

Wildlife, Conservation,  
and Conflict in Quebec,  
1840-1914

DARCY INGRAM

FOREWORD BY GRAEME WYNN



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In a country like ours, so recently wrested from the hands of nature, and blessed by Providence with such magnificent preserves for the finest of Fish and Game – preserves that, by proper management, could be made almost inexhaustible, and from which might be drawn a large and valuable portion of the food of the people, it is surely lamentable to see a war of utter extermination so ignorantly and recklessly carried on, to see that [we] have nearly succeeded in destroying all within our reach.

– Montreal Fish and Game Protection  
Club, *Annual Report*, 1864

Nous ressemblons de plus en plus aux territoires des vieux pays,  
où les paysans étaient sous le joug de lois de chasse tyranniques.

– François-Gilbert Miville Dechêne,  
Assemblée législative du Québec,  
10 décembre 1895

Tell Lady Macdonald that salmon fishing in Scotland is not half  
the fun it is in Canada.

– George Stephen (Lord Mount  
Stephen) to John A. Macdonald, 1891

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*by Graeme Wynn*

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## FOREWORD

# What You See Depends upon Where (and How) You Look

*Graeme Wynn*

**B**ROAD VIEWS AND BOLD interpretations have a certain appeal. By stripping away detail and offering a clear perspective they aid understanding of intricate, complex, and sometimes seemingly ambiguous circumstances. They help us make sense of the world by rendering it in ways that cohere, and making it easier to grasp. At some fundamental level such orderings and simplifications are inescapable. Selectivity – acceptance or rejection of certain parts of the barrage of stimuli that confront us – is an essential characteristic of consciousness. In the opinion of American philosopher and psychologist William James, people need to filter the “blooming buzzing confusion” of everyday experience if they are to think and act effectively; further, James maintained that peoples’ purposive choices made in pursuit of certain aims worked dialectically to shape their world views.<sup>1</sup>

Historians and other scholars also face the challenge of maintaining equilibrium between the storm of “facts” housed in archives, memories, censuses and the like, and the need to provide a coherent interpretation of the evermore “bewildering reality” revealed by their investigations. For American intellectual historian Perry Miller there was only one – radical – solution to this dilemma, and that lay in the study of ideas – what he called the “Mind” or collective mentality of a society (or group of people). In Miller’s mind, studies of “such topics as ship trade routes, currency, property, agriculture, town government and military tactics” simply could not provide “the central theme of a coherent narrative.” Reflecting his own world view – or at least his sense of what history properly entailed – he



argued that most historical studies of New England published in the decade or two preceding the 1961 re-issue of *The New England Mind: From Colony to Province* offered “at their worst mere tables of statistics, on the average meaningless inventories, and at their best only a series of monographs.”<sup>2</sup> Few would now go as far, but the dilemma remains: Where lies the balance between empirical detail and sweeping interpretation, between understanding the world as it was (or is) and presenting a partial and particular interpretation of it?

Consider, as further illustration here, some of the ways in which students of British North America/Canada have wrestled, at least implicitly, with a past that (in Miller’s more general assessment) always threatens to become a more “tumultuous chaos” for those seeking to understand it from afar “than it was for those caught in the blizzard.” A number of recent works on colonialism and state formation, broadly conceived, are especially revealing of the ways in which the scrutinizing lens shapes the image perceived. Drawing insight from Michel Foucault and Edward Said, in particular, many of those interested in the histories of colonial territories turned, in the last decades of the twentieth century, to emphasize the role of culture in the colonial process.<sup>3</sup> Through the analysis of texts and a focus on questions of representation and signification, dozens of postcolonial scholars made much of the connection between knowledge and power in their discussions of colonialism. Attention has been focused on the ways in which imperial officials, travellers through colonial territories, and those who exercised power on the margins of empire constructed (or thought about) the “new worlds” of the colonial encounter. Much has been written about the ideas (assumptions and convictions) that were ostensibly held front of mind by those engaged in advancing the colonial agenda. And a handful of these ideas have become familiar tropes indeed in accounts of the colonial process. Europeans systematically denied the presence of indigenous inhabitants by characterizing the territories they entered as *Terra Nullius* or empty land. If they acknowledged that others lived in these places, they refused them any claim to territory, erased their presence from the maps that brought new lands into the orbit of imperial power, and effaced indigenous familiarity with these territories by discarding indigenous place names and renaming capes and bays. They drew a sharp and hard distinction between civilization (western/imperial culture) and savagery (the ways of the indigenes). And, following from this, their actions were inflected with prejudiced, racialized assumptions.

These approaches have yielded many compelling, and important, re-interpretations of the past, by illuminating parallels in the histories of

different colonies and emphasizing the linkages and connections fostered by the mobility of ideas. But in presenting “the World according to the Word,” as the literary theorist Benita Parry had it, these studies have effected erasures of their own.<sup>4</sup> Readers of Adam Smith, Karl Marx, and an earlier generation of imperial historians might wonder variously, on encountering this more recent literature, about the roles of trade (free or otherwise), geopolitics, and the power of capital in shaping colonies and empires. Others, familiar with the forceful arguments of Frantz Fanon, and acknowledging his view that “mastery of language affords remarkable power,” might yet insist that the gun was more consequential than the pen in shaping the lives of the colonized because violence was the only language that colonizers really understood.<sup>5</sup>

More than this, as Cole Harris has demonstrated cogently, understanding colonialism (“rather than the workings of the imperial mind”) requires investigation of “the sites where colonialism was actually practiced [sic].” In these places, questions about the land, about the elimination of indigenous rights and claims to it, and about the taking of it by imperial authority remain central. But, Harris insists, asking how colonialism dispossessed and seeking to understand how colonial power was deployed to achieve a certain outcome, bring one to focus on particular circumstances and to identify “the gamut of colonial powers” that produced particular results. This approach, he points out, allows one to move beyond the complex of tropes associated with colonial power to evaluate “the distinctive roles of different components of the colonial arsenal” and to explain, “more precisely,” how colonialism operated. Using this approach in British Columbia, Harris identifies the main drivers of dispossession as the twin interests “of capital in profit and of settlers in getting somewhat ahead in the world.” Various disciplinary technologies, including violence (“physical power”) and a growing state infrastructure (in which “maps, numbers, and law were perhaps the most important”) helped to advance these interests. And they were further bolstered, to some extent post facto, by “the implicit and explicit assumptions that, in the minds of imperialists and colonists, validated the colonial enterprise.” Thus emerged “a new, immigrant human geography, which became native peoples’ most pervasive confinement.”<sup>6</sup> What you see depends upon where you look.

A second illustration of this phenomenon is provided by the shifting emphases of historical writing on mid-nineteenth century British North America. These crucial decades between the rebellions in Upper and Lower Canada in the 1830s, and the achievement of a trans-continental Confederation between 1867 and 1871 have understandably been the focus of

a great deal of scholarship. For the first half-century or so of professional history writing in Canada, books and essays focused primarily on the period's "prominent statesmen" and "the national visions they enunciated" as they struggled to establish responsible government and then a new country to the north of the United States.<sup>7</sup> Putting none too fine a point on it, when such topics as trade, railroads, immigration, or the circumstances in which colonial settlers found themselves were considered, they were generally viewed through the lenses of Parliamentary debates, contemporary newspaper reports, and the correspondence of colonial officials, and treated as issues requiring the attention of leading politicians and businessmen.

In the 1960s, a new generation of scholars began to nudge such predominantly political and biographical accounts aside with studies of "ordinary" men and women as migrants, workers, parents, settlers, and as individuals striving to make their ways in the world. Signalled by the development of new hyphenated forms of history – social-/economic-/labour-/cultural-/women's- and the like, these new perspectives opened wide vistas on a past that extended far beyond the realm of high politics. New sources and new methods were deployed in studies of "social structures, cultural norms, and the routines of everyday life," and interest in "responsible government and Confederation and other venerable topics" faded, as these subjects generally "held no allure for ... young researchers." Within a couple of decades, however, the focus of scholarship began to shift once more. Influenced by the ideas of Michel Foucault, and drawing from a proliferating body of work on the sources of social power, as well as sociologist Anthony Giddens's analysis of social systems as products of both structure and agency, new work began to pay much more attention to struggles for influence and control in society, and to ask how power was actually exercised. With all of this came the blurring of formerly neat distinctions between the political, social, and cultural spheres.

One consequence was a new focus on "state formation." In this work, "the state" was far more than "government," although governance was clearly a part of the story. Perhaps the most political, institution-centred definition of the state in this context saw it as "a set of administrative, policing and military organizations headed, and more or less well coordinated by, an executive authority."<sup>8</sup> It was not so much "a thing," wrote another of the leading theorists of the state so conceived, as a characterization intended to encompass "a number of particular institutions which, together, constitute its reality, and which interact as parts of what may be called a state system."<sup>9</sup> Yet others, following the lead of historical sociologist

Philip Corrigan (and more broadly the influence of Durkheim and Marx as well as Foucault) emphasized the cultural shifts entailed in the increasingly pervasive and effective exercise of state power. In this view, state formation entailed moral regulation as “the rule of a minority was made to seem normal and proper through the efforts of agencies that shaped personalities and forestalled alternative visions.”<sup>10</sup> Although this distinction, between the state system and the state project, between the state as a set of institutions and the state as an ideological phenomenon or instrument of “politically organized subjection,” between “direct domination” and the exercise of “hegemony” led researchers to different sources and produced differently focused interpretations of the past, an interest in the ways in which citizens came under the control of the state lay at the core of work in the state formation tradition.<sup>11</sup>

In some accounts, the processes of state formation seemed inexorable. As commerce quickened and the market became an increasingly powerful arbiter of economic life, the state spread its institutional and ideational tentacles across the land, enumerating, regulating, and bringing people into desirable order. Implemented through the appointment of wardens and inspectors, sharpened by the development of police forces given teeth by new laws and regulations defining acceptable behaviour, and extended by the establishment of school systems intended to inculcate appropriate conduct and “proper” thinking, this was a process that made subjects and their activities visible to central authorities, devalued local knowledge, and culminated in the high-modernist hubris that rested upon the codified, quantifiable, epistemic knowledge that was essential, in anthropologist James C. Scott’s phrase, to “seeing like a state.”<sup>12</sup>

Again, though, the story depends on how one approaches it. The extension of state power was often slow and faltering. Early British North American censuses, tabulated and published from the mid-nineteenth century onward, counted people and made their number, distribution, and some of their activities visible to officials in seats of colonial authority. Perhaps to allay local suspicions, readers of a Saint John, New Brunswick newspaper were even reassured that an upcoming census would “afford much useful information, dispel many erroneous ideas, and form the basis of most important legislation.”<sup>13</sup> But the taking of that census resembled a comedy of errors more than a bureaucratic triumph. Questions were ambiguous and instructions to enumerators were vague; although the census was intended to represent “the state of the country” on 15 August 1861, one census-taker was appointed in early September and another did not begin work until late November. And so on. More broadly it is clear

that the administrative state's ability to penetrate and organize the pre-Confederation countryside of the (Maritime) provinces of British North America (and thus the lives of those who occupied these territories) was tightly circumscribed. While Assembly chambers and court houses and parades of military men and officials in colonial capitals gave tangible substance to state authority, the effective reach of the state was narrowed by the tyranny of distance and the dispersed pattern and local scale of everyday existence away from these modest urban centres that are quite properly described as "power containers." Although there is no gain-saying the role of the state in linking people together and exercising some authority over them in mid- and late- nineteenth-century British North America/ Canada, the lives and identities of most colonists were more substantially influenced by religion, ethnicity, and locality, and those quintessentially Victorian (but not yet quite hegemonic) doctrines of system, sobriety, thrift, and toil, than they were by direct political domination.<sup>14</sup> The frame one brings to an inquiry shapes the picture one sees.

Interpreting the past is no easy task, because it entails both the collection of information about complex historical circumstances and the arrangement of those fragments in ways that make sense of and provide insight into a world we have lost. Sometimes it seems that the "naughty world" is forever poised to wriggle beyond scholars' best efforts to encapsulate, simplify, or characterize it.<sup>15</sup> And the problem may be compounded when attention is turned to places and societies in particularly rapid flux. Most "New worlds" fall into that category, and they are generally as challenging to understand as they were difficult to settle, organize, and govern. Extensive, thinly peopled, and initially lacking an infrastructure congruent with the needs of newcomers, these territories required a great deal of human effort to create the basic necessities of survival, including the provision of shelter, the opening of land to cultivation, improvements in the means of communication, and so on. As Harold Innis recognized long ago, the success of new world settlements often depended upon the availability of an export (or as he had it, staple) commodity that was relatively easy to exploit, in demand, and capable of being moved to distant markets, the returns from which could fuel the development of a commercial economy and pay for those imports required by settlers. Such was the urgency of this imperative that the early years of newcomer-led development in these territories sometimes resembled a rush for spoils. In the late-eighteenth and early-nineteenth centuries there were few restraints upon such plunder. Bounteous nature seemed beyond depletion, few colonial officials were anxious to throttle settler enterprise and, even had

they been so inclined, they had neither the means nor indeed the template (in settings so different from those they knew in Europe) to exercise adequate control over resources.

Consider timber in illustration of these challenges.<sup>16</sup> Forests of unimaginable extent (containing trees far larger than most Britons would have been acquainted with) clothed the northeastern foreland and surrounded the Great Lakes far into the interior of the American continent. So abundant was this forest that few worried about its depletion until the Royal Navy's need for wooden masts led the Surveyor General of the King's Woods to reserve the largest trees in the forests of northern New England by emblazoning them with a broad arrow mark (to signify them as government property) under a provision included in the Massachusetts charter of 1691. Deputy Surveyors were appointed to identify suitable trees and to prevent their destruction. Imperial authority was ostensibly established. But with a forest so vast, travel through it so difficult, and surveyors so few in number, Crown ownership was often honoured in the breach. In the 1720s, this system was extended northward to Nova Scotia. Strictly interpreted, the regulations prohibited the cutting of pine without prior survey and approval from the Surveyor-General of Woods or his deputy, but settlement was sparse and infringements (if detected) were largely ignored.

All of this changed with the Revolution of 1776 and the influx of Loyalists and others to New Brunswick in the 1780s. Technically the Crown retained rights to all timber suitable for naval purposes located on land grants issued between 1783 and 1807, but most settlers disregarded this "vast invisible 'broad arrow'" laid across their prospects. With increasing settlement and, more significantly, rising British demand for New Brunswick timber early in the nineteenth century, however, exploitation quickened. Specific areas were set aside as reserves, but this did little to stop the onslaught. In 1809 the Legislature heard of the "very great waste ... made of the Pines in many ways for the last 12 months" and two years later there were reports of "the most wanton depredations." Recognizing their ineffectiveness, Imperial authorities transferred responsibility for the forest to the colonial government, which moved quickly to implement a very different administrative system.

In the fall of 1817, lumberers had to obtain licences in advance to cut a specified quantity of timber from a specified, usually relatively small, tract. Through the next seven years, four broad stipulations were elaborated into twenty-one requirements, before a Commissioner of Crown Lands and Forest was appointed to further refine regulatory arrangements. The new Commissioner became a prominent public figure in Fredericton. Various

changes were made through the next two decades, introducing different types of licences and altering the fees charged. More deputy surveyors were hired to inspect timber berths and assess the quantities of timber cut. But this system of “control” was full of shortcomings and always subject to abuse. Lumberers exhibited a strong “disposition ... to pay as little duty as possible”; poorly paid deputies doing unpopular work generally lived alongside those whom they were assigned to police and were subject to threats and intimidation; there were ample opportunities for evasion and connivance in the extensive forest; and the deputies were charged with a herculean task. Despite all of the effort at regulation, in many years the licensed cut probably accounted for barely two-thirds of the timber taken from Crown Lands. Although details differ, similar stories of failed and foiled efforts at regulation, of the application of old models of governance to new circumstances, and of the close imbrication of attempts at control with acts of resistance might be told of other commodities.

Where, then, do fish and game and Darcy Ingram’s extended discussion of *Wildlife, Conservation, and Conflict in Quebec* fit into this story? Most newcomers to the British North American colonies in the nineteenth century were well aware of the natural bounty of these places. Indeed they frequently remarked upon the astonishing plenitude and ready availability of colonial resources. Quite typical, in this regard, was William Spencer, writing in the fall of 1836 to his English relatives from the town of Bronte, between Toronto and Hamilton, where he had acquired a small parcel of land. He thought his small settlement “to be in a flourishing state” and judged that there was “plenty of work for every one that will work, and good pay.” Prospects were good because settlers assisted others who fell into distress, and one and all “could fish and fowl as much as ... [they] please[d],” for with “gamekeepers” and “water keepers” unknown, there was “none to make us afraid.”<sup>17</sup>

Coming from Britain, where access to fish and game had long been the fiercely guarded privilege of society’s elite, Spencer was well attuned to the roles of gamekeepers and others in securing these resources for their masters. Although the notorious Black Act passed in 1723 (imposing the death penalty for over fifty poaching-related offences and mandating fines and penal transportation for hunting deer and hares, taking fish, destroying fishponds, or removing trees in any forest, chase, down, or Royal park) had been repealed a dozen years before Spencer left Sussex, poaching remained a serious criminal offence.<sup>18</sup> By many accounts it remained the “archetypal ... ‘rural’ crime,” of nineteenth-century England and was particularly prevalent in the agricultural counties of the south and east. Indeed, prosecutions

for poaching continued to climb into the 1870s, when well over 12,000 cases were heard in England, and some estimates suggest that they accounted for one in four of the cases heard by some rural magistrates.<sup>19</sup>

The histories of restriction and entitlement to game, fish, and fowl in England are long and complicated. Although the great legal commentator William Blackstone concluded in the 1760s that “by the law of nature every man from the prince to the peasant, has an equal right of pursuing, and taking to his own use, all such creatures as are *ferae naturae*,” this natural right had long been restricted. So, for example, William the Conqueror created extensive, exclusive hunting preserves after the Norman invasion of 1066, and the Game Act of 1671 allowed “qualified” landowners (in effect only members of the landed gentry) to hunt on any land, which thus entrenched the division between “manor house and counting house” and legitimized the iconic practice of hunting cross-country with hounds. Many tenants and others found this pursuit of “wild game ... by wilder men,” who broke down their fences and trampled their corn, to be a nuisance. “It is hard,” noted one mid-eighteenth-century critic, “that the first-born booby of a qualified bumpkin should ride over hedge and ditch in pursuit of poor animals perhaps more sagacious than himself, while the honest farmer dares not touch the game which is sheltered and fed on the very ground that he rents.”<sup>20</sup> Game became a culinary delicacy among the elite “an essential ingredient in every entertainment that has the slightest pretensions to elegance” and by the early nineteenth-century hunting associations were laying claim to large tracts of land. Wherever exclusive rights were asserted, in royal parks, on country estates, over lonely moors or (for fishing purposes) along quiet streams and babbling brooks, gamekeepers and waterkeepers asserted the rights of their holders and the fundamental tenet of the game laws, that land was superior to money. As the struggle between poachers and enforcers developed, the former were threatened not only by harsh legal sanctions but also by man traps (colloquially known as “thigh-crackers” or “body-squeezers”) and spring guns (discharged by concealed trip wires), neither of which was outlawed until 1827. Little wonder that William Spencer and his ilk celebrated the freedom with which they were able to take fish, fowl, and game. They may not have read their Blackstone, but they appreciated the ways in which *ferae naturae* principles seemed to prevail in their new world.

Although most of the British North American colonies early introduced what might broadly be called “protective legislation” – establishing closed seasons for partridge and (blue-winged and black) ducks in Nova Scotia in 1794, for example – they as commonly introduced bounty payments to



encourage the killing of “vermin” or animals considered dangerous – such as the 1794 Nova Scotia act “to encourage the killing of wolves, bears, loup cervies [lynx], and wild cats.” Not until fifty years later did Nova Scotia impose fines of up to 5 pounds on those (few) found guilty of taking moose illegally. Equally, early legislation sought to ensure the safe passage of fish to spawning grounds by outlawing the obstruction of streams or proscribing the use of certain fishing technologies.<sup>21</sup> Fish, birds, and animals were even more difficult to protect than timber, however, and by and large, efforts to limit access to them were haphazard, ineffective, or widely ignored before mid-century.<sup>22</sup>

Against this backdrop, and taking its cue from Minister of the Interior Arthur Meighen’s remarks at the opening of a 1919 conference on “The Conservation of Game, Fur-Bearing Animals and Other Wild Life” that “we have only realized very late ... that the conservation of our game is as vital a subject ... as is the conservation of any other of our natural resources,” Janet Foster’s 1978 study of federal efforts to protect wildlife offered a clear, strong argument that game preservation in Canada owed its beginnings to “the determination, understanding, and foresight of a small group of remarkably dedicated civil servants.”<sup>23</sup> By Foster’s account, “few paused long enough” during the expansionary decades of the nineteenth century “to think in terms of safeguarding or conserving the ‘unlimited’ resources of the continent.”

Pioneering circumstances and a lack of public concern “obstructed and delayed the advent of wildlife conservation in Canada.”<sup>24</sup> True, a Royal Commission Report in Ontario raised alarm in 1892, when it noted that:

On all sides and from every quarter, has been heard the same sickening tale of merciless, ruthless, and remorseless slaughter. Where but a few years ago game was plentiful, it is hardly now to be found ... The clearing of the land, the cutting down of the forests, the introduction of railways, the ravages of wolves and the indiscriminate hunting of the human assassin and the use of dynamite and nets have all contributed to the general decrease of game and fish of this land. This is indeed a deplorable state of affairs.<sup>25</sup>

By Foster’s influential reckoning, it required the Ottawa-men at the centre of her story to turn personal commitments, “on the job” insights, and the lessons of American experience into “an understanding of the plight of wildlife in Canada” and then to develop the sort of conviction that could persuade politicians and the public to move a conservationist agenda forward.<sup>26</sup> This, reflected environmental historian Alan MacEachren,

(reviewing the second edition of Foster's *Working for Wildlife* published in 1998), was "a distinctly Canadian tale: bureaucrat as hero."<sup>27</sup>

In the end, however, Foster found what she was looking for. Noting that the Canadian literature on conservation was thin and recent, and that primary source material on wildlife conservation was "neither readily available nor easy to find," she rested her argument on the sources she had to hand – the parliamentary debates; the annual reports and correspondence of the Department of the Interior, the Department of Agriculture and the Parks Branch; the records of the Canadian Wildlife Service; the correspondence of federal politician Clifford Sifton; and so on. This allowed her to tell a potent, and important, national story, although one might quibble at the later claim that it marked "the emergence of modern academic discussion of Canada's environmental history."<sup>28</sup>

In the years since 1978, other scholars have viewed the development of fish and game conservation in Canada from several different angles and have added complexity and nuance to Foster's celebratory account. To take but a few examples: in marking the fiftieth anniversary of the Canadian Wildlife Service with *A Passion for Wildlife* (2003), naturalist and freelance writer J. Alexander Burnett followed Foster's lead in focusing on civil servants but celebrated the "spirit and dedication of the enforcement officers in the field," rather than the work of Ottawa bureaucrats.<sup>29</sup> Drawing primarily on local and provincial archival sources from western Canada, George Colpitts argued, in *Game in the Garden* (2002), that views of wildlife differed as people's circumstances changed, and sought to connect "early ideas about wild animals and ... hunting, conservation, and preservation history" with modernity and the "Romantic legacy" that redefined the natural world and the animals that inhabited it.<sup>30</sup> In *Hunters at the Margin* (2007), John Sandlos argued that commercial (rather than preservationist) interests were integral to wildlife management in Canada and that the introduction of game regulations, national parks, and game sanctuaries often undercut aboriginal autonomy as they impinged upon traditional hunting rights;<sup>31</sup> finally, Tina Loo's *States of Nature* mounted perhaps the most significant challenge to Foster, by identifying the nineteenth-century roots of wildlife management as "a highly localized, fragmented, and loose set of customary, informal, and private practices," then tracing the development of "a more coordinated, encompassing, systematic, and ultimately more scientific approach" by the state that marginalized customary uses of wildlife, before showing that "private individuals and organizations carried out some of the most important wildlife work in Canada" in the twentieth century, and concluding that

“the private sector represented the cutting edge of scientific conservation” in Canada before 1939.<sup>32</sup>

“Customary, informal and private practices” are at the heart of Ingram’s examination of *Wildlife, Conservation, and Conflict in Quebec*, which argues that the province developed a highly distinctive approach to fish and game conservation in the years after 1840 as a consequence of its particular political, economic, social and cultural circumstances. In this telling, Quebec was a place apart, a jurisdiction *sui generis* in its approach to wildlife management, distinguished by the extent and persistence of its private game preserves. In 1914, the province leased over 550 tracts of land to private interests for hunting and fishing, and several of these exceeded 500 square kilometers in area, making them the largest such preserves in the world. Half a century later, Quebec had almost 1,200 fish and game clubs with leases that encompassed almost 63,000 square kilometers of hunting territory, over 1,000 rivers, and more than 13,400 lakes. No other North American jurisdiction came close to replicating this pattern. Ontario had equally vast areas of “wilderness” rich in fish and game, and neighbouring Maine and Vermont also included broad, sparsely inhabited tracts, but none of these saw the proliferation of private clubs with the extensive, exclusive entitlements that prevailed in Quebec.

By Ingram’s account, Quebec’s distinctiveness in this regard owed much to the entrenchment of what he identifies as a *patrician* culture, associated with the rise to prominence, in a few mid-nineteenth-century decades, of an anglophone landed and capitalist elite concentrated in Quebec City and Montreal. These individuals, he argues, were able to “establish, maintain, and reinforce” a particular set of sensibilities that reflected their origins and their aspirations. Occurring concurrently with, and not unrelated to, the literary, intellectual, and religious movement intended to ensure “la survivance” of French Canada by promoting the family, rural life, and Catholicism, and encouraging colonization beyond the settled ecumene, this “patrician moment” was not so much feudal as a combination of the nineteenth century’s enthusiasm for “improvement” with the nostalgia of the *nouveau riches* for such “Old World” privileges as private angling and hunting rights. “Quebec’s approach to wildlife conservation,” which turned on the establishment of a “state-administered, privately regulated system of conservation,” writes Ingram, “was as much the product of centuries of European custom and culture as it was of contemporary socio-economic trends.”

The details of this argument, fully explicated in the pages that follow, are both intricate and wide-ranging. But among the important points

made by Ingram, four are noticed here in lean summary of his broad interpretation. First is the claim that Quebec's mid-nineteenth-century patricians were utilitarians committed to progress, who sought "not only to conserve but also to improve the province's fish and game resources." Second, the finding that in their associational lives and their leadership roles in organizations such as the Fish and Game Protection clubs formed in the 1850s in Montreal and Quebec City, these men had a strong commitment to social order and civil society (so that they included commercial and subsistence needs as well as sport in their arguments for fish and game protection). Third, that as this first generation of patricians was succeeded after 1880, much narrower views of fish and game as sources for sport and revenue took hold, to the disadvantage of commercial and subsistence hunters and fishers (among them the poor and the indigenous), even as Quebec garnered a reputation as one of the continent's prime hunting and fishing destinations. Fourth, the expansion of the leasing system early in the twentieth century severely restricted locals' access to wildlife resources, broadened the scope of poaching, led to increasing conflict, and produced trenchant criticisms of the ways in which restrictions were enforced. Still it was not until the far-reaching changes precipitated by the so-called Quiet Revolution of the 1960s that the system of leasing hunting and fishing reserves to private, usually elite, interests was undone. Taken together, the pages that follow present a sustained and important case for, and explanation of, this unusual trajectory of fish and game protection in Quebec.

In essence, in this view, the superimposition of a British colonial framework upon the former (French) seigneurial system differentiated the history of conservation in Quebec from that in the rest of Canada and also set it apart from the well-known US story that "tends to emphasize the differences between Europe and North America as opposed to the continuities that shaped approaches to wildlife conservation" in the province. In Ingram's account, Quebec's conservation leaders were influenced by "local, regional, and imperial contexts" and "adopted a much broader perspective on wildlife" than either the self-interested sportsmen afforded a leading role in many North American histories of conservation or the land-holding elite at the privileged core of British sport hunting and fishing culture. Yet there is irony here too. Even as Quebec's "patrician model" of wildlife management attracted increasing opposition from locals and criticism from North Americans at large, well-to-do American sportsmen flocked to Quebec, drawn in part "by the province's system of leases and clubs, which offered them opportunities that their own country did not provide

– namely the ability to take on an ‘Old World’ identity that ran counter to the egalitarian ethos embedded in their own nation.”

Firmly focused on the founders and patrons of Quebec’s fish and game protective associations, clubs, and lodges, *Wildlife, Conservation, and Conflict in Quebec* offers a new and important account of fish and game protection in that province and adds significantly to our understanding of the development and implementation of conservationist ideas in Canada. For all that, it reflects the particular interests and perspectives, questions and concerns that Darcy Ingram brought to the making of his fine-grained and useful study. Influenced by experience, and pointed in certain directions by the sources he consulted, his gaze has revealed important (and hitherto neglected) facets of the broad landscape across which the impetus to protect, conserve, and manage “nature” has played out over the last century-and-a-half. Like all good historical studies, however, this one also raises fresh questions. Ingram’s substantial contribution challenges readers to ponder anew the ways in which people have framed their interactions with the natural world and to reflect upon whether, or how far, developments in other jurisdictions parallel those charted here. In this respect, *Wildlife, Conservation, and Conflict in Quebec* provides a springboard from which to think, comparatively, about the ideological, political, and social conflicts generated by the creation of angling leases in New Brunswick and by broader efforts to conserve and propagate Atlantic salmon in the late nineteenth century.<sup>33</sup> On another tack, it could be productive, now that Ingram has sorted out the essential story of wildlife conservation in Quebec, to consider how local uses of the terms “game,” “wild life,” and “wildlife” shifted through the nineteenth and twentieth centuries, with a view to better understanding how Quebecers have thought about the relations between nature and culture, humans and animals over time.<sup>34</sup> So too, Ingram’s arguments provide a fine platform for further engagement with American historian Peter Alagona’s recent suggestion that “all debates about wildlife conservation are really debates about access to and control of lands and natural resources, or habitat broadly conceived.”<sup>35</sup> But these are questions for other studies yet to come. In the end, there is no escape from the realization that what we see depends upon where (and how) we look. Yet we can all learn something from Ingram’s probing analysis in *Wildlife, Conservation, and Conflict in Quebec*, of the value of sustained critical inquiry and the importance of reflecting upon how we frame (and seek to answer) the questions that confront and intrigue us.

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Wildlife, Conservation,  
and Conflict in Quebec,  
1840-1914



FIGURE 1  
Quebec's borders,  
1867-1914.

FIGURE 2 Lower  
regions of Quebec.

*Maps courtesy of Eric Leinberger*



# Introduction

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## “LIEUTENANT-COLONEL WILLIAM RHODES”

IN 1866, WILLIAM RHODES travelled from his Sillery estate outside Quebec City up the St. Lawrence River to Montreal, where he participated in an extensive photo-shoot in the studio of that city’s well-known photographer, William Notman. One of the photographs taken during this visit was included alongside a biography of Rhodes in *Portraits of British Americans, with Biographical Sketches*, a project on which Notman was collaborating with author and civil servant John Fennings Taylor (see Figure 3).<sup>1</sup> There was a celebratory tone to this work. As with its eighty-three other subjects, *Portraits* presented Rhodes as part of a forward-thinking crowd of British North American nation builders. And yet, Rhodes’s portrait said something about British North America that was different from anything else that appeared in the Notman and Taylor volume. Rather than conforming to the conventional portrait format employed in most of the other biographies, Rhodes appeared in full hunting garb, set against an elaborately staged winter hunting scene. Rhodes was known to be an avid hunter, and both the photograph and the biography capitalized on this identity. “With the tastes of an adventurer and the experience of a sportsman,” the text of *Portraits* proclaimed, “it is no wonder that Colonel Rhodes should be a ‘mighty hunter’ ... [or] that his friends and neighbours should, by common consent, write his name in red letters, and place it conspicuously on the muster-roll of those who may fitly be called the Nimrods of the North.”<sup>2</sup> Packaged as an example



FIGURE 3 Col. William Rhodes and Octave the guide, Montreal, 1866. *Source:* William Notman and Fennings Taylor, "Lieutenant-Colonel William Rhodes," *Portraits of British Americans, with Biographical Sketches*, vol. 2 (Montreal: William Notman and John Lovell, 1867), 39. The series that included this photograph is now held at the McCord Museum's Notman Photographic Archives. Image courtesy of McCord Museum, #1-19317.1.

of the upper-class male imbued with the sensibilities of the nineteenth-century sportsman, Rhodes has since been linked by historians to issues of sport, masculinity, and the development of a new national identity, all of which were associated with the emergence of new and distinctly modern attitudes and practices.<sup>3</sup>

A closer look at Rhodes, though, presents not so much a beginning as a culmination of sorts – in this case, a culmination of centuries of experience with wildlife. Over the years spent researching this project, I have been struck by the degree to which William Rhodes's identity as a sportsman was embedded in something much bigger. Rhodes was certainly in the vanguard of a movement that would see thousands of upper- and middle-class sportsmen in North America take to the wilderness in pursuit of fish and game. Merging sport and wildlife conservation in much of North America during the latter decades of the nineteenth century, this movement led people to rethink the place of fish and game resources in ways that confirmed the values of an increasingly urban, industrial, middle-class society. The problem is that, for Rhodes and many of his contemporaries, the conservation of wildlife was nothing new. Many of the principles and practices that came to be known in the late nineteenth century as conservation had long been familiar to upper-class English men and their colonial cousins. Notman captured something of this in his photograph of Rhodes. It appears in the paternal relationship that links him to the servant who kneels at his master's foot in order to tie his snowshoes. In regard to power, this relationship is anything but modern.<sup>4</sup> Were we to characterize it as feudal we would be just as close, I think, to the way that Rhodes saw himself and the world around him.

From his arrival in Quebec in the 1840s to his death in 1892, Rhodes sought to emulate as fully as he could the life of the English gentry. Descended from an upper-class family with roots in the Yorkshire countryside, Rhodes was a captain in the British military (the appellation "Colonel" was the result of his militia service in Canada) and served in the Quebec City garrison during the early 1840s. In 1847, he retired and returned to Quebec, where he married Anne Catherine Dunn, the granddaughter of Thomas Dunn, a Superior Court judge, seigneur, and one of the colony's leading administrators. Following their marriage the couple settled on their Benmore estate in Sillery, a suburban retreat perched above the timber wharves outside Quebec City where several members of the Quebec elite resided. Further secured by a substantial sum from his father, Rhodes slotted himself into the upper ranks of colonial society.<sup>5</sup> His economic interests were wide ranging and included investments in land, rail, and

banking. In politics, he served as MP for the County of Megantic from 1854 to 1858, and he was elected to the provincial legislature in 1888 under the strongly nationalist Liberal premier (1887-91) Honoré Mercier. He also remained active throughout his life in the associational network that surrounded him. But what stands out most about Rhodes is the degree to which he cultivated an identity based on that of the English landowner. And the seigneurial title he gained from his marriage to Dunn was only part of this. Upon his return to Quebec, Rhodes was engaged constantly in agricultural and horticultural experiments, and it did not take long for him to become a celebrity on such matters. Over the years local papers reported on a wide range of Rhodes's activities, from growing strawberries in winter to importing sparrows for their agricultural benefits. Following his election in 1888, he served as Mercier's minister of agriculture.<sup>6</sup> More telling still is Quebec writer James MacPherson LeMoine's 1864 description of his friend and neighbour's Benmore estate:

Benmore nestles cosily in a pine grove on the banks of the great river, the type of an English Country gentleman's homestead. In front of the house, a spacious piazza, from which you can watch the river craft; in the vast surrounding meadows, a goodly array of fat Durhams and Ayrshires; in the farm-yard, short-legged Berkshires squeaking merrily in the distance; rosy-cheeked boys romping on the lawn, surrounded by pointers and setters.<sup>7</sup>

Writing Rhodes's obituary twenty-eight years later, LeMoine described him as an advocate of "improvements in farm stock, in the tillage of the soil, the creation of butter and cheese factories over the length and breadth of the land, [and] the opening of colonization roads." In addition to hunting, LeMoine wrote, Rhodes's leisure time was "devoted to his birds, flowers, fruit farm, and to travel."<sup>8</sup> Just as revealing are Rhodes's photo albums, his pedigree, and his family papers, all of which point to a man with a deep connection to British politics and culture, to family and tradition, and to a sense of leadership, duty, and progress characteristic of England's landed upper classes.

Thus, when Rhodes thought about wildlife – which he did a lot, for in addition to his hunting activities he was president during the 1860s of the Fish and Game Protection Club of Lower Canada, the province's first society dedicated exclusively to the conservation of wildlife – he did so with the mind of one immersed in long-standing concepts of land tenure, estate management, and social order. In this he was not alone, for these concepts permeated early thinking about wildlife conservation in the

province. In a word, the system of wildlife conservation that developed in Quebec under Rhodes and likeminded men was the product of a segment of society that sought actively and in broad terms to *improve* the world in which they lived. It was this vision of improvement that underpinned the development of wildlife conservation strategies in Quebec. Put another way, I explore here the application of *patrician sensibilities* to the protection of fish and game resources in Quebec. Together the twinned ideas of “improvement” and patrician culture go a long way toward explaining the motives and the trajectory that shaped fish and game conservation in Quebec and that, ultimately, gave the wildlife conservation movement its unique form within the province.

#### PATRICIAN POWER: MAKING THE CASE FOR IMPROVEMENT

Modernity had a considerable impact on the development of wildlife conservation in late nineteenth- and early twentieth-century North America.<sup>9</sup> Combining rational, utilitarian, and romantic impulses, modern wildlife conservation was part of a broader environmental movement that was itself underpinned by a number of developments, among them changing patterns of rural, urban, and frontier settlement; increased resource exploitation and industrialization; the rising importance of middle-class culture; and the growth of state power. Together these contexts played a crucial role in changing the place of wildlife in North America from a commercial or subsistence resource to one that fitted more closely with the leisure activities, the ethical and cultural perspectives, and the regulatory strategies of the continent’s sport hunters and anglers. North America’s upper- and middle-class sportsmen were central to this transformation. As competition for diminishing wildlife resources and tensions over urbanization and industrialization in the nineteenth century, there evolved in sporting and protection circles a sportsman’s code of conduct. In addition to establishing forms of behaviour to address conservation concerns, this code challenged the rights of other hunters and fishers. In effect, it became a form of social regulation. Underpinned by concepts of fair play, anti-cruelty, and self-discipline, it sharply divided popular practices from proper sporting etiquette. In tangible terms, this meant that techniques other than those involving a fair chase that ended in a quick, clean kill were dismissed, first by the code itself and later via legislation based on it. Combined, these sportsmen’s organizational capacity; their intervention in legal, political, and broader regulatory spheres; and their loosely defined



ethical code of conduct, emphasizing moderation, humanitarianism, and fair play, helped framed this new approach to the continent's wildlife.<sup>10</sup>

In much of this, Quebec was little different from many other provinces and states. Viewed initially by Euro-North American settlers as food and trade items, fish and game later became subject to increasingly complex management strategies that severely curtailed the activities of subsistence and commercial users of these resources. By the end of this transformation – earlier in the eastern portions of the continent, later in the western North – America's sportsmen could rest assured that the continent's fish and game resources were protected by regulatory systems that acted in their favour and that, by and large, encompassed the values touted by the respectable members of the sporting community. Parallels can likewise be found throughout Britain's New World settler colonies, where pressures on wildlife encouraged similar responses, to the point of being symptomatic of settler societies in general.<sup>11</sup>

That said, the system of wildlife conservation that took shape in Quebec was different from anything else in North America. In Quebec, the land tenure, legal, and broader social strategies that were applied to the regulation of fish and game resources in the province during the nineteenth century reflected markedly "Old World" values based heavily on a system of private angling and hunting leases and an associational network of upper- and middle-class men. In short, Quebec's approach to wildlife conservation was as much the product of centuries of European custom and culture as it was of contemporary socio-economic trends. To be sure, fish and game clubs comprised of upper- and middle-class men were prominent in the protection movement across the continent, and the leasing of large parcels of private and occasionally public land for hunting and fishing was a common strategy among sportsmen. But nowhere beyond Quebec was such a strategy embraced so whole-heartedly by a government body. By the First World War, an extensive system of leases and clubs was firmly in place in Quebec. It comprised close to three hundred formally incorporated clubs and roughly six hundred hunting and fishing leases on provincial Crown lands. And it continued to grow in the face of trenchant opposition through most of the twentieth century. Not until the mid-1960s, when the system was at its height and the province was administering upwards of fifteen hundred leases, did it begin to unravel under the pressure of Quebec's Quiet Revolution. It was finally abandoned formally in 1977 following the election of the Parti Québécois the previous year.

Over the past five decades, American scholars have established a wide-ranging literature on the history of wildlife conservation. In this time,

studies have evolved from initial work on wildlife conservation in the context of the US progressive movement to increasingly complex considerations of the role of civil society and elite sportsmen, the development of a sportsman's code of conduct, and issues of marginalization, criminalization, and resistance within rural and frontier populations across the continent.<sup>12</sup> More recently, Canadian historians have taken up this literature to good effect. In so doing, they have expanded the parameters set forth in Janet Foster's pioneering 1978 study *Working for Wildlife*. Since Foster's work on the role of federal civil servants in the establishment of conservation principles and practices in Canada, studies of conservation have delved into the complex amalgam of power relations into which the federal government, its politicians, and civil servants fit.<sup>13</sup> As in the United States, opposition to the state in Canada ran high, as Aboriginal and non-Aboriginal populations with their own hunting and fishing cultures opposed state conservation policies that threatened their access to fish and game resources.<sup>14</sup> Likewise it is clear that the federal state was not the only player in this process. Regarding legislative and administrative responsibilities over wildlife, it was the provinces, not the federal government, that were key, and they worked alongside individuals, local sportsmen's clubs, and other associations.<sup>15</sup> Together this work confirms what Richard W. Judd demonstrates so effectively in his work on local and communitarian perspectives in the conservation movement in northern New England: that state and urban-based attitudes and practices represented but a fraction of the interests that shaped efforts to conserve wildlife and other resources. Indeed, as North American historians and anthropologists have shown repeatedly, conservation and resource management strategies are by no means new or exclusively European or North American, but are embedded in the cultural and material practices of indigenous populations.<sup>16</sup>

That said, the powerful American historiography on wildlife conservation does not always match up with experiences north of the border. And this poses a problem. For in drawing on American conservation historiography, Canadian historians are also drawing on a long tradition of American exceptionalism. In the United States, access to wildlife resources was traditionally seen in terms of abundance and in light of American conceptions of New World freedoms, most notably the rejection of a European culture that placed wildlife in the hands of the aristocracy and landowners.<sup>17</sup> On top of this, the United States presents a powerful history of conservation and environmentalism in its own right, whether in the writings of Emerson, Thoreau, and George Perkins Marsh or through figures such as Theodore Roosevelt, Gifford Pinchot, and John Muir. As a

result, the American historiography on conservation tends to emphasize the differences between Europe and North America as opposed to the continuities that shaped approaches to wildlife conservation.

This model is difficult to maintain in Quebec, which during the eighteenth and nineteenth centuries saw a British colonial framework fitted onto a former French seigneurial order. While arguments regarding the abundance and accessibility of fish and game resources relative to Europe surfaced here as they did to the south, such views were mediated by an ongoing relationship with Britain and the province's own circumstances. As a result, Quebec presents a remarkable opportunity to link the evolution of environmentalism in North America to experiences in Britain and the wider world.<sup>18</sup> Likewise the feudal overtones of Rhodes and his contemporaries offers a chance to revisit discussions of the province's transition to industrial capitalism. To date, research has demonstrated both the gradual nature of this transition as well as the flexibility of the province's "feudal" systems regarding their capacity to function within an emerging industrial capitalist society and the increasingly powerful state institutions and administrative apparatus that accompanied it. For most historians, however, this transition was well under way by mid-century, and its direction was clearly one way. Thus, to find in the late 1850s the establishment of a regulatory system that embraced the values and practices of a landowning culture, and to find those values and practices entrenched during the decades that followed, suggests that feudal understandings of power ran deep in Quebec society.<sup>19</sup>

Indeed, one does well to look at William Rhodes and his counterparts through the lens of British social historians who have pointed to the longevity, the adaptability, and the influence of Britain's landowning elite. Some time ago, E.P. Thompson argued that eighteenth-century English society was based on what he loosely referred to as "paternal" relations of power and authority between two sharply divided groups: "patricians" and "plebs." The first of these groups, the patricians, comprised a small group of men whose wealth centred on landed society, who wielded significant political power, and who practised what Thompson called a "studied technique of rule" based on maintaining power through social as well as economic relations.<sup>20</sup> Bringing forward Thompson's well-worn arguments may seem dated. But they are worth revisiting here, not least because Thompson and some of his colleagues spent a good deal of time writing about the relationship of this landowning class to the regulation of fish and game, both for sport and with regard to landowners' estate management practices

more generally.<sup>21</sup> In fact, many of Britain's wildlife species were far less "wild" than the term suggests. Subject to a range of regulatory strategies, they bore numerous similarities to their domestic counterparts. Foxes, fish, deer, and wildfowl were routinely bred and kept captive by landowners, lands and waters were managed in order to maintain wildlife habitat, and gamekeepers – those infamous subjects of writers from Richard Jefferies to D.H. Lawrence – were typically on the payroll of large rural estates.

The key to wildlife conservation in Quebec rests on the link between the practice of patrician power and the evolving culture of "improvement." In use as early as the early fourteenth century, improvement initially referred to agriculture, in particular to the work of British landowners who sought, through a sense of Christian stewardship and the application of science, to make their estates more productive. But farming was only part of what soon became embedded in this concept. By the eighteenth century, improvement was not only an economic but also a social phenomenon, encompassing a belief in self-improvement as well as a paternal sense of responsibility and duty to the betterment of society. It had also by this time become part and parcel of England's increasingly wealthy merchant class. As David Hancock argues in *Citizens of the World*, London merchants in the eighteenth century

were not content with maintaining the status quo. This is clear toward the end of their lives, as they built estates, houses, art collections, gardens, farms, factories, and charities. Improvement, as they defined it, meant more than an increase in crop yields; it touched most aspects of everyday life, and it manifested itself in programs that were at once polite, industrious, and moral. Running through most of their noncommercial activities and even some of their business ventures is an intense drive for a broadly based civility, a persistent attention to the possibility of bettering man's condition: their own, as they became gentlemen, and others', since they believed society as a whole was advancing from barbarism toward civility.<sup>22</sup>

It was no accident that the commitment to improvement soon encompassed the growing merchant class. By the nineteenth century, Britain's landed and merchant classes shared more than many of the former cared to admit. Though still attached deeply to land ownership and agriculture, their sources of wealth and power were increasingly connected to the industrial world. Likewise, in political and associational circles landowners faced the growing presence of an upwardly mobile class who gravitated

toward established models of power and authority. Increasingly connected in politics, in economics, and in society more generally, the landed elite and merchant and capitalist classes who emulated them assumed a broad sense of paternal authority and responsibility within the world they inhabited. And they worked to shape that world accordingly.<sup>23</sup>

Hancock's discussion of improvement in the middle of the eighteenth century conforms remarkably well to the situation of Quebec's capitalist classes a century later. Coming mostly from the anglophone population living in and around Quebec City and Montreal, these men, like their British counterparts, were neither strictly urban nor strictly rural, but rather moved comfortably between the two settings.<sup>24</sup> Even as agriculture was waning as a base of power and as landowners' portfolios came to resemble those of capitalists with diverse investments in rail and steam transportation industries, manufacturing, wholesale trade, timber, and banking, status and power remained associated with land ownership, agriculture, and rural society.<sup>25</sup> Quebec's anglophone elite expressed this sense of power in numerous ways. Some kept farms and country homes where they bred livestock and pursued agricultural and horticultural experiments. A few took on seigneurial identities and, in some cases, maintained their seigneurial titles long after abolition of the province's seigneurial system in 1854.<sup>26</sup> Likewise they moved in and out of the political world, remained active in military affairs, and participated in various social, intellectual, and philanthropic networks. In short, they shared with their predecessors a worldview in which notions of improvement, estate management, and civil society were very much alive.<sup>27</sup>

In their efforts to transform northern North America, these men were guided by deeply held utilitarian principles, be it with regard to education, public health, or the development of transportation infrastructure, agriculture, commerce, manufacturing, or trade. Among their interests was the economic capacity of regions with little or no agricultural potential. Together the fur trade and the timber, mining, and fisheries industries presented sound examples of the value that could be derived from such non-agricultural spaces, and early advocates of fish and game protection believed that an effectively regulated wildlife resource base could function in the same way. To this end, the supporters of fish and game protection sought not simply to conserve but also to *improve* the province's fish and game resources. Far from being a project concerned with maintaining a "natural" wilderness environment free of human culture, protection was about actively shaping that environment so that it produced more fish and game. In light of these objectives, Quebec's protection advocates cannot

be understood merely as self-interested North American sportsmen who used science or animal welfare as vehicles for their goals. Nor, however, can we easily compare them to their European counterparts, who defended the well-established link between elite culture and sport hunting. In this regard, Quebec's early protection advocates were far more liberal. Inspired by local, regional, and imperial contexts, they promoted a much broader perspective regarding wildlife than did either of these other groups. As such, they fall clearly on the conservation side of the conservation/preservation debate that took shape at the end of the century. This was not their debate, however, and as a result they were not particularly rigorous in their application of terminology. Most of the time, they described their work as "protection." Their second choice was "preservation," but it carried none of the baggage with which the term would soon be associated. For them, preservation and protection were interchangeable means of describing relatively utilitarian understandings of conservation and resource management.

One of the unique aspects of Quebec's conservation system was its application of land tenure strategies. By English common law, wild animals were only property if they had been captured or killed, and are best understood as a type of "fugitive resource" comparable to oil, gas, and water. Regarding the difficulty it poses in terms of ownership, wildlife is formally under the control of the Crown, which can establish legislation regarding its treatment as well as private and public access rights through various forms of land tenure.<sup>28</sup> In practice, though, rights regarding wildlife were nowhere near as clearly defined as legislation suggests, whether in English or in other European contexts. Throughout much of Europe, wild animals were typically the domain of landowners and were regulated according to a wide range of local customs and conditions.

These legal and proprietary traditions helped to shape regulatory strategies in Canada and Quebec. Initiated within the province's colonial contexts, they continued to evolve following Confederation under various federal and provincial ministries. In particular, the endurance of Crown land ownership gave colonial, federal, and provincial governments considerable control over timber, mineral, water, and wildlife resources, and resulted in an emphasis on leasehold rather than on freehold tenure.<sup>29</sup> To an extent, examples of lease-based forms of wildlife conservation can be found in some provinces and states during the nineteenth century. None of them, however, is comparable to the system that developed in Quebec. Between the 1850s and the 1890s, successive colonial, federal, and provincial governments established in the province a far-reaching system of state-administered private leasehold tenure, first on the salmon rivers that flowed

into the Gulf of St. Lawrence and the lower St. Lawrence River and later on all of the hunting and fishing territories under Crown ownership. The overall aim of this system was to “dot” the rural and wilderness regions of the province with sites of local authority. On these rural and wilderness “estates,” landlord-lessees would work to improve their holdings’ fish and game populations and would, in turn, integrate into the surrounding region as employers and as representatives of judicial, police, and elite power. Such a system, advocates believed, would give lessees a significant degree of personal control, including the flexibility to shape laws to fit local conditions.

Overall, Quebec’s approach to fish and game is perhaps best compared to that of Scotland. In the late eighteenth century, a decidedly Scottish vision of wildlife, wilderness, and sport began to take hold and to spread outwards from there. During this period, Scotland’s sporting contexts came to the forefront as elite sportsmen from Britain, Europe, and even North America realized that the region boasted relatively abundant populations of fish and game species, including deer, wildfowl, and salmon. By the nineteenth century, Scotland had become a destination for European sportsmen, so much so that, by mid-century, landowners were finding it profitable to let their estates to English and other parties for sport. These values took hold quickly in Quebec, where British newcomers bred on Scots-based ideals encountered a relatively familiar environment. Indeed, many and perhaps the majority of Quebec’s mid-century protection advocates were from Scotland. In this temperate climate they found abundant salmon stocks as well as deer and wildfowl, along with less familiar animals such as moose and caribou that held a certain exotic appeal but were not entirely bizarre.<sup>30</sup>

In fact, of all Britain’s nineteenth-century settler colonies, it was British North America that matched most closely the faunal environment that British migrants left behind. Far more so, for example, than that of Australia or New Zealand, where, in an effort to remake their new environment in familiar terms, settlers introduced species such as deer and salmon. Even more of a departure were colonial Africa and India, in which there developed a transient and highly exploitive sport hunting culture based on the big game species that inhabited these regions.<sup>31</sup> In fact, while British North America was certainly on the itinerary of Britain’s nineteenth-century “imperial sportsmen,”<sup>32</sup> most found that its big game hunting fell short of that in the Empire’s more exotic locations. Combined, these factors meant that sport and protection advocates in Quebec had less need to

remake the province's hunting and fishing environment to render it familiar. Rather than introducing foreign species in order to build a wilderness that better matched their expectations, they tended to focus on modifying the existing biotic composition. Thus, while foreign species such as partridge and pheasant were introduced in the province on various occasions, one was far more likely to find sport and protection advocates relocating and propagating domestic fish and game species such as deer, salmon, and elk while extirpating others, particularly predatory mammals, birds, and fish.

Demographic, settlement, and ethnic patterns also separated Quebec from other North American regions. Unlike much of New England, Quebec retained a relatively intact wilderness frontier during the nineteenth century and an abundance of fish and game resources on which subsistence and commercial users continued to rely. Unlike the frontiers of the Canadian and American west, though, this northeastern frontier was close to two of Canada's largest urban centres, Quebec City and, in particular Montreal, which by Confederation was rapidly outpacing the former city to become Canada's economic and industrial metropole. Connected by ship to Britain and Europe, and by rail to the major cities of eastern North America – many of which were less than a day's travel from some of the province's best hunting and fishing ground – Montreal and Quebec City became hubs for growing numbers of local and visiting sportsmen. Linked to the world of politics and to a particular vision of sport and conservation, this predominantly urban crowd prevailed relatively easily over the province's indigenous and rural French Catholic populations, both of which lacked the political, economic, and social clout to effectively challenge this system, and found themselves subject to a range of paternal strategies.

Regarding the paternal underpinnings of this system, it is worthwhile to consider the long-standing comparisons of wildlife conservation in Quebec to feudalism. Disparaging descriptions of the feudal nature of wildlife conservation in Quebec have been around since the leasehold system in the province began. Commonplace by the turn of the century, it became during the Quiet Revolution a routine complaint, and it continues to hold currency today, thanks in part to Quebecers' familiarity with feudalism in the context of seigneurialism in New France. It also appears in academic circles. In *La chasse au Québec*, Paul-Louis Martin describes the leasehold system as a series of "seigneuries forestières, à la fois différent mais si ressemblant, avec ses concessions, ses redevances, ses obligations, ses gardes particuliers, ses châteaux aussi, ses fastes et ses exagérations," and Darin Kinsey makes the same observation concerning the transformation



of Quebec's wilderness environment into "sporting enclaves large and small, reminiscent of the old *seigneurs* of New France."<sup>33</sup>

As for the feudal nature of this system, such charges are on track. But their links to New France are misleading, for the roots of Quebec's "feudal" system of wildlife conservation lay neither in France nor in colonial New France, but in Britain. Compared with the system that took shape in Lower Canada during the 1850s, conditions in New France gave farmers and others occupying seigneurial lands considerable latitude regarding fish and game resources. In that context, ongoing military demands, the fur trade, colonists' material needs, and the practical difficulty of managing fish and game resources over a large and sparsely populated territory resulted in a relatively tolerant position concerning hunting and fishing.<sup>34</sup> Had New France continued as a French colony, it may very well have developed a similar approach to fish and game conservation. As it stands, however, it was the colony's British newcomers who established this system of conservation.<sup>35</sup> Concentrated in the regions of Quebec City and Montreal, Lower Canada's anglophone landed and capitalist classes were significant enough in number and in common interests by mid-century to generate a viable patrician *culture*: that is, to establish, maintain, and reinforce a set of beliefs and practices – in a word, *sensibilities* – that reflected their position.

Of tremendous assistance to these mid-century patricians was the effort in francophone intellectual, literary, and religious circles after 1840 to assert the province's French identity through its pre-Conquest past. Focused on "la survivance" of French Canada by emphasizing the family, agriculture, rural life, and Catholicism, this vision found purchase in a colonization movement that saw thousands settle on the province's periphery. Though partly a response to fears of assimilation, this movement ended up giving a degree of credibility to the "feudal" underpinnings of the colony's new masters in as much as the elitism espoused by patricians paralleled the elitism of the seigneurial system of New France. What is more, despite its emphasis on tradition, the colonization movement helped to lay in place much of the modern infrastructure needed to turn Quebec into a sportsman's paradise. In their efforts to promote colonization, proponents were not averse to working with the province's anglophone industrialists. In fact, the well-known Roman Catholic priest François-Xavier-Antoine Labelle served as assistant commissioner in the Department of Agriculture and Colonization while Rhodes was the department minister. Eager to push their agenda forward as quickly as possible, they helped establish the transportation, communications, and industrial infrastructure that further

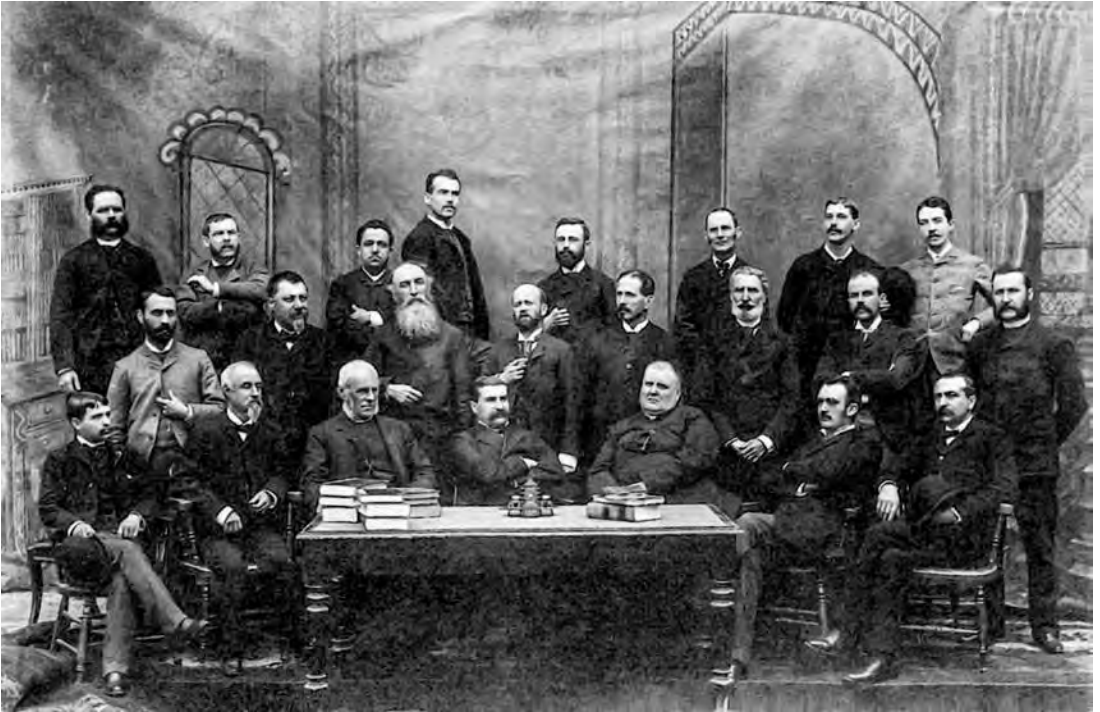


FIGURE 4 The Department of Agriculture and Colonization, 1 September 1889. Seated alongside Quebec Premier Honoré Mercier (centre) are Agriculture Minister William Rhodes (left) and (right) the influential Priest, colonization proponent, and assistant commissioner in the department, François-Xavier-Antoine Labelle. *Source:* P1000, S4, D4, P11, Bibliothèque et Archives nationales du Québec à Québec, Collection Centre d'archives de Québec, Membres du Département de l'agriculture et de la colonisation de la province de Québec, A.R. Roy, 1 septembre 1889.

opened the province's hunting and fishing territories to exploitation (see Figure 4).<sup>36</sup>

Together the presence of this anglophone elite and its proximity to some excellent hunting and fishing opportunities meant that, by mid-century, there was in place a patrician-based network capable of shaping wildlife conservation in its own image. It meant, for example, that there were enough men of similar mind to form the Fish and Game Protection Club of Lower Canada in Quebec City in 1858, and to establish the Montreal Fish and Game Protection Club a year later. It also meant that, in initiating a system of leasehold tenure in 1858 on the salmon rivers of the lower St. Lawrence River and the Gulf of St. Lawrence in order to protect that

fish's breeding grounds, the colonial government could base its legislation on a class of men interested in acquiring exclusive salmon-angling rights in return for a yearly fee and a commitment to enforce state fishery laws. While this strategy was also applied to the salmon rivers of New Brunswick, nowhere did it become so thoroughly developed as it did in Quebec. Expanded during the 1880s and 1890s to encompass fish and game on all of the province's rivers, lakes, and forests under Crown ownership, it became the foundation of a state-administered, privately regulated system of conservation. In essence, it was a private-public partnership that placed both the advantages as well as the responsibilities of fish and game conservation in the hands of a few protective associations along with hundreds of sport-oriented fish and game clubs. Given this trajectory, the description of Quebec's system of wildlife conservation as "feudal" underscores how long-standing forms of power were incorporated into the colony and remained central to the regulation of fish and game resources well into the twentieth century. To put it more succinctly, we might say that, in the case of wildlife conservation, the paternal hand of Rhodes and other patricians did much to guide Quebec's path to modernity.

#### OPPOSITION

Many people did not see the regulation of fish and game resources in positive terms. Both in Europe and in North America, fish and game laws marginalized the practices of rural inhabitants who relied on wildlife along with other local resources, often in regions where agricultural prospects were limited. They did not submit to these laws willingly. In rural England, tensions between landowners and the popular classes over access to wildlife resources ran so high during the nineteenth century that the situation has been characterized as one of ongoing, low-level warfare.<sup>37</sup> By this time, rural England boasted an impressive infrastructure to stop poachers. Landowners set deadly mantraps on their properties; encounters between gamekeepers and poachers frequently resulted in violence, injuries, and deaths on both sides; and seemingly minor offences could result in transportation or even death. North America did not see the same level of contestation, but the stakes remained high as the implementation of conservation strategies threatened the economic foundations on which many rural lives were based. In this regard, it is not off the mark to view Quebec's system of leasehold tenure in terms of enclosure and absentee

landownership, both of which recall the uprooting of Britain's rural poor during the eighteenth and nineteenth centuries so that landowners could introduce more effective agricultural strategies. In Quebec, wildlife conservation amounted to a process of dispossession that saw commercial and subsistence hunters and fishers pushed off of the province's better hunting and fishing territories, stripped of former claims to fish and game resources, and left to cope with seasonal and other restrictions on those remaining territories not let to absentee sportsmen.

But comparisons to Britain should not be stretched too far, for conditions were different in Quebec. Here, a relatively small area of agricultural settlement along the St. Lawrence River bordered vast stretches of sparsely populated wilderness replete with fish, game, and other resources. The inhabitants of these regions comprised a more diverse lot than did Thompson's "plebs." In this part of the world, indigenous and Métis peoples vied with French Catholics, English Protestants, and others making their way in the province's rural and wilderness lands by farming and by exploiting timber, fish, and game resources. As in other New World contexts, the belief in "New World freedoms" relative to fish and game resources was present in Quebec. Because fish and game remained relatively abundant, because legislation was far less severe, and because enforcement of the fish and game laws was extremely difficult, Quebec's rural and frontier inhabitants were at once more dependent on these resources and better positioned to gain access to them than were Britain's rural poor. As a result there persisted throughout this period and beyond a variety of vernacular hunting and fishing cultures.<sup>38</sup>

Culture and tradition also differed between Quebec and Britain. In the former, rural inhabitants' claims to local resource rights based on custom did not correspond to migration and settlement patterns. The first decades of the nineteenth century saw considerable population growth in Lower Canada. By the middle of the century, immigration and demographic pressures had become too great for its rural regions to absorb, and rural francophones in particular were migrating to Quebec's urban centres, to frontier regions, and to the United States. It was no accident that the early fish and game legislation of the 1840s coincided with the beginnings of Quebec's colonization movement, which sought to redirect the flow of rural French Catholics away from the province's cities and the New England states. Enjoying widespread religious, economic, and political support, the movement aimed to settle displaced farming families on unoccupied lands in the province, mainly in the Eastern Townships, the Gaspé Peninsula,

and the Laurentians north of the Ottawa and St. Lawrence rivers, as a means of maintaining its rural Catholic identity. On arrival, these families often found themselves on lands of limited or no agricultural value and took quickly to exploiting available fish, game, and other resources. As a result, many of the regions in which poaching ran rampant had in fact only been recently occupied. In many cases, the province's system of leases and legislation actually preceded settlement. Consequently, those "rights" that settlers claimed to local fish, game, and other resources were often not rooted in local custom or experience but were assumed pragmatically upon arrival or in light of experiences elsewhere. From this perspective, the fish and game laws were not so much about effacing long-established practices as they were about regulating local fish and game resources in the face of growing numbers of transient, temporary, and recently settled inhabitants. In this, Quebec reflects a pattern that unfolded throughout the settler societies of the New World as demographic and economic pressures combined with state and private interests to encourage settlement on marginal agricultural lands.<sup>39</sup> Inevitably, this placed pressure on local wildlife populations and led to growing tensions over access to fish and game resources.<sup>40</sup>

Overall, it was Quebec's indigenous population, not recently settled colonists, who had the greatest claim regarding the loss of rights based on culture and tradition. Together private leases and sport-based restrictions undermined long-standing indigenous hunting and fishing patterns. This was most notable with the Mi'kmaq and Innu who frequented or lived on the North Shore and Gaspé Peninsula, where they harvested salmon and other wildlife resources. While they may not have settled these regions in the same way as did their European counterparts, they nevertheless stood to lose the most under the terms of Quebec's wildlife conservation system. During the nineteenth century, the federal and provincial governments tinkered with exemptions for indigenous peoples from the fish and game laws. But their efforts did not amount to much. By this time, the federal government was well into development of its assimilation program, and the abandonment of "primitive" economic practices in favour of civilized modes of production, mainly agriculture, was uppermost in the minds of policy makers. As a result, exemptions typically permitted Aboriginals to hunt and fish for subsistence purposes only, largely in order to curtail starvation. Such an interpretation of Aboriginal use of fish and game may have made sense from a conservation perspective, but it ignored the commercial trade in wildlife resources that had characterized relations