregation 'Shearith Israel' of New York, who ministered to the needs of the Jews of Lower Canada is written,

"Tuesday 4th Iyar, 5570. Circumcised a son of Mr. and Mrs. Ezekiel Hart, of Canada, aged 8 months and two weeks and named him Ira-James-Henry Craig Hart." ¹

VI

In 1825, it became necessary for the Jews of Montreal to vacate their synagogue. As a result, the Jewish congregation of the Montreal synagogue, Shearith Israel, met in the house of the president of their congregation, Benjamin Hart. Benjamin Hart's house was located at the corner of Saint-Helene and Recollet Street. Benjamin Hart was one of the principal promoters in raising funds for a large, new synagogue which was completed on August 25, 1838, and located on Chenneville Street in Saint-Laurent ward.²

1. "The Lyons Collection," Publication, Am. Jew. Hist. Soc., No. 27, pp. 76-77.

On August 22, 1809, Ezekiel Hart named his second son after James Craig, the Governor-General of Lower Canada, who was the boy's godfather.

2. Montreal Gazette, August 25, 1838.

In 1840, Rev. David Piza, the first trained spiritual leader, accepted the invitation to lead the synagogue Shearith Israel of Montreal. Rev. David Piza remained in Montreal until 1847 when he accepted an appointment to the Sephardic congregation of Bevis Marks, London, England. Rev. Abraham de Sola was invited to succeed him. Reverend A. de Sola assumed his duties as leader of the Sephardic congregation at the end of January, 1847, having first arrived at New York where he spent some time as the guest of Rabbi Lyons. A young man barely over twenty-one, his coming to Montreal began a new phase for the religious and social life of the Jewish community of Montreal. Throughout his career as a rabbi, scholar and student of Jewish lore, he was a dynamic and invigorating force for Montreal Jewry.¹

VII

An incident involving Benjamin Hart's militia appointment provides another example of how the fact that Harts were Jewish served as an obstacle to their advancement. In a sense this incident was an echo of the strife involving the election of Ezekiel Hart. On February 12, 1811, Benjamin Hart addressed a request to Sir George Prevost, the British Commander and Governor-General, that he be permitted to enlist in the militia.² Benjamin Hart's request was referred to Colonel Coffin, Commander of his district. Colonel Coffin had been one of the unsuccessful candidates in the election of Ezekiel Hart, Benjamin's brother

1. Isidore Singer, ed., The Jewish Encyclopedia, (New York, 1905), XI, 432-433.

2. H. Biron, ed., Index to Hart Papers, p. 18.

and Benjamin Hart had taken an active role in support of the election of his brother. Colonel Coffin shelved Benjamin Hart's request. Only a year later did Colonel Coffin reply to the Governor, advising against such permission on the ground that, as he bluntly put it, Christian soldiers would not tolerate a Jew in their midst. When this reply was forwarded to Benjamin Hart, he in protest addressed the following petition to the Governor:

"To His Excellency, Sir George Prevost, Baronet, Captain-General, and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick 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 and New Brunswick and their several dependencies and in the Islands of Newfoundland, Prince Edward, Cape Breton, Bermuda, etc., etc.

May it please your Excellency.

Your Memorialist though impressed that the present urgency of time leaves to your Excellency few moments to be spared on private concerns, yet is emboldened to recall to your Excellency's consideration the representation lately made to your Excellency by your Memorialist of having been omitted in the promotions of the Militia of Three Rivers. Your Memorialist having been informed by an indirect but credible channel, that Colonel Coffin's objection to your Memorialist being promoted was that it would give dissatisfaction to people in general and more particularly to the Roman Catholics on account of your Memorialist's Religious Profession, your Memorialist conceives it to be his duty to submit to your Excellency that this objection (if made) is without the least foundation and a misrepresentation. Your Memorialist begs leave to refer your Excellency to the enclosed certificates from the Hon. L. C. Foucher, Judge of this District and Lieut.-Colonel of this Division, from the Rev. Francois Noixoux, Grand Vicar of this District, from the Rev. Doctor Short, and as well one signed by Major Courval and the Officers and Privates of this Town. To prove how insincere has been Colonel Coffin in his representation, your Memorialist will point out to your Excellency a public fact, that your Memorialist's brother, Ezekiel Hart was twice elected a Member of the House of Assembly and once to the exclusion of Col. Coffin himself. And to show to your Excellency how inconsistent is this representation of Col. Coffin with his own conduct your Memorialist will recall to your Excellency's memory that but lately Mr. Isaac Phineas was promoted as Ensign in the Division under Col. Coffin, though of the same religious persuasion as your Memorialist. If Col. Coffin made such a representation he followed only the dictates of some private resentment against your Memorialist. Your Memorialist in making this application for a commission is induced by his zeal and loyalty in supporting the cause of his King and Country, and whatever may be your Excellency's pleasure, your Memorialist will feel gratified in having expressed the truth to your Excellency. And your Memorialist as in duty bound will ever Pray.

(Signed) Benjamin Hart
Three Rivers, 26th Aug., 1812."

The certificate of Justice Foucher, referred to by Benjamin Hart, read as follows:

"Mr. Benjamin Hart having asked me if I am aware of any prejudice existing among the French-Canadians against him because of his religion or other motives, which (as he was told) should be the cause of his being refused a commission in the militia, and wishing to have my testimony regarding this, I state that to my knowledge no such prejudices exist, and, on the contrary, that for the many years that I have lived in the same city as Mr. Hart, he appeared to me as being generally beloved. I further state that his conduct has always been that of a loyal and devoted subject of His Majesty.

L. C. Foucher,
Three Rivers, 25th Aug., 1812."

"Mr. Benjamin Hart m'ayant demandé si je connaissais qu'il existât contre lui des préjugés parmi les canadiens en raison de sa religion ou autres motifs, que (lui a-t-on dit) était la cause qu'il avait pas été commissionné dans la milice, et desirant avoir mon témoignage à cet égard, j'atteste n'est pas à ma connaissance, que tels préjugés existent, mais qu'au contraire depuis environ des ans que je demeure dans la même ville que Monsieur Hart il m'a paru généralement être aimé. J'atteste de plus que sa conduite m'a toujours paru celle d'un loyal et zélé sujet de sa Majesté.

Aux Trois Rivières, ce 25 Aout 1812. L.C.Foucher

On the same date F. Noiseux, Vicar-General of Three Rivers, wrote:

"I, the undersigned, certify that for sixteen years I have been residing in Three Rivers, and that I have always known Mr. Benjamin Hart with whom I have often had business connections, to be an honest merchant, a good citizen and a loyal subject of the King."

"Je soussigné certifie depuis que seize ans que je réside aux Trois Rivières, que j'ai toujours reconnu Mr. Benjamin Hart avec qui j'ai souvent eu des affaires, pour un honnête marchand, bon citoyen et bon serviteur de Roy. Aux Trois Rivières, le 25 Aout 1813, F. Noiseux, Vic. Gen. et curé, de la ville."

In a similar vein also wrote Rev. F. Short, Rector of the Protestant Episcopalian Church of Three Rivers and acting Chaplain to the garrison in the same city.

"Inasmuch as Mr. Benjamin Hart has requested a testimony from me, I certify that I have been in the habit of dealing honorably with him nearly twelve years nor in all this time have I found him to be irregular or unaccustomed, nor has anything occurred to my knowledge to justify any calumny against him or his loyalty as a citizen."

The following was a statement by members of the Militia:

"Nous les Soussignes certifions que nous n'avons aucune objection, ni repugnance, a servir dans la Milice avec M. Benjamin Hart soit comme officier ou autrement.

Trois Rivieres, Aout 26, 1812."

Joseph Crevier,
Joseph Mominy,
Jean Brinneque,
William Hardie,
Wm. Barnet,
Joseph Laveau,
Joseph Niverville,
James Wilson,
Augustin Hamelin,
J. Badeau, Capt.
E. LeBland, Lieut.
Major G. Champlain,
J. L. Bellefeuille,
Cap. E. S. Dumoulin,
Edouard Guillet,
Pierre Defosse,
W. Anderson,
Cha. Thomas,
Claude Pratte,
James Field,
Alexis Brineque,
Mos. Nelson,
Chas. Duplessis,
John P. Bostwick,

Francois Toupin,
Charles Lafrenaye,
Ant. P. deCourval M. J.
Berthelot, Capt.
C. R. Ogden, Ensign & O. M.
Alexis Rivard,
F. J. LeProust,
Jos. Turcot,
T. Rochelau,
Joseph Pratte,
George Graves,
Laurent Baron,
James Russell,
Joseph P. Bostwick,
Francois Gareau,
G. Arnoldi,
M. D. Pratte C. P.
J. G. de Tonnancour, Lieut.
Geo. Cartier, Surg. Mil.
Rene Kimbert, Lieut.
Cyrus Eatman,
Wm. Walker,"¹

1. P.A.C. Series S, MG 8, G6, Vol. 124.

After the petition had been forwarded, B. Hart received a reply from the Governor, dated September 23, 1812, to the effect that his request would be considered and the decision communicated to him in due course. Whereupon Hart replied on the 29th of the same month, expressing the hope that the Governor would do him justice and not be swayed against him because he was a Jew. He felt confident that the Governor would pay little attention to the opinion of Colonel Coffin. He wrote:

"Your Excellency well knows, that should I have failed by merit, I would gladly have become a volunteer in the line, rather than apply for a commission. But inasmuch as I am a loyal subject, I would rather seek a commission . . . I was also informed recently that I was undesirable because I was a Jew, yet I have sent you a number of names of the militia who are very willing to serve with me in the ranks."

However, Hart's request remained unfulfilled. It would seem that Prevost attached weight to Colonel Coffin's opinion. Hart did achieve his objective although it was not until eight years later and in another district. On October 15, 1820, he was commissioned a lieutenant in the 1st Battalion of the Militia in Montreal, to which city he had moved and he rose to become a lieutenant-colonel.

VIII

The case of Benjamin Hart was not an isolated incident. Discrimination arising as ^a result of being Jewish occurred again this time involving Areli-Blake Hart, a son of Moses Hart. On December 2, 1826, Areli-Blake Hart was refused an appointment as an officer in the militia. The main reason for this refusal

was specifically given as being due to his professing of the Jewish religion.¹ In reply to this refusal, Areli-Blake wrote a harshly critical letter to Lord Dalhousie, whom Areli-Blake considered to be mainly responsible for blocking his appointment.² On learning of his son's rejection for the militia, Moses Hart wrote to the Governor. "Being absent this summer in the United States, where Jews sit in their Councils, and command in their militia, and where religious tyranny is unknown. . . ." Moses went on to cite in his own words the Statute 13 George II "which stated that all foreign Jews, after seven years residence, in any British colony, and taking the oath, therein prescribed, is eligible to any place in such colony and which statute is brought into force here, if such was necessary by the Quebec and Constitutional Acts."³ However, Areli-Blake did not receive his militia appointment despite the protests of himself and his father.

IX

Despite these incidents the Harts did not move to live in the United States; they remained and worked to try and amend these wrongs. Not only were there cases of discrimination involving individual Jews but the Jewish community of Lower Canada, which consisted of about ninety people in 1825,⁴ felt

1. H. Biron, ed., Index to Hart Papers, p. 19; Hart Papers, reel 2, H-B-7.

2. Hart Papers, reel 2, H-B-8.

3. Hart Papers, reel 2, H-B-8.

4. J. Kage, "Le Premier Etablissement Juif Au Canada," Jewish Immigrant Aid Services News, (March 1968), p. 5.

that they were being treated unfairly by the government in not having the legal right to administer their own communal affairs. The Jews had political allies among Protestants who were not Anglicans. The Jews joined in the efforts of groups such as the Methodists, Baptists and Presbyterians, who were also trying to gain the legal right to have their own civil registers.

On December 4, 1828, a number of Montreal Jews petitioned Parliament to allow their community to keep its own official register of marriages, births, and deaths. Several days later, on December 13 of that year, a bill to that effect was introduced in Parliament bearing the rather ponderous title,

"An Act to extend privileges therein mentioned to persons professing the Jewish faith and for the obviating of certain inconveniences to which others of His Majesty's subjects might otherwise be exposed."¹

The bill was speedily adopted.² But this was only the beginning of the movement to secure equal rights for the Jews of Lower Canada. So nebulous was the content of the bill and so ambiguous its framing that, although the legislation was passed by both Houses, a train of perplexity was left in its wake. The Attorney-General angrily declared that the provisions of the bill were "inexpedient, imperfectly and insufficiently framed and not such as would be required to answer the purposes intended."³

1. Neither the original nor any copy of the Jewish petition may be found today. It was destroyed during the fire of 1916 which devastated the Parliament Buildings in Ottawa.

2. Journals of the House of Assembly of Lower Canada, 1828, p. 393.

3. The Archives, Series ", vol. 188-2, p. 294.

In accordance with this opinion, the same bill, but in a modified form, was again submitted during the session of 1830 and was immediately passed.¹

The preamble to the revised bill states that Jews labour under serious difficulties as they are unable, under the existing laws, to keep registers of births, marriages, and burials. It is therefore desirable, the bill states, to adopt a law which would permit Jews to keep registers of civil status as they would be permitted if they professed the dominant religions. On the 13th of January, 1831, the bill was sanctioned and became law in 1832 when it was given royal assent.²

Prior to this bill, the two established churches in Lower Canada were the Anglican and Roman Catholic Churches. Smaller Protestant groups such as the Methodists, Presbyterians, and Baptists resented the fact that the Anglican and Catholic Churches were the two recognized and privileged churches in Lower Canada. These smaller Protestant groups as well as the Jews living in Lower Canada wanted official government recognition and the same right as the Roman Catholic and Anglican Churches to administer the affairs of their own religious community. The granting to Jews the right to have their own civil register came at the same time and as a result of pressure by the Protestant Churches other than the Anglican Church of the right to also have their own civil register.

1. Journals of Assembly of Lower Canada, 1830, p. 165.

2. M. L. Margolis and A. Marx, A History of the Jewish People, (Philadelphia, 1963), p. 647.

The Jews of Lower Canada considered the law permitting them to legally keep their own civil register a significant step forward on the road to complete emancipation. Encouraged by the success of their drive to achieve independent communal administration and aware of the liberalization in attitude among leaders in Lower Canada, they determined to persevere in their efforts until they had attained full equality. A second petition was drawn up and on January 31, 1831, presented in the House by John Neilson, editor of the Quebec Gazette and one of the leaders of the French-Canadian party. Neilson, although a friend of P. S. Bedard, had disagreed with Bedard's anti-Semitic attacks on Ezekiel Hart and used this opportunity to try and amend a wrong. The petition requested that Jews be granted the right to accept and hold any public office in the province of Lower Canada.¹ The author of the petition was Samuel Becancour Hart, a grandson of Aaron Hart and a son of Ezekiel Hart. This bill was quickly adopted. Second reading took place on March 18 and promptly on the next day, the 19th, the formality of a third reading was gone through.² The bill received the King's sanction on June 5, 1832. By virtue of this Act, the Jews in Lower Canada were entitled to the same civil and political privileges as all other subjects. This statute provided that all Jews, whether

1. Journals of the House of Assembly of Lower Canada, 1831, pp. 37-38.

2. Journal of Assembly of Lower Canada, 1831, p. 413.

British born or domiciled would be allowed to accept and fill every public office or position of trust in the province of whatever importance. This statute is known as 1st William IV, Chapter 57, and is entitled "An Act to declare persons professing the Jewish religion entitled to all rights and privileges of other subjects of His Majesty in this Province."¹

After Aaron Hart, each generation of the Hart family wanted greater political equality. Aaron Hart was content to vote and place his name on petitions and perhaps financially assist a government candidate to be elected. Ezekiel himself wanted to be a member for Three Rivers in the Legislative Assembly. Moses felt he ought to be on the Legislative Council. Samuel Becancour Hart, whose father, Ezekiel, had not been allowed to take his seat, helped to end the battle for full political equality for Jews by being prominent in the writing and lobbying for the bill granting full political rights to the Jews of Lower Canada.

XI

Effective enactment of the 1832 legislation was prevented due to the fact that the statute did not provide for the form of oath to be taken by Jews upon their entering public office. A test case presented itself when the Governor-General, Lord Aylmer offered Moses J. Hays and Benjamin Hart, Aaron Hart's son and Ezekiel's brother, an appointment as Justice of the Peace. Both were obliged to decline since the Act adopted

1. Provincial Statutes of Lower Canada, 1832, p. 83.
William IV, Chapter LVII.

by the Legislature made no reference to the form of oath Jews were required to take on accepting this or any other public office.

Despite the 1832 law, Jews were still unable to assume civilian government posts. Lord Aylmer himself complained of this condition in a letter addressed to the Colonial Secretary in England. He pointed out the dilemma in which the Executive found itself and inquired if the Imperial Parliament could not do something to rectify matters. He wrote:

"Being about to issue a new Commission of the Peace for the Province of Lower Canada in which the names of several gentlemen not in the existing commission will be introduced, I proposed to two individuals, Messrs. Benjamin Hart and M. J. Hays, resident of the City of Montreal, and professing the Jewish religion, to become magistrates, an office which they are now competent to fill by Law. It appears, however, that the omission of the words 'Upon the true faith of a Christian' in the oath which must be tendered to them on entering upon office, not having been provided for, this circumstance operates as a bar to their acceptance of my proposal, which they have accordingly declined. I have now the honour of transmitting herewith a copy of the joint letter addressed by these gentlemen to my Civil Secretary to that effect, and of the legal opinion of the Professional Gentleman who it appears has been consulted by them upon the subject, and I take leave to submit to your consideration the expediency of affording relief in this particular to these parties, and others who may be under similar circumstances.

I have the honour to be, Sir,

Your most obedient Humble Servant,
AYLMER."¹

The letter of Benjamin Hart and Moses J. Hays to which Lord Aylmer referred, read as follows:

1. The Archives, Series Q, vol. 209-1, p. 68.

Since we have the honour of signifying to you for the information of His Excellency the Governor-in-Chief our willingness to qualify ourselves as Justices of the Peace for the District of Montreal in acceptance of the Office tendered to us by His Excellency, we have in consequence of doubts arising in our minds respecting the possibility of our taking the Oaths of the office as required by law . . . we do not think that we can possibly omit the words 'upon the true faith of a Christian,' which form part of the abjuration oath which is obliged to be taken by Justices of the Peace, the Provincial Legislature not having gone far enough in the Act I, Wm 4 C 57, which was passed 'to declare persons professing the Jewish religion entitled to all the rights and privileges of the other subjects of His Majesty in this Province,' nor having provided for the omission of the above words in the taking of the abjuration oath. We must therefore beg of you to signify to His Excellency the Governor-in-Chief that finding it impossible under the present existing circumstances that we can as Jews take the oath of abjuration in accepting the office of Justice of the Peace, we must request respectfully that we may not be included in the New Commission; at the same time we must tender to His Lordship our sincere acknowledgement of the honour intended us, and we pray that His Excellency will be pleased to bring the question in some way before the Imperial Parliament so that this only remaining disqualification of the Jews in this Province may be removed, and that no objection to their hereafter accepting offices or places of trust in this Province may remain.

We have the honour to be,
Benjamin Hart.
M. J. Hays.

Lieut. Col. Craig,
Civil Secretary,
Quebec." 1

XII

Nothing concrete was done until Arthur Wellington Hart,² who was living in England at the time, raised the matter with the Colonial Secretary. On June 22, 1837, Arthur Wellington Hart, received a letter from Lord Glenelg, the Colonial Secretary, which stated that the English Government could do nothing in

1. The Archives, Series Q, vol. 209-1, p. 70.

2. For footnote, page 121 A.

Footnote No. 2, for page 121

2. Arthur Wellington Hart (b. 1813 d. 1891 in Montreal), the second son of Benjamin Hart, was the first Jew known to have established himself in Toronto.^a According to the York municipal directory for 1833, he maintained an insurance agency in York that year under the firm name of 'A. W. Hart and Company, General Agents, Wholesale Commission Merchants and Agents, for the Life Assurance of London, England, 144 King Street,' b A. W. Hart moved to England but shortly thereafter returned to North America. In 1837, he served as an officer on the government side against the rebels during the rebellion in Lower Canada. He then went back to Liverpool, England, where he became an importer. He helped to handle some of his father's products as well as those of other commission agents in Montreal.^c Arthur Wellington Hart was successful in business but with the ending of British preferences for goods from British North America, his import business which relied on imports from British North America died out. The next piece of information available on A. W. Hart was his enlisting in the Union Forces. Arthur Wellington Hart rose to the rank of Colonel in the Union Forces in a Michigan regiment during the American Civil War. He was later attached to the War Department at Washington. Returning afterward to Canada, he became manager of the Metropolitan Bank at Coaticook. d
- a. G. M. Craig, Upper Canada, (Toronto, 1963), p. 217.
The town of York was incorporated as the city of Toronto early in 1834.
- b. York Commercial Directory, Street Guide and Register, 1833-1834, With Almanack and Calendar for 1834,
Compiled and arranged by George Walton,
(York, Upper Canada, 1834), p. 86.
- c. H. Biron, ed., Index to Hart Papers, v. 19.
- d. I. Singer, ed., The Jewish Encyclopedia,
(New York, 1904), Vol. VI, p. 242.

this matter.¹ However, on August 5th of that same year, Moses J. Hays and Benjamin Hart were both appointed Magistrates, the first Jews in British North America to be so honoured. The document that raised them to the Magisterial Bench was signed by Queen Victoria. Direct action had come from England. Deepest feelings of gratitude were aroused among the Jews in Lower Canada for to Jews in Lower Canada had been extended a privilege which the Jews in England did not then possess. A possible explanation as to why action was forthcoming from England at this time was in order to secure the allegiance of the Jewish population during the Lower Canadian rebellion. Thus, the last step in the granting of complete civil rights to Jews which had begun with the refusal to seat Ezekiel Hart² was completed with the allowing of Benjamin Hart to become a magistrate without having to use the words 'upon the true faith of a Christian' when taking the oath of office.

1. P.A.C., Series Q, vol. 242-3, p. 827.

2. In 1843, Ezekiel Hart died in Three Rivers on Saturday, September 16, at the age of 73. According to the newspapers, he was given the most impressive funeral the city had ever seen. The shops in Three Rivers were closed on this occasion and court was adjourned. The funeral procession included many prominent government and business people as well as most of the ordinary citizens of Three Rivers.^a Crowds lined the streets to watch the funeral procession of E. Hart which was conducted with great deportment by the 81st regiment. Le Canadien of September 22, 1843, tersely announced that the Rev. M. Piza of Montreal presided at the burial of E. Hart, while the Quebec Gazette^b gave a half column eulogy to E. Hart.

a. P.A.C., Le Canadien, Sept. 22, 1843.

b. P.A.C., The Quebec Gazette, September 22, 1843.

Although the Hart family cannot claim all the credit, the Hart family did contribute more than any other Jewish family in Lower Canada to the winning of full civil rights for Jews in Lower Canada. The fact that the Jews in Lower Canada obtained equal rights helped ensure that the rest of the Jews in British North America would share in the gains made by their brethren in Lower Canada. The Harts, through their efforts in obtaining equal political rights for Jews in Lower Canada, helped to make the way easier for the large influx of Jewish immigration which was to come to Canada. Through leadership in communal work among the Jewish community, through financial contributions and through helping to achieve equal status for the Jews of Lower Canada, Aaron Hart and his sons, Ezekiel and Benjamin, secured a prominent position in Jewish Canadian history. In contrast to his brothers, Benjamin and Ezekiel, Moses was not looked upon favourably by the Jewish community due to his religious views and extra-marital affairs.

CHAPTER SIX

I

Moses Hart, the eldest and the most handsome of the sons of Aaron Hart, was born the twenty-sixth of November, 1768. On April 10, 1799, he married his cousin, Sarah Judah, due to his father's urging. Perhaps because Moses was forced into this marriage he had affairs with other women. For marrying Sarah Judah, Moses received £220 in his father's will.¹ After five years of marriage, on September 14, 1807, Sarah demanded and received a judicial separation.² Sarah went to live with her father and Moses had to pay her a sum of £4 and three shillings a month. However, having lost custody of their three children to her husband, after a few years Sarah decided to return to her husband. In 1814, she asked and received another separation which was final and lasted until Sarah's death on November 14, 1826.² She left her goods to her sister, Elizabeth Judah. As a result, there were legal disputes between Elizabeth Judah and Sarah's children over the provision of Sarah Judah's will giving everything to her sister.⁴

Moses Hart's home was located on rue du Platon.⁵ Moses spent the rest of his life there with Mary McCarthy, the widow of Peter Brown. Mary McCarthy was a Roman Catholic from

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1. Hart Papers, reel 3, J-A-8.
 2. Hart Papers, reel 3, J-C-4-A.
 3. H. Biron, ed. Index to Hart Papers, p. 37; Hart Papers, reel 3, J-C-4-B.
 4. Hart Papers, reel 4, J-I-3-5.
 5. Hart Papers, reel 7, K-N-5.

Ireland. In letters from her friends from Ireland, there are descriptions of the terrible conditions in Ireland during the potato famine.¹ Mary McCarthy was quite generous to the Roman Catholic Church and helped many cases of destitute friends and strangers.² Mary McCarthy died January 24, 1861.³ Moses' domestic troubles and extra-marital relations did not prevent him from succeeding in the business world.

Two sons of Moses Hart, Samuel Judah was educated at Lower Canada College, Montreal, and Reuben Moses at College Saint-Marie, Montreal.⁴ Most of the correspondence dealing with the education of Moses Hart's children concerns money. Orobio, son of Moses Hart, was accidentally killed at the age of twenty while driving with his father in a carriage which turned over.⁵ Other children of Moses Hart included: Louisa,⁶ who moved to live in Montreal, Esther,⁷ Alexander-Thomas,⁸ Ezekiel-Moses,⁹ Aaron-Moses,¹⁰ Henry,¹¹ and Orobio-Moses who was killed in 1847 while serving in the United States army in its war against Mexico.¹² Most of the children of Moses Hart became Roman Catholics.¹³

See page 125 A for footnotes.

Footnotes for page 125

1. Hart Papers, reel 4, J-M-4-1847.
2. Hart Papers, reel 4, J-M-5.
3. Hart Papers, reel 4, J-M-7.
4. H. Biron, ed., Index to Hart Papers, p. 7;
Hart Papers, reel 2, C-G.
5. Obituary, The Quebec Mercury, Jan. 8, 1825.
6. Hart Papers, reel 4, J-J.
7. Hart Papers, reel 4, J-K.
8. Hart Papers, reel 4, J-K.
9. H. Biron, ed., Index to Hart Papers, pp. 40-42;
Hart Papers, reel 4, J-L-1.
10. Hart Papers, reel 4, J-L-2.
11. Hart Papers, reel 4, J-L-1;
reel 4, J-P-1-4.
12. Hart Papers, reel II, C-Q-11;
reel 4, J-N-4;
reel 4, J-O-4-1.
13. Hart Papers, reel 4, J-N-2-3.

From the correspondence to and from Moses Hart, there is much evidence to support the fact that Moses Hart was the father of many illegitimate children. Moses Hart had an illegitimate child from Anne Gallarno,¹ Mary Racine (January 20, 1820), one of his employees,² Mary-Jane Garvin of Laprairie, a son William (August 24, 1823),³ Margaret Armstrong of Plattsburgh (July 12, 1824) a son .Elon,⁴ Mary O'Connor (1825),⁵ Marguerite Long, wife of John Fowl (1830),⁶ Catherine Howard (1838),⁷ and possibly other children. Although the births of these children were recorded, several died at an early age.

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1. H. Biron, ed., Index to Hart Papers, p. 75; Hart Papers, reel 3, J-C-8-1
 2. Hart Papers, reel 3, J-C-11.
 3. Hart Papers, reel 3, J-C-8-2.
 4. H. Biron, ed., Index to Hart Papers, p. 35; Hart Papers, reel 3, J-C-8-3.
 5. Hart Papers, reel 3, J-C-9-1.
 6. H. Biron, ed., Index to Hart Papers, p. 36; Hart Papers, reel 3, J-C-9-2.
 7. Hart Papers, reel 3, J-C-9-3.

In his early youth, Moses Hart was a strict adherent of Orthodox Judaism. In his teens, Moses Hart was educated in New York City where he first became acquainted with Deism. At his death, Moses Hart still had in his possession various newspapers containing the writings of several prominent American Deists; for example, the Albany Sentinel of December 24, 1808, containing a letter of Thomas Payne. He also had in his possession an eight page pamphlet published in New York City consisting of a letter from Andrew A. Dean to Thomas Payne. Moses Hart also had in his possession personal letters from William Carver, 1824-1825, on the subject of the religion of Thomas Payne.¹

Moses Hart's first work was entitled General Universal Religion,² New York: Printed For The Author, 1815, 58 p. The book begins thus:

"Numerous have been the champions who have entered the lists of religious controversy; yet none have aimed to tranquillize the jarring religionists under one banner. How truly distressing to mankind have been their various religious tenets!. Alas, how many millions of people have fallen victims to religious intolerance, bigotry and tyranny! How often has religious imagination been wrought up to such a pitch, as to hurry one sect to imbrue its hands in the innocent blood of another. In these few sheets it is far distant from my intention to give offense; hence I shall avoid making any remark on any particular sect. To harmonize the religious contentions of mankind; to heal the wounds flowing from religious intolerance, persecution, fanaticism, bigotry and tyranny; and to seat religion on the bed of truth, virtue, and brotherly love, is the

1. H. Biron, ed., Index to Hart Papers, p. 3.

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2. R. A. Davies, ed., Printed Jewish Canadiana, (Montreal, 1955), p. 28.

ardent desire which warms my breast. To proclaim religion the most noble, yet the most comprehensive science; the most sublime and magnificent, yet open to the meanest capacity; and to make religion the consoling prop of mankind, is the aim of my present undertaking. Thus actuated and impressed, I do not hesitate to implore the candour of the good people of this enlightened age."¹

Moses' aim in writing this book was to prevent religious strife by having what in his opinion was a general universal religion. However, the book itself caused much strife. The Roman Catholic Church objected to the ideas in Moses Hart's book. The Orthodox Jewish community also were angry at Moses Hart both for stirring up the antagonism of the Roman Catholic and Protestant Churches as well as for ideas in his book which were not those of the Orthodox Jewish faith. Whereas Moses Hart received almost no support in Lower Canada, in Vermont and New York, he aroused some interest and some did purchase his book. However, this unsuccessful financial venture of Moses Hart only served to dissipate some of his money and some of his energy. The fact that Moses Hart had sufficient wealth enabled him to obtain the material he wished to read, to have the time to write, and to pay the costs of publication.

In a letter about this book Bishop Jacob Mountain wrote to Moses Hart offering his criticisms. In a letter his friend, John Richardson, had more praise than criticism for this work. One of those who wrote to Moses Hart giving his approval and

1. Moses Hart, Modern Religion,
(New York, 1818), p. 1.

that of some of his friends to this work was Robert Christie.¹ However, most reaction was unfavourable. One person who bought a copy, Edward Kercheval from Yellow Springs, New York, wrote back to M. Hart regretting the fact that he had paid twenty-five cents for this work.² Samuel Judah, a close friend of the Hart family, candidly wrote to Moses that he had only been able to sell three copies and did not expect to sell anymore.³ The first edition of Moses Hart's book had the title, General Universal Religion, New York: Van Winkle and Wiley, 1815, 60 pages, and 500 copies of this book were printed at a cost of \$68.75. Three years later the book's name was changed to Modern Religion and 250 copies were reprinted. In 1824, Johnstone and Van Norden reprinted about 100 copies at the author's request.

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1. H. Biron, ed., Index to Hart Papers, p. 7; Hart Papers, A-G-3, Robert Christie to Moses Hart, Quebec, 13, April, 1816.

"I have given your Universal Religion to one or two of my private friends who much approve of it with myself as a good moral system. . ."

2. Hart Papers, A-G-2. Edward Kercheval to Moses Hart.

"I do regret that I paid twenty-five cents for a letter directed to the Yellow Springs Community with a small pamphlet entitled Modern Religion but ought to have titled Modern Deism or a blow at the very foundation of Christianity—which many have aimed at before you—but fortunately for the Christian—the combined forces both of earth and hell can never shake the foundation on which the Christian stands."

3. H. Biron, ed., Index to Hart Papers, p. 5; Hart Papers, A-G-4, Sept. 1, 1818. Samuel Judah to Moses Hart.

"I have only sold three of the books you sent me and I do not perceive any chance of my disposing of the others. If you have an agent in New York, perhaps he would do better with them than I can."

Moses Hart believed that after death, there was no reward or punishment. Perhaps this fact serves as an explanation of his moral conduct. From 1816 to 1826, Moses Hart was engrossed with the dissemination of his views on religion. He corresponded with American deists such as William Carver, M. Foster, and a Dr. Cook. In a speech at Albany in November 1821, he spoke of founding a new religion, protested against religious intolerance, and asked for complete religious liberty. After 1825-1826, Moses Hart's enthusiasm for his ideas on religion declined. Mary McCarthy seems to have settled him down. After 1825-1826, Moses Hart concentrated on business and politics rather than on his attempt to spread a universal religion.

III

I shall attempt to analyze the ideas behind the religious system of Moses Hart, the sources which he utilized and also whom he hoped to influence. Moses Hart begins his work with an Introduction consisting of a four-page statement of his theological beliefs, primarily his God concept and then he proceeds to outline the ceremonial structure of his universal religion. After the introduction, there is a solemn installation oath for initiates. This is followed by the "three superior duties obligatory," and the "twenty-five secondary duties obligatory." After this presentation of the principles of the new faith, the author proceeds to describe and give the contents of the ceremonies of marriage and divorce. Next, he turns to the formal prayers recited by a woman lying in childbirth and to those said by her husband on her recovery.

Next comes the naming of the child, then prayers for children, for adults, for the Day of Rest and for the three major holy days of the year. Then come occasional prayers and blessings, such as prayers for the sick, prayers before meals, prayers in a storm, those said on going on a sea voyage, on returning safely to port, on undertaking a journey and on coming back from one. This is followed by prayers recited when in trouble and on being released from trouble. Considerable space is devoted to war and peace; prayers are given for those about to engage in battle and for those who celebrate the end of the struggle. There are also supplications to be recited during the entire period of the war's duration. This war liturgy is followed by the author's own decalogue, which is to be recited on the weekly Day of Rest, on the three major religious festivals, and by the young man or woman who took the initiation oath. The liturgy closes with the funeral service for the dead.

IV

The deistic influence on Moses Hart's teachings is reflected in his Introduction. He proves the existence of a Benevolent Creator through the argument from design reflected in the perfect workmanship and harmony of the celestial system. According to Moses Hart, the Beneficent Creator, (Moses Hart never uses the word 'God') could not by His very nature, punish the wicked in any eternal netherworld. The evil are punished

in this world by the laws of the land. The good we do finds its reward in this life. To express gratitude unto Him it is incumbent upon us to serve Him through rules of conduct which will enable us to live a virtuous and honourable life. Thus, in this brief theological outline, Hart follows the classical deistic tradition of a belief in a unitarian God and in the practice of benevolent actions to each other.

V

The actual liturgy of this new religion begins with the "Solemn Installation Oath" administered to a male at fifteen and to a female at fourteen. The person rendering the oath does so kneeling, with hands raised in a position of adoration and then recites the new decalogue. These ten commandments do not show much dependence on the traditional biblical decalogue. In the first precept the initiate promises gratitude to God; in the third he vows honour and respect to parents. In the other eight, the speaker—always speaking in the first person—declares he will be loyal to the state in the spirit of freedom and justice, that he will not defraud his fellow man, commit any crime or violence and that he will judge his fellow man with mercy, equity and justice. The neophyte in this decalogue openly proclaims the belief that he will be rewarded and punished in this life for the good or the evil that he does.

The initiation or confirmation ceremony shows Christian and Jewish influence in general, but the details are non-Jewish: traditional Jewish confirmation of course, was at

the age of thirteen, and the kneeling position has no place in Bar Mitzvah. Hart is incidentally careful to avoid the use of the term rabbi when speaking of directors, priests, ministers, and the authorized leaders of a community. He writes of churches, chapels, rooms, temples, edifices of public worship, but only once in the entire essay does he mention the word mosque or synagogue. He does not attempt to deny that he is a Jew—in the advertisement he informs us that he had received a Jewish education—but he does not wish to identify his religious system with anything Jewish. That is obvious. Perhaps he believed that this would serve to prejudice some people against it.

One has the impression that the theological prescriptions in his decalogue are perfunctory. In these ten commandments he says nothing of immortality; he speaks only of gratitude to the Almighty Creator and of reward and punishment in this life, through society, not through God's providence. The emphasis throughout his decalogue is on social ethics.

The sixth commandment runs as follows: "I will not persecute any person on account of his or her political or religious opinions or belief." This specific commandment has added meaning in light of the history of the Hart family. It appears likely that Moses Hart was influenced by his own experience and particularly by that of his brother Ezekiel (1807-1809) to believe that a new religious system should be evolved, which would countenance political and religious

persecution. "Alas! how many millions of people have fallen victims to religious intolerance, bigotry and tyranny," he laments in his Preface. He was speaking not only of the world but from personal experience.

The "three superior duties obligatory" which follow after the decalogue, are merely an expression of the first, the ninth and the tenth commandments: they are the duty of offering thanks to God; the duty of living an honourable life and the reward to be expected in this world; the duty of abhorring evil which will assuredly be punished in this world.

The "twenty-five secondary duties obligatory" which follow stress the ethics and morals necessary for a happy society. The first three—following Catholic and Jewish patterns—forbid the use of the Almighty Creator's name thoughtlessly, require a slight inclination of the head when He is mentioned, and ask for thanks to Him on lying down and rising from rest, at meals, and every other particular occasion. The fourth duty is to appropriate edifices for purposes of religion, to appoint a clerical leader who will also serve as the school superintendent, and to set up district ministers who are to supervise the individual clergymen.

The people are enjoined to set aside one day of the week to serve as a rest day; three grand festivals are also to be kept during the year. Among the remaining twenty-five duties are the commands to be loyal to the rulers if their conduct merits respect, to honour and to support indigent parents and

and relatives; to love one's fellow man, to avoid riots, to aid the sick, encourage the sciences and the arts, etc.; to be honest and hospitable, to judge our fellow creatures with mercy, to practice cleanliness, avoid incest, to make an effort not to communicate infectious diseases. Among these twenty-five duties is the prohibition against enslaving a fellow creature for life without his full approbation. Castration is forbidden, and one-third of the property of a convicted murderer is to be turned over to the nearest heirs of the victim. Lawsuits are first to be submitted to the clergy for amicable settlement—suits for debt excepted—before resorting to the civil courts. No woman is to cohabit with a man when menstruous. This latter commandment, of course, reflects Orthodox Jewish practice.

VI

The ceremony of marriage follows. As implied by the installation oath, majority is attained at fifteen by men, and at fourteen by women.¹ Polygamy is tolerated, for the author no doubt hoped that his system would be adopted in lands where plural marriages were practised. For this reason the man is not required to offer his bride the oath of fidelity which she is required to offer him. In order to protect the wife she is to receive a copy of the marriage document which she is to turn over to her nearest relative. If the couple have any children born out of wedlock, they are to be placed between the parents

1. M. Hart, Modern Religion, (New York, 1818), p. 17.

"When a boy arrives at the age of fifteen, and a girl at fourteen, they may contract marriage. In order to lessen the jealousy of married men, the bride is to take an oath of fidelity. This is not exacted from the bridegroom, as some countries admit of polygamy. Indeed, human nature appears inclined to polygamy; however, it rarely happens when the wife is true to, and fulfils her duties to her husband, that he is not actuated by a faithful and tender demeanor toward the mother of his children."

during the wedding ceremony. The approach to marriage here is a realistic one in view of the frequency of extra-marital relations and common law unions in Lower Canada at this time. Moses Hart was no exception in this respect.

VII

Divorce was permitted—in this Modern Religion of Moses Hart—after a preliminary six months period of absolute separation and after trial by jury sitting in the presence of the district or superior clergyman. If the divorce was granted by a majority of the jury, then a further lapse of eighteen months was to intervene before remarriage would be permitted; if the divorce was not granted by the church-appointed jurors, then there was to be no divorce by the State in less than five years. Final decrees of divorce are in all cases to be secured from the civil courts provided the parties had not had sexual relations during the entire period of separation. If they did, a further prohibition to remarry for three more years may be imposed by the ecclesiastical court. Divorce was certainly not to be encouraged.

VIII

Occasional phrases in the Modern Religion show a faint reminiscence of the traditional Christian and Jewish liturgies; as a rule, however, the rather florid phraseology is the author's own. Typical is the priest's prayer at the ceremony of naming the child:

"May the Almighty Great Creator, the artist of that most noble and mysterious faculty by which we are endowed to propagate our species; the author of those high refined rapturous sensations which bind parents to the care of their offspring; who causeth his divine providence to shield the young and helpless, and that we may be distinguished by different appellations, may he be pleased that the infant, now about receiving its appellation, may grow up and walk in the path of honour and truth." ¹

The author is apparently very careful to avoid the adoption of any rite or ceremony that is specifically Jewish or Christian; thus there is no intimation of baptism or circumcision.

Hart does not concern himself about one specific day of rest to be observed by all. Evidently, he has a society in mind which is to include Jews, Christians, and Moslems. It was immaterial, he said, which day of the week is selected for rest—Friday, Saturday or Sunday—as long as one abstains all day from unnecessary work and devotes it to thanksgiving, reading, exercise, and virtuous actions.

The morning service of the Day of Rest gives us a good concept of the ritual of this religion. The ceremony begins at 9:00 in the morning with a hymn sung by a group of young women. Then the priest or director of the service prays for the welfare of land and king, for the sailors at sea, for the sick, for the privilege of rest, for divine favour, for protection against violence, for the gift of health, the light of truth, for literature, the arts, the sciences, and for the professions which adorn and honour our lives. The ¹ said of the

1. M. Hart, Modern Religion, (New York, 1818),
p. 34.

Almighty Creator is then invoked to help every individual to flee with abhorrence from the commission of crime. These prayers are followed by a vocal solo, the repetition of his decalogue, and then by a hymn sung by a number of young male voices. While this last song is being sung, alms are collected for the poor by a young man and woman. Then follows the sermon. That sermon is followed by an additional oration from any person who may feel the urge to speak, and finally, the concluding anthem. Afternoon services on the Day of Rest and the holy days are optional.

IX

The first of the three major holy days in Moses Hart's religious system is the ~~the~~ Spring Festival observed on the first Wednesday of the Sowing Moon (April or May). This is called the First Moon. The second holy day is styled the Harvest Festival and is to be celebrated on the first Wednesday of the Harvest Moon (August or September). The third and final holy day is called the Winter Festival and is observed on the first Wednesday of the Ninth Moon (December).

The liturgy of these three holy days follows, in general, the pattern established for the Day of Rest. The theme of the first is a rhapsodic apostrophe to "the High Almighty Great Creator and the matchless artisan" who manifests Himself in spring agriculture. The reference to the Creator in the spring as an "artisan" and as an "architect" in the golden harvest

reflects the Masonic terminology which many of the eighteenth century deists employed. The officiants at the spring service are young boys and girls who sing the songs, collect the alms, and deliver an oration, in addition to the one usually made by the clergyman. One of the high points of this service is the grand spring procession during which the young participants carry typical emblems of the season and scatter flowers and perfumes (like Hippias), while the priest bears aloft a small tree in bud.

The theme of the second festival is the harvest; the chief officiants are mature men and married women who have borne children. The symbolism of spring and budding youth in the first festival is continued in this holy day dedicated to ripeness and maturity. In this grand procession, emblems of the harvest are carried and married men and women strew flowers and perfumes, while the priest offers to the view of all a small branch or vine with fruit.

The third or Grand Winter festival, to be observed in December, is dedicated to the old men and women. In the Grand Winter procession, the emblems of winter, of trades and commerce, and of the arts and sciences are carried about the temple to an obligato of vocal and instrumental music, while the old men and women strew perfumes and decayed leaves. Moses Hart based his three major holy days on a seasonal and agricultural theme because of their universal application and the fact that the world religions had a season and agricultural foundation so that the adoption of Moses Hart's conception of religion would not prove to be difficult.

Moses Hart had to cope with the problem of the efficacy of prayer in the various occasional blessings and petitions that now follow in his liturgical system. Does the Almighty change the order of nature when we appeal to Him during periods of great danger and impending calamity? The answer, according to Moses Hart, is that the Almighty Creator does not work through miracles.

X

Moses Hart's book, published after the war of 1812 had come to an end in Canada, reflects his moral opposition to war. Services are to be held daily in the places of public worship as long as a war lasts. In these supplications, the people are warned not to wage war except in defense of their rights and liberties. They are enjoined to evade war by every honourable means, to distinguish themselves by mercy to the unarmed, women, children, and prisoners, and to pledge themselves to a reasonable peace. Daily collections are to be made for those who have suffered in the conflict, and in the ceremonial procession men are to march about carrying emblems of the evils of war. When peace is finally declared, a grand celebration is to take place in every temple and hymns are to be sung by young women dressed in white. In his thanksgiving from the pulpit or altar the priest is to invoke the "benign and bountiful Creator who has caused the calamities of war to cease."

XI

Next, Moses Hart discusses the end of life—death. Funeral services complete the liturgy composed by Moses Hart. At the internment the priest recites a series of brief prayers all centering around the theme that death is necessary in order to make room for those who follow. Hart had read and approved of Malthus' Essay on the Principle of Population. Moses Hart does temper this rather unhappy, if not prosaic reason for dying by voicing the promise of "new life in some other hemisphere" where endued with other intellects man will be able to complete his adorations of the Creator of worlds.

The requirements for mourning are rather severe: no person who has lost a father or mother is to speak audibly for four weeks after death. There is a descending scale of silence for lesser relatives which reaches its bottom in the cousin who merits but two days of this silent treatment. The mourner is not to feast nor to drink alcoholic beverages unless permitted by a doctor.

The pages in this book are but one-third of the material that Moses hoped to write on this subject. Although Moses composed some, he never completed the entire poetical and musical parts for his religion.

XII

I was interested in the ideas and structure of this new religious system; I was even more interested in trying to determine the religious sources and patterns which influenced

Moses Hart to write his book Modern Religion. I concentrated on the possible religious influences upon Moses Hart. However, there were scientific, literary, and other influences which affected Moses Hart which I have not dealt with because of my scant knowledge of them.

The initial efforts to establish reforms in the Jewish synagogal system in North America were made in Charleston, South Carolina, 1824, six years after the appearance of Modern Religion. There is nothing Jewish about the Hart religion; the Charlestonians, on the other hand, stayed well within the periphery of traditional Judaism in their original memorial and merely asked for minor changes, such as the introduction of the vernacular and the English sermon, the elimination of repetitious prayers, the shortening of services, and the emphasis on understanding what one prayed . . .

"in fine, we wish to worship God, not as slaves of bigotry and priestcraft, but as the enlightened descendants of that chosen race, whose blessings have been scattered throughout the land of Abraham, Isaac, and Jacob." ¹

Is it possible that Moses Hart by his work influenced the establishment of the first Reform Jewish synagogue on the North American continent? Hart and the South Carolinians have very little in common, theologically and liturgically speaking. They both share and enjoy common deistic tendencies and it is not

1. L. C. Moïse, Biography of Isaac Harby, with an account of The Reformed Society of Israelites of Charleston, S.C., 1824-1833, (Sumter, S. C., 1931), p. 59.

improbable that Moses Hart's pamphlet may have stimulated them to begin their modest reforms. Like the emerging Unitarians in the United States, the Reformers who first appeared in Charleston, S. C., in 1824, wanted to reform customs and to modify their creed, but they were equally determined to remain well within the field of traditional theology and well inside the ancestral faith. They were not assimilationists. Moses Hart was.

XIII

What were the Jewish influences that might have led Moses Hart to write such a work! The Charlestonians of 1824 admitted that they were influenced by "the reformation which has been recently adopted by our brethren in Holland, Germany and Prussia."¹ It is possible that Moses Hart was also influenced by the recent Jewish Reformation in the Germanic lands? The Hamburg Jews had promulgated their reforms in 1818, the very year that Hart's book appeared. However, as compared to the ideas of Moses Hart, the deviations from orthodox Judaism in Hamburg are minor: introduction of the vernacular, use of the organ, more decorum, etc. The changes are primarily aesthetic. The Orthodox fundamentalist theology remained unchanged except for a tendency to deny the hope for the coming of a personal Messiah. Behind the Hamburg Reformers of 1818 stood the example and the teachings of the Westphalian

1. L. C. Moise, Biography of Isaac Harby, with an account of The Reformed Society of Israelites of Charleston, S.C., 1824-1833, (Sumter, S. C., 1931), p. 58.

banker, Israel Jacobson (1768-1828), who was the founder of the Reform Movement in Judaism. However, he was not the spiritual father of Hart's new system. Jacobson's modest changes were solely aesthetic and expressed themselves also in the eagerness for decorum and the introduction of the vernacular into the first 'temple' which he built in 1810.

Closely associated with Jacobson was his friend David Friedlander, who achieved a great deal of notoriety in 1799 through his "epistle" to Teller, a distinguished Protestant churchman. Friedlander, apparently speaking for a small group of cultured Berlin Jews, proposed that he would embrace Protestantism under certain conditions. These conditions are practically a demand that Protestantism become a deistic faith in which the belief in Jesus as the Son of God would play no part. As far as basic principles and ideals are concerned, Hart and Friedlander have much in common. Both were prepared to reject traditional Judaism. Friedlander denounced historical Judaism as an irrational faith which was not to be confused with the original Hebraic religion. Hart, (last page), believed that the original Mosaic faith was deistic but that the present Mosaic works were a late—and presumably corrupt—compilation by Ezra on the basis of contemporary oral traditions. Both the theology of Hart and Friedlander revolves around the typical eighteenth century concepts of a unitarian God. Eighteenth century ideals among

the thoughts of Moses Hart include: the perfectibility of man, the sovereignty of reason, and the inestimable value of education.

Moses Hart was a voracious reader. However, I was unable to find positive evidence that Moses Hart read the 1799 epistle of Friedlander, though I am certain he knew of the religious reforms occurring within Judaism at this time. It is true that many concepts of Friedlander and Hart are alike, but Hart could have acquired these same principles from any deistic writers and thinkers of his day. It would be probable to assume that Hart, a subject of Great Britain, would turn to the English deists for his religious patterns.

XIV

A search for a more direct source of the Hart system in England yields no proof that Moses Hart's ideas came directly from there. He would certainly have went along with the English rationalists of the eighteenth century, who emphasized the rejection of miracles and of irrational revelation, and the ultimate appeal to reason. The English and other eighteenth century deists held to the conviction that all 'modern' people are prepared to reject the 'superstitions' of the historic churches and creeds. The hope for a common moral and ethical order expressed itself, particularly in early eighteenth century England in the flowering of the Masonic movement and its liturgy, a movement and a ritual with which Hart was well acquainted.

What was the influence of early Unitarianism, particularly American Unitarianism, upon the thinking of Moses Hart? Outside of their concept of God the Unitarians of the late eighteenth and early nineteenth century and Moses Hart were poles apart. The Unitarian leaders of Moses Hart's time were comfortably ensconced behind the wall of a traditional Christian theology. The cultured and wealthy Bostonians and their immediate neighbours, who were now the core of the new, evolving anti-trinitarian church, would never have accepted Moses Hart's Modern Religion, completely divorced as it was from the historic Christian faith. Moses Hart was possibly influenced by but certainly did not influence the Unitarians. Joseph Priestley, whose works were probably known to Moses Hart, wrote against war and attacked the slave trade and it may be that Hart in his similar attitude to war and slavery was influenced by Priestley's writings. It is also likely that Moses Hart was influenced by the growing enlightenment and the social humanitarianism of this period.¹

XVI

Two American influences upon Moses Hart were Elihu Palmer and Tom Paine. It seems that Moses Hart followed the Palmer and Paine deistic church movement from its rise, in 1794, in the wake of the French Revolution, to its decline in 1811. The failure of the American movement was certainly obvious to him when he published his Modern Religion.

G. Adolf Koch, Republican Religion,
(New York, 1933), p. 295.

XVII

There is still one major source of influence on Moses Hart and his work, Modern Religion, which has not been discussed and this is the influence of the religious developments of the French Revolution. The leaders of the French Revolution, particularly during the period from 1793 to 1802, wanted to set up a new religion which would strengthen the state and help it attain its revolutionary goals. An attempt was made to create a new national religion with its own holy days, martyrs, liturgies, hymnologies and the like. I believe it was this cult and its liturgy that most directly influenced Moses Hart in the development of the rituals behind his Modern Religion. Robespierre was very much interested in establishing a rational religion built on the teachings of Rousseau that would further devotion to France. On May 7, 1794, a decree was therefore passed which was to establish this new religion on a firm foundation. Part of the worship for the religion was to be through the practice of the duties of man. These duties lie in the attempt to help the unfortunate and the oppressed, in crushing tyranny and injustice, and in the effort to do to others all the good that is possible. Four major festivals were to be

observed; thirty-six additional festivals—one every tenth day of the new thirty day month.¹

Like Voltaire, Robespierre believed that these ideals were of great social and moral value, but would not receive mass acceptance unless they were clothed in an attractive liturgical garb. The more appealing and aesthetic this religion was, the better it could cope with and ultimately supplant Catholicism. To accomplish this purpose, Robespierre was prepared to encourage the use and spread of an official liturgical ceremonial. Even before his death these rituals were already in use. After his fall in July, 1794, the spread of the new religion went on apace. His death brought no slackening of his religious hopes. There were services for the celebration of the recurring tenth day which was to supplant Sunday. In some places the people venerated the great historic martyrs of the past and the present—Brutus, Marat, etc.—instead of the saints. Many important events of life, formerly associated with Catholicism,

1. For the Decree for Establishing the Worship of the Supreme Being, see F. M. Anderson, The Constitutions of the History of France, 1789-1901, (Minneapolis, 1904), p. 137.

such as marriages and burials, were now observed with a secular ceremonial. The devotees of the new state cult stressed the significance of the decadary festivals which they believed would win the hearts of the people away from the established forms of Christianity, through dances, patriotic songs, and moral instruction.

The efforts of Robespierre and his successors to establish a ceremonial patriotic religion devoted to the interests of the state were furthered by the rise in 1796 of the semi-official Theophilanthropists. This was a society that was closely related in content and form to the state cult of Robespierre and to the decadary festivals of the Directory. It rejected all creeds, dogmas, and what was considered to be supernatural revelation—some of its members were atheists.^a Many others, like Tom Paine, were deists.^b Its followers gathered for worship in homes and in temples to pursue their moral teachings. When it reached the zenith of its influence in the fall of 1798, it held services in practically all the churches of Paris. Its ceremonial was reduced to a minimum; its shrines and altars were adorned with the product of field and garden. Like the devotees of the national cult, the Theophilanthropists had their hymns and addresses. Napoleon practically destroyed the waning cult in 1801 by refusing to permit it to use the churches and other public buildings for its services, but it still managed to

atheist — one who disbelieves in or denies the existence of God.

deist — one whose belief in God is founded on reason, rather than on revelation or authority.

drag out an obscure existence for a few more years. This society, which had its imitators in Germany, England, Italy, and the United States, was founded by a bookseller named Chemin-Dupontès, who enjoyed the support of La Revelliere-lépeaux, a member of the Directory. Chemin's Manuel was sent into the provinces by the government and the catechism of the Theophilanthropists was accorded official approval. But it remained the private religious society of a limited number of intellectuals never becoming a state cult.

This, in brief, was the French Revolutionary background that must have impressed itself on Moses Hart. The points of correspondence between Modern Religion and these civic cults are numerous and it is safe to conjecture that this whole development was known to Moses Hart. In all probability he had before him one or several of the local civic manuals of the state cult and the Theophilanthropists when he composed his own work.

Participants in the French national festivals were sometimes asked to take the oath of loyalty to the revolution; Hart prescribed a sacred installation oath for his devotees. French legislation attempted to make the décadi a real Day of Rest. People were compelled to be present at the meetings and were forbidden to work or even to secure food in public places while the addresses were being delivered. Hart also asked for a complete cessation from unnecessary work on his Day of Rest.

The themes of youth, manhood, and old age were the occasion for three separate décadi festivals. At the time of the Directory some of the churches taken over by the State were called the Temple of Youth, Old Age, etc. Hart, too, dedicates his three great annual festivals to these same three states of life, and like the décadi festivals these holy days are tied up with the corresponding seasons of spring, summer-autumn, and winter.

In the famous pageant of the Cult of Reason, on November 10, 1793, and in the similar celebration of the Supreme Being on June 8, 1794, young women, dressed in white, marched in procession, carrying wreaths and singing hymns. In one of the ceremonial parades, old men were shown on an ox cart, carrying sheaves and vine stocks to represent agriculture, and a rule and square to symbolize the arts and industries. In other pageants women carried flowers; men boughs of oak. Similar ceremonials are prescribed in the three festivals of Modern Religion.

The state religion as conceived by the Directory, if not by Robespierre, was to offer a common meeting ground for the citizenry. The republican calendar with its tenth-day rest day and its Bastille Day and other celebrations did not directly conflict with the Saturday-Sunday day of rest and the traditional Judaeo-Christian festivals. One could thus follow both the state cult and Christianity, as many did. Observance of the decadary festivals did not, therefore, preclude loyalty to one's

religion, although the State hoped that its national faith would ultimately displace the traditional historic churches. Hart nourished similar hopes for his religion.

He hoped that his religion would be followed by all religious groups, albeit separately, in their own respective synagogues, churches, and mosques. His three Grand Festivals, therefore, were set on Wednesdays, and the calendar for these days—which he appends to the liturgy—was arranged as to provide a minimum of conflict with the traditional Jewish and Christian holy days.

While the French cults were atheistic and were intended by those who came to power after the French Revolution to be used to supplant Roman Catholicism and foster loyalty to France, Moses Hart's religion was to be a universal deistic religion, whose main purpose would be to end religious strife. Moses Hart had the idea of making deism the core of his religion around which he added much ritual to be used to attract followers and to give his deistic faith a universal form. There was nothing new in Moses Hart's deistic ideas but what was different was an attempt by him to create a ritualistic religion around deism, which was an unorganized, unritualistic faith. Although Moses Hart created a new religion, he did not attract any followers to actively practise it.

XVIII

There is the influence of the French Revolution on this booklet of Moses Hart, yet there are a number of marked differences which indicate that the author has consciously departed from the French civil religious system. In relation to the practices of the French state cult for the period from 1793 to 1802, Hart was more conservative for he returned to the traditional forms even though this was a return to externals alone. Why, one may ask, did Hart make these concessions, superficial though they may have been?

In 1818, when Hart published his work, the Metternich System of reaction was already in force. The ideals of the French Revolution, even in their diluted Napoleonic form, had been suppressed. In Canada, the Hart brothers had experienced religious bigotry and political discrimination in a very personal fashion during the period from 1807 to 1812. Protestantism had developed no great liberal church; Channing's Unitarianism—a relatively conservative faith, did not develop till 1819. Lower Canada was Catholic and conservative.

Moses Hart believed strongly that the times required a liberal religious faith, but failed to realize that the somewhat reactionary age would not tolerate such extreme deviations as he proposed. It would certainly not have been possible to transfer the state cult of France to the atmosphere of a Catholic Lower Canada or to an evangelically stirred United States. Moses Hart's Modern Religion was markedly unchristian and unjewish. There is no mention in his book of an Old or a

New Testament. The Creator was there, in a colourless fashion. There was no mystic faith in the author of Modern Religion. There was no deep philosophic insight in him or his ritual. Unlike the French revolutionaries, however, his cult had a priest and ministers, and a hierarchy of a sort. The French revolutionaries had attempted to create a civic, national cult; Moses Hart was seeking to create a universal religion. The structure of the service and some of the prayers show a departure, for the most part, from the French revolutionary cults and a dependence on the Jewish and Christian books of common prayer and on the traditional Judaeo-Christian liturgical system. The three major holy days which Moses Hart prescribed are, roughly speaking, chronologically close to Easter-Passover, to the Jewish High Holy days and the Feast of Ingathering, and to Christmas-Hanukkah (The Feast of Lights).

XIX

Did Hart really entertain the thought that the Catholics and Protestants and Jews of Great Britain, Canada, and of the United States would take his manual seriously? Evidently, he believed that some Jews in the United States and Canada would adopt his religious system. Many of them, like his brother Ezekiel, who took the Christian oath, were becoming less orthodox and many other Jews were being assimilated.

Nowhere does Hart specifically ask the older faiths to scrap their systems; yet he does offer a common ritual to be followed by the different faiths in their respective houses of worship. This ritual might well be accepted by all of them, so he thought, because he had sedulously avoided all historically motivated holy days and had proposed only mutually acceptable festivals of nature. Obviously, he is appealing to all religious groups.

Modern Religion had no apparent and immediate impact at the time of any noticeable significance. This work—if it has any importance—is evidence of the influence of deism, eighteenth century liberalism, and the French Revolution on an individual Jew, Moses Hart, who lived in Three Rivers, Lower Canada. It is evidence of the diffusion and spread of the thoughts of this era to this man.

Although Moses Hart was influenced by the religious trends of the French Revolution and by the attempts of J. B. Chemin and other Theophilanthropists to offer natural religious prayers that would substitute for the Christian liturgy, the actual wording of the prayers in Modern Religion (and General Universal Religion) are original with Moses Hart.

Investigation of Moses Hart's papers shows that as early as December 11, 1794, Moses Hart had become interested in deism and he was composing a type of universal prayer. As late as 1825, Hart was in close touch with the associates and

followers of Tom Paine. Moses Hart made an effort—at least during the period 1818-1826—to establish his religion in Lower Canada, the United States, particularly in the state of Vermont, but without success.

XX

As well as offering a positive alternative to end rivalry among the existing religion, Moses Hart attacked the existing religions, especially Orthodox Judaism and the Roman Catholic Church. Moses Hart's pamphlet against the Roman Catholic church was 46 pages long. It begins thus: "The ten commandments of the Roman Catholic Church humbly inscribed to the Consideration of the Roman Catholics of Ireland, Canada and the United States."

- I - "Thou shall pay obedience to the pope as to Christ.
- II - Thy Bishops shall not defile themselves with a wife.
- III - Thy Deacons, and under priests, likewise shall not stain their holy persons, with the vile embraces of a wife.
- IV - Thou shall establish Monks, and Fryars.
- V - Thou shall cloister Nuns, or priests in petticoats.
- VI - Thou shall commit idolatry.
- VII - Thou shall confess thy sins, to the priests, and shall pray in a language, thou does not understand.
- VIII - Thou shall not eat meat, forty days in lent.
- IX - Thou shall attend Masses and Vespers and (sic) Saith holidays.
- X - Thou shall establish an Inquisition to glut the cruelty of thy Clergy."

Moses Hart then went on to explain in a satirical fashion each of the commandments. He ended his pamphlet by affirming that the Roman Catholic religion was made up of the following elements: cruelty 2/8, idolatry 2/8, tyranny of priests 1/8, penitence 1/8, and of superstition 2/8.

In another pamphlet he defended the Jews against the accusation of having killed Christ. "The Jews vindicated from the assertion cast upon them of having conspired the death of Christ" by M. Hart. Here is an excerpt:

"The Jews have always maintained that a Cross for the execution of a culprit, could not have been reared in this country, but in manifest violation of their religion, laws and customs. They appeal to the whole of mosaical code, which strictly inhibits every species of torture, and which enjoins that when a person has merited the punishment of death, he shall either be led out and stoned to death, the accuser throwing the first stone, or hang, his body to be taken down, and buried before the sunset. They therefore deny that any Jew ever did invent, assist, tolerate or promote crucifixion, and certainly no better evidence can be offered than their laws and customs invariably preserved to prove that they did not say to Pilate: 'Let him be crucified', meaning Christ".

At the same time as Moses criticized the Roman Catholic church, he lent money without interest to the Ursulines of Three Rivers. Moses also lent money to many parishes in Three Rivers and area for the construction or restoration of several Roman Catholic churches including that of Saint-Michel of Yamaska, Saint-Stanislas, the church at Sorel, Saint-Apollinaire, Grondines, Baie de Febvre and Saint-Jean Deschaillons.¹

1. H. Biron, ed., Index to Hart Papers, pp. 6, 7, 8.

CHAPTER SEVEN

I

The Harts had an active interest in political developments. A decision by the government in England or Lower Canada could either promote or destroy their businesses. The choice of the losing side during a war could mean an end to their businesses. The one generality which emerged from a study of the loyalties of the Harts was that their patriotic opinions had a direct relation with their financial interests. It was in the economic interests of the Harts to have Lower Canada part of the British Empire. As well, there was a strong sense of patriotism to Britain among the Harts, who could be classified as belonging to the English merchant community.

II

During the war of 1812, the Harts were loyal to the British side. Among those who responded to the Governor's (Sir George Prevost) appeal on the 9th of July, 1812, was Alexander Hart of Montreal.¹ Ezekiel Hart especially distinguished himself in the war as an officer in the militia which he had joined in 1803. Ezekiel served as a lieutenant in the 8th Three Rivers Battalion and fought under Colonel de Salaberry in the Battle of Chateaugay.² He was later transferred and subsequently became a captain on June 29, 1816, then a Colonel on May 16, 1830, in the first St. Maurice Battalion.³ Ezekiel

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1. P.A.C., Militia Records, 1774-1814, RG4, B29, Vol. I. 1812-1814.
 2. J. M. Gibbon, Canadian Mosaic, (Toronto, 1938), p. 399.
 3. P.A.C., Militia Commissions, 1820-1835, RG4, B29, Vol. 4, 1820-1831.

also provided supplies and beer for the troops passing through Three Rivers. Important officers often stayed at his home. While Alexander, Ezekiel and Benjamin sought to and did serve militarily, (thereby disrupting their businesses during the war of 1812), Moses Hart solely pursued his own business interests. The war of 1812 provided a welcome means for Moses Hart to substantially increase his wealth. On a small scale during the war of 1812, Moses Hart smuggled or imported food from Vermont and northern New York to supply the British troops in Lower Canada.¹ Moses Hart had the money, organizational ability, and contacts to do this. Through supplying the British forces, Moses Hart believed that he was not only helping the British, whose side he strongly supported, but was also aiding his own financial interests. The British Imperial commercial preferences, especially those relating to timber, had permitted Moses Hart to develop a very profitable business in the timber trade.

Despite his unpleasant experience involving his militia appointment, Benjamin Hart did not hesitate to demonstrate his loyalty in other ways to England during the war of 1812-1814. Sir George Prevost, anxious to arm 100 men to garrison Fort William Henry (now Sorel), was informed by Colonel Battersby that this project was impossible to carry out without money to pay the recruits. According to the Army paymaster, the

1. H. Biron, ed., Index to Hart Papers, p. 71;
Hart Papers, reel 10, M-C-4, Moses Hart to Horatio Gates;
Hart Papers, reel 12, O-D-16, Horatio Gates to Moses Hart.
 June 16, 1813; June 25, 1813; August 18, 1813; October 11, 1813;
 October 20, 1813; December 20, 1813; March 8, 1814; June 16, 1814;
 December 22, 1814.

sum of £1,000 at the very least was required. No money was forthcoming from anyone for this purpose. Upon learning of the government's plight, in May 1812, Benjamin Hart offered to come to its aid. His offer was accepted and, thanks to him, the organization and equipment of the small garrison at Sorel became possible. Benjamin Hart also advanced money to garrison other forts on the St. Lawrence as well as the money necessary to pay recruits. In the month of November, 1813, Benjamin Hart who had moved to live in Montreal, enlisted as a private in a regiment of volunteers which had been formed to help repulse General Dearborn's army advancing on the city. He was later instructed to proceed to Three Rivers with orders to the militia there to prepare to engage the Americans.¹ This was the extent of Benjamin Hart's participation in the war of 1812.

III

Benjamin Hart wanted the St. Lawrence navigation system improved in order to facilitate his business and he felt improvements to the St. Lawrence navigation system and to the port of Montreal would come about as a result of the Union of Lower with Upper Canada. Benjamin, like the English community of Montreal, was for the Union Bill of 1822 and such measures as the one making English the official language of the

A. D. Hart, The Jew In Canada, (Montreal, 1926),
p. 535.

government and after fifteen years the only language of debate. The measure desired by Edward Ellice to alter the system of land holding from the seigniorial to the freehold system also had the agreement of Moses and Ezekiel, both of whom owned seigniories and were not satisfied with the income they were deriving from their seigniories. In 1841, more so than he had been in 1822, Benjamin Hart wanted the Union of Upper and Lower Canada. He hoped that with the Union, the government would promote the economic development of Lower Canada by improving transportation facilities, so that he could better face American competition in exporting and importing goods.

IV

Of the sons of Aaron Hart, Moses Hart was the one who criticized both the government and the opposition the most. Moses Hart had a large economic investment in Lower Canada and he felt the lack of action by the government was hurting his business. Although Moses Hart felt he must forthrightly speak out, his complaints damaged the possibility for ^{his} political advancement.

Moses Hart unabashadly wrote letters to the highest officials. For example, on November 20, 1830, Moses Hart wrote directly to the King of England giving him advice on how to preserve his health, how to relieve himself of gout as well as advice and information on the administration of the King's

government in Lower Canada.¹ Moses Hart identified himself as one of the English minority in Lower Canada. In August, 1805, he wrote to H. W. Ryland, the civil secretary, complaining that Charles Thomas, the prothonotary, had addressed a summons to him in French. Moses Hart said he considered this an insult and stated that in future "documents sent to the English should be written in English."²

On June 10, 1826, Moses Hart wrote to Lord Bathurst, the Colonial Secretary. He identified himself as "the richest man in the district of Three Rivers."

"The abuses existing here are numerous. Education is neglected. We have parishes on the St. Lawrence of two to 300 families, among whom only four or five can write their names."

Moses Hart recommended tuition free education to be paid for by the government as a remedy. Moses Hart asked for financial aid in the establishment of non-denomination academies

"for the education of the youth of both sexes I do no mean that children should be divested of religious instruction, for this could be given them at some other place as their parents might think proper, but to make the Academy encourage every sect no particular prayer should be used, so that virtue and respect for the Great Creator would be inculcated."³

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1. Hart Papers, reel 2, E-i, 1.
M. Hart to King William IV, Nov. 20, 1830.
 2. H. Biron, ed., Index to Hart Papers, p. 52;
Hart Papers, reel 7, L-A-3-1, M. Hart to H. W. Ryland, Aug. 1, 1805.
 3. Hart Papers, reel 2, E-J.

Moses Hart's main and continuous complaint was against the judicial system in Lower Canada.

"There is no greater curse than law. I have been sorely troubled all my life with bad laws. I have lost six thousand pounds be (by) bad laws there is no country that laws are so badly administered and so expensive as this." ¹

Moses Hart complained against the unfairness of certain judges, such as Judge Mondelet, ² whom Moses accused of being influenced by a personal grudge against him. Moses Hart felt that "The Assembly ought to make an enquiry into the conduct of the Judges and enact a mode to punish them." One penalty which Moses Hart suggested was to withdraw judges' pensions. Moses Hart recommended that judges be alternated every five years and that no judge hold circuits in the area in which he lives. Moses Hart complained that the judges were making their own laws and rules and imposing excessive fines. ³

On January 15, 1822, a petition, composed by Moses Hart, was submitted to the government of Lower Canada demanding that legal costs, including items such as the cost of depositions, warrants, summons, subpoenas, bills of indictment and appeal bills be reduced. ⁴ A similar petition demanding the reduction of judicial costs was submitted to Charles Buller by Moses Hart. ⁵ Moses Hart in

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1. H. Biron, ed., Index to Hart Papers, p. 44; Hart Papers, Aug. 3, 1841.
 2. H. Biron, ed., Index to Hart Papers, p. 53; Hart Papers, reel 7, L-A-9.
 3. Hart Papers, reel 7, L-A-3-1.
 4. Hart Papers, reel 7, L-A-4-C-1; L-A-4-C-2; L-A-4-C-3.
 5. Hart Papers, reel 7, L-A-4-B-2.
Moses Hart to C. Buller, Three Rivers, August 3, 1838.

a detailed petition to Lord Durham complained that "agriculture and commerce are ruined by bad laws."¹ Moses, Ezekiel, and before them their father, had recourse to over eighty notaries and more than one hundred lawyers.² Moses felt that the lack of proper bankruptcy laws made it difficult for himself and other businessmen who loaned money to ever be compensated. In a petition to the Duke of Richmond, Moses Hart protested the fact that people living in the Eastern Townships had to journey all the way to the courts in Three Rivers or Montreal.³ Moses Hart had received numerous complaints on this matter from those to whom he had sold land in the Eastern Townships; he also felt there were not enough judges and asked the Governor to appoint more judges.⁴ When Moses Hart again wrote the Governor pointing out the need for more judges,⁵ the Secretary to the Governor replied to Moses Hart that there were "not sufficient motives for appointing more judges."⁶

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1. Hart Papers, reel 7, J-A-3-4.
Petition of Moses Hart to Lord Durham, July 4, 1838.
 2. Hart Papers, reel 9, LF 82 to LG 24.
 3. H. Biron, ed., Index to the Hart Papers, p. 52;
Hart Papers, reel 7, L-A-3-2.
 4. H. Biron, ed., Index to Hart Papers, p. 54;
Hart Papers, M. Hart to the Secretary of the Governor, 1818-1819.
 5. Hart Papers, reel 7, L-A-5-1.
Moses Hart to Governor Head, Toronto,
Three Rivers, 15 November, 1837.
 6. Hart Papers, reel 7, L-A-6-1.
Secretary of Sir J. B. Head, Toronto, 27 November, 1837.

When Lord Durham came to Lower Canada, following the rebellion, Moses Hart submitted a petition proposing judicial reforms. He felt that during French rule, justice had been better administered. Moses Hart was opposed to the fact that "London was the last court of appeal for Canadian law." "It is burlesque," he wrote, "to search for Justice 3,000 miles away."¹

Moses Hart urged the Union of Upper and Lower Canada with Montreal to be the capital in the hope that with the addition of a larger number of English speaking persons from Upper Canada, economic and social reforms for Lower Canada could be passed. Moses Hart was sure that many French Canadians regretted signing against the Union of Upper and Lower Canada in 1821. Moses Hart wished to see English civil law introduced into Lower Canada. He complained to Lord Bathurst that the English in the British province of Lower Canada were deprived of their just rights. Moses also asked Lord Bathurst to recommend his appointment as a Legislative or Executive Councillor for Lower Canada.² J. Monton replied to Moses Hart's letter to Lord Bathurst. Monton tersely advised Moses Hart to refer his requests to the Lords Commissioners of the Treasury. In other words, he was telling Moses Hart to bother someone else with his requests. On October 2, 1842, Moses Hart wrote to Louis Hippolyte Lafontaine asking him to use his influence to help him get a seat on the Legislative Council.⁴ Moses Hart wrote several times to Lafontaine but was unsuccessful. On December 6, 1843,

1. H. Biron, ed., Index to Hart Papers, p. 54;
M. Hart to Lord Durham, July 4, 1838.

2. Hart Papers, reel 2, E-G-4, Moses Hart to Lord Bathurst, June 10, 1826.

3. Hart Papers, reel 2, E-G-4, J. Monton to Moses Hart, Dec. 31, 1825.

4. Hart Papers, reel 2, G-1-48.

Moses Hart wrote to Sir Charles Metcalfe stating that he should be made a Legislative Councillor; once again he was rebuffed in his quest.

V

According to the historian, Benjamin Sulte, E. Hart's house was the location of a rally for the supporters of Papineau.¹ He states that even in 1835, after the revolutionary manifesto, the famous Ninety-Two Resolutions, Ezekiel Hart still maintained personal contact with members of the party patriot. Sulte states that many prominent French Canadians gathered at Ezekiel Hart's house, such as Papineau, Jacques Viger, and Roy de Portelance.² At one party in the early summer of 1836, to which Papineau and other prominent members of the party patriot had been invited, although all the English-speaking citizens of Three Rivers had also been invited, with one exception they stayed away.³ Since Benjamin Sulte leaves no footnotes, I was unable to trace the source of his information. The Hart Papers and newspapers of this period make no mention of this information given by Sulte.

At a meeting of the party patriot held in Three Rivers on April 20, 1834, Moses Hart, Ezekiel Hart's elder brother, delivered a fiery speech in which he strongly condemned the regime in Quebec for its bureaucratic methods and its abuse

1. B. Sulte, "La Maison Hart," Le Monde Illustré, Samedi, 1 Mars, 1893, p. 530.

2. B. Sulte, Pages d'histoire du Canada, 1891, p. 429;
B. Sulte, "La Maison Hart," Le Monde Illustré, Samedi, 18 Mars, 1893, p. 542.

3. B. Sulte, Trois Rivières D'Autrefois, (Montreal, 1932), pp. 54-55.

of power.¹ Moses Hart had many complaints against the government of Lower Canada and expressed them both publicly and privately. Despite his sympathy with some of the grievances of the party patriot against the government, Moses Hart was against the resort to arms.² Moses Hart often thought of the party patriot as being comparable to the French revolutionaries. Moses Hart was against the gaining of independence for Lower Canada because this would result in the loss to him of imperial preferences on timber. Although he had many complaints against the government of Lower Canada, Moses Hart certainly did not want the party patriot to come into power. While Moses Hart was criticizing the government, his nephew Aaron Philip, son of Benjamin Hart, was addressing rallies condemning the Assembly's proceedings, Papineau and his supporters, and the Ninety-Two Resolutions.³

Ezekiel Hart appears to have been more sympathetic to the party patriot than even Moses. Ezekiel Hart's son, Adolphus-Mordecai Hart, a prominent journalist and a lawyer in Three Rivers, appeared before the courts on many occasions to defend arrested rebels. In 1837, magistrates Hanson, Dickson, and Gilmour, three Tories, sentenced Adolphus-Mordecai Hart to an hour in prison and a fine of five louis for contempt of court. This occurred during his defense of a suspected rebel. Previously

1. H. Biron, "Les troubles de 1837," L'Action Catholique, 18 Avril, 1937.

2. H. Biron, ed., Index to Hart Papers, p. 14; Hart Papers, reel 2, G-1-52.

3. The Montreal Gazette, Saturday, April 19, 1834, p. 2.

Adolphus-Mordecai Hart had pleaded the case of J. G. Barthe, a journalist and of Richard Cook, a saddler, who had both been accused of being members of the party patriot.¹ It was an accepted fact at the time that only lawyers who sympathized with the rebels would represent them in the courts and it was in this light that A.M. Hart's conduct was viewed.

Benjamin Hart of Montreal completely opposed the rebels. His eldest son, Aaron-Philip Hart (1808-1843) organized a company of volunteers to combat the rebels; he also carried despatches in 1838 for Sir John Colborne, the Governor General, to the British Ambassador at New York. Theodore and Arthur Wellington, sons of Benjamin Hart and Alexander, son of the late Alexander Hart, were officers on the government side.

Benjamin Hart of Montreal had a significant role during the 1837 Rebellion. The rebellion broke out in the fall of 1837, a short time after Benjamin Hart's appointment as a Justice of the Peace. Hart's new duties as a Justice of the Peace, added to those he already had as a militia officer, provided him with considerable work and responsibility. On November 4, 1837, the first evidence of acts which could be regarded as treasonable on the part of the patriots or rebels was presented before him in his capacity as a magistrate. Two days later on November 6, 1837, during ^a clash between les Fils de la liberté and the Doric Club, B. Hart boldly made his way out into the streets in order to secure first-hand knowledge

1. B. Sulte, Pages d'histoire du Canada, 1891, p. 430.

of the disturbances. He found a tumultuous crowd of several hundred English speaking persons led by one Naysmith. Promptly heread the Riot Act, arrested Naysmith, and signed a requisition to the commandant of the garrison calling up the militia to restore order. Later a clash ensued between the Sons of Liberty and the English Doric Club in which the latter slowly gained the upper hand. Exuberant from their victory they attacked the home of Louis-Joseph Papineau, wrecked the office of his paper, The Vindicator, and would no doubt have carried out their threat to burn the houses of the rebels that night had Hart not restrained them. At his request the militia maintained a constant patrol of the streets of Montreal for several consecutive days. Throughout the nights of November 6, 7, 8, and 9, 1837, combining the functions of a magistrate with those of an army officer, Hart was at the head of the militia charged with keeping order in the city.¹ For almost three months Hart was busy taking depositions, trying cases and, at the request of the Attorney-General, issuing over a hundred warrants for the arrest of persons accused of high treason.

It was rumoured at the time that the Government planned to repudiate any magistrate sued for false arrest. Many English magistrates in Montreal, unwilling to assume the risk, temporarily withdrew from their duties for this reason as well

1. Montreal Gazette, Thursday, November 16, 1837;
Saturday, December 23, 1837.

as due to the more likely reason of the fear of reprisals. In Montreal, a number of prominent English citizens in the government and merchants called upon B. Hart and entreated him not to allow himself to be intimidated. A similar request was addressed to him by Mr. Day, the Attorney-General, who assured him that should action be brought against him, he would personally undertake Hart's defence and should damages be awarded, the merchants of Montreal stated that they would indemnify him against all loss.

On November 4, 1838, after the second uprising, General Clitherton in the name of Sir John Colborne, the Governor-General, requested Hart to arrest every person he suspected of being a rebel leader. Hart obeyed the order and caused over twenty persons to be arrested that day. Benjamin Hart's name is connected with another incident which occurred in the month of May in 1839. Although the insurrection had been suppressed by then, a number of die-hard rebels attacked Lieutenant-Colonel Barnard and Major Dickson of Sir John Colborne's staff. Both would have been killed had not Lieutenant-Colonel Hart rushed to their assistance and effected their rescue.¹

Thus, it appears that Jews in Montreal, such as Benjamin Hart, sided with the English community. Benjamin Hart was a member of the English merchant community of Montreal and as a magistrate was part of the government. While Moses and Ezekiel Hart were prominent merchants, they were not included among those

1. The Archives, Series Q, 1840, p. 382.

allowed positions of importance in the government of Lower Canada. For this reason, Moses and Ezekiel were not as wholehearted or as enthusiastic supporters of the English community as their brother Benjamin Hart. Since they were living in an almost totally French Canadian area, Moses and Ezekiel Hart could not be wholehearted supporters of the English community. They needed the cooperation and friendship of the French Canadians of Three Rivers and area in the interest of their businesses. In case trouble did arise, they had no one to rely upon for assistance. Since they were not wholehearted supporters of the English position, Moses and Ezekiel were not given favours which they might have received had they been merchants who were totally committed to the views of the English community of Lower Canada.

VI

In April, 1841, Alexander T. Hart, a son of Moses Hart, ran in the election as an independent candidate against C. R. Ogden, a Montreal Tory, who was for the Union of Upper and Lower Canada and J. E. Turcotte, who was against Union.¹ Sydenham, by limiting the number of French voters through gerrymandering, assured C. R. Ogden, who represented the unionist commercial interests, could be elected in Three Rivers.² The reason Alexander T. Hart did not win was because he made the mistake of not hiring any ruffians to protect his

1. The Montreal Transcript, Saturday, April 17, 1841, p. 2.

2. J.M.S. Careless, The Union of the Canadas, 1841-1867, ed. W. L. Monton, The Canadian Centenary Series, X, 40, 42.

supporters. Thus, C. R. Ogden, through fraud, violence, bribery, and gerrymandering captured the seat of Three Rivers.¹

VII

In the autumn of 1844 in the riding of Three Rivers in Canada East, Moses Hart was a candidate in the election. His only opponent was E. Grieve, who represented the government party.² The views of Moses Hart were similar to those of E. Grieve.³ Edward Grieve defeated Moses Hart 134 to 37.⁴ The votes Moses Hart received were from those people "dependent on him."⁵ Moses Hart came out as a supporter of the policy of the Governor.⁶ Since Moses Hart did not advocate Responsible Government, the Reformers did not give him any assistance.⁷ It is clear from this and other elections that the riding of Three Rivers was clearly under the control of the government party. If one were a reform candidate or a supporter of the policy of Responsible Government, there was little likelihood of being elected in this constituency.

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1. L'Aurore, Mardi, 16 Mars, 1841, p. 2.
 2. P. G. Cornell, The Alignment of Political Groups in Canada, 1841-1867, (Toronto, 1962), pp. 16, 78; P.A.C., M.S., Record Group 4-5. RG4, B72, vols. 32-33.
 3. Montreal Transcript, Thursday, October 17, 1844, p. 2.
 4. Montreal Gazette, Monday, Oct. 21, 1844, p. 2;
Montreal Gazette, Friday, Oct. 25, 1844, p. 2.
 5. La Minerve, Lundi, 28 Octobre, 1844, p. 2.
 6. Montreal Transcript, Thursday, October 17, 1844, p. 2.
 7. La Minerve, Samedi, 19 Octobre, 1844, p. 2.

On November 26, 1844, Moses Hart in a petition to the Canadian Assembly asked that the election of E. Grieve be annulled. He charged his opponent with having bribed the voters with liquor, stuffed the ballot boxes, removed the ballot boxes from two polling areas, and that several of the returning officers were personal friends of E. Grieve.¹ However, no action was taken on these charges.

Although Ezekiel Hart had been twice elected to the Legislative Assembly of Lower Canada as a member from Three Rivers, he was not allowed to hold his seat. The Harts strove for and finally by 1837 had removed all the legal barriers which would have previously prevented a Jew elected to the Canadian Assembly from being allowed to take his seat in the Assembly. Although the Harts helped gain the right for a Jew in Canada to hold his seat if elected, the Harts of Three Rivers were unsuccessful in their attempts to be elected primarily because of lack of support from both the English and French Canadian community. Ezekiel Hart had been elected because he was liked and respected by many French Canadians in Three Rivers. However, neither

1. Hart Papers, reel 2, G-1-52.

Alexander T. nor his father, Moses, were popular among the French Canadian community because of their unsympathetic manner of doing business with the French Canadian community of Three Rivers. Moses and his son, Alexander T., were neither accepted nor trusted by the supporters of the Governor's party because of their criticisms of the government, their sympathy with some of the grievances of the French Canadian community, and due to suspicion by both government and opposition that neither Moses nor his son could be trusted. It was probably justly felt by both the Governor's supporters and the advocates of Responsible Government that Moses Hart and his son would abuse any political privileges they might be given.

VIII

In 1849, it was proposed by some that Canada join the United States. This movement emerged as the consequence of economic factors especially the ending of British Imperial preferences as well as from the strong dissatisfaction engendered in English ranks in Lower Canada by the Rebellion Losses Bill. Lord Elgin's endorsement of the bill had provoked the burning of Parliament and attacks on him. The English speaking community in Montreal had confidently expected him to veto the bill; his approval left them seething with anger. Their dissatisfaction found expression in the agitation for union with the United States. Benjamin Hart, Esq., was chairman of many meetings and was one of the leaders in favour of a peaceable separation of

Canada from Great Britain and of annexation to the United States.¹ Benjamin Hart's business was being severely hurt² because his import and export products could be transported cheaper to and from Canada by way of the United States. Since the Montreal route was more expensive, products were moving in and out of New York City and not by way of Montreal.³ Also, Benjamin's bank and railway stock and other securities had depreciated as a result of the poor economic conditions. At this time, Benjamin Hart was one of the executive officers of the Montreal Committee of Trade, later known as the Board of Trade. Despite the reasons Benjamin Hart publicly advocated for annexation to the United States, I believe in his own mind this was his own way at striking back at Britain for removing her preferences and hurting his export business.

The annexation manifesto issued in Montreal set forth the reasons for the desire for union with the United States and was signed by many of the most prominent citizens of the metropolis, including Benjamin Hart.⁴ Retribution followed swiftly to those who had signed the Annexation Manifesto. In accordance with Lord Elgin's orders, public officials and other office holders were struck off the official lists, while

1. The Annexation Manifesto of 1849, Second Edition, (Montreal, 1881), pp. 12, 15, 30.

2. Hart Papers, reel 4, J-0-2-D-3.

3. G. N. Tucker, The Canadian Commercial Revolution, The Carleton Series, No. 19, (Toronto, 1964), pp. 85, 130-131.

4. The Annexation Manifesto 1849, First Edition, Montreal, 31 pp. Second Edition, Reprinted from the Original Pamphlet with the Names of the Signers, (Montreal, 1881).

lawyers who held the title of "Queen's Counsel" were deprived of it. Benjamin Hart was removed as a Justice of the Peace, and in addition, lost his military rank as Lieutenant-Colonel of the First Battalion Montreal Militia. As has been described, both positions had been attained by Benjamin Hart only after a long and arduous struggle. As a result, Benjamin Hart at the age of seventy left Montreal and moved to New York. A week before his death the Government of Canada offered to restore his rank and title, but Hart bitterly refused the offer. He died in New York on February 28, 1855, at the age of seventy-six.¹

While Benjamin Hart was infuriated by the Rebellion Losses Bill, on June 22, 1841, his brother Moses, had proposed to Lord Sydenham that there should be compensation for all the widows of those killed in 1837.² In contrast to Benjamin who spoke out vehemently in 1849, Moses said nothing publicly or in his letters about annexation to the United States. By this time, Moses was eighty-one and had almost completely withdrawn from any direct involvement in his business enterprises. Benjamin was the last of the sons of Aaron Hart to die. His brother Moses, had passed away three years before him. Despite their differing religious views, all four sons of Aaron Hart were buried in a Jewish cemetery.

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1. P.A.C., New York Times, Thursday, March 1, 1855.
 2. H. Biron, ed., Index to Hart Papers, p. 14; Hart Papers, reel 2, G-1-52.

CONCLUSION

On Aaron Hart and his sons, one can see how major world events directly affected their lives. For example, the Seven Years War brought Aaron Hart to Quebec. As well as wars, economic forces such as a depression or an imperial preference could either encourage or discourage the businesses of the Harts. For example, the imposition of an Imperial preference on timber by Britain as a result of Napoleon's Continental System, gave Moses Hart the opportunity to become an important merchant in the timber trade. The Harts reacted to but were not masters of events.

Historians such as Maurice Seguin,¹ Guy Fregault,² and Michel Brunet³ present the picture of a large prosperous bourgeoisie in New France, many of whom dealt in furs who, after the conquest, were deprived of their control of the fur trade and displaced by British merchants. As far as I have been able to determine Aaron Hart in Three Rivers and area did take over control of the major part of the fur trade. However, he only displaced a few French fur traders. Aaron Hart was able to become the most important merchant in the fur trade in the Three Rivers area because of his connections with Phyn, Ellice, and Company, with the Jewish merchant community in the United States and the United Kingdom, and because of his close connections and assistance from the British military.

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1. M. Lapalme, "Le nouveau Groulx s'appelle Séguin," Le Magazine Mclean, (Avril 1966), p. 48.
 2. G. Fregault, "La Société canadienne sous le régime français," C.H.A. Booklet, 3, (Ottawa 1954), p. 15.
 3. R. Cook, "Some French-Canadian Interpretations Of The British Conquest: Une Quatrième Dominante De La Pensée Canadienne Française," C.H.A.R., 1966, p. 70.

Some give as an explanation as to why French Canadians have lacked a business class as being due to the lack of a Protestant ethic.¹ Aaron Hart, a Jew, was a businessman because he believed this was his station in life in the society in which he lived. There was or is nothing in the religion of Judaism compelling a Jew to be a merchant except perhaps the wealth required to pay the price of a separate Jewish identity.

The question arises as to why the Harts, who were Jews, were important businessmen in Three Rivers and why French Canadians were not? An important factor for French Canadians not being important merchants in Three Rivers was their lack of commercial connections in England and the United States. Another reason why the Harts were important merchants in Three Rivers and French Canadians were not might have been different aspirations and outlooks. Aaron Hart and his sons could not be members of the farming community for as marginal farmers in Quebec they would not have the funds required to be members of the Jewish community of North America. Aaron Hart and his family had a different outlook than the French Canadian habitant. Aaron Hart and his sons compared their financial position and status with that of the Jews of New York City and not with that of the majority of the people around them in Three Rivers.

1. D. Kwavnjck, "The Roots of French-Canadian Discontent," C.J.E.P.S., (November 1965), 517;

Niles Hansen, "The Protestant Ethic as a General Precondition for Economic Development," C.J.E.P.S., (November 1963), 462-475.

Although I have written about the Harts as a Jewish family, nowhere have I explained why Aaron Hart and his sons can be classified as Jews. According to Orthodox Judaism, a Jew is considered to be a person whose mother was Jewish. Aaron Hart and his sons were Jews because their mother was Jewish. From what I have been able to determine, Aaron Hart and his wife strictly observed Jewish ritual, dietary laws, the Sabbath, and the other Jewish Holy Days. There is much more material in the Hart Papers about the Harts observing Passover rather than the Sabbath or High Holy Days because of the important Jewish Holy Days, Passover involves more ritual, especially dietary regulations, than any other Jewish Holy Day. This is why among examples of the Hart Papers in Chapter One, I have included excerpts dealing with the fact that the Passover festival was approaching and the ritualistic observances which Aaron Hart and his sons had to observe. Although Moses was a Jew insofar as both his parents were Jews and he had been raised as a Jew, Moses did not practise Judaism. In contrast to Moses, Ezekiel and Benjamin and their Jewish wives observed Orthodox Judaism yet not as strictly as their parents. Both Ezekiel and Benjamin like their father were leaders of the Jewish community in which they lived.

During the period 1760 to 1850 in Quebec, there was a high rate of assimilation of Jews with the English and French communities. Assimilation was much higher for Jews living in smaller towns such as Three Rivers than in Montreal where there was a larger Jewish

community. One generalization which is apparent from a study of the Harts and which may be of use to Jews as well as other ethnic groups wishing to maintain their identity is that the larger the particular ethnic community in an area, the less are the chances and likelihood of assimilation. The smaller the Jewish community relative to the surrounding population, the greater the chances of assimilation of the Jews of that area. This is why almost all Jews today live in large cities where there is a large Jewish community which can support synagogues, community centres, parochial educational facilities, Kosher foods, and a population of many Jews so as to encourage Jews to marry Jews. Especially in the decade after the conquest, most young Jewish males who came to Quebec to seek their fortune, who remained in small towns in Quebec as merchants, married women from among the population and they and their children became assimilated.

Unlike their father, who gave his sons large amounts of money to invest and spend on their own as independent businessmen, Moses, Benjamin, or Ezekiel, never allowed their sons to be independent businessmen, to invest their father's money or to independently make important financial decisions. Moses Hart used his sons as managers, supervisors, or foremen, whom he could trust. He did not permit his sons to agree to any important transactions without his prior approval. Possibly because Aaron Hart's sons never permitted their sons to carry

on independently in business alone, none of the sons of Aaron Hart's sons became successful businessmen. Moses Hart's sons tried to carry on their father's business after his death, but were unable. Ezekiel and Benjamin Hart's sons became professional men. Unlike their fathers, the sons of Ezekiel and Benjamin had sufficient education to enable them to have professional careers.

Aaron Hart felt himself to be a ger¹ in Lower Canada. He was politically aligned with the English merchant community, had personal friends among the French Canadian community, yet felt himself to be apart, a Jew amidst a Gentile population. This feeling was shared by Aaron Hart's sons, especially in the first two decades of their lives, possibly because they received their education in Jewish parochial schools in Philadelphia and New York City in the United States. Aaron Hart's grandchildren never had this feeling. The grandchildren of Aaron Hart received their education in Lower Canada not in the United States as their fathers had. The grandchildren of Aaron Hart felt themselves to be part of the society in which they lived and most shared the same political and religious beliefs of either the French Canadian or English community. Although Aaron Hart and his sons lived in a predominantly French Canadian society, they were closer politically to the English than the French Canadian community of Lower Canada. The Harts and the Lower Canadian English community both

1. ger (gare) - a Jewish word roughly translated as meaning stranger.

belonged to the merchant class and thus had common economic and political interests. However, Aaron Hart and his sons should be primarily seen as part of the North American Jewish community.

Although Aaron Hart had business and family ties in England, most of his Jewish friends and part of his family lived in New York City. Aaron Hart was closer religiously, socially, and in economic ideas to the Jews in the United States. Aaron Hart's sons received their education in the United States and although their economic connections were with England, they too were socially part of the North American Jewish community. The Jews in Lower Canada including the Harts compared their political status and rights with those of the Jews in New York state not with the Jews of England. The Jews in Lower Canada wished to have the same political rights as the Jews of New York state, not the same rights as the Jews of England. The Jewish community of Lower Canada had closer family, social, and religious ties with the Jews of New York than those of England; thus, the outlook of the Jews in Lower Canada were much the same as the Jews of New York state. Some things true during the lifetime of the sons of Aaron Hart are still true today; for example, the closer association of the Jewish with the English rather than with the French Canadian community in Quebec and the dominant influence of the United States on Canadian Jewry particularly in the form of American Rabbis ministering to Jewish Canadian congregations.

All four sons of Aaron Hart remained on friendly terms with one another despite differing political and religious points of view. All four sons of Aaron Hart were careful to avoid clashing economically with one another so that harmony could prevail amongst them. Following the deaths of Aaron Hart's sons, the Hart family in Three Rivers and members of the Hart family in Montreal each went their separate ways. The Hart family in Three Rivers became isolated from the Jewish communities in Montreal and the United States, while the Hart family in Montreal continued to play an important role in the Jewish community of Montreal.

I would describe Aaron Hart and his sons, especially Moses, as being above average businessmen; Ezekiel could be described as a large general store merchant of Three Rivers and area; Alexander and Benjamin Hart were major importers and exporters located in Montreal. Moses was a businessman engaged largely in the timber trade, banking, and land speculation. As a business family, Aaron Hart and his sons did contribute to the economy of Lower Canada and especially to the economy of Three Rivers. Aaron Hart and his son Ezekiel helped to make Three Rivers a supply centre for the surrounding area through making available consumer goods and credit. Some credit for the growth of Three Rivers into becoming the major city of the area should go to the Harts, especially to

Moses Hart, who helped develop the port of Three Rivers and the timber trade in the area.

Aaron Hart and his sons contributed not only to the economy of Lower Canada but also to the political and social life. Moses Hart travelled throughout New York state and spoke of and wrote of the superiority of not only education and justice but agriculture in New York state as compared to that in Lower Canada.¹ Moses spoke from actual experience. For although he overseed the management of his farms in New York state where his farming operation was profitable, in Lower Canada, Moses made an attempt but gave up because the habitants did not follow his instructions on cultivation methods and in caring for his livestock during the winter.

An important factor to be noted about Moses Hart's religious ideas is the obvious fact that it was possible for him to have and to write such a book as Modern Religion. It proves that Lower Canada was not completely isolated from intellectual currents in western Europe and America. Since Moses Hart travelled to such American cities as New York and Philadelphia, he was able to come in contact with new ideas. Moses Hart criticized Orthodox Judaism, Roman Catholicism, the judicial system in Lower Canada, and many other institutions and people. When Moses Hart gave his criticism of the society as far as its economic, religious, and political condition, he received a hostile reaction from

1. Hart Papers, reel 7, L-A-3-3.

many individuals who wrote to him, yet he was never taken very seriously and his opinions and ideas were not given publicity in the press.

It should be admitted that it was a good thing that Aaron Hart chose Three Rivers as his home and place of business. If Aaron Hart had not chosen to settle in Three Rivers, the area would have been deprived of the ability of himself and his sons. Aaron Hart could have remained as a merchant in New York City or his sons could have moved to the United States. Whether in the field of economics, politics, or religion, Aaron Hart and his sons made a significant contribution to Canada. In summation, it must be concluded that it was better for Canada that Aaron Hart came with the British conqueror than if he had remained in the United States. Thus, one of the benefits of the British conquest in 1760 to Quebec was to bring Aaron Hart.

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