

William Dummer Powell. *A Critical Incident in his Life*, 1792.

By C. C. JAMES.

Read May 15, 1912

Some weeks ago there was sent to me the following extract from "*The Gazette of the United States*" of Saturday, July 23rd, 1792.

"By a gentleman of veracity from Canada we are informed that when he passed Three Rivers, he met an escort who had Judge Powel of Hesse District in Upper Canada with them, a prisoner and in irons. The charge against him was said to be treason—letters having been detected written in his name, and as report says in his hand, giving information to his friends in the United States how Detroit may be easily carried. This gentleman was formerly of Boston, in New England; and when our informant saw him he was on his way to Quebec, by order of the Commanding Officer at Detroit."

This referred to the Honorable William Dummer Powell, who was born in Boston in 1755, educated in England; returned to Boston; served under General Gage; upon the evacuation of Boston went to England, where he was called to the Bar; came to Canada in 1779; practised for some years in Montreal; was appointed Judge of the Court of Common Pleas for the District of Hesse in May, 1789; went to England with the petition of the Upper Canada Loyalists and helped procure the passing of the Act of 1791; and was resident at Detroit until the latter part of 1793 or early in 1794, being succeeded by Judge Jacques Baby. He was appointed Chief Justice of Upper Canada in 1815 and remained upon the bench until 1825. He died in Toronto in 1834. The record of his life as given in Read's "*Lives of the Judges*" shows him to have been a man of great ability, who rendered splendid service to Upper Canada and who had the confidence of the people. I could find no reference whatever there or in any of the histories to the matter set out in *The United States Gazette*. Was it a case of mistaken identity or a case of early Yellow Journalism? The fact that the item appeared in *The United States Gazette* suggested that there must be some foundation for the bit of news. Of course the charge of treason could not be true, but had such a charge been made or had anything happened that might be so construed? Here was something about which our histories were silent—this only added interest and aroused curiosity to know what was behind it all.