

**RISE OF THE UNITED  
EMPIRE  
LOYALISTS (A SKETCH  
OF AMERICAN HISTORY)**

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Rise of the United Empire Loyalists (A Sketch of American History) by Frederic Gregory Forsyth Fronsac

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(A Sketch of American History)

—BY—

The VISCOUNT DE FRONSAC.

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# Rise of the United Empire Loyalists

By the Viscount de Fronsac.

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## INTRODUCTION.

The United Empire Loyalists of the British Colonies in North America of all branches of the Aryan race:—French, English, Dutch, German,—whose posterity had settled in America are those who decided that as much of the empire in America as they were able to preserve in 1783 should be saved from republican revolution and democratic destruction. In the cases of many it was not affection for the British name and connection, since many were of different nationalities, but it was attachment to a constitutional and monarchial empire-ship of affairs. In fact, many others, of the foremost royalists, were opposed in principle to the House of Hanover on the British throne, considering its right as resting on parliamentary usurpation rather than on the constitution. But they advanced nevertheless to sustain the principle of monarchy which it represented in opposition to the leveling, unpatriotic and unconstitutional democracy to which it was opposed.

The United Empire Loyalist position then is a dual one; first as a maintenance of the royalty and the classes represented in the ancient charters of the Anglo-American colonies, secondly as a defiance of parliamentary interference from Britain in the functions of the crown in the colonies—a recognized protest that no ministers, committee or parliament in England shall stand between the king and royal and constitutional government in the colonies.

But to understand this doctrine which is so vital to the history of Canada—on the defence of which rests the integrity of its institutions and the treaties guaranteeing them, it is necessary to go to the very beginning, to the causes of the foundation of the Anglo-American colonies and to the elements which enter therein, on which these institutions in Canada are based and defended, against the doctrine which has overthrown them in what are now the United States of North America.

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## PART I.

### Colonist Under the Stuarts.

It was in the very beginning of these troublesome times of the Stuart reigns that kingdoms were founded beyond the sea. In 1606 King James I. granted a charter to two companies to extend his empire in America, the Company of London, whose territory extended from Old Point Comfort 200 miles northwest and 200 miles southwest, and the Company of Plymouth whose grant commenced 100 miles further north than the former company's.

The *motive* which prompted the first settler to go from England to Virginia, as the northern division was called, was for commercial self-interest; the finding of gold and the acquiring of estates. But the *motive* of the king in extending his empire beyond seas was to create regal states,—states whose autonomies might resemble in every feature the autonomy of the parent state as a mirror reflects an image.

This idea of the Stuarts was not original. Had it been original it would have been unnatural, on a false, unconstitutional basis. The Bourbons had practised it before in Canada. This idea of the Stuarts and Bourbons was borrowed from the feudal system and the feudal system had been derived from the Frankish allotment of responsibility to semi-independent princes over tracks of conquered domain, wherein each prince was sovereign within his allotment, being responsible only to the supreme majesty, the King or Emperor at the head of all the states, which these allotments of domain were forming. In a government of this sort, if the King or Emperor might be coerced by the democracy of his own particular state—as that which had murdered King Charles I.—the King or Emperor could summon the princes of these inferior states, who, true to their responsibility, holding fealty to the King, and not to the parliament, or democracy, were bound to rally their own proper warriors and crush the enemies of the empire, at the mandate of their Suzerain. This faith, this fealty,



this knightly obligation, could be expected only of a knightly race—it would fail in the hands of such a civilization as that which commercialism causes to flourish—a civilization without a *class of honor*. It was this class of honor, therefore; derived in inspiration from that Frankish chivalry—"formed by the hand of God"—that each sub-chieftain, or prince, or council of feudatories who held a charter from the Stuart King to found colonies beyond seas, hastened to develop and put in command in each their colonies—to the end that their autonomies might be as royal and sovereign as that of the parent state and subservient only to the sovereign thereof.

Beginning with this method all the charters granted by the Stuarts for the establishment of colonies in America were in the sense of feudal holdings and of a royal character. This made them so different from the modifications which they received under the succeeding House of Hanover, when the charters became subservient to parliamentary jurisdiction and were modelled after the commissions of joint-stock companies for colonial management and exploitation. Under the Stuarts the system employed rendered it impossible for parliament to intermeddle in colonial affairs. The right of domain in the colony was vested by the Crown in a person, or a company to rule according to the terms of the grant from the Crown which gave him or them the control of that domain, with power to choose not only the officers and to make subinfeudations, but to name their successors, unless the grant was declared hereditary—like the principality of Maryland in the family of Lord Baltimore.

Holding from the King, as an ancient feudal vassal of the Age of Chivalry, the colonies as fiefs were made to respond, not to parliament which could not enter a fief, but to the King's great vassals, the colonial proprietors, or council of proprietors. In their own name, with sovereign power absolute over their colonial fiefs, they granted lands and dignities to be held solely by themselves. Those receiving grants and dignities in the colonies were responsible to their feudal superior, the proprietor, or council of proprietors and he or they

to the King. In this manner the colonies were made royal even when England itself was becoming parliamentary and republican. In this manner, from the subinfeudations granted by the proprietor, prince, or council of proprietors in the colonies to antrustians—to officers, gentlemen and others on whose honor the proprietor might rely for support military and administrative, a *class of honor* was being built up, a colonial aristocracy having many of the features of the ancient chivalry after whose feudal pattern and nature of fealty it was modeled.

That this was the best system may be understood by reason and history proves it by facts. It built up faith and honesty in the entire population wherever it was introduced; it developed a local centre of administration, free from parliamentary interference and in harmony with the condition requisite for local prosperity. During that period, after the first hardships of colonization had been conquered, the greatest happiness and contentment prevailed in the colonies, and the best of those ancient colonial residences, preserved to modern times, show in their design the aspiration and character of the leading families, whose colonial importance under the Stuarts is the proudest boast of their descendants of the present day.

In adopting this system the Stuarts were acting along constitutional lines. In regard to the nature of the population, the full meaning of the common law of England was put in active force. This common law recognizes the three classes into which every people is divided: I, the nobility, II, the professional class and, III, the burgesses. The charter of every Stuart colony made a provision for the just representation of each. In some colonies this representation was made more definite than in others, but in all there was a provision for it.

*The charter* granted to Virginia in 1606 introduced the land tenure system of England into the country. Now in that early settlement period, on account of the lack of an exalted motive on the part of the first adventurers going into the country, the only idea in their minds was, as heretofore stated, the acquisition of wealth, and finally, estate. The English law was estab-

lished. According to English law, not only a city but a division of the country must be erected into a "borough" before it might be represented in the legislature. But no baronial or manorial grant was made in Virginia from the earliest date down to the extinction of Crown authority beneath the democratic American revolution. A great many "broken" gentlemen had come over even with the first colonists, and they were not of a good quality of their own class. There were a few who thought of restoring their family station "in the pomp of heraldry" and the pride of statecraft, and of erecting manours and baronies in the new world in the romantic spirit of old Europe. But the records show that these "decayed gentlemen" were in general the least valuable of all the colonists to Virginia. In fact, had it not been for the indomitable courage and genius of a soldier among them, Capt. John Smith, the early colonists would have perished from their own dissipation and ignorance and lack of cohesive energy. Smith organized the necessary labors to be performed and compelled their performance by his authority as chief of the colony, he having been appointed to that position by the "London Council" in control of the colony. This Council consisting of thirteen of the British nobility held the colony as a direct feudatory of the Crown, who were to administer the colony according to the provisions of the charter. This charter was the constitution of Virginia and as such was an abstract of the Common Law of England. In addition this abstract provided that:

I. The Christian religion, Church of England, shall be maintained and the clergy paid from certain revenues of the colony.

II. Lands are to descend as in England. The entailment of estates among the aristocracy was encouraged as a measure necessary for local prosperity and for the independence and well-being of that aristocracy.

The officers of a colony were to consist of a governor appointed by the great feudatories—the London Council,—assisted by councillors chosen in the colony from among the great land owners. Later there was added a House of Burgesses elected by the remaining inhabitants, whose office, as every representative office