



Family of James MacAulay and Elizabeth Tuck Hayter

compiled by [John A. Brebner](#)

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Version 1.0

Generation One

1. **James MacAulay** #188498, b. 1759 in Glasgow, Scotland,¹ occupation 1779 Surgeon's Mate, Queen's Rangers, occupation 1790 Surgeon, New South Wales Corps, d. 01 January 1822 in Toronto, York County, Upper Canada,¹ buried in Holy Trinity Anglican Church, Quebec City, Lower Canada.

NOT related to Robert MACAULAY in Kingston. Four sons and four daughters.

1796: Family moved to York (Toronto)

1805 - 1808: Surgeon to the Forces in Quebec

See Geoffrey Bilson, "MACAULAY, JAMES," in Dictionary of Canadian Biography, vol. 6, University of Toronto/Université Laval, 2003-, accessed October 4, 2021, http://www.biographi.ca/en/bio/macaulay_james_6E.html.

He married **Elizabeth Tuck Hayter** #188499, 20 November 1790 in Alverstoke, Hampshire, England,^{2,1} (daughter of **Edmund Hayter** #242561 and **Mary Jermy** #242562), d. 1809 in Upper Canada.¹

Children:

2. i. **James Buchanan Macaulay** #212468 b. 03 December 1793.
3. ii. **Mary Ann Macaulay** #222489 b. 15 February 1801.
4. iii. **(unidentified) Macaulay** #222490.
5. iv. **Elizabeth MacAulay** #179977 b. c. 1799.
6. v. **John Simcoe Macaulay** #222493 b. 13 October 1791.
7. vi. **George Macaulay** #222495 b. 11 November 1796.
8. vii. **(unidentified) Macaulay** #222496.
9. viii. **Sarah Hayter Macaulay** #212512 b. 03 March 1809.
10. ix. **Ann Macaulay** #242560 b. 03 May 1806.

Generation Two

2. **James Buchanan Macaulay** #212468, b. 03 December 1793 in Newark, (Niagara-on-the Lake), Upper Canada, occupation Chief Justice, Court of Common Pleas, occupation 1859 Knighted by Patent, d. 26 November 1859 in Toronto, York County, Ontario.

He married **Rachel Cruickshank Gamble** #212469, b. c. 1803,³ (daughter of **John Gamble** #212470 [Physician/Medical Doctor] and **Isabella Elizabeth Clarke** #212471), baptized 25 September 1803 in St. George's Church, Kingston, Frontenac County, Ontario,⁴ d. 24 July 1883 in Sparkford, Somerset, England.³

3. **Mary Ann Macaulay** #222489, b. 15 February 1801 in Toronto, York County, Ontario, d. 22 February 1833 in Woodbridge, Ontario,⁵ buried in Christ Church Mimico Cemetery, Etobicoke, York County, Ontario.⁵ .

She married **John William Gamble** #214002, 1822,^{1,6} b. 05 July 1798 in York County?,⁴ (son of **John Gamble** #212470 [Physician/Medical Doctor] and **Isabella Elizabeth Clarke** #212471), occupation 1861 Merchant in Pine Grove Mills, Vaughan, occupation 1871 Gentleman in Vaughan Township, d. 12 December 1873 in Pine Grove, Vaughan, Ontario*,⁴ buried in Christ Church Mimico Cemetery, Etobicoke, York County, Ontario.⁵

John:

Five children by Mary MACAULAY, three daughters by Matilda ATKINSON

1851: Farmed at Lots 8 - 11, Con. 7u, Vaughan, York County

1861 - 1871: Family lived at Pine Grove Mills, Vaughan, York County.

Barrie Dyster, "GAMBLE, JOHN WILLIAM," in Dictionary of Canadian Biography, vol. 10, University of Toronto/Université Laval, 2003-, accessed October 4, 2021, http://www.biographi.ca/en/bio/gamble_john_william_10E.html.

GAMBLE, JOHN WILLIAM, manufacturer and politician; b. 5 July 1799, in the garrison at York (Toronto), U.C., eldest son of John Gamble, loyalist and army surgeon, and Isabella Elizabeth Clarke of Connecticut; m., in 1822, Mary, daughter of James Macaulay* of York, by whom he had five children; in 1834, Matilda Atkinson, by whom he had three daughters; and thirdly the widowed Minerva Anne Niles; d. 12 Dec. 1873 at Pine Grove, Ont.

John William Gamble was brought up in Kingston but returned to York about 1815 because the family lands were concentrated in Etobicoke Township. He kept a store, first with his brother-in-law William Allan* and, from about 1822, with his own brother, William*, to whom he left most of the responsibility until the arrangement was dissolved in William's favour in 1827. By 1823 J. W. Gamble had settled on Mimico Creek in Etobicoke to engage in farming, milling, and management of his inheritance. He became a magistrate in 1827 and was chairman of General Quarter Sessions of the Home District from 1836 to 1842. In the absence of Church of England clergymen he read services in Mimico (now in the borough of Etobicoke) until Christ Church was built on land he gave in 1833.

In 1843 Gamble moved up the Humber to Pine Grove in Vaughan Township. Here he resided the rest of his life and built up a manufacturing complex: grist and flour mill, sawmill, distillery, and a cloth factory. He served 14 active terms on the district (later county) council as reeve of Vaughan Township from 1846, but, a Tory among Reformers, was only twice warden of York County. He supervised the Vaughan Plank Road Company and was parliamentary spokesman (1853–56) for the farmers, millers, and merchants who formed the Bank of Toronto. Gamble helped establish Christ Church, Woodbridge, on land he gave in 1851, and was an influential layman on the synod of the Church of England.

Gamble entered politics in 1838 when he ran as a "Constitutional" Tory and defeated George Duggan to represent the 1st riding of York in the assembly; his electorate, despite later changes, always included both Mimico and Woodbridge, and his political stronghold was Etobicoke. He opposed the union of the Canadas as threatening to extend Catholic influence, and stood in the election of 1841 for "attachment to the Throne and reverence for the Altar." The Reformer James Hervey Price* defeated him in the brawling poll, and again in 1847. Though returned comfortably in a swing against the followers of Robert Baldwin* in 1851 and 1854, Gamble was unsuccessful in 1857 against William Pearce Howland*, also prominent in milling and the grain trade. Tory and Orange interests brought him forward for the Legislative Council in October 1860, but he suffered a heavy defeat.

Gamble accepted "absolute Free Trade" in December 1847 but by February 1849 he had made protection his central political concern. The threat he saw to Canadian produce and manufacturing came from Britain which, with its overwhelming economic superiority, would keep Canada a permanent "plantation," a primitive source of raw materials and a helpless dumping ground for British products. Capital must be built up in Canada behind tariff walls, he felt, and not be allowed to leave the country as profit for British capitalists. Under tariffs the United States had

grown rapidly, Gamble believed, and he admired Yankee enterprise which he knew from his early business connections with his mother's relatives in Boston. The annexation movement later in 1849 was viewed by Gamble as a serious threat to Canadian nationality and the British connection, and he feared it could lead to civil war. He joined the executive of the British American League and held the floor (flanked by Ogle Robert Gowan) during much of its second convention. He made proposals for an elective governor and upper house. A pamphlet of his at this time concluded that "To continue British, Canada must possess a prosperity as great and rapid in its growth as that of its neighbour, and with institutions not less favourable to popular liberty."

From 1851 to 1857 Gamble fought in the legislature against reciprocity with the United States, and also against indiscriminating tariffs that would penalize American raw materials the province could never itself produce but would not protect it from Britain. He also stood for the clergy reserves and against full-blown separate schools. Nevertheless, he deplored, at this period, those Tories who refused to concede that theirs was an age of democracy. His faith in the basic common sense of the mass of the people came from his work on the county council and his views on education showed a loyalty to the local schools. His advocacy of protection, above all, fitted not only his own interests but his vision of a complex, self-reliant, close-knit Canadian society.

Gamble saw himself the squire of a god-fearing parish, a thriving village, to which his own industries were crucial, and a trusty yeomanry. He looked the squire too, broad and tall with a strikingly handsome head and a decisive manner. By the 1860s, however, Gamble had lost his last election, some of his chief causes had been overthrown or bypassed, and various family enterprises had crumpled in the depression of the late 1850s. He turned to genealogy for solace and compiled Family records. Its epigraph revealed a retreat to hard-shelled Toryism : "My son, fear thou God and the King, and meddle not with them that are given to change."

Barrie Dyster.

Children:

11. i. **Elizabeth Gamble** #242542 b. 24 May 1824.
 12. ii. **Anne Birchall Gamble** #242550 b. 01 December 1826.
 13. iii. **Mary Shivers Gamble** #242551 b. 27 November 1828.
 14. iv. **Madgalen Gamble** #242558 b. 05 December 1831.
 15. v. **John William Gamble** #242559 b. February 1833.
4. **(unidentified) Macaulay** #222490.
- She married **Peter Diehl** #222492.¹
5. **Elizabeth MacAulay** #179977, b. c. 1799,⁷ d. 08 February 1832 in Kingston, Frontenac County, Ontario,⁷ buried in The Lower Burial Ground, St. Paul's, Kingston, Frontenac County, Ontario.⁷

(eldest daughter).

She married **Christopher Alexander (Handsome Kit) Hagerman** #179976, 26 March 1817 in Kingston, Frontenac County, Ontario,^{8,9} b. 28 March 1792 in Adolphustown, Lennox and Addington, Ontario,⁸ (son of **Nicholas Hagerman** #179492 [Lawyer in Adolphustown] and **Anne Fisher** #179971), baptized 02 October 1792 in St. Paul's Church, Fredericksburgh, Lennox County, Ontario,^{8,10} occupation 1797 Barrister in Upper Canada, occupation 1814 Customs Officer in Kingston, occupation Solicitor General, Attorney General for Upper Canada, d. 14 May 1847 in Toronto, York County, Ontario.^{8,11}

Christopher:

Lived in Kingston. Had owned the original Alwington House property, but had only completed its foundation by 1831 when he sold the property, just east of the proposed Kingston Penitentiary (constructed 1833 - 1834). Perhaps the Judge had changed his mind about living next door to a prison?

Transferred Lot 4, Princess Street Kingston, to James MARTIN, 1821

Four children by first marriage; three daughters, one son; (Wikipedia, 2021)

HAGERMAN, CHRISTOPHER ALEXANDER, militia officer, lawyer, office holder, politician, and judge; b. 28 March 1792 in Adolphustown Township, Upper Canada, son of Nicholas Hagerman and Anne Fisher; m. first 26 March 1817, in Kingston, Elizabeth Macaulay, daughter of James Macaulay*, and they had three daughters and one son; m. secondly 17 April 1834, in London, England, Elizabeth Emily Merry, and they had one daughter; m. thirdly 1846 Caroline Tysen, and they had no issue; d. 14 May 1847 in Toronto.

Few individuals in Upper Canada's at times turbulent political history provoked such extreme hostility as Christopher Alexander Hagerman. Among the men with whom historians have commonly associated him, he was the most obdurate in his defence of church and state. He evinced "by temperament more than by design" the aggressiveness lacking in a John Macaulay* and outwardly less evident in a John Beverley Robinson*. William Lyon Mackenzie*'s biographer Charles Lindsey* thought Hagerman showed "a disposition to carry the abuse of privilege as far as the most despotic sovereign had ever carried the abuse of prerogative." Charles Morrison Durand, a Hamilton lawyer prosecuted by Hagerman in the aftermath of the rebellion of 1837, depicted him as a "grim old bulldog." If Macaulay was the back-room boy of Upper Canadian administrations from Sir Peregrine Maitland*'s to Sir George Arthur*'s, Hagerman was the bully-boy.

Unlike contemporaries such as Robinson, John Macaulay, Archibald McLean*, and Jonas Jones, all of whom moved easily, and naturally, into positions of influence and power, Hagerman started down life's path as something of an outsider – lacking what Robinson termed "interest," by which he meant a patron. It was not that Hagerman had no advantages; it was just that he did not have as many as others. His background was respectable and loyal. Nicholas Hagerman was a New Yorker of Dutch ancestry who "took an early and an Active part in favour of the British Government" during the American revolution. In 1783 he emigrated to Quebec, and the following year he settled on the Bay of Quinte in what became Adolphustown Township. He acquired a modest stature in the community as a militia captain and justice of the peace. More important professionally was his appointment in 1797 as one of Upper Canada's first barristers

Within his closely knit family, young Christopher had an especial fondness for his brother Daniel and his sister Maria. From his father, it seems, he derived his keen sense of the loyalist legacy and an uncompromising adherence to the Church of England; it was perhaps symbolic that he had been baptized by John Langhorn*, one of the church's staunchest defenders. A boyhood acquaintance, J. Neilson, recalled to Egerton Ryerson* in 1873 that Christopher had "not . . . much early learning," and certainly, as historian Sydney Francis Wise has convincingly shown, he was never a pupil of John Strachan*. Hagerman embarked in 1807 upon a career in the law – one of the surest avenues to preferment and a comfortable life – as a student in his father's Kingston office. He would be admitted to the bar in Hilary term 1815.

His personal qualities tended to set him apart. In November 1810, from York (Toronto), Robinson wrote to John Macaulay in Kingston: "We have been favored for two or three weeks with the company of the enlightened Christopher Hagerman a Youth whose bashfulness will never stand in his way – and who you may undertake to Say will never be prevented by embarrassments from displaying his natural talents or acquired information to the best advantage – After all, tho', he has a good heart, and not a mean capacity, in short he is not So great a fool as people take him to be." There was, as Robinson's letter catches, a bravado and also an air of self-satisfaction to Hagerman, and they were as discernible in the young man as they would be characteristic of the older man.

His advance in society was effected through the good graces of outsiders, the military men who came to the province during the war years, stayed briefly, and cared little for local cliques. At the outbreak of the War of 1812 Hagerman enlisted as an officer in his father's militia company. In 1833 he would write that he had "had the good fortune to attract the notice and obtain the patronage" of Governor Sir George Prevost*, who was in Kingston between May and September 1813. Hagerman's rise in local and provincial society dates from that period. He carried dispatches for Major-General Francis de Rottenburg*, commander of the troops in Upper Canada, in August 1813. The following November he served with credit as Lieutenant-Colonel Joseph Wanton Morrison*'s aide-de-camp at the battle of Crysler's Farm. In December he was appointed provincial aide-de-camp to Lieutenant-General Gordon Drummond*, Rottenburg's successor, with the provincial rank of lieutenant-colonel. It was a rather remarkable ascent.

More good fortune was yet to come. The office of collector of customs for Kingston had been vacant since the death in September 1813 of Joseph Forsyth*, and on 27 March 1814 Hagerman received the appointment. He was with Drummond during the May attack on Oswego, N.Y., and was acknowledged in Drummond's official dispatch for having "rendered me every assistance." Present at the siege of Fort Erie in September, he again carried dispatches the following month. Drummond's high regard for his young aide was shared by his successor, Sir Frederick Philipse Robinson, who appointed Hagerman "His Majesty's Council in and for the Province of Upper Canada" on 5 Sept. 1815. Hagerman had undoubtedly arrived in Upper Canadian society, but under the unusual circumstances of wartime. When normalcy returned with the reappearance of Lieutenant Governor Francis Gore*, absent since 1811, Hagerman's appointment as counsel was undermined. Gore had wondered about it – in fact, he probably wondered who Hagerman was – and consulted the judges of the Court of King's Bench. On 4 Nov. 1815 Chief Justice Thomas Scott* reported their unanimous opinion "that under all the circumstances of the intended appointment . . . it is not expedient for the present to carry it into effect."

At the end of the war Hagerman resumed the practice of law in Kingston. His childhood friend Neilson, who observed him at the bar, remarked upon his "great powers of persuasion," and these would bring him to the fore of his profession. He found, however, that the collectorship of customs occupied him more than he had anticipated. He had been obliged to rent a house for an office, "the expense of which is greatly disproportionate to the allowance and fees attached." Accordingly, in 1816 he petitioned the Executive Council for the grant of a vacant lot in Kingston on which he could erect a house and office. He received one-fifth of an acre. He was already a landowner, having been granted in 1814 1,000 acres, which he located in Marmora Township, and another 200 as the son of a loyalist. As befitted a rising member of the bar, Hagerman involved himself in many community endeavours. Undoubtedly the "genial qualities" noted by Neilson made him an effective participant. Among the organizations to which he donated or subscribed by 1821 were the Midland District School Society, the Kingston Auxiliary Bible and Common Prayer Book Society, the Kingston Compassionate Society, the Lancasterian school, the Union Sunday School Society, the National School Society, the Society for Bettering the Condition of the Poor in the Midland District, and the Society for Promoting Christian Knowledge. He was a shareholder of the Kingston hospital, a trustee of the Midland District Grammar School, treasurer of the Midland Agricultural Society, and vice-president of the Frontenac Agricultural Society.

Most aspirants to a genteel life in Upper Canada required a wife of respectable family. Hagerman's marriage in 1817 to Elizabeth Macaulay, whose brother George he knew well, was a fine match: her father was well connected, at both York and Kingston; her brother James Buchanan* would become an executive councillor in 1825. Hagerman himself was a good catch, securely positioned on the ladder of success. He had an affinity for women and an ease of manner which doubtless aided him in romantic endeavours; he was, as well, tall, rugged, and handsome. (Although in later life his looks were marred "by an accident to his nose which gave his face a peculiar appearance," this "facial deformity," John Ross Robertson* observed, was not "a bar to success in lovemaking.") Few details emerge of his personal life, for there are no family papers. What glimpses remain are incidental, but they suggest that the geniality of the public man was as apparent in the private man. He seems to have been an affectionate father and a loving husband. His first daughter was born in 1820; writing to a friend a year later, he tacked on a playful after-thought to a postscript, "Our little brat is as usual." He found amusing Chief Justice William Campbell*'s remark at an 1826 trial that "men as lords of the creation have a right to inflict a little gentle castigation on our rebellious dames." The same year he fretted when his wife was stricken with a brief but "serious attack of illness."

It was not long after his marriage that Hagerman became involved in politics. In 1828 he would declare that his chief political impulse had been "his anxiety . . . upon all occasions by supporting the views and measures of Government (emanating as he was well convinced they did from a source eminently disinterested and patriotic) to promote the best interests of the Province.""

From the beginning he gave vent to that anxiety in a bruising fashion. In June 1818, in a minor way, he helped set the stage for the charge of seditious libel against the Scottish agitator Robert Gourlay*. Later that month he confronted Gourlay in the streets of Kingston brandishing a whip, which he used to good effect on the unarmed Scot. Arrested and subsequently released, he had given Kingstonians a visible demonstration of where he stood politically. A now prominent local, Hagerman was elected to the House of Assembly for the riding of Kingston on 26 and 27 June 1820. He defeated, by 119 votes to 94, George Herchmer Markland*, a pupil of Strachan's, a friend of Robinson and John Macaulay, and the son of leading Kingstonian Thomas Markland.

Hagerman entered the eighth parliament (1821–24) with a reputation outside Kingston at odds with his beliefs. A surprised Robinson at York admitted to Macaulay in February 1821 that he had been "grievously mistaken" about Hagerman: "He is any thing but a Democrat. Indeed his conduct is manly, correct & sensible & shews in every thing that kind of independence most rarely met with which determines him to follow the right side of a question tho' it may appear unpopular – his speeches gain him great credit." Such a misapprehension by Robinson, who had known Hagerman since 1810, worked with him (albeit briefly) during the war, and cooperated with him in the charge against Gourlay, may reflect a more widespread confusion about political stances. Mackenzie, after all, initially believed Jonas Jones to be a member of the opposition in the same parliament. Whatever the nature of the misunderstanding, it was quickly rectified. By mid February Hagerman and Robinson were working together and taking the lead on administration measures. The end of session won Hagerman strong praise from the attorney general, who wrote to John Macaulay: "Our friend Hagerman is a sterling good fellow, free from prejudices, and with every bias on the right side. . . . His talents & information can not well be spared."

In his political views Hagerman was "illiberal," to use the word Robinson would attach to himself in 1828 (the word "conservative" had not yet entered the political lexicon of Upper Canadians). He was also, to adopt another of Robinson's phrases, a "wellwisher of Church & State." In 1821 he supported William Warren Baldwin's defence of aristocracy and primogeniture against an intestate estate bill sponsored by Barnabas Bidwell* and David McGregor Rogers*. To vote for the measure would, Hagerman argued, "be departing from every thing venerable, noble, and honorable; . . . Democracy was, like a serpent, twisting round us by degrees, it should be crushed in the first instance, for if the bill passed, it would not leave them the British Constitution but a mere shadow." For Hagerman, the essence of the constitution was monarchy and executive prerogative. That same year he opposed a bill repealing the civil list since "it was necessary that the Executive government should have a fund of this description at their disposal; it is the case in all governments except those that are purely democratical. . . . Monarchy should be supported, and if you infringe a hair's breadth, you endanger the whole fabric." He was also a leading participant in the debate over Barnabas and Marshall Spring* Bidwell's eligibility to sit as members, the opening shot in the war known as the alien question.

At another level, Hagerman proved a good constituency man, working on and proposing a number of measures of local concern. His major role in this regard was to second John Macaulay's leadership of Kingston's pro-union forces when the question of a union with Lower Canada arose in 1822. The separation of the old province of Quebec in 1791, he maintained, had "most unnaturally rent asunder . . . subjects of the same great and glorious empire, whose interests nature has made inseparable, and whose strength and improvement depends solely and entirely on their being united by concurrence of habits and sentiments, and a right understanding of their common interest." Macaulay argued the case for union on financial and economic grounds; Hagerman agreed with his views but concentrated on political and constitutional matters, which were the leading concerns of anti-unionists such as Baldwin. Hagerman, an ardent defender of the Constitutional Act of 1791, which had given Upper Canada its constitution, was as concerned as Baldwin not to jeopardize any of its essential parts. He favoured union as a means of overwhelming at an early stage Lower Canadian oppositionists whose advocacy of the assembly's powers at the expense of the Legislative Council's threatened "that balance between absolute monarchy and democracy, which so beautifully distinguished the British Constitution." What happened in the lower province would affect Upper Canada

sooner or later, Hagerman argued. Thus, Upper Canadians should shun the role of “indifferent observers” or risk “losing the constitution under which they live.” Though popular with Kingston’s mercantile community, Hagerman’s advocacy of union was insufficient to guarantee his re-election in 1824.

In fact, in a two-way race "a third candidate, Thomas Dalton, a local brewer and banker, withdrew " Hagerman was defeated, polling a mere 11 votes short of his opponent’s total. Dalton took credit for Hagerman’s loss, but the explanation is more complex. As S. F. Wise has argued, Hagerman may have been hurt by his injudicious remarks in the dispute over the "pretended" Bank of Upper Canada at Kingston. Hagerman had been an early director and shareholder, as was Dalton; at the time of the bank’s collapse in 1822 he was its solicitor and shortly thereafter he became chairman of the board of directors to oversee its dissolution. In March 1823 parliament declared the bank illegal, made the directors liable for its debts, and set up a commission consisting of John Macaulay, George Markland, and John Kirby to handle the institution’s affairs. The commissioners’ report, tabled the following year, was unfavourable to the bank’s administrators. Hagerman attacked the report, defending the directors with the exception of Dalton. Dalton responded with a masterpiece of vitriol condemning as spurious Hagerman’s criticism of the commissioners and accusing him of being in league with them to destroy his reputation. Since as early as January 1823 Hagerman’s own reputation had been undermined by “reports and insinuations” that his conduct as chairman was not in the best interests of the bank, Dalton’s squib identifying him with the agents of the York élite may well have raised the ire of those who suffered by the bank’s failure and thus influenced the outcome of the election.

Hagerman’s defeat may also have had to do with his bumptious manner, which carried over into every aspect of his career. At a social gathering in York on 30 Dec. 1823 Hagerman, in the presence of Lieutenant Governor Maitland, Chief Justice William Dummer Powell*, and Mr Justice William Campbell, insinuated, as Campbell related the incident to Maitland’s secretary, Major George Hillier, that judges were “in the habit of deciding otherwise than according to the laws we are appointed to administer.” An annoyed Campbell was left with the option of passing over the incident “in silence as an instance of rudeness and ill manners unworthy of serious notice, or of adopting such measures as I may conceive best adapted to the support of my judicial character, and to the proper notice of personal insult.” Early that year Hillier had been “very much distressed” by a report of a “flagrant breach of decorum” on Hagerman’s part towards Robert Barrie, commissioner of the Kingston dockyard. Strachan informed Macaulay of the “many rumours” surrounding this affair and of Hagerman’s “recent argument” with Thomas Markland. Yet there was more. Strachan had been told that Hagerman wished to be solicitor for the bank commissioners who were investigating the bank of which he was already the solicitor – “an indelicacy,” Strachan sighed, “which I would have considered incredible.”

If Hagerman could give offence, with such apparent ease, to men of his own rank and station, he could prove unbearable to others. As collector, he enforced customs regulations with exactitude. He had, for instance, invaded Carleton Island, N.Y., in 1821 to seize a depot of tea and tobacco kept there by Anthony Manahan, whom he dismissed as a smuggler and a “Yankee Merchant.” He even suggested to Hillier that he should be allowed occasional recourse to a military force to assist him. Early in July 1824 one Elijah Lyons was accidentally shot by a student in Hagerman’s law office who was aiding him in this instance in his customs duties. Two months later 31 Kingstonians complained to Maitland of Hagerman’s "proceedings and conduct." When “in the hands of a passionate, vindictive, ambitious, or speculating person” the enormous powers of the collectorship were, the petitioners wailed, “dangerous to the rights and property of individuals, the usual course of business, and the public peace.”

Having been forced out of political life temporarily, Hagerman returned to his legal practice and his various endeavours. He bought, sold, and let properties throughout the Midland District and beyond it. He served as an agent for a number of proprietors and sometimes acquired lots in partnership with others. He was vice-president of the Kingston Savings Bank in 1822 and a director of the Cataraqui Bridge Company four years later. The failure of the “pretended” bank had cost him dearly, £1,200 plus contingencies by his reckoning, and by 1825 he had “to save money.” He declined the offer of a District Court judgeship in October of that year because “I cannot afford to give up any portion of my practice in the Kings Bench, which I have reason to think wd. be materially affected by discontinuing my acceptance of suits in the inferior court.” He was, however, willing to take an out-of-district judgeship and on 14 June 1826 Hillier notified him of his appointment to the Johnstown District.

Hagerman was a skilled lawyer who had, with Bartholomew Crannell Beardsley*, defended John Norton* of the charge of murder in 1823. He won further notoriety for himself in the fall of 1826 by defending the young bucks who had destroyed Mackenzie's printing-office and press. Although his law office was "lucrative" in the 1820s, Hagerman was tiring of it, and his professional weariness coincided with his reservations about town life. In 1827 he purchased a country property, living with his family in a "small, but comfortable stone cottage" until a "more spacious Mansion" was completed. He had "no intention" of returning to Kingston: "I have been living long enough in a style of expense, agreeable (to be sure) to my own taste, but which with reference to the claims of my little ones, it is not prudent I should continue."

In that year he was looking for advancement. He sought, he told Hillier, "preferment in my profession" but not "in any other department." He hoped that if an opportunity arose "during the present administration" he would not be disappointed. Early the next year he memorialized Maitland for elevation to the Court of King's Bench – Campbell was in England seeking a pension on which to retire and judge D'Arcy Boulton* was ailing and close to retirement. At that time the administration of justice was swirling in a storm of controversy [see William Warren Baldwin], the result of William Forsyth's petition to the assembly in January 1828 complaining of Maitland's high-handed treatment of him. The political skies darkened further with the dismissal of Mr Justice John Walpole Willis* in June 1828 and no doubt became even more threatening with Hagerman's unexpected nomination to the bench as Willis's successor that same month. Hagerman was simply too much the partisan for his appointment to restore to the Maitland administration any of the goodwill it had lost on such issues as political reform, the clergy reserves, the administration of justice, and the alien question. There was one boon for the opposition in Hagerman's nomination: he was unable to contest the general election held that summer.

Having been allowed sufficient time to wind up his affairs in Kingston and move to York to take up his unconfirmed appointment, Hagerman went on circuit in August 1828. He reported to Hillier from Brockville that "I have so far had no very unpleasant duty to perform, nothing has occurred worthy of particular note." Matters quickly changed when, in Hamilton on 5 September, he presided at the trial of Michael Vincent, charged with murdering his wife. Casting aside the tradition that a judge should serve as the accused's counsel, not his prosecutor, Hagerman advised the petit jury that "the deceased had been murdered by the prisoner; and he had no difficulty in saying such was his opinion." Over the objections of John Rolph*, who was acting for the defence, the jury retired and found Vincent guilty. Hagerman sentenced him to execution and dissection, and three days later he was hanged in a badly botched manner. Bartemas Ferguson*, editor of the Niagara Herald, found Hagerman's charge "remarkable" and wondered whether it had given "an undue bias to the jury." Francis Collins* of the Canadian Freeman saw in Hagerman's action an extraordinary departure, yet another instance of irregularity in the administration of justice. In his view Hagerman was an incompetent whose only qualification for the bench was sycophancy. Although the feeling was by no means universal, it was shared by many among the administration's opponents. After the ninth parliament opened in January 1829, Hagerman was, as Robert Stanton* observed, "every day called Judge Kit and has every odious invective brought against him." By July rumours abounded that his appointment would not be confirmed. They proved true. Robinson replaced Campbell on the bench and James Buchanan Macaulay replaced Hagerman. The new lieutenant governor, Sir John Colborne*, reported to the colonial secretary that Hagerman thought himself "ill used."

But there were compensations. Since his arrival in August 1828 Colborne had shunned Maitland's key advisers, Robinson and Strachan, and Hagerman stepped alone into the limelight of gubernatorial favour, becoming for a time the conduit for privileged information. To make up for the loss of his judgeship he was appointed solicitor general on 13 July 1829. His prestige was enhanced the following year by his election victory over Donald Bethune* in Kingston. He was re-elected in 1834, handily beating William John O'Grady. By this time Kingston had become Hagerman's private bastion; he was elected by acclamation in 1836.

With Robinson on the bench government management of the assembly in the eleventh parliament (1831–34) fell to Hagerman and Attorney General Henry John Boulton* – with disastrous results. The latter was an inept dandy, the former was unequal to the task. Hagerman's strength was his dogged commitment to the administration and to his own principles of church and state. His talent was a natural eloquence invigorated by the passion of the moment. The Kingston Chronicle caught him in full swing during an 1826 trial, and the editor's conclusion was apt: "We have heard those who could, perhaps, reason more closely than Mr. Hagerman but very few indeed whose eloquence . . .

is more powerful." He was, as Thomas David Morrison* would characterize him in 1836, "the Thunderer of Kingston," a man given to "violent expressions of opinion." Yet in debate, discourse, or conversation, once excited or engaged, Hagerman usually did more harm than good to the causes he so forcefully espoused. The most glaring example was his role, with Boulton, in the repeated expulsions of William Lyon Mackenzie from the assembly. When word of their actions reached Lord Goderich, the colonial secretary, both law officers were dismissed in March 1833. Colborne protested, however, and Hagerman, now a widower, set off for England to appeal. He returned the following year with a reinstatement from the new colonial secretary, Lord Stanley.

He also returned with a new wife. According to George Markland, "The match was not approved of in a certain quarter of the country – they said openly that nothing had ever occurred which caused so much annoyance – The Miss Merry and Kit Hagerman oh it was horrible they said." Perhaps it was her attractions that made politics and his official duties irksome to Hagerman. Or perhaps it was a desire for change such as had overtaken him in the mid 1820s. Whatever it was, Robert Stanton noted in 1835 Hagerman's inability to put his imprint on the twelfth parliament and his more frequent absences from the house. He was, however, there, and on the defensive, in 1835 when he unsuccessfully opposed M. S. Bidwell's election as speaker, and when the house reduced his salary as solicitor general from £600 to £375.

That year, moreover, he was embroiled in a defence of the Church of England and the clergy reserves following upon Colborne's endowment of 44 Anglican rectories in December, a political error of enormous proportions. For Hagerman, a self-declared "High Church & King's man" who had equated dissent with "infidelity," the established church was a key bulwark against immorality, equality, and a godless democracy. He was a devout member of his own congregation, St George's in Kingston, and in 1825 had been a member, with John Macaulay and Stanton, of a committee that wrote an arrogant defence of the Anglicans' exclusive jurisdiction over the town's lower burial-ground. When John Barclay* penned a claim for the equal rights of the Church of Scotland, Hagerman, as Robinson revealed, was one of the three anonymous authors who replied. In 1821 he had naturally assumed a direct connection between Robert Nichol*'s remark in the assembly that there was no established church in Upper Canada and the desecration of the Anglican church in York later in the evening. Given his convictions, it is not surprising to find him leaping to Colborne's defence in the matter of the Anglican rectories. The lieutenant governor's blunder was, however, only compounded by Hagerman's thoughtless affronts to virtually every other denomination.

Hagerman's efforts in 1836 to stem the political fury aroused in the assembly by Lieutenant Governor Francis Bond Head*'s confrontation with the Executive Council [see Robert Baldwin*; Peter Perry*] were futile. He made up his mind "to retire into private life." His parliamentary and official duties kept him from his private office "longer than is convenient, to say nothing of the great draw back upon my domestic comfort." There had been rumours in October 1834 of his possible re-elevation to the bench. Change did come but it was not what he wanted. On 22 March 1837 he succeeded Robert Sympson Jameson* as attorney general; Hagerman's law partner since 1835, William Henry Draper*, took over the solicitor generalship. Colonial Secretary Lord Glenelg, however, refused to approve Hagerman's appointment. He had no reservations about Hagerman's "private character and public merit" but professed grave doubts about the compatibility of his religious opinions with those of the government. At issue were Hagerman's denigrating remarks about the Church of Scotland in the assembly on 9 February. The congregation of St Andrew's Church in Kingston (Barclay's old church) had forwarded to the Colonial Office a resolution condemning Hagerman's "grossly incorrect statements and intemperate language." Head explained to Glenelg in September that Hagerman's speech had been "purposely and mischievously made as offensive as possible to the Scotch" by Mackenzie in his newspaper. Combined with Hagerman's personal assurances as to what had been said, Head's defence persuaded Glenelg to order Hagerman's warrant in November.

The outbreak of rebellion in December 1837 (Hagerman had noted on 30 November "the general quiet and contentment that prevails") brought – or necessitated – renewed commitment to public life. He was preoccupied through 1838 and 1839 with administrative details and judicial questions relating to the handling of rebels and Patriots. Although he was the father-in-law of Head's secretary, John Joseph*, the connection availed him little more than ready access to the lieutenant governor. Robinson was Head's key adviser, and two recent recruits to the administration, John Macaulay and Robert Baldwin Sullivan*, were the rising stars. Hagerman could not match their abilities in administrative work, analysis, or policy. Head's terse notations about the men on his executive capture

Hagerman perfectly: "Able speaker loyal constitutionalist but I have no very high opinion of his judgement. Sound, honest." Neither Hagerman's standing as a courtier nor the cast of characters in government changed greatly when Sir George Arthur succeeded Head in March 1838. Arthur considered him "an honest straight forward Person – Sees matters rightly, and will speak with energy – but, then, He is not a hard Worker!" Arthur was aghast at Hagerman's reaction to the arrival of the report of Lord Durham [Lambton]: "He read the Report, and then went out to a party to Dinner! – Whereas He should have sent an excuse, & at once have set down & commented upon it, & without loss of time brought it under the notice of the House."

The question of a union of Upper and Lower Canada had been a topic of growing concern through the second half of the 1830s and Hagerman's stand is of interest. In February 1838 he indicated in debate that he would support union only if there were sufficient safeguards to ensure English-Protestant supremacy. Confronted by the union bill of 1839 he damned it as "republican in its tendency" and urged strengthening the "Monarchical principle." But when the bill came to a vote in the assembly on 19 Dec. 1839, Hagerman, brave declarations of opposition to the contrary, supported the union. The swaggering attorney general had in fact wilted under pressure from Governor Charles Edward Poulett Thomson. On 24 November Thomson, in private conversation with Arthur and John Macaulay, had wondered why "officers appeared to act as if they regarded not the will of the Government in any matter of public policy." The governor's first impulse was to dismiss his recalcitrant law officer but he decided against it on the advice of Arthur. After a frank discussion with Thomson on 7 December, Hagerman emerged with his bold opposition to union intact. Five days later he declared in the assembly that administrators could not be coerced into supporting it. He was, however, crumbling rapidly. In the assembly on the 19th he explained that since the union resolutions were before the house "by command of the Sovereign," "if the vote in favour . . . was persisted in, he would vote for them." John Macaulay informed a correspondent that he was disturbed to "see Hagerman's friends set up a comparison between his conduct & mine upon the Union Question – I would be sorry to set up so high as he did & after all break down." "You will soon hear," he added, "that he has retired . . . to a Puisne Judgeship." And indeed, with Levius Peters Sherwood's retirement, Hagerman joined Robinson, J. B. Macaulay, MacLean, and Jones on the bench, the appointment taking place on 15 Feb. 1840. His former partner Draper succeeded him as attorney general.

Upon his elevation Hagerman turned over his law practice to James McGill Strachan*. He had hoped for an immediate leave but was obliged to wait until late August 1840 before sailing to England with his wife; they returned in July 1841. Compared to the demands of his previous life, the routines of the court must have seemed somewhat dull. Between March 1840 and October 1846 he travelled the circuit to various assizes on ten occasions, holding court almost 50 times. He also had the regular sittings of Queen's Bench en banc. His career as a judge awaits further study but one possible contribution should be noted. On 15 April 1840 he presided at the trial in Sandwich (Windsor) of Jacob Briggs, a black man charged with the rape of an eight-year-old white girl. The legal definition of rape required proof of both penetration and emission, and Hagerman so instructed the jury. Despite contradictory evidence – medical testimony for the defence held "it would have been impossible for a full grown man, particularly a Negro to have entered the body" of a young girl – the jury found Briggs guilty, and Hagerman sentenced him to execution. Reporting on the case to the Executive Council, Hagerman overlooked the necessity of proving emission and concentrated on the question of penetration, coming to the conclusion, "most consistent with Law and reason," that to convict for rape it was not necessary to prove that the hymen had been ruptured. After consulting with his colleague J. B. Macaulay, Hagerman decided that there was no legal objection to the jury's verdict. The councillors agreed but commuted the sentence to transportation. The following year the statute on rape was revised and the technicality with respect to emission abandoned, a move hailed by feminist historians as a major turning-point in the law. Although evidence of a direct connection between Hagerman's report and the 1841 law is lacking, it seems reasonable to conclude that it had some impact upon law officers as indicating the views of the judiciary.

Political power was gone for Hagerman in the 1840s. Chastened by his brush with Thomson, he had assured Arthur in August 1840 of his resolve "not to mix myself with party strife or discussion in any way." The following year, from London, Arthur reported to Thomson, now Lord Sydenham, that he had seen Hagerman at a party and that he "talked a great deal as he always does but he was subdued in all his remarks." In 1842, however, Hagerman did not hesitate to urge John Solomon Cartwright "on no account whatever to associate yourself in the Govt with abettors of treason – or the apologists of traitors."

In his private life Hagerman was shaken by the death of his second wife in 1842, but his grief was allayed by his faith in the providential origins of all change. In 1823 he had offered his sympathy to John Macaulay on the death of a younger brother. "We cannot," he wrote, "expect to pass through this life without afflictions, and when Providence dispenses them we may be benefited by reflecting that by being good and virtuous we shall avert the remorse which attaches to those who are compelled to regard them as the punishments due to vice." He himself had been fortified by his convictions over the course of many family bereavements. Of his daughter Anne Elizabeth Joseph's death in 1838, he notified an acquaintance that "it has pleased God to take this Child from me."

Hagerman was married for a third time in 1846 Caroline Tysen was an English lady like his second wife. That year he was planning to retire to England when he took ill. His will, signed in a barely legible scrawl and noteworthy for the omission of any mention of religion, stipulated various bequests, the most important of which went to his two surviving daughters. He made provision for his son Frank, presumably a feckless youth who had been a disappointment to him, with the caveat that the executors pay the yearly amount only if they "shall consider that it is right and proper . . . having a due regard to the manner in which he shall conduct himself." On 18 March 1847 Larratt William Violet Smith, a young lawyer, wrote: "Poor Judge Hagerman is still lingering on, so reduced that he may be said to be dying. His worthless son staggers drunk to his bedside in the daytime, whilst his nights are spent in the most abandoned company." Hagerman died two months later; shortly afterwards his wife returned to England.

Hagerman had been useful to successive administrators from Maitland to Arthur. He enjoyed his greatest intimacy with Colborne, who would, however, in time seek out Robinson as a confidant. Hagerman was, perhaps, especially in the late 1830s, a convenient symbol of the uncompromising courtier in what was then known as the "family compact" – certainly Francis Hincks's Examiner portrayed him as such – but he lacked the talents and intellect which made Robinson, Strachan, Macaulay, and Jones more important. His forte was sound and fury and more often than not it got him into trouble.

Robert L. Fraser, "HAGERMAN, CHRISTOPHER ALEXANDER," in Dictionary of Canadian Biography, vol. 7, University of Toronto/Université Laval, 2003-, accessed October 4, 2021, http://www.biographi.ca/en/bio/hagerman_christopher_alexander_7E.html.

Children:

16. i. **Ann Elizabeth Joseph Hagerman** #222499 b. c. 1820.
 17. ii. **Mary Jane Hagerman** #222500 b. c. 03 May 1823.
 18. iii. **Sarah Marie Hagerman** #212489 b. c. 1825.
 19. iv. **Francis (Frank) Hagerman** #222501.
6. **John Simcoe Macaulay** #222493, b. 13 October 1791 in Westminster, Middlesex, England,¹ occupation 1839 - 1841 Legislative Councillor in Upper Canada,¹ d. 20 December 1855 in Rede Court, Kent, England.¹² .

MACAULAY, JOHN SIMCOE, businessman, politician, and militia officer; b. 13 Oct. 1791 in England, eldest child of James Macaulay* and Elizabeth Tuck Hayter; m. 2 July 1825 Anne Gee Elmsley in Croydon (London); d. 20 Dec. 1855 near Strood, England.

As John Simcoe Macaulay's name indicates, his father, a British army surgeon, enjoyed the patronage of Lieutenant Governor John Graves Simcoe* even before leaving England for Upper Canada in 1792, where he rose in the service to become a deputy inspector general of hospitals. The family settled successively in the administrative centres of Newark (Niagara-on-the-Lake) and York (Toronto). Young Macaulay attended William Cooper*'s elementary school at York and the Reverend John Strachan*'s school at Cornwall before travelling to England about 1805 to enrol in the

Royal Military Academy, Woolwich (London). He was commissioned second lieutenant in the Royal Engineers in July 1809, and was promoted second captain in January 1815 and captain in October 1829. During the Napoleonic Wars he served in the Iberian Peninsula between 1810 and 1813 and briefly at Genoa (Italy) in 1814. He was stationed at Gibraltar between 1813 and 1819 when, upon his corps' reduction in size, he was placed on half pay. He subsequently came home to Upper Canada and stayed there until 1821.

Returning to full pay in 1825, he served in Ireland and on the Trigonometrical Survey of England. In December 1827 he became instructor in fieldworks at the Royal Engineers Establishment, Chatham, and 12 months later was appointed professor of fortification at his old college at Woolwich, a post he held until his resignation early in 1835. While there he wrote his own textbook, *A treatise on field fortification*. Despite the book's long life (it reached its sixth edition in 1869) and his claim to have made improvements in the teaching of the subject, his superiors refused the application he made after his resignation for the brevet rank of major. A college commission of inquiry, indeed, recommended reversion to the syllabus on fortifications used before 1829.

Macaulay, his father long dead, settled in Toronto in 1835 to manage his inheritance. Simcoe had granted Dr Macaulay park lot 9 near the provincial capital and Chief Justice John Elmsley* the adjacent lot 10. The Macaulay grant occupied the northwest corner of the busy intersection of Yonge and Lot (Queen) streets. On J. S. Macaulay's marriage to Elmsley's eldest daughter in 1825 the two holdings had been reapportioned, so that Macaulay gained the Lot Street frontage to both lots. A crowded and largely working-class precinct known as Macaulay Town grew on his land behind the lucrative ribbon development where the two high roads intersected, and in the late 1830s Macaulay moved into the subdivision to occupy Elmsley Villa, the former residence of his brother-in-law, John Elmsley*. In 1835 Macaulay bought land in nine scattered townships from John Solomon Cartwright* of Kingston, another brother-in-law, and added other properties across Upper Canada in subsequent years.

In January 1836, a few months after Macaulay's return to Toronto, Sir Francis Bond Head* arrived as lieutenant governor. Four weeks later Head announced his first official appointments: a new Executive Council, of which the reformer Robert Baldwin was a member, and a new surveyor general, John Simcoe Macaulay, to succeed Samuel Proudfoot Hurd. Much real power lay with the surveyor general and his office for they were involved in all decisions whereby public land became private property; colonists therefore cared deeply who the surveyor general might be. Although Head and Macaulay, both royal engineers, had passed through Woolwich only a year apart, the lieutenant governor said in February that he had not met his appointee for at least a quarter century before arriving in Upper Canada. Macaulay qualified not through friendship, Head declared, but through professional experience, his family's standing (Head cited Judge James Buchanan Macaulay, a brother), and his substantial stake in the province. One other candidate for the position, John Radenhurst, chief clerk in the Surveyor General's Office, was disqualified in Head's opinion because he had used his office to run a private land agency on the side. But Radenhurst also had powerful connections. Through marriage to a daughter of Thomas Ridout*, a former surveyor general, he could claim relationship with a number of prominent Toronto families. A speedily circulated petition, headed by Archdeacon John Strachan and signed by both Tories and reformers, urged Radenhurst's case. In the face of such a strong public movement, on 22 February (only two days after his appointment had been gazetted) Macaulay offered to stand down.

The issue did not die; Head would not let it. It was caught up in a broader constitutional crisis, at the centre of which was the collective resignation of the new Executive Council led by Baldwin, on the claim that Head had consistently acted without its advice. Majorities in the Legislative Council and in the House of Assembly deplored, among other matters, Macaulay's candidacy, charging that he was not a bona fide resident of the province because he remained on the army's active list. Reformers added that the appointment was yet another job for the "family compact." Head retorted that his candidate's long absence from Canada freed him from party ties. He advised Macaulay to proffer his resignation directly to Lord Glenelg, the colonial secretary, in the naïve belief that Glenelg would sustain his lieutenant governor and graciously decline to accept it. But to both men's dismay Glenelg did accept it, particularly embarrassing Macaulay who had relinquished his commission in the Royal Engineers so as to qualify for colonial office. John Macaulay of Kingston became surveyor general in October 1836 and later that fall John Simcoe Macaulay personally appealed Glenelg's decision in England, but without success.

After William Lyon Mackenzie*'s rebellion in December 1837, Macaulay became commandant of the militia in Toronto, with the rank of colonel. His forthright distaste for democrats, republicans, and Americans could be given full vent. He pressed for pre-emptive sorties into the United States and advised on the fortification of the province, stressing the strategic value of the Welland Canal and of the proposed railway from Toronto to Lake Huron. At the time he was vice-president of the short-lived City of Toronto and Lake Huron Rail Road Company and was a government nominee on the board of the Welland Canal Company. Soon afterwards he became chairman of the canal company, on whose board official nominees formed a majority of three to two, but in 1840 one of the nominees, John Willson, switched his vote for chairman to a shareholders' representative, William Hamilton Merritt*, who thus won the position. The new lieutenant governor, Sir George Arthur, dismissed Willson but Governor Charles Edward Poulett Thomson* (later Lord Sydenham), seeking support for his government, applauded Merritt's victory and blocked any reversal of the vote. Later the same year Macaulay, a director of the Bank of Upper Canada between 1836 and 1842, unsuccessfully contested its presidency, held by William Proudfoot*.

Arthur had placed Macaulay on the Legislative Council in 1839, as Head had recommended two years earlier, but Sydenham failed to reappoint him to the upper house of the united province in 1841. He stood instead for the Legislative Assembly at that year's general election, contesting the riding of 3rd York, across the Don River from Toronto, where Sydenham's candidate was James Edward Small*. Arthur informed Sydenham that Macaulay was not popular "with any Party" and Small won, after the army had been sent in to ensure his victory. Macaulay was also Small's unsuccessful rival in a by-election in 1842.

In November 1841 Macaulay had entered Toronto City Council as an alderman for St Patrick's Ward, which included Macaulay Town. When council met in January 1842 to choose a mayor, his was the first name proposed. He had been led to believe that his elevation would be unanimous but he was rejected by 15 votes to 5 in favour of Henry Sherwood. Humiliated, Macaulay resigned from council after only seven weeks as alderman. At the general election of 1841 Sherwood and George Monro* had been the unsuccessful tory candidates in Toronto; two members of the local compact, Sheriff William Botsford Jarvis* and Clarke Gamble, had been forced by the tory faction which dominated city council to withdraw their names from the provincial contest in favour of Sherwood and Monro. At the Toronto by-election of March 1843 Sherwood was the official candidate. Jarvis and Gamble, however, nominated Macaulay to run against him in this by-election, supposedly as a true-blue tory opposing a trimmer and place-hunter. Some reform leaders leaned towards Macaulay because he would be a less capable opponent in parliament but his backers discouraged such support by stating that he would adhere to the uncompromising tory principles of Sir Francis Bond Head. Macaulay himself was quoted in a newspaper as saying: "I am a straightforward English gentleman and I glory in it." Sherwood won easily.

It was the last of many rebuffs dealt Macaulay by provincial power-brokers. He immediately began selling much of his property in Toronto and within months had realized £21,000 from sales in and around Macaulay Town. By 1845 he had retired across the Atlantic to live the life of a straightforward English gentleman. He revised his Treatise several times for re-editions. At Bishop Strachan's request, he came to an agreement at the end of 1845 with the principal purchaser of his Macaulay Town properties for a site to be reserved "in the middle of the Square" on which a church for the poor (Holy Trinity Church) could be built. The remaining portion of his holdings, roughly bounded by today's College, Yonge, and Wellesley streets and by Queen's Park, comprised the grounds of Elmsley Villa, which from 1849 to about 1851 served as the province's vice-regal residence. Macaulay had plans to subdivide the grounds into choice lots for villas, but by 1854 his agent had sold the entire estate to Dr A. M. Clark, who undertook the subdivision.

Macaulay might brood in England over his disappointments in Canada, but he could also look back on the patronage of lieutenant governors Head and Arthur, and particularly on that of his namesake, John Graves Simcoe, whose gifts of land to his father and father-in-law ultimately allowed him to retire wheresoever he chose. Macaulay died of "apoplexy" on 20 Dec. 1855 at his residence, Rede Court, and was survived by his wife, four sons, and four of his five daughters.

Barrie Dyster, "MACAULAY, JOHN SIMCOE," in Dictionary of Canadian Biography, vol. 8, University of Toronto/Université Laval, 200-, accessed June 1, 2022, http://www.biographi.ca/en/bio/macaulay_john_simcoe_8E.html.

He married **Ann Gee Elmsley** #242520, 02 July 1825 in St. John, Croydon, Surrey, England,¹² b. c. 1803 in Toronto, York County, Upper Canada, d. December 1861 in Strood, Kent, England.

Children:

20. i. **John Jermy MacAulay** #242521 b. 15 August 1826.
 21. ii. **Mary Elizabeth MacAulay** #242522 b. c. 1829.
 22. iii. **George Hayter MacAulay** #242523 b. 06 December 1830.
 23. iv. **Anne Jessy MacAulay** #242524 b. 25 April 1833.
 24. v. **Sarah Sophia Bingham MacAulay** #242525 b. 1835.
 25. vi. **Henrietta Emma Macaulay** #242526 b. c. 1839.
 26. vii. **James Elmsley Macaulay** #242527 b. 15 November 1840.
 27. viii. **Mary Elizabeth Macaulay** #242528 b. c. 1843.
 28. ix. **Benjamin Alexander Macaulay** #242530 b. 25 October 1845.
7. **George Macaulay** #222495, b. 11 November 1796 in Toronto, York County, Ontario,¹ occupation 1822 Ensign, Newfoundland Regiment of Foot, (Half-Pay), d. 07 August 1828 in Bath, Lennox and Addington, Ontario.

He married **Jane Hagerman** #179981, 26 October 1822 in Kingston, Frontenac County, Ontario,⁸ b. c. 20 December 1799? in Adolphustown, Lennox and Addington, Ontario,¹³ (daughter of **Nicholas Hagerman** #179492 [Lawyer in Adolphustown] and **Anne Fisher** #179971), baptized 02 March 1800 in St. Paul's Church, Fredericksburgh, Lennox County, Ontario,¹⁰ d. 25 October 1830.¹⁴

Children:

29. i. **Elizabeth Hagerman Macaulay** #242531 b. 08 November 1824.
 30. ii. **Maria Leach Macaulay** #242538 b. 08 November 1824.
8. **(unidentified) Macaulay** #222496, b.¹
9. **Sarah Hayter Macaulay** #212512, b. 03 March 1809 in Quebec, d. 24 August 1866 in Kingston?, buried in St. Paul's Anglican Churchyard, Kingston, Frontenac County, Ontario.¹⁵ .

She married **John Solomon Cartwright** #212513, 11 January 1831 in Toronto, York County, Ontario,⁸ b. 17 September 1804 in Kingston, Frontenac County, Ontario,⁸ (son of **Richard Cartwright** #212534 [Barrister, Merchant, Member of Legislative Assembly] and **Magdalen Secord** #212535), baptized 04 November 1804 in St. George's Church, Kingston, Frontenac County, Ontario,⁴ occupation 1831 President , Commercial Bank of the Midland District, occupation 1836 - 1841 Member Provincial Parliament for Lennox and Addington, d. 15 January 1845 in Kingston, Frontenac County, Ontario,⁸ buried in Lower Burial Ground (St. Paul's Churchyard), Kingston, Frontenac County, Ontario.¹⁶

John:

Rockwood House on the site of the former Ontario Hospital just west of Portsmouth Harbour was built for Cartwright in 1842 as his country villa. Located on well-treed lands overlooking Lake Ontario, it was designed by George Browne, architect of Kingston City Hall.

After Cartwright's death in 1845, the government acquired the property as a "Criminal Lunatic Asylum, and with another building erected in 1859, the site became the campus of the former Ontario Psychiatric Hospital.

Children:

31. i. **Richard Cartwright** #213792 b. 18 November 1831.
32. ii. **Mary Magdalen Cartwright** #213798 b. c. 1835.
33. iii. **John Robison Cartwright** #213794.
34. iv. **Elizabeth Rachel Cartwright** #213795.
35. v. **Anne Macaulay Cartwright** #213796 b. 21 June 1837.
36. vi. **James Strachan Cartwright** #213793 b. 20 August 1840.
37. vii. **Sarah Stuart Cartwright** #213800.

10. **Ann Macaulay** #242560, b. 03 May 1806 in Quebec, Lower Canada, d. 1877.

Generation Three

11. **Elizabeth Gamble** #242542, b. 24 May 1824 in Woodbridge, Ontario, d. 04 May 1893 in Mimico, York, Ontario,⁵ buried in Christ Church Mimico Cemetery, Etobicoke, York County, Ontario.⁵ .

She married **William Greey** #242543, b. 11 April 1814 in Staple-next-Ash, Kent, England,⁵ d. 18 February 1888 in Mimico, Ontario,⁵ buried in Christ Church Mimico Cemetery, Etobicoke, York County, Ontario.⁵

Children:

38. i. **Mary Macaulay Greey** #242544 b. 19 July 1847.
39. ii. **Frances Mary Greey** #242545 b. 17 January 1849.
40. iii. **John Gamble Greey** #242546 b. 13 January 1851.
41. iv. **Anne Isabella Elizabeth Greey** #242548 b. 18 December 1853.

12. **Anne Birchall Gamble** #242550, b. 01 December 1826 in Ontario,⁵ d. 25 December 1903,⁵ buried in Christ Church Mimico Cemetery, Etobicoke, York County, Ontario.⁵ .

1861: Lived with family in Vaughan.

13. **Mary Shivers Gamble** #242551, b. 27 November 1828 in Ontario, d. 07 May 1914 in Worthing, West Sussex, England.

Note that children Francis and George BOYD lived with Mary's father and second wife in Vaughan Township.

She married **George John Boyd** #242552, c. 1851?, b. 1817, d. 1884.

Children:

42. i. **Francis Leith Boyd** #242553 b. 23 March 1853.
 43. ii. **George Kynaston Boyd** #242554 b. 15 June 1858.
 44. iii. **John William Gamble Boyd** #242555 b. 19 October 1860.
14. **Madgalen Gamble** #242558, b. 05 December 1831,⁵ d. 10 August 1849 in Toronto, York County, Ontario,⁵ buried in Christ Church Mimico Cemetery, Etobicoke, York County, Ontario.⁵
 15. **John William Gamble** #242559, b. February 1833 in Woodbridge, Ontario, d. March 1833 in Woodbridge, Ontario.
 16. **Ann Elizabeth Joseph Hagerman** #222499, b. c. 1820 in England,¹⁷ d. 14 June 1838 in Toronto, York County, Upper Canada.¹⁷

She married **John Joseph** #222502, 26 July 1837 in St. James Church, Toronto, York County, Upper Canada,¹⁸ b. c. 1801 in England,¹⁹ occupation 1837 Private Secretary to Sir Francis Bond Head, d. 28/29 May 1851 in Toronto, York County, Ontario.¹⁹

John:

Family of one son only.

See biography at: J. K. Johnson, "JOSEPH, JOHN," in Dictionary of Canadian Biography, vol. 8, University of Toronto/Université Laval, 2003-, accessed October 4, 2021, http://www.biographi.ca/en/bio/joseph_john_8E.html.

Children:

45. i. **Frank John Joseph** #222515 b. c. 1838.
17. **Mary Jane Hagerman** #222500, b. c. 03 May 1823 in Kingston, Frontenac County, Ontario,¹⁷ d. 18 January 1892 in Toronto, York County, Ontario.

She married **John Beverley Robinson** #222503, 30 June 1847 in St. George's Church, Toronto, York County, Upper Canada,²⁰ b. 21 February 1821 in Upper Canada (son of **John Beverley Robinson** #222509 [First Baronet of Toronto, U.E.L., C.B., D.C.L.] and **Emma Walker** #222510), occupation 1871 Barrister in Toronto, d. 19 June 1896 in Toronto, York County, Ontario, buried in Saint James Cemetery, Toronto, York County, Ontario.²¹

John:

Second son (1847 marriage announcement)

1861 - 1891: Family lived in Toronto, York County, Ontario.

Children:

46. i. **John Beverley Robinson** #222505 b. c. 1849.
47. ii. **Caroline (Minnie) Robinson** #222507 b. c. 1852.
48. iii. **Napier Strachan Robinson** #222504 b. c. 25 September 1850.
49. iv. **Christopher Conway Robinson** #222506 b. c. 1854.

50. v. **Augusta Louise Robinson** #222508 b. c. 12 February 1859.

18. **Sarah Marie Hagerman** #212489, b. c. 1825 in Kingston, Frontenac County, Ontario,²² d. 26 December 1828 in Kingston, Frontenac County, Ontario,^{7,22} buried in The Lower Burial Ground, St. Paul's, Kingston, Frontenac County, Ontario.⁷ .
19. **Francis (Frank) Hagerman** #222501, b.¹⁷ d. after 1847 in Toronto? .

Supposedly a disappointment to the family, a ne'er-to-well and alcoholic who associated with "bad company."

20. **John Jermy MacAulay** #242521, b. 15 August 1826 in Kerry, Ireland, d. 06 December 1859.

He married **Mary Helen Perrin** #277646, b. c. 1839 in Shalstone?, Buckinghamshire, England.

21. **Mary Elizabeth MacAulay** #242522, b. c. 1829 in Beddington, Surrey, England, d. 1836.
22. **George Hayter MacAulay** #242523, b. 06 December 1830 in Woolwich, Kent, England, d. 27 January 1859 in Toronto, York County, Ontario.
23. **Anne Jessy MacAulay** #242524, b. 25 April 1833 in Woolwich Kent, England, d. 28 October 1909 in Littleham, St. Thomas, Devon, England.
24. **Sarah Sophia Bingham MacAulay** #242525, b. 1835 in Blackheath, Kent, England, d. 26 September 1920 in St. Thomas, Devon, England.
25. **Henrietta Emma Macaulay** #242526, b. c. 1839 in Toronto, York County, Ontario, d. 24 January 1921 in Littleham, Devon, England.
26. **James Elmsley Macaulay** #242527, b. 15 November 1840 in Toronto, York County, Ontario, d. 11 June 1920 in Geelong, Victoria, Australia.
27. **Mary Elizabeth Macaulay** #242528, b. c. 1843 in Toronto, York County, Ontario, d. 02 May 1918 in Littleham, St. Thomas, Devon, England.

She married **William Henry D'Olier Purcell** #242529, b. c. 1831 in Dublin, Ireland, d. April 1900 in Littleham, St. Thomas, Devon, England.

28. **Benjamin Alexander Macaulay** #242530, b. 25 October 1845 in Cheltenham, Gloucestershire, England, d. 13 February 1929 in Oxford, Ontario.
29. **Elizabeth Hagerman Macaulay** #242531, b. 08 November 1824 in Ontario, d. 08 December 1899 in Toronto, York County, Ontario.

She married **Matthew Robert Vankoughnet** #242533, 09 November 1850.

Children:

51. i. **Eva Macaulay Vankoughnet** #242534 b. 05 October 1859.
52. ii. **Annie Madeline Vankoughnet** #242535 b. c. 1863.
53. iii. **George M.L. Vankoughnet** #242536 b. c. 1869.
54. iv. **Matthew Scott Vankoughnet** #242537.
30. **Maria Leach Macaulay** #242538, b. 08 November 1824 in Ontario, d. 23 July 1860 in Ottawa, Carleton County, Ontario.

She married **Thomas Richardson Ross** #242539, c. 1846, b. c. 1822 in Montreal, Lower Canada, d. 10 August 1901 in Stewart Street, Ottawa, Carleton County, Ontario.

Children:

55. i. **Ann Jane Ross** #242540 b. 08 June 1847.
31. **Richard Cartwright** #213792, b. 18 November 1831 in Kingston, Frontenac County, Ontario,⁴ d. 19 August 1932 in Kingston, Frontenac County, Ontario, buried in St. Paul's Anglican Churchyard, Kingston, Frontenac County, Ontario.¹⁵ .
32. **Mary Magdalen Cartwright** #213798, b. c. 1835 in Haldimand County, d. 10 October 1900 in John Street, Toronto, York County, Ontario.²³ .

She married **John D'Arcy Cayley** #213799, 18 June 1861 in Brighton, Sussex, England, b. 15 March 1837 in England (son of **William Cayley** #219986 [Barrister in Toronto] and **Emma Robinson** #219987), occupation Clergyman, occupation 1863 - 1874 Rector of Whitby, d. 20 August 1911 in Medora, Muskoka, Ontario, buried in Saint James Cemetery, Toronto, York County, Ontario.²⁴

Children:

56. i. **Edward Cartwright Cayley** #220006 b. c. 1864.
57. ii. **Mary Augusta Cayley** #220010 b. 1862.
58. iii. **Arthur Macaulay Cayley** #220011 b. 15 January 1867.
59. iv. **Cecil Maud Cayley** #220012 b. c. 1868.
60. v. **Emma Madeline Cayley** #220013.
33. **John Robison Cartwright** #213794, occupation Deputy Attorney General for Ontario.
34. **Elizabeth Rachel Cartwright** #213795, d. in infancy.
35. **Anne Macaulay Cartwright** #213796, b. 21 June 1837 in Kingston, Frontenac County, Ontario,²⁵ religion Church of England, d. 08 March 1930 in 86 Beverley Street, Kingston, Frontenac County, Ontario,²⁵ buried 11 March 1930 in Cataraqui Cemetery, Kingston, Frontenac County, Ontario.²⁵ .

Anne had lived in Kingston for her entire life.

She married **Bowen Van Straubensee** #213797, b. c. 1829 in Spennithorne, Yorkshire, England,²⁶ (son of **Thomas Van Straubensee** #213812 and **Maria Bowen** #213813), baptized 14 April 1829 in Spennithorne, Yorkshire, England,²⁷ occupation 1871 - 1898 Gentleman in Kingston, occupation 1891 Militia Staff Officer in Portsmouth, occupation 1878 - 1898 Deputy Adjutant-General of Canada, religion Church of England, d. 08 November 1898 in 18 King Street, Kingston, Frontenac County, Ontario,²⁶ buried in Cataraqui Cemetery, Kingston, Frontenac County, Ontario.²⁸

Bowen:

1871 - 1891: Family lived in Portsmouth, Kingston.

Children:

61. i. **Madeline Emily Louisa Van Straubensee** #213814 b. c. 1860.
62. ii. **Arthur Hope Van Straubensee** #213815 b. 09 November 1861.

- 63. iii. **Bowen William Van Straubensee** #213816 b. 20 October 1864.
 - 64. iv. **Casimir Cartwright Van Straubensee** #213817 b. 11 November 1867.
 - 65. v. **Edith Annie Van Straubensee** #213818 b. 20 October 1870.
 - 66. vi. **Cordelia Lillian Van Straubensee** #213819 b. c. 1874.
 - 67. vii. **Charles Turner Van Straubensee** #213808 b. 17 June 1876.
36. **James Strachan Cartwright** #213793, b. 20 August 1840,⁴ occupation Lawyer, Osgoode Hall, occupation 1891 Barrister in East York, occupation 1913 Master in Chamber, d. 12 November 1913 in 84 Woodlawn Drive, Toronto, York County, Ontario,²⁹ buried in Mount Pleasant Cemetery, Toronto, York County, Ontario.³⁰ .

1871: Family lived in Kingston, Ontario.

1881: Family lived in St. Patrick's Ward, Toronto with three servants.

1891: James lived with second wife and family in East York Township, Ontario.

He married (1) **Harriet Anne Cayley** #219981, 07 June 1866 in Toronto, York County, Ontario, b. c. 1841 - 1845 in Toronto, York County, Ontario,³¹ (daughter of **William Cayley** #219986 [Barrister in Toronto] and **Emma Robinson** #219987), d. 23 December 1889 in Toronto, York County, Ontario, buried in Saint James Cemetery, Toronto, York County, Ontario.

Children:

- 68. i. **Emma Mildred Cartwright** #219980 b. 18 September 1870.
- 69. ii. **James S. Cartwright** #219988 b. c. 1874.
- 70. iii. **Robert John Cartwright** #219989 b. 20 March 1879.

He married (2) **Jane Elizabeth Young** #219978, b. 23 April 1861 in England,³⁰ d. 02 February 1947 in Toronto,³² buried 04 February 1947 in Mount Pleasant Cemetery, Toronto, York County, Ontario.^{30,32}

Jane:

1933: Informant at step-daughter Mildred's death, lived at 25 Sussex Court, Toronto.

Children:

- 71. iv. **Adeline Mary Cartwright** #219982 b. c. September 1892.
- 72. v. **Helen E. Marjorie Cartwright** #219992 b. 25 November 1893.
- 73. vi. **John Robert Cartwright** #219979 b. 23 March 1895.

- 37. **Sarah Stuart Cartwright** #213800.

She married **Thomas Bedford Jones** #213801.

38. **Mary Macaulay Greey** #242544, b. 19 July 1847 in Toronto, York County, Ontario, d. before 1851? .
39. **Frances Mary Greey** #242545, b. 17 January 1849 in Toronto, York County, Ontario,⁵ d. 21 July 1885 in Toronto, York County, Ontario,⁵ buried in Christ Church Mimico Cemetery, Etobicoke, York County, Ontario.⁵ .
40. **John Gamble Greey** #242546, b. 13 January 1851 in Woodstock, Oxford County, Ontario, d. 17 January 1926 in Toronto, York County, Ontario.

He married **Leila Lucy Caparn** #242547, b. 17 February 1860 in Banbury, Oxfordshire, England, d. 09 June 1919 in Toronto, York County, Ontario.

41. **Anne Isabella Elizabeth Greey** #242548, b. 18 December 1853 in Pine Grove, Ontario,⁵ d. 31 August 1936 in Toronto?,⁵ buried in Christ Church Mimico Cemetery, Etobicoke, York County, Ontario.⁵ .

She married **Frederick Hills** #242549, b. 27 February 1852 in Maidstone, Kent, England, d. 17 September 1906 in Harbor Springs, Emmet, Michigan, USA.

Children:

74. i. **Alice Elise Hills** #276947 b. 11 February 1878.

42. **Francis Leith Boyd** #242553, b. 23 March 1853 in Toronto, d. 13 December 1927 in Knightsbridge, London, England, occupation Minister.

1861: Lived in Toronto, but visiting grandfather John William GAMBLE in Vaughan Township.

He married **Elizabeth Archedale Harris** #242557, b. 19 June 1881 in Ireland, d. 24 November 1971 in Oxford, Oxfordshire, England.

43. **George Kynaston Boyd** #242554, b. 15 June 1858 in Toronto, York County, Ontario, d. 08 June 1922 in Worthing, West Sussex, England.

1861: Lived in Toronto, but visiting grandfather John William GAMBLE in Vaughan Township.

44. **John William Gamble Boyd** #242555, b. 19 October 1860 in Toronto, York County, Ontario, d. 12 January 1929 in York County, Ontario.

He married **Christina Margaret Ward** #242556, 05 June 1886 in Essex, New Jersey, USA, b. 22 July 1859 in Fredericton, New Brunswick, d. 25 July 1944 in Toronto, York County, Ontario.

45. **Frank John Joseph** #222515, b. c. 1838 in Toronto?,¹⁹ occupation Assistant Law Clerk, Legislative Assembly of Ontario.¹⁹ .
46. **John Beverley Robinson** #222505, b. c. 1849 in Upper Canada,³³ occupation 1871 Clerk in Toronto, occupation 1891 Broker in Toronto.

1891: Lived with family, unmarried.

47. **Caroline (Minnie) Robinson** #222507, b. c. 1852 in Upper Canada.³³ .
48. **Napier Strachan Robinson** #222504, b. c. 25 September 1850 in Toronto, York County, Upper Canada,³⁴ never married, occupation 1891 Manufacturer in Toronto, occupation 1935 Retired Civil Servant in Toronto, d. 04 May 1935 in 40 Boswell Avenue, Toronto, York County, Ontario,³⁴ buried in Saint James Cemetery, Toronto, York County, Ontario.³⁴ .

1891: Lived with family, unmarried.

49. **Christopher Conway Robison** #222506, b. c. 1854 in Upper Canada,³³ occupation 1871 Student in Toronto, occupation 1880 Barrister in Toronto, d. 02 March 1907 in 449 Ontario Street, Toronto, York County, Ontario.³⁵ .

1891: Family lived in Aurora, North York, Ontario. Private teacher Caroline IRWIN, 22, lived with the family.

He married **Margaret Jane (Jean) McLeod** #222516, 23 June 1880 in St. John's Church, Oak Ridges, Ontario,³⁶ b. c. 1850 in Drynock, Oak Ridges, King Township (daughter of **Norman T. McLeod** #222517 and **Margaret (unidentified)** #222518).

Margaret:

1911: widowed, lived with children Margaret, John and Norman at 318 Huron Avenue, Toronto.

Children:

- 75. i. **Margaret B. (Minnie) Robison** #222519 b. c. 1881.
- 76. ii. **Katherine Robison** #222520 b. c. 02 May 1883.
- 77. iii. **John Beverley Robison** #222521 b. 13 January 1885.
- 78. iv. **Norman MacLeod Beverly Robison** #222522 b. c. 1888.

50. **Augusta Louise Robison** #222508, b. c. 12 February 1859 in Toronto, York County, Ontario,³³ d. 09 September 1935 in Niagara Falls, Ontario,³⁷ buried in Fairview Cemetery, Niagara Falls, Ontario.³⁷ .

She married **Stewart F. Houston** #222512, 08 October 1898 in Toronto, York County, Ontario,³⁸ b. c. 19 November 1868 in Waterdown, Ontario (son of **Stewart Houston** #222513 and **Fanny (unidentified)** #222514), occupation 1898 Barrister in Toronto, d. 07 February 1910,³⁷ buried in Fairview Cemetery, Niagara Falls, Ontario.³⁷

Stewart:

1901: Couple lived in Toronto, no children.

- 51. **Eva Macaulay Vankoughnet** #242534, b. 05 October 1859 in Edinburgh? .
- 52. **Annie Madeline Vankoughnet** #242535, b. c. 1863 in Toronto.
- 53. **George M.L. Vankoughnet** #242536, b. c. 1869 in Ontario.
- 54. **Matthew Scott Vankoughnet** #242537.
- 55. **Ann Jane Ross** #242540, b. 08 June 1847 in Quebec, Quebec, d. 02 February 1917 in Ottawa, Carleton County, Ontario.

She married **James Alfred Clayton** #242541, b. 03 September 1842 in Cornwall, England, d. 10 February 1917 in Ottawa, Carleton County, Ontario.

56. **Edward Cartwright Cayley** #220006, b. c. 1864 in Whitby, Ontario, occupation 1895 Clerk in Holy Orders, Toronto, religion 1895 Church of England, d. before 1921.

He married **Georgina Alice Broughall** #220007, 25 September 1895 in Toronto, York County, Ontario,³⁹ b. c. 1873 in Toronto, York County, Ontario (daughter of **Abraham James Broughall** #220008 and **Georgina Harriet (unidentified)** #220009), religion 1895 Church of England.

Georgina:

1921: Widowed, lived with children at 12 Edgevale, Toronto.

Children:

- 79. i. **Margaret Cayley** #220020 b. c. 1897.
 - 80. ii. **Arthur B. Cayley** #220019 b. c. 1899.
 - 81. iii. **Hugh Cartwright Cayley** #220014 b. 03 July 1901.
 - 82. iv. **Sylvia Cayley** #220021 b. c. 1908.
 - 83. v. **Ray Cayley** #220022 b. c. 1911.
57. **Mary Augusta Cayley** #220010, b. 1862 in England, d. 1926.
58. **Arthur Macaulay Cayley** #220011, b. 15 January 1867, d. November 1910.
59. **Cecil Maud Cayley** #220012, b. c. 1868, d. 17 September 1916.
60. **Emma Madeline Cayley** #220013, d. 03 March 1940.
61. **Madeline Emily Louisa Van Straubensee** #213814, b. c. 1860 in China,⁴⁰ never married, d. 1962 in Kingston?,²⁸ buried in Cataraqui Cemetery, Kingston, Frontenac County, Ontario.²⁸ .

1891: Lived at home, unmarried.

62. **Arthur Hope Van Straubensee** #213815, b. 09 November 1861 in Sandsgate, Kent, England,^{40,41} occupation 1901 Major, Royal Engineers at St. Mary Barracks, Gillingham, occupation 1911 Colonel, Royal Artillery, occupation 1939 Colonel, British Army (retired), d. 16 January 1946 in Northvale Lodge, Redhill, Surrey, England,⁴² buried in Redstone Cemetery, Redhill, Reigate, Surrey, England.⁴² .

1901: Family lived at the St. Mary Barracks, Gillingham, Kent, England. Beatrice Mabel WOOD, 31, was a Governess for the family, and three servants were employed at the Barracks' residence.

1911: Family lived at 2 Spencer Road East, Southsea, Portsmouth, England.. Threes resident servants.

1936: Family lived at 24 Linkfield Lane, Reigate, Surrey.

1939: Family lived at North Vale Lodge, Reigate, Surrey.

Estate of GBP 5368/18/4.

He married **Mary Helen Rosher** #219993, 17 July 1887 in Strood, Kent, England,⁴³ b. 01 September 1865 in Pancras, London, England,^{41,44} (daughter of **Frederick Rosher** #286453 [Lime and Cement Manufacturer in St. Pancras] and **Mary S. (unidentified)** #286454), d. 21 January 1967 in 86 Blackborough Road, Reigate, Surrey, England,⁴² buried in Redstone Cemetery, Redhill, Reigate, Surrey, England.⁴²

Mary:

Estate probated at GBP 1408/.

Children:

- 84. i. **Evelyn Mary Van Straubensee** #220002 b. 27 April 1888.
- 85. ii. **Constance Annie Van Straubensee** #219996 b. 06 November 1889.

- 86. iii. **Arthur Bowen Van Straubensee** #286452 b. c. 1892.
 - 87. iv. **Margaret Eleanor Van Straubensee** #220004 b. 2Q 1896.
 - 88. v. **Joyce Hope Van Straubensee** #219995 b. 4Q 1901.
 - 89. vi. **Philip William Casimir Van Straubensee** #219994 b. c. 1906.
63. **Bowen William Van Straubensee** #213816, b. 20 October 1864 in Mauritius,⁴⁰ d. 14 January 1958 in Somerset, England.

He married **Eleanor Grinnell** #219997, 2Q. 1903 in Farnham, Surrey, England.

64. **Casimir Cartwright Van Straubensee** #213817, b. 11 November 1867 in Kingston, Frontenac County, Ontario,⁴⁰ occupation Governor of Singapore, d. 28 March 1956 in Bath, Somerset. England.
65. **Edith Annie Van Straubensee** #213818, b. 20 October 1870 in Portsmouth, Kingston Township, Frontenac County, Ontario,^{40,45} d. 1973,²⁸ buried in Cataraqi Cemetery, Kingston, Frontenac County, Ontario.²⁸ .

1891: Lived at home, unmarried.

1935: Lived with sisters Mildred and Cordelia at 86 Beverly Street, Kingston.,

66. **Cordelia Lillian Van Straubensee** #213819, b. c. 1874 in Portsmouth?,⁴⁶ d. 1957 in Kingston, Frontenac County, Ontario,²⁸ buried in Cataraqi Cemetery, Kingston, Frontenac County, Ontario.²⁸ .

1901: Visiting brother Arthur at the St. Mary Barracks, Gillingham, Kent at time of the census.

67. **Charles Turner Van Straubensee** #213808, b. 17 June 1876 in Kingston, Frontenac County, Ontario, occupation 1907 Captain, Canadian Regulars in Toronto, d. 09 October 1918 in World War One, France, buried in Premont British Cemetery, Picardie, France.

He married **Essy May Case** #213809, 05 June 1907 in Toronto, York County, Ontario,⁴⁷ b. 29 January 1883 in Toronto, York County, Ontario,⁴⁸ (daughter of **George Allen Case** #213810 [Accountant in Toronto] and **May (Mary) Elizabeth Squires** #213811), d. 07 November 1946 in 148 Balmoral Avenue, Toronto, York County, Ontario,⁴⁸ buried 09 November 1946 in Mount Pleasant Cemetery, Toronto, York County, Ontario.⁴⁸

Children:

- 90. i. **Casimir Bowen Van Straubensee** #219999 b. 29 February 1908.
68. **Emma Mildred Cartwright** #219980, b. 18 September 1870 in Napanee, Lennox and Addington, Ontario,³⁰ never married, occupation 1933 Lady in Toronto, d. 05 June 1933 in Wellesley Hospital, Toronto, York County, Ontario,⁴⁹ buried 07 June 1933 in Mount Pleasant Cemetery, Toronto, York County, Ontario.³⁰ .

1933: Usual residence at death: 45 Tranby Avenue, Toronto, York County, Ontario.

69. **James S. Cartwright** #219988, b. c. 1874 in Toronto, York County, Ontario.⁵⁰ .
70. **Robert John Cartwright** #219989, b. 20 March 1879 in Toronto, York County, Ontario,^{50,51} d. 30 January 1895 in Toronto, York County, Ontario.⁵² .
71. **Adeline Mary Cartwright** #219982, b. c. September 1892 in Toronto, York County, Ontario.

1941: Informant at husband's death, lived at 47 Castlefield Avenue, Toronto.

She married **George William Uniacke Bayly** #219983, 03 November 1915 in St. Simon's Church, Toronto, York County, Ontario,⁵³ b. c. 1886 in Mysore, India (son of **George Henry Bayly** #219984 and **Emma Louisa Tolens?** #219985), occupation 1915 Soldier in Toronto, occupation 1921 Farmer in Peel County, occupation 1941 Forester, Ontario Forestry Board, d. 20 August 1941 in 47 Castlefield Avenue, Toronto, York County, Ontario,⁵⁴ buried 22 August 1941 in Mount Pleasant Cemetery, Toronto, York County, Ontario.⁵⁴

George:

1921: Family lived at 158 Middle Road, Peel, York County, Ontario.

Children:

91. i. **May Bayley** #219991 b. c. 1916.
 92. ii. **George (Terk) Bayly** #219990 b. c. 1918.
 93. iii. **James Cartwright Uniacke Bayly** #220092 b. c. 1922.
 94. iv. **Darby Bayly** #220099.
72. **Helen E. Marjorie Cartwright** #219992, b. 25 November 1893 in Toronto, York County, Ontario,^{55,56} religion 1917 Church of England, d. 1979 in Toronto, York County, Ontario,⁵⁷ buried in Mount Pleasant Cemetery, Toronto, York County, Ontario.⁵⁷ .

She married **Gordon McIntyre Dale** #220126, 05 December 1917 in Toronto. York County, Ontario,⁵⁸ b. c. 1891 in Mount Pleasant, Ontario (son of **John A. Dale** #220127 and **Eva McIntyre** #220128), religion 1917 Methodist, occupation 1917 Captain, R.A.M., d. 1978 in Toronto, York County, Ontario,⁵⁷ buried in Mount Pleasant Cemetery, Toronto, York County, Ontario.⁵⁷

73. **John Robert Cartwright** #219979, b. 23 March 1895 in Toronto, York County, Ontario, d. 24 November 1979.

Generation Five

74. **Alice Elise Hills** #276947, b. 11 February 1878, d. 11 April 1878,⁵ buried in Christ Church Mimico Cemetery, Etobicoke, York County, Ontario.⁵ .
75. **Margaret B. (Minnie) Robinson** #222519, b. c. 1881 in Ontario,⁵⁹ occupation 1911 Office Worker in Toronto.
76. **Katherine Robinson** #222520, b. c. 02 May 1883 in Toronto, York County, Ontario.⁵⁹ .
77. **John Beverley Robinson** #222521, b. 13 January 1885 in Aurora, North York, Ontario,^{59,60} occupation 1912 Advertising Manager in Toronto.

1921: Couple lived at 14 Gothic Street, Toronto. No children present.

** Verify marriage, see 1920 marriage to Edith SCHREIBER... **.

He married **Constance Marie Pentacost** #222526, 05 November 1912 in Toronto, York County, Ontario,⁶¹ b. c. 1883 in Hamilton, Wentworth County, Ontario (daughter of **Robert W. Pentacost** #222527 and **Helena W. Lopez** #222528).

Constance:

(Second daughter in family).

78. **Norman MacLeod Beverly Robinson** #222522, b. c. 1888 in Ontario,⁵⁹ occupation 1911 Bank employee in Toronto, d. 16 August 1949 in North Vancouver, British Columbia, Canada.⁶² .

He married **Helen Chilton Mewburn** #222523, 16 June 1916 in Manhattan, New York, New York, USA,⁶³ (daughter of **F. Hamilton Mewburn** #222524 [Doctor] and **(unidentified)** #222525).

79. **Margaret Cayley** #220020, b. c. 1897 in Ontario.⁶⁴ .

80. **Arthur B. Cayley** #220019, b. c. 1899 in Ontario.⁶⁴ .

81. **Hugh Cartwright Cayley** #220014, b. 03 July 1901 in Ontario, occupation 1928 Broker in Toronto, d. 20 August 1967 in Toronto?, buried in Saint James Cemetery, Toronto, York County, Ontario.²⁴ .

1928 - 1934 : Lived at 7 Meredith Crescent, Toronto .

He married (1) **Ethel Anne Farquharson Matthews** #220015, 08 September 1928 in Roche's Point, Lake Simcoe, York County, Ontario,⁶⁵ b. 1904 (daughter of **Wilmot Love Matthews** #220016 and **Annabel Margaret Osler** #220017), d. 1934, buried in Mount Pleasant Cemetery, Toronto, York County, Ontario.⁶⁶

Ethel:

1928: Lived at 90 Elm Avenue, Toronto when married.

Children:

95. i. **(unnamed) Cayley** #220023 b. 02 April 1934.

He married (2) **Gladys M. Large** #220018, b. 08 March 1897,²⁴ d. 17 November 1984,²⁴ buried in Saint James Cemetery, Toronto, York County, Ontario.²⁴

82. **Sylvia Cayley** #220021, b. c. 1908 in Ontario.⁶⁴ .

83. **Ray Cayley** #220022, b. c. 1911 in Ontario.⁶⁴ .

84. **Evelyn Mary Van Straubensee** #220002, b. 27 April 1888 in Sydenham Street, Kingston, Frontenac County, Ontario,⁶⁷ d. 4Q 1969 in Orphir Lodge Nursing Home, Bournemouth, Hampshire, England.⁶⁸ .

Estate of GBP 7317.

She married **Alexander Leslie Fletcher** #220003, 4Q 1909 in Portsmouth, Hampshire, England.⁶⁹

85. **Constance Annie Van Straubensee** #219996, b. 06 November 1889 in Officers' Quarters, Royal Military College, Kingston, Frontenac County, Ontario,⁴² d. 04 May 1968 in 86 Blackborough Road, Reigate, Surrey, England,⁴² buried in Redstone Cemetery, Redhill, Reigate, Surrey, England.⁴² .

1939: Lived with parents, unmarried.

Estate of GBP 59,427.

86. **Arthur Bowen Van Straubensee** #286452, b. c. 1892 in Ontario.⁷⁰ .

87. **Margaret Eleanor Van Straubensee** #220004, b. 2Q 1896 in Chatham, Kent, England,^{71,72} d. after 1936.

88. **Joyce Hope Van Straubensee** #219995, b. 4Q 1901 in Strood (Higham), Kent, England,⁷³ d. 24 August 1986 in Rosemount, 86 Blackborough Road, Reigate, Surrey, England,⁴² buried in Redstone Cemetery, Redhill, Reigate, Surrey, England.⁴² .

Estate of GBP 426,665.

89. **Philip William Casimir Van Straubensee** #219994, b. c. 1906 in Bermuda,^{42,71} d. 04 February 1940 in Westminster Hospital, Westminster. London, England,⁴² buried in Redstone Cemetery, Redhill, Reigate, Surrey, England,⁴² occupation 1939 Lieutenant, Royal Artillery, retired.

1939: Lived at 4, Crow Link Farm, Hailsham, Sussex, England.

1940: Usual residence at death: Little Benifold, Headley, Hampshire.

Left estate of GBP 1977/0/4 to widow Suzanne VAN STRAUBENZEE.

He married **Suzanne Lea-Wilson** #220005, 2Q 1936 in Paddington, London, England.⁷⁴

90. **Casimir Bowen Van Straubensee** #219999, b. 29 February 1908 in Toronto, York County, Ontario, d. 1988.

He married **Gwendolyn Gertrude Geohegen** #220000, 1930, b. 1873, d. 1931 in Toronto?

Children:

96. i. **Charles Casimir Van Straubensee** #220001 b. 03 July 1931.

91. **May Bayley** #219991, b. c. 1916 in Ontario.⁷⁵ .

She married **(unidentified) Scovil** #220098.⁷⁶

92. **George (Terk) Bayly** #219990, b. c. 1918 in Ontario,⁷⁵ d. before 2004.⁷⁶ .

93. **James Cartwright Uniacke Bayly** #220092, b. c. 1922 in Toronto, York County, Ontario,⁷⁶ d. 03 July 2010 in Kingston General Hospital, Kingston, Frontenac County, Ontario.⁷⁶ .

He married **Jane (unidentified)** #220093.⁷⁶

Children:

97. i. **Darby Bayly** #220094.

98. ii. **Nancy Bayly** #220095.

99. iii. **Richard (Dick) Bayly** #220096.

100. iv. **David Bayly** #220097.

94. **Darby Bayly** #220099, b.⁷⁶.

She married **(unidentified) Spafford** #220100.

Generation Six

95. **(unnamed) Cayley** #220023, b. 02 April 1934 in Toronto General Hospital, Toronto, York County, Ontario,⁷⁷ d. 02 April 1934 in Toronto General Hospital, Toronto, York County, Ontario.⁷⁷ .

96. **Charles Casimir Van Straubensee** #220001, b. 03 July 1931 in Toronto, York County, Ontario, d. 1957 in Rafah, Egypt.

97. **Darby Bayly** #220094, b. in Kingston.⁷⁶ .

98. **Nancy Bayly** #220095, b. in Kingston.⁷⁶ .
99. **Richard (Dick) Bayly** #220096, b. in Kingston.⁷⁶ .
100. **David Bayly** #220097, b. in Kingston.⁷⁶ .

¹ Geoffrey Bilson, "MACAULAY, JAMES," in Dictionary of Canadian Biography, vol. 6, University of Toronto/Université Laval, 2003-, accessed October 4, 2021, http://www.biographi.ca/en/bio/macaulay_james_6E.html.

² "History of the Settlement of Upper Canada", William CANNIFF, 1869.

³ The Exeter and Plymouth Gazette (Exeter, Devon, England); 27 JUL 1883; Death notice for Lady MACAULAY.

⁴ Baptisms of St. George's. Kingston; George Okill STUART, Minister.

⁵ findagrave.com, Christ Church Mimico Cemetery, Etobicoke, York County, Ontario.

⁶ Barrie Dyster, "GAMBLE, JOHN WILLIAM," in Dictionary of Canadian Biography, vol. 10, University of Toronto/Université Laval, 2003-, accessed October 4, 2021, http://www.biographi.ca/en/bio/gamble_john_william_10E.html.

⁷ lowerburialground.ca

⁸ "The Loyalists in Ontario, the Sons and Daughters of The American Loyalists of Upper Canada", William D. REID, 1973.

⁹ Marriage Notices of Ontario, (1813 - 1854); William D, REID, ISBN 0-8063-4983-2; Ed. Thomas B. WILSON, 1979; extracts from The Montreal Herald, 1814, 1816 - 1820.

¹⁰ "A Register of Baptisms for the Township of Fredericksburgh," Rev. John LANGHORN, 1787.

¹¹ Wikipedia, Christopher Alexander HAGERMAN, OCT 2021.

¹² Robert J. Burns, "MARKLAND, GEORGE HERCHMER," in Dictionary of Canadian Biography, vol. 9, University of Toronto/Université Laval, 2003 -, accessed June 1, 2022, http://www.biographi.ca/en/bio/markland_george_herschmer_9E.html.

¹³ "The Loyalist Tiles of St. Alban's, Encaustic Memorial Tiles of the 19th Century," Diane Berlet, 2020.

¹⁴ ancestry.com, Kelly Alsuhaïm Family Tree.

¹⁵ findagrave.com, St. Paul's Churchyard, Kingston, Frontenac County, Ontario.

¹⁶ Gravestone image 21-00716.

¹⁷ Robert L. Fraser, "HAGERMAN, CHRISTOPHER ALEXANDER," in Dictionary of Canadian Biography, vol. 7, University of Toronto/Université Laval, 2003-, accessed October 4, 2021, http://www.biographi.ca/en/bio/hagerman_christopher_alexander_7E.html.

¹⁸ Ontario Marriage Notices, Constitution, 1837.

¹⁹ J. K. Johnson, "JOSEPH, JOHN," in Dictionary of Canadian Biography, vol. 8, University of Toronto/Université Laval, 2003-, accessed October 4, 2021, http://www.biographi.ca/en/bio/joseph_john_8E.html.

²⁰ Marriage Notices of Ontario, The Church, 1837 - 1849.

²¹ findagrave.com, Saint James Cemetery, Toronto, York County, Ontario.

²² Kingston Chronicle, 27 DEC 1828, page 3.

²³ ONVS Deaths, ref. 003912-1900; c/d: Cardiac Dilatation, Informant: G. TWEEDIE.

²⁴ findagrave.com, Saint James Cemetery, Toronto, York County, Ontario.

²⁵ ONVS Deaths, ref. 016194-1930; c/d: Patient died suddenly, chronic myocarditis, angina pectoris; Informant: Miss VAN STRAUBENZEE, Daughter, 86 Beverley Street, Kingston.

²⁶ ONVS Deaths, ref. 005994-1898; c/d: Cirrhosis of the liver, two weeks; Informant: C. VAN STRAUBENZEE.

²⁷ England Select Births and Baptisms, 1538 - 1975.

²⁸ findagrave.com, Cataraqui Cemetery, Kingston, Frontenac County, Ontario.

²⁹ ONVS Deaths, ref. 006969-1913; c/d: Gastritis, Dilated heart, chronic; Informant: J.L. CARTWRIGHT, 84 Woodlawn Drive.

³⁰ findagrave.com, Mount Pleasant Cemetery, Toronto, York County, Ontario.

³¹ 1861 Toronto, York County. Ontario census; age/birthplace/relationship.

³² ONVS Deaths, ref. 003891-1047; c/d: Pulmonary edema, cardiac insufficiency, arterio-sclerosis; Informant: Archie W. MILLS, Undertaker.

³³ 1871 Toronto, York County, Ontario census; age/birthplace/assumed relationship.

³⁴ ONVS Deaths, ref. 004139-1935; c/d: Senile pneumonia, hemiplegia; Informant: John Beverley ROBINSON, Nephew, 117 Runnymede Road, Toronto.

³⁵ ONVS Deaths, ref. 001810-1907; c/d: Acute indigestion, five days; Informant: Dr. S.G. PARKER.

³⁶ ONVS Marriages, ref. 012933-1880; Witnesses: F.J. JOSEPH, Toronto; Elizabeth Jane MCLEOD, Drynock.

³⁷ findagrave.com, Fairview Cemetery, Niagara Falls, Ontario.

³⁸ ONVS Marriages, ref. 002252-1898; Witnesses: Augusta STRACHAN, Toronto; Fannie S. HOUSTON, Niagara Falls.

³⁹ ONVS Marriages, ref./ 015059-1895; Witnesses: H.H. BEDFORD JONES, Minnie P(. TEMPLE; both in Toronto.

⁴⁰ 1871 Portsmouth, Kingston Township, Frontenac County, Ontario census; age/birthplace/relationship.

⁴¹ Details from daughter Evelyn's 1888 birth record.

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- ⁴² findagrave.com, Redstone Cemetery, Redhill, Reigate, Surrey, England.
- ⁴³ English Statutory Marriages, ref. 0021-0799.
- ⁴⁴ English Statutory Births, ref. 001b-0026.
- ⁴⁵ ONVS Births, ref. 003522-1870.
- ⁴⁶ 1891 Portsmouth, Kingston, Frontenac County, Ontario census; age/birthplace/relationship.
- ⁴⁷ ONVS Marriages, ref. 002293-1907; Witnesses: Colin C. HARBOTTLE, Toronto; Ruby RAMSAY, Montreal.
- ⁴⁸ ONVS Deaths, ref. 034485-1946; c/d: Coronary thrombosis; Informant: Fred W. MATTHEWS Co., (no relation)
- .
- ⁴⁹ ONVS Deaths, ref. 004322-1933; c/d: Auricular fibrillation, myocarditis, double pneumonia; Informant: Mrs. J.S. CARTWRIGHT, Stepmother, 25 Sussex Court, Toronto.
- ⁵⁰ 1881 Toronto, York County, Ontario census; age/birthplace/relationship.
- ⁵¹ ONVS Births, ref. 0037597-1879.
- ⁵² ONVS Deaths, ref. 020780-1895; c/d: Valvular heart disease, six weeks; Informant: J.D. TYRELL. M.D.
- ⁵³ ONVS Marriages, ref. 023693-1915; Witnesses: S.B. PELATER?, Toronto; Helen CARTWRIGHT.
- ⁵⁴ ONVS Deaths, ref. 005828-1941; c/d: Cerebral hemorrhage, malignant hypertension; Informant: Adelina BAYLEY, Wife, 47 Castlefield Avenue, Toronto.
- ⁵⁵ 1911 York South, York, Ontario census; age/birthplace/relationship.
- ⁵⁶ ONVS Births, ref. 038366-1893.
- ⁵⁷ findagrave.com, Mount Pleasant Cemetery, Toronto, York County, Ontario.
- ⁵⁸ ONVS Marriages, ref. 005855-1917; Witnesses: Andrew R. RIDDELL, Toronto; George BAULY, Port Credit, Ontario.
- ⁵⁹ 1891 Aurora, North York, Ontario census; age/birthplace/relationship.
- ⁶⁰ ONVS Births, ref. 044382-1885.
- ⁶¹ ONVS Marriages, ref. 029714-1912; Witnesses: J. Beverley ROBINSON, Roberta H. PENTECOST; both in Toronto.
- ⁶² British Columbia Vital Statistics, ref. 1949-09-007682.
- ⁶³ Calgary Herald (Calgary, Alberta), 30 MAY 1916; Marriage Announcement.
- ⁶⁴ 1921 Toronto, York County, Ontario census; age/birthplace/relationship.
- ⁶⁵ ONVS Marriages, ref. 026913-1928; Witnesses: Balthus? L. SMITH, 19 Forest Hill Road; Jean JENNINGS, 16g Lorothon? Avenue; both in Toronto.
- ⁶⁶ findagrave.com, Mount Pleasant Cemetery, Toronto, York County, Ontario.
- ⁶⁷ ONVS Births, Delayed Registration, ref. 501027-1946.
- ⁶⁸ English Death Record Index, ref. 006b-0635.
- ⁶⁹ English Marriage Record Index, ref. 002b-01006.
- ⁷⁰ 1901 Gillingham, Kent, England census; age/birthplace/relationship.
- ⁷¹ 1911 Kingston and East Southsea, Portsmouth, Hampshire, England census; age/birthplace/relationship.
- ⁷² English Birth Record Index, ref. 002a-0638.
- ⁷³ English Birth Record Index, ref. 0021-0626.
- ⁷⁴ English Marriage Record Index, ref. 001a-0039.
- ⁷⁵ 1921 Toronto Township, Peel County, Ontario census; age/birthplace/relationship.
- ⁷⁶ Kingston Whig Standard, Obituary, 06 JUL 20210, James Cartwright Uniacke BAYLY obituary.
- ⁷⁷ ONVS Deaths, ref. 002923-1934; c/d: Atelectasis; Informant: High Cartwright CAYLEY, Father, 7 Meredith Crescent, Toronto.