

JOSEPH FORTUNE

Compiled by A. P. Walker, O.L.S.

Joseph Fortune, Deputy Surveyor, a son of Col. William Fortune, Deputy Surveyor (whose biography appeared in our Report for the year 1932), practised in the eastern part of Upper Canada for some years early in the 19th Century. Of his early life little is known, but he was probably born in South Carolina and escaped to Canada with his father and mother when a boy at the time of the American Revolution. His father was a strong Loyalist, and all his property in South Carolina having been confiscated, he decided to take up land and practise his profession of Land Surveying in Canada. The father was granted 1000 acres of land on the Ottawa River at what is now known as Point Fortune, and here his son Joseph, the subject of our sketch, grew up to manhood, and learned Surveying from his father, who had qualified as a Deputy Surveyor on his arrival in Canada. The son, Joseph, was granted a Commission to practise as a Surveyor of Lands by Lord Dorchester on 4th May, 1796. This Commission evidently covered both Upper and Lower Canada, although Upper Canada had been separated from Lower Canada in 1792. Joseph assisted his father in surveys of the outlines of the Townships of Wolford, Kitley, Bastard, Burgess, Elmsley and Montague in 1794, and in surveys of the Townships of East and West Hawkesbury and parts of Alfred and Plantagenet in 1797-8.

On 29th August, 1800, Joseph Fortune was appointed a Magistrate for the district and afterwards built a mill on the River Petite Nation, on a 400 acre plot of land granted to his father for his military services. In 1803 he made a survey of part of the Township of Cornwall, and in 1808 made surveys of the Seigniory of L'Original and Township of Caledonia.

On 10th April, 1792, the Province of Upper Canada had been formed from part of the old Province of Quebec, and all the above work was done under authority of the Surveyor-General of Upper Canada at York, now Toronto. During the war with United States in 1812, we find Joseph Fortune's name given on the Militia list as Lieut.-Colonel of the Prescott County Militia, and no doubt he took an active part in repelling

the invaders at that time, although the County of Prescott was not actually detached from Glengarry until 1816.

We have no record of any Government surveying done by him during these unsettled years, but in 1816 he surveyed the Gore of Hawkesbury, which lies between the Township of Hawkesbury and the Province line of Ontario and Quebec, which had by this time been run out and established.

After the Counties of Prescott and Russell were established in 1816, Joseph was appointed a Notary Public, and Returning Officer of that riding. In 1820 he opened a "Land Office," but in 1821 got into difficulties, apparently owing to his extreme loyalty. It seems that, from the journal of the House of Assembly of Upper Canada published in the 10th Report of the Bureau of Archives, that in the Provincial General Election of 1820 there were two candidates for the United Counties of Prescott and Russell, by William Hamilton and David Pattee of Hawkesbury. The election took place in the Township of Longueuil on 15th July, 1820, and at the close of the poll it was claimed that Hamilton had received only 99 votes, while David Pattee had received 103. Nevertheless, the Returning Officer declared William Hamilton elected, apparently on the ground that Pattee, being an American, was not a fit and proper person to represent the Riding. On the strength of this declaration, Hamilton was duly sworn in at the opening of the Legislature at York in January, 1821. Objections were immediately raised, and Fortune was ordered to appear at the Bar of the House with his poll book. This he refused to do without his expenses (estimated at £25), being advanced to him, claiming that he lived 380 miles from the Capital, and that the means of transportation were meagre. The House refused to advance any expenses, and the Sergeant-at-Arms was instructed to apprehend Joseph Fortune for contempt, and produce him at the Bar of the House. On 19th March, 1821, the Sergeant-at-Arms (Mr. Allan McNabb) reported to the House that Fortune had crossed over the Ottawa River to St. Andrews in the Province of Lower Canada; that he had followed him there, that Fortune had declined to come to York, and as he was out of the jurisdiction of the Parliament of Upper Canada, he was unable to apprehend him. The House thereupon passed a resolution on the motion of Mr. Nichol and Dr. Baldwin, that the conduct of Joseph Fortune is "highly contumacious, and a flagrant breach of the privileges of this House" and His Excellency, the Lieut.-Governor, was re-

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quested "to dismiss the said Joseph Fortune from every situation and office of trust or emolument which he may hold under the Government of this Province." Yeas 30—Nays 3. After which the Clerk of the Crown in Chancery was instructed to amend the return by inserting the name of David Pattee instead of William Hamilton as the member for Prescott and Russell.

What became of Joseph Fortune after this unfortunate episode the writer has been unable to ascertain. He seems to have disappeared from sight and a careful search has failed to reveal his movements. He may have practised in Lower Canada, but the only Government record there is of a survey he made of the Village of St. Eustache in 1828.
