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## OBJECTS OF COLLECTION.

1. Manuscript statements and narratives of pioneer settlers, old letters and journals relative to the early history and settlement of Nova Scotia, New Brunswick, Newfoundland and Prince Edward Island, and the wars of 1776 and 1812 ; biographical notes of our pioneers and of eminent citizens deceased, and facts illustrative of our Indian tribes, their history, characteristics, sketches of their prominent chiefs, orators and warriors, together with contributions of Indian implements, dress, ornaments and curiosities.

2. Diaries, narratives and documents relative to the Loyalists, their expulsion from the old colonies and their settlement in the Maritime Provinces.

3. Files of newspapers, books, pamphlets, college catalogues, minutes of ecclesiastical conventions, associations, conferences and synods, and all other publications, relating to this Province, New Brunswick, Prince Edward Island and Newfoundland.

4. Drawings and descriptions of our ancient mounds and fortifications, their size, representation and locality.

5. Information respecting articles of Pre-historic Antiquity, especially implements of copper, stone, or ancient coin or other curiosities found in any of the Maritime Provinces, together with the locality and condition of their discovery. The contribution of all such articles to the cabinet of the society is most earnestly desired.

6. Indian geographical names of streams and localities, with their signification and all information generally, respecting the condition, language and history of the Micmacs, Malicetes and Bethucks.

7. Books of all kinds, especially such as relate to Canadian history, travels, and biography in general, and Lower Canada or Quebec in particular, family genealogies, old magazines, pamphlets, files of newspapers, maps, historical manuscripts, autographs of distinguished persons, coins, medals, paintings, portraits, statuary and engravings.

8. We solicit from Historical Societies and other learned bodies that interchange of books and other materials by which the usefulness of institutions of this nature is so essentially enhanced,—pledging ourselves to repay such contributions by acts in kind to the best of our ability.

9. The Society particularly begs the favor and compliments of authors and publishers, to present, with their autographs, copies of their respective works for its library.

10. Editors and publishers of newspapers, magazines and reviews, will confer a lasting favor on the Society by contributing their publications regularly for its library, where they may be expected to be found always on a file and carefully preserved. We aim to obtain and preserve for those who shall come after us a perfect copy of every book, pamphlet or paper ever printed in or about Nova Scotia, New Brunswick, Prince Edward Island and Newfoundland.

11. Nova Scotians residing abroad have it in their power to render their native province great service by making donations to our library of books, pamphlets, manuscript, etc., bearing on any of the Provinces of the Dominion or Newfoundland. To the relatives, descendants, etc., of our colonial governors, judges and military officers we especially appeal on behalf of our Society for all papers, books, pamphlets, letters, etc., which may throw light on the history of any of the Provinces of the Dominion.

## RULES AND BY-LAWS.

1. This Society shall be called The Nova Scotia Historical Society.
2. The objects of the Society shall be the collection and preservation of all documents, papers and other objects of interest which may serve to throw light upon and illustrate the history of this country; the reading at the meetings of the Society, of papers on historical subjects; the publication, so far as the funds of the Society will allow, of all such documents and papers as it may be deemed desirable to publish; and the formation of a library of books, papers, and manuscripts, affording information, and illustrating Historical subjects.
3. Each member shall pay towards the funds of the Society, Five Dollars at the time of his admission, and two dollars on the second day of January in each succeeding year, but any member shall be exempted from the annual payment of Two Dollars and shall become a Life Member, provided he shall at any time after six months from his admission pay to the Treasurer the sum of Forty Dollars in addition to what he had paid before. The sums received for Life Memberships to be invested, and the interest only used for ordinary purposes. Persons not resident within fifteen miles of Halifax may become members on payment of Two Dollars at the time of admission, and One Dollar annually thereafter.
- No person shall be considered a member until his first fee is paid, and if any member shall allow his dues to remain unpaid for two years, his name shall be struck from the roll.
4. Candidates for membership shall be proposed at a regular meeting of the Society by a member; the proposition shall remain on the table for one month, or until the next regular meeting, when a ballot shall be taken; one black ball in five excluding.
5. The regular meetings of the Society shall be held on the second Tuesday of every month, at 8 p. m. And special meetings shall be convened, if necessary, on due notification of the President, or in case of his absence, by the Vice-President, or on the application of any five members.

6. The annual meeting of the Society shall be held on the second Tuesday of February of each year, at 8 p. m., at which meeting there shall be chosen a President, three Vice-Presidents, a Corresponding Secretary, Recording Secretary and Treasurer. At the same meeting four members shall be chosen, who, with the foregoing, shall constitute the Council of the Society.

The election of members to serve on the N. S. Library Commission, under the provisions of Chapter 17, N. S. Acts of 1880, shall take place each year at the annual meeting, immediately after the election of Officers and Council.

7. All communications which are thought worthy of preservation shall be minuted down on the books of the Society, and the original kept on file.

8. Seven members shall be a quorum for all purposes at ordinary meetings, but at the Annual Meeting in February, when ten members shall form a quorum. No article of the constitution nor any by-law shall be altered at any meeting when less than ten members are present, nor unless the subject has either been discussed at a previous meeting, or reported on by a committee appointed for that purpose.

9. The President and Council shall have power to elect Corresponding and Honorary Members, who shall be exempt from dues; and the duties of the Officers and Council shall be the same as those performed generally in other Societies.

10. The Publication Committee shall consist of three, and shall be nominated by the Council. To them shall be referred all manuscripts, etc., for publication, and their decision shall be final.



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ELECTED 14<sup>th</sup> FEBRUARY, 1899.

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THE  
SLAVE IN CANADA.

BY

T. WATSON SMITH, D. D.,

HALIFAX, N. S.

Entered according to Act of the Parliament of Canada, in the year  
one thousand eight hundred and ninety-nine, by THOMAS WATSON  
SMITH, at the Department of Agriculture.

## PREFACE.

THIS paper, read in part before the Nova Scotia Historical Society on March 18, 1898, is an attempt to supply a missing chapter in Canadian history—a sombre and unattractive chapter, it may be, but necessary nevertheless to the completeness of our records.

If instances given seem too numerous, it must be remembered that the scepticism of many of the best informed Provincials as to the presence at any time of Negro slaves on the soil of Canada has challenged the production, on the part of the author, of more repeated facts than he would otherwise have deemed necessary.

In the collection of these facts not a little difficulty has been encountered. Our historians have almost wholly ignored the existence of slavery in Canada. A few references to it are all that can be found in Kingsford's ten volumes; Haliburton devotes a little more than a half-page to it; Murdoch contents himself with the reproduction of a few slave advertisements; Clement, the author of the school history accepted by nearly all the provinces, dismisses it with a single sentence; and in the long manuscript catalogue of Canadian books, pamphlets and papers gathered during a long life-time by the late Dr. T. B. Akins—a large and very valuable collection—the word "slavery" nowhere appears, even as a sub-heading. Other historians and collectors in general have given little more attention to the subject. Further difficulty has arisen from the fact that complete files of our early newspapers—those of Nova Scotia at least—cannot be obtained. I have had, therefore, to be a patient and persistent and often disappointed gleaner.

In addition to those persons whose names appear in the body of this essay, the author gratefully acknowledges his indebtedness to the following gentlemen among others:

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Also to W. H. Withrow, D. D., F. R. S. C., Toronto; S. D. Scott, Esq., St. John, N. B.; Israel Longworth, Esq., Q. C., Truro, N. S.; Hon. Wm. Ross, Halifax; John T. Mellish, Esq., Charlottetown, P. E. I.; and the custodians of public documents in several of the counties in Nova Scotia and New Brunswick.

The following are some of the volumes and pamphlets consulted: Histories of Nova Scotia, by Haliburton and Murdoch; Kingsford's History of Canada; Calnek and Savary's History of Annapolis; Parkman's Montcalm and Wolfe; Appleton's American Cyclopedia; Sabine's American Loyalists; Canniff's Settlement of Upper Canada; Campbell's History of Yarmouth; Patterson's Life of James MacGregor; Hill's Memoir of Sir Brenton Haliburton; Gregg's Short History of Presbyterianism in Canada; Lawrence's Footprints; Johnson's First Things in Canada, and Place-Names in Canada; J. C. Hamilton's Paper on Slavery in Canada; Scadding's Toronto of Old; The Johns Hopkins Historical Series; Reports on Canadian Archives; Collections of Nova Scotia, New Brunswick, Quebec and Niagara Historical Societies; Clarkson's Manuscript Journal; Mrs. Alice Morse Earle's Old New England and Old New York.

T. WATSON SMITH.

HALIFAX, N. S., *March 15, 1898.*



## CHAPTER I.

### SLAVERY IN CANADA PREVIOUS TO THE ARRIVAL OF THE LOYALISTS IN 1783.

Slavery in Canada, as that extensive province was formerly defined, was of French institution. The first slave sale recorded in the colony was that at Quebec of a negro boy from Madagascar by David Kertk in 1628 for fifty half-crowns.<sup>1</sup> Kertk, the son of a Scotch father and French mother, and born at Dieppe, had gone to England ; and with several ships fitted out with the assistance of two brothers and other relatives, under a commission from the English king, had done serious damage to French interests at Port Royal, Quebec, and other points on the Atlantic seaboard.

In a local history, reference is made to the presence of Indian slaves at Montreal in 1670.<sup>2</sup> These slaves were known as Panis, members of a distant tribe, once numerous but greatly reduced in numbers by the attacks of more powerful Indian nations.<sup>3</sup> Captured in war, and offered for sale by their captors at low prices, they had been purchased by Canadians at Detroit and other outlying posts, whence some of them had been carried towards the

<sup>1</sup> "First Things in Canada." In Colonial records Kertk is generally known as Sir David Kirke.

<sup>2</sup> "Memoires de la Societé Historique de Montreal," 1869, p. 200.

<sup>3</sup> Parkman calls them Pawnees, but Drake, in his "History of the Indians of North America," shows the Panis, or Tonicas, to have been a distinct tribe. In speaking of the origin of the "calumet," or peace-pipe, in his "Voyage dans l'Amerique," Charlevoix says that some Indians told him that it was given by the sun to Panis, a nation upon the Missouri. A few captives of other tribes were included in Canada under the name Panis.

Atlantic coast. They seem to have been more easy of control as domestic servants than members of some other native tribes of this continent, but the propensity of these wild children of the woods to run off, with the presence of the ever-adjacent forest as a constant temptation, greatly lessened their value.<sup>1</sup>

Towards the close of the seventeenth century the French in Canada began to look about for laborers. In 1688 representations were made in more than one letter from high officials at Quebec to Louis XIV., through his Secretary of State, that laborers were so few and labor so costly in the colony that all enterprise was paralysed ; and that it was thought that the best remedy would be the importation of Negroes as slaves. The Attorney-general of Canada, then on a visit to Paris, confirmed this view, and assured the king that in case of his permission being given some of the inhabitants of the colony would be prepared to purchase slaves immediately upon their arrival from Guinea. As the result of these representations, with the suggested conversion of the heathen to the true faith as an additional motive for action, a royal mandate was issued in 1689, by which permission was given Canadians to avail themselves of the services of African slaves ; the king, however, taking time, in spite of the gaieties of Versailles, to remind the Sieur de Frontenac, governor of the colony which had so vexed the royal mind, that the experiment which Denonville and de Champigny had urged was not without peril through the rigor of the climate ; and to advise consequent caution.

The issuance of the desired mandate was soon followed by the importation and sale of Negroes ; but the demand proved less pressing than had been expected. By an ordinance dated Nov. 13th, 1705, these Negroes were made moveable property. Another ordinance, issued in April,

<sup>1</sup> Parkman's "Old Regime in Canada," p. 388.

1709, by Jacques Raudot, intendant at Quebec, and read at the close of mass in certain churches in Quebec, repeated the king's permission to hold slaves, stated that Negroes and Panis had been procured as slaves, and added that, to remove all doubt as to ownership, it was declared that all Panis or Negroes who had been so bought or held should belong to the persons so owning them, in full proprietorship.<sup>1</sup> Most of these Negroes had been landed at Jamaica or other West India islands from English slave-ships: a very few may have been stealthily brought in from English colonies on the mainland. Kingsford states that of several young Canadians prosecuted in 1718 by the Quebec authorities on account of their relations with the English at Albany, maintained by way of Lake Champlain, one, M. de la Decouverte, had made himself remarkable by having brought to Montreal "a Negro slave and some silverware."<sup>2</sup> The continued legal recognition of the system is evident from several royal declarations respecting slaves in the colony, bearing dates 1721, 1742 and 1745; and from an ordinance of Intendant Hocquart, issued in 1736, regulating the manner of emancipating slaves in Canada. In parish records for 1755-56 both Negroes and Panis are mentioned; and slaves were often described in legal and other notices and documents of that day as "Negroes, effects and merchandise."

In the system of bondage thus instituted in Canada under French rule no change took place through the transfer of the colony to the English crown. It had been provided by the 47th article of the capitulation of Canada in 1760 that all Negroes and Panis should remain in their condition as slaves; and no hesitation on the part of the English authorities could have been feared, since, by an

<sup>1</sup> J. C. Hamilton, LL B., "Transactions of Canadian Institute," Vol. 1.

<sup>2</sup> "History of Canada," Vol. 2, p, 507.

act of the British Parliament in 1732, houses, lands, Negroes and real estate had been made liable for sale as assets to satisfy the claims of their owners' creditors.

Slaves were brought into Nova Scotia at an early period.<sup>1</sup> The prevalent impression that they were first introduced into the province by the Loyalists has no foundation in fact. That any were brought to the earliest English capital, Annapolis, or to Canseau, a point of much importance, is uncertain, as no records kept by the earliest Episcopal chaplain at the former place are to be found: as to the presence of slaves at Halifax a year or two after its settlement there can be no question. A letter written at Halifax in September, 1759, of which copies have been preserved in several families, contains an interesting reference to their employment. The writer was Malachy Salter, Esq., a Halifax merchant, and the person addressed was his wife, then visiting relatives at Boston. Mr. Salter, from New England and previously engaged in the fisheries, had visited Chebucto harbor five years before Cornwallis had arrived to rob it of its attractive Indian name; and soon after the advent of the original English settlers in 1749 he had established himself in business in the new town,<sup>2</sup> where he became one of its first representatives in the colonial legislature, and the leading manager of the affairs of the Protestant Dissenting congregation, of which St. Matthew's Presbyterian church is the present

<sup>1</sup> In the census of the French in Acadie, prepared by M. de Meulles in 1686, there occurs at the end of the list of settlers at Cape Sable the name "La Liberté, le negre." This negro was in all probability an escaped slave who had found his way thither from one of the English colonies. Extracts from this census of M. de Meulles, the Intendant of New France, who at this time visited Acadia, are given by Murdoch in his History, vol. 1, pp. 168-172. Ironical as the term may appear, slaves were sometimes called "Liberty" in the Southern States.

<sup>2</sup> Dr. T. B. Akins, in "Collections of the Nova Scotia Historical Society," Vol. 8, p. 235. In 1759 Mr. Salter was a magistrate and member of the House of Assembly. His residence then, or a very little later, was at the corner of Salter and Barrington streets, in the dwelling afterwards owned by the Hon. Wm. Lawson, and later by John Esson, Esq.

successor. Through the absence of Mrs. Salter, the good man had learned what husbands are apt to learn only in such circumstances—that housekeeping or homekeeping has its peculiar worries. Malachy Salter, Jr., and the other little Salters were well and lively ; Hagar, the cook—undoubtedly a slave—had done her best to please her master by maintaining his credit as a generous as well as frequent entertainer ; but the worthy magistrate had found more than his match in the boy Jack. “Jack is Jack still,” he wrote to Mrs. Salter, “but rather worse. I am obliged to exercise the cat or stick almost every day. I believe Halifax don’t afford another such idle, deceitful villain. Pray purchase a Negro boy, if possible.”

The purchase of a Negro boy at that day in New England must have been easily possible. Slaves were more numerous at the time in Connecticut and Rhode Island than in Massachusetts, but in the latter province their number was by no means small. The General Court of the province in 1646, in its strong opposition to the “hainous and crying sinn of man-stealing,” had undertaken to send back to “Gynny,” with a letter of explanation and apology, some negroes who had been kidnapped and brought to New England ; but rage at the cruelty of the savage red men, leading to the shipping of Indian captives to the West Indies for sale there, and the extreme difficulty of obtaining “help” for in-door and out-door work, soon blunted the feelings of the New England Puritan. In spite of the prohibition of “bond slaverie, villinage,” and other feudal servitude by the ninety-first article of the Body of Liberties, in less than half a century he adopted the universal and unquestioned practice of Christian nations, and negro slavery flourished in New England as in Virginia ; Newport, in Rhode Island, being the northern centre of the African trade, and from 1707 to 1732 a tax of three guineas being

imposed on each Negro imported into the colony. In 1687 a French refugee wrote home: "You may also here own Negroes and Negresses. There is not a house in Boston, however small be its means, that has not one or two. . . . Negroes cost from twenty to forty pistoles." Advertisements of slave transactions, surpassing in heartlessness those of Southern journals in more recent days, furnished an important part of the revenue of the New England newspaper of the eighteenth century. In the *Weekly Rehearsal* in 1737 Samuel Pewter informed the public that he would sell horses for ten shillings if the horse sale were accomplished, and five shillings if he endeavored to sell and could not; and for Negroes "sixpence a pound on all he sells, and a reasonable price if he does not sell."<sup>1</sup>

Some opponents of the system—and many persons in New England were in accord with Judge Sewall, the writer in 1700 of "The Selling of Joseph," the first anti-slavery tract published in America—were influenced by the motive which in part had prompted Louis XIV. to permit the introduction of slavery into Canada—the turning of the heathen from their idols. The genuineness of the motive may sometimes have been open to question, as in the case mentioned by Mrs. Earle of a respectable Newport elder who sent many a profitable venture to the Gold Coast for "black ivory," and always gave thanks in meeting on the Sunday after the safe arrival of a slaver "that a gracious overruling Providence had been pleased to bring to this land of freedom another cargo of benighted heathen to enjoy the blessing of a Gospel dispensation." On the other hand, the efforts made by ministers and laymen—themselves slave-holders—for the spiritual benefit of such slaves prove their citation of "Moses and the

<sup>1</sup>"Customs and Fashions in Old New England," by Alice Morse Earle, pp. 87-89.

prophets" as authorities to have been sincere, and their words to have been no mere "cloak of covetousness."

The presence of a young Negro slave in Halifax in 1759 would not have caused any great excitement among its citizens. It is possible that a few Negroes may have accompanied the original settlers of the town over the ocean. The number of unnamed male "servants" connected with the families of certain individuals—ten in one case belonging to that of a shipwright—is otherwise difficult of explanation. Their employment in the work incident to the building of a city on a site so rocky as that selected would be reasonable, while the great number of "slaves or servants for life"—as they were termed in legal documents of that period—to be at all times found in ports of the United Kingdom would render their transfer across the ocean easy of accomplishment. That slaves were present about that period at Halifax, whether from Britain or from New England, is certain, since in September, 1751, when the pressure of building operations had become lighter, the *Boston Evening Post* advertised: "Just arrived from Halifax and to be sold, ten strong, hearty Negro men, mostly tradesmen, such as caulkers, carpenters, sailmakers and ropemakers. Any person wishing to purchase may inquire of Benjamin Hallowell of Boston."

The name of one slave who in 1752 trod the streets of Halifax may be found in a will made on February 28 of that year and preserved among the probate records of the city. In this document the testator, Thomas Thomas, "late of New York, but now of Halifax," having arranged for the disposition of all his "goods, chattels and negroes," his plate excepted, of which he should "die possessed in New York," adds: "But all my plate and my negro servant Orange, that now lives with me at Halifax, I leave and bequeath to my son."

Still more suggestive of slavery in its most sombre aspects is an advertisement in the *Halifax Gazette* for May 15, 1752: "Just imported, and to be sold by Joshua Mauger, at Major Lockman's store in Halifax, several Negro slaves, as follows: A woman aged thirty-five, two boys aged twelve and thirteen respectively, two of eighteen and a man aged thirty."<sup>1</sup> And in 1760, the year following that in which Malachy Salter's letter was written, citizens of Halifax read in their paper of November 1st: "To be sold at public auction, on Monday, the 3rd of November, at the house of Mr. John Rider, two slaves, *viz.*, a boy and a girl, about eleven years old; likewise, a puncheon of choice cherry brandy, with sundry other articles."<sup>2</sup> Thirteen years later, when the property of Joseph Pierpont was being disposed of at the same popular auction mart, his slave "Prince" was reserved for private sale. Other sales of slaves by auction had, however, taken place during the intervening period, for in 1769, an advertisement appeared in the Halifax paper, which stated that "on Saturday next, at twelve o'clock, will be sold on the Beach, two hogsheads of rum, three of sugar and two well-grown negro girls, aged fourteen and twelve, to the highest bidder."<sup>3</sup>

The Rev. W. O. Raymond, M. A., of St. John, N. B., furnishes an extract from an original letter, which indicates the presence of a slave at the large business

<sup>1</sup> Joshua Mauger had been in business at Louisburg, but when that place was restored to the French in 1749 he removed his stock of goods to Halifax, where he was a merchant and distiller, and in 1851 agent victualler to the navy of Halifax. After having been one of the leading merchants of the province he went to England, where he acted as Provincial agent for Nova Scotia and secured a seat in Parliament

<sup>2</sup> In the archives of the Massachusetts Historical Society a file of the *Halifax Gazette*, extending over three years, may be seen, but no files from 1755 to 1760 are known to be in existence. See Mr. J. J. Stewart's admirable paper on "Early Journalism in Nova Scotia," in volume 6 of "Collections of Nova Scotia Historical Society."

<sup>3</sup> "Memoir of Sir Brenton Halliburton," by Rev. Dr. Hill, p. 56.



establishment of Messrs. Simonds & White at the mouth of the St. John River in June, 1767. During that month James Simonds wrote to Messrs. Hazen & Jarvis, partners at Newburyport, Mass: "We have promised thirty to forty hogsheads of lime to Mr. Best, of Halifax, and hourly expect a vessel for it, and have encouragement of a contract for the King's works; expect nothing but to disappoint him, as that rascal negro, West, cannot be flattered or drove to do one-fourth of a man's work; shall give him a strong dose on Monday morning which will make him better or worse; no dependence can be put on him." If Thomas West were a slave, and free Negroes were rare in America at that day, he may be regarded as the first slave laborer on New Brunswick soil. On the printed form on which the census returns of the "Settlement at the Harbor of St. John River" for 1775 were made was no separate column for Negroes, such as may be found in some similar blanks of that period.

During the subsequent years of the period under review, advertisements respecting slaves continued to appear in the Halifax weekly paper. In such files as have been preserved are several notices of sale and numerous offers of rewards for the apprehension of runaways. In the *Nova Scotia Gazette and Weekly Chronicle* of March 28, 1775, a "likely, well-made Negro boy, about sixteen years old," is offered for sale; and in the issue of the same paper for January, 1779, attention is called to an "able Negro wench, about twenty-one years of age, capable of performing both town and country work, and an exceedingly good cook," also to be disposed of. A little later two other Negro girls were advertised for sale, one of them about twenty-two years of age, the other about fourteen. In all these cases intending purchasers were directed to "apply for further information to the printer."

Advertisements of absconding slaves at this time were

somewhat numerous, and annexed cautions to sea captains indicate the most common method of escape. In 1773 Jacob Hurd, whose name is still attached to a lane in Halifax, offered a reward of five pounds, with the payment of all necessary charges, for the apprehension of his runaway Negro—Cromwell—described as a “short, thick-set, strong fellow,” badly marked by smallpox, “especially on the nose,” and having on when he went away as a part of his grotesque apparel a green cloth jacket and a cocked hat. A smaller sum was also offered for any trustworthy intelligence concerning his movements. During the autumn of 1780 two similar rewards were offered: in the first instance one of three guineas for the apprehension and delivery at the office of the Commanding Engineer at Halifax of two runaway Negro men; in the second a “handsome reward” to be paid by Benjamin DeWolfe, Esq., of Windsor, to any one securing a Negro boy named Mungo, “about fourteen years old and well built,” in “some of His Majesty’s jails,” and “notifying his said owner or sending him home.” In a newspaper of the following year Abel Michener, of Falmouth, promised five pounds for the capture of a Negro named James, and Samuel Mack, of Port Medway, Queen’s county, a smaller sum for the return to him of another, known as “Chance.” A year later the master of the transport ship “Friends” notified the public of the departure of his Negro lad, Ben, and requested all masters of vessels not to ship him as a seaman, as, said Captain Wilson, “he is my own property.”

One other instance may be given, as the odd name of the heroine obtained a place in the local journal of that day and also in the records of the probate court: “Ran away from her master, John Rock, on Monday, the 18th day of August last, a Negro girl named Thursday, about four and a half feet high, broad-set, with a lump over her

right eye. Had on when she went away a red cloth petticoat, a red-baize bed-gown, and a red ribbon about her head. Whoever may harbour said Negro girl, or encourage her to stay away from her said master, may depend upon being prosecuted as the law directs; and whoever may be so kind as to take her up and send her home to her said master shall be paid all costs and charges with two dollars reward for their trouble."<sup>1</sup> Poor Thursday's liberty, in consequence of her conspicuous outfit, or the cupidity of some mean-spirited individual, proved short; for in the "inventory of the late John Rock," as recorded in the Halifax probate court in 1776, this item—"A Negro wench, named Thursday," appears in a very varied list of property. The poor slave girl was valued by the appraisers at twenty-five pounds, Nova Scotia currency; but the executors in their final account of the estate report her as sold to John Bishop for only twenty pounds.

Other interesting facts in relation to slavery may be gathered from these old court records. The executors of the estate of John Margerum, deceased, acknowledge the receipt of £29 9s. 4½d—"nett proceeds of a Negro boy sold at Carolina" in 1769. In their report, 1770, from the estate of Joseph Gerrish of Halifax, the executors announce a loss of thirty pounds on three Negroes appraised at one hundred and eighty pounds, but actually sold for one hundred and fifty to Richard Williams and Abraham Constable. In the same account occurs an item

<sup>1</sup> John Rock seems to have been a citizen of some repute. In January, 1756, he obtained the license to run the ferry between Halifax and Dartmouth. The records of St. Paul's church show that occasional meetings of the wardens and vestry were held at his residence. In a list of donors to St. Paul's his name stands second, but for the largest amount—seven hundred pounds. This list may be seen near the entrance to the church. The name of John Margerum, mentioned in the next paragraph, appears on a stone marking his grave in the old St. Paul's cemetery in this city. The date of his death, 1763, and the inscription "Christ gave Himself a sacrifice for all," is on the stone.

of mixtures: "By sundry wine, cloathing, linnen, stationary, a Negro Boy named John Fame, two coach horses, one post-chaise and harness divided among the heirs as per Inventory."

Certain names associated with a codicil added to her will in April, 1770, by Mrs. Martha Prichard, widow, of Halifax, give it some degree of interest. By this codicil Mrs. Prichard bequeathed to her daughter Eleanor, wife of Moses Delesdernier—one of the original grantees of Windsor, but then resident at Sackville, Cumberland county, a Negro slave woman named Jessie. If at the end of a year's probation the daughter should not wish to retain the slave the executors were to dispose of her and place the proceeds in Mrs. Delesdernier's hands. In case the lady should prefer to retain her, the slave was to become, at the lady's decease, the property of her son, Ferdinand. According to the same codicil Mrs. Prichard gave to Mrs. Delesdernier's daughter Martha, in subsequent years wife of the well-known Richard John Uniacke, a mulatto slave, John Patten, two and a half years old, for whose maintenance, until he should be old enough to pay his own way by labor and service, the executors, Messrs. John and Henry Newton and Benjamin Green, Jr.,—all leading citizens of the capital—were to make adequate provision out of the funds of the estate. In 1779 Daniel Shatford, a school teacher who had reached Halifax from New York soon after the arrival of Cornwallis's fleet, willed to his wife his "Negro man slave," Adam; Adam at the wife's death to become the property of the testator's daughter, Sarah Lawson.

It will already have been seen that Halifax had not a monopoly in the slave business. In other parts of the province slaves were also held. In one of the early registry books at Bridgetown may be found the conveyance of a "Mulotta" girl, Louisa, sold in July, 1767, by

Charles Proctor of Halifax, merchant, for fifteen pounds currency to Mary Wood of Annapolis, wife of the Rev. Thomas Wood, and by Mrs. Wood "assigned over" to her daughter, Mrs. Mary Day, during the following year.<sup>1</sup> According to the census returns of January 1, 1771, seven Negroes were owned in the township of Annapolis. Magdalen Winniett was the possessor of a man, woman and girl; Joseph Winniett of a woman and boy; and Ebenezer Messenger and Ann Williams each of a man:<sup>2</sup> John Stork, of Granville, was the owner of a man, the only Negro, according to the census, to be found in that township. In the previous year Henry Evans, of Annapolis, was also the proprietor of a colored girl. In 1776, a Windsor farmer, Joseph Wilson, devised to his wife, with one half of his real estate, the two Negro women, Byna and Sylla, for her use and benefit during her life, at the termination of which, with the "messuages, lands, tenements, hereditaments and barns," the slave women were to become the property of his son Jonathan, "his heirs and assigns for ever." One of the witnesses of this will was Isaac Deschamps, afterwards chief justice of the province.

Some idea of the cash value of slaves may be obtained from the account presented in 1780 by the executors of the estate of Colonel Henry Denny Denson, one of the original proprietors of West Falmouth, a section of which still bears the name of Mount Denson. For "Spruce" they had received seventy-five pounds, for "John" sixty pounds, and

<sup>1</sup> Thomas Wood was one of the earliest missionaries sent to Nova Scotia by the Society for the Propagation of the Gospel. In a document dated 1773 he calls himself "Vicar of the Church of St. Paul at Halifax, at present residing at Annapolis."

<sup>2</sup> Ann Williams was the wife of Thomas Williams, commissary and ordnance storekeeper at Annapolis, who in a list of the previous year was named as the owner of slaves. Thomas and Ann Williams were the grandparents of Sir William Fenwick Williams, the hero of Kars, and lieutenant governor of Nova Scotia in 1866-67.

for "Juba" thirty. Two of these slaves were sold to buyers or dealers in Halifax, as the estate is charged with £2. 11s. 6p., paid a man for taking them to the city and delivering them there.

A recorded document, dated Truro, 1779, proves complicity with slavery on the part of the early Scotch-Irish settlers in Nova Scotia, the larger number of whom had come by way of Pennsylvania and other Middle American provinces. Through this paper Matthew Harris of Pictou, yeoman, "bargains, sells, aliens and forever makes over" unto Matthew Archibald of Truro, tanner, his heirs and assigns, "all the right, property, title or interest he now has or hereafter may pretend to have to one Negro boy named Abram, about twelve years of age, born of Harris's Negro slave in Harris's house in Maryland." For this boy Harris received fifty pounds. According to a census of the township of Onslow, in 1771, the Rev. James Lyon, sent to Nova Scotia in 1764 as the first Presbyterian minister of the province, by the Presbytery of New Brunswick, in New Jersey, had a colored boy, the only Negro then in the township. In a will proved in 1791, Richard McHeffey of Windsor, farmer, a member of another leading Scotch-Irish family, "gives and bequeaths" his "negro wench, Clo'," to his son Joseph, after the decease of the son's mother. Of the same origin, it is probable, was John Huston, of Cornwallis, who in 1787 "gave and bequeathed" to his "dear and well-beloved wife" his "Negro man named Pomp, and all the live stock, utensils, and implements," etc., of which at the time of his decease he should be owner.

By the settlers of New England origin in the large county of Kings, which then included the present county of Hants and a large district now included in Cumberland county, the use of slave help seems to have been readily accepted. In one line in an "inventory of all and singular

the goods and chattels of John Porter, late of Cornwallis, deceased, signed in 1784 by leading men of the township, are these items : “ One grain fan, fifteen shillings ; one negro man, eighty pounds ; books, thirty shillings.” As those of kind and thoughtful slave-owners may be quoted the well-known names of Jonathan Shearman and Benjamin Belcher, both of Cornwallis. The first of these, in a will dated in 1809, when slaves had become virtually free, makes as a condition of his will the maintenance by his wife and daughter of “ my Negro woman, Chlœ, comfortably during her life, should she remain with them as heretofore.” The will of Mr. Belcher, made in 1801, shows his slaveholding to have been upon a more extensive scale ; and to have been conducted, according to the circumstances of that day, with a solicitude for the higher interests of his slaves in harmony with his position as a leading manager of the affairs of the parish church. In a section of this will his executors are instructed : “ I give and bequeath my Negro woman to my beloved wife during her lifetime and after her death at her disposal ; I give and bequeath my Negro boy called Prince to my son, Stephen Belcher, during his life, after that to his eldest surviving son ; I give my Negro girl called Diana to my daughter, Elizabeth Belcher Sheffield, and after her death to her eldest male heir of her body ; I give my Negro man named Jack and my Negro boy Samuel and Negro boy James and Negro girl called Chlœ to my son Benjamin and his heirs for ever ; charging these my children unto whom I have entrusted these Negro people with never to sell, barter or exchange them or any of them under any pretension except it is for whose bad and heinous offences as will not render them safe to be kept in the family, and that to be adjudged of by three Justices of the Peace in said Township, and in such case on their order they may be sold and disposed of. And I further request that as soon

as these young Negroes shall become capable to be taught to read, they shall be learnt the Word of God."<sup>1</sup>

In the extensive county of Cumberland, which then included all the lands in Nova Scotia lying north of King's county and a large portion of the present province of New Brunswick, but few slaves could at this period be found. These had been brought from the other colonies, at the close of the final conflict with France and her Indian allies on the Canadian border, by Captain Sennacherib Martyn and other officers of disbanded colonial corps to whom lands were granted about 1760 in the township of Cumberland, between the rivers Aulac and La Planche. Of the presence of slaves among other settlers from the neighboring colonies but slight mention has been made. The one representative of the colored race in the township of Amherst in 1771—a boy—was in the possession of John Young. For a number of years the sturdy English immigrants from Yorkshire held themselves aloof from slave-help, but tradition and record combine to prove occasional complicity with an institution for which in general they had little favor. Mention is yet made of a slave owned by William Bulmer, called "Black Jack" from the intensity of his complexion, to whom freedom was given on the death of his owner in 1792. Thomas Watson, of Fort Lawrence, said in a document of 1774 to be "late of Yorkshire," and known to be sheriff of Cumberland county in 1783, in 1796 bequeathed to a daughter money, silver and china ware, "together with the Negro girl called Sarah," who was known at a very advanced age by a subsequent generation as "Sally Surrey."

<sup>1</sup> In Connecticut, from which colony a number of settlers came to Nova Scotia about 1760, it had been enacted that all masters and mistresses of Indian children should use their utmost endeavors to teach them to read English and to instruct them in the Christian faith. Probably the same law was supposed to apply to Negro children.



James S. More, in his history of Queen's county, states that the earlier colored people of Liverpool came with their masters from New England rather as servants than as slaves. "Violet," who belonged to Colonel William Freeman, was said to have been an African princess, who with her attendants had been kidnapped while gathering wild flowers, and carried over the ocean amid the horrors of the crowded hold of a slave-ship. "There are no records of slave sales in Queens county," says Mr. More, but, he adds, "bondmen and bondwomen were treated with the kindness which greatly tempered the evils of slavery during its existence in the more northern settlements at the time." No documents, it is understood, indicate the presence of any slaves at this period among the German settlers in the county of Lunenburg, though according to tradition one or more were held by Colonel Creighton, one of the most distinguished men of the county.

## CHAPTER II.

### SLAVERY IN CANADA AFTER THE ARRIVAL OF THE LOYALISTS IN 1783.

In preceding pages African slavery has been shown to have been established by France in Quebec in 1689. Its presence in Nova Scotia, some sixty years later, and its gradual extension under the tacit permission of law and sanction of society have also been illustrated by numerous instances. Having thus reached a position of partial establishment, it seemed possible that the immense Loyalist inrush of 1783-85 would lead to its acceptance as an inevitable part and parcel of the social arrangements of the several colonies, and secure for it a permanent place in British American life.

Of the great number of Negroes arriving in the remaining British provinces with the Loyalists, a large section consisted of freedmen, most of whom had escaped from rebel masters at the South. British generals—Sir Henry Clinton in particular—had offered protection to all such slaves fleeing within their lines, and numbers of these had reached New York after having served the British in various capacities. One Negro corps, the Black Pioneers, had rendered military service; and nearly every Loyalist corps, it is said, had representatives of the African race in its ranks as musicians, buglers and pioneers. The vigilance and soldierly conduct of one of these, Black Barney, a bugler in the Queen's Rangers, a Loyalist regiment settled at the close of the war in New Brunswick, on one occasion in Virginia saved a portion of the corps and called for a warm tribute from Colonel Simcoe, the

officer in command.<sup>1</sup> Throughout the Revolutionary war the presence of the large slave element proved an aid to the British and a corresponding embarrassment to Washington and his generals. General John A. Logan has asserted that "the half a million of slaves, nearly all of them in the Southern States, were found to be not only a source of weakness, but through the incitements of British emissaries a standing menace of peril to the slaveholders." "Thus it was," adds Gen. Logan, "that the South was overrun with hostile armies, while in the North—comparatively free from this element of weakness—disaster after disaster met them."<sup>2</sup>

At the termination of the war the two thousand escaped slaves in New York were seized with consternation in consequence of a rumor that they—some of whom had been with the British for three or four years—were to be delivered up to their former owners. Terrible confirmation of the rumor seemed to be afforded by the presence in New York of slave-owners from Virginia, the Carolinas and other parts of the South, who were known to be seizing their former slaves in the streets and even to be dragging them from their beds. To allay this terror, the British Commander-in-chief, Sir Guy Carleton, issued a proclamation guaranteeing their liberty to all slaves who, when taking refuge within the British lines, had formally claimed the protection publicly offered by British commanders. To a demand by Washington for the restoration of all fugitives to their former owners, Sir Guy, throughout whose whole career moderation, justice and prudence, as well as genius, can everywhere be recognized, replied, declining to violate faith with the Negroes, more especially as it "would be delivering them up, some possibly to execution and some others to severe punishments"; and

<sup>1</sup> See paper read by Jonas Howe, St. John, N. B., several years ago.

<sup>2</sup> "Magazine of American History," Vol. 15, p. 57.

observing that, if the sending them away should hereafter be deemed an infraction of the treaty, compensation must be made to the owners by the British government, in view of which event he had directed a register to be kept of all Negroes sent away, specifying the name, age and occupation of each slave, and the name and place of residence of his former master. "Had these Negroes," he concluded, "been denied permission to embark, they would, in spite of any means to prevent it, have found various methods of quitting this place, so that the former owner would no longer have been able to trace them, and of course would have lost in every way all chance of compensation."<sup>1</sup>

This arrangement having been reached, each fugitive received a certificate which dispelled his fears; and in a short time, in transports provided by the commander-in-chief, a large number were conveyed to Burchtown, near Shelburne, Nova Scotia, where they received lands as soon as these could be surveyed for them, and, for three years, if not for a longer period, such rations as were distributed by the British government to the Loyalists in general. About the same time other liberated slaves were brought in British warships direct from Charleston, S. C., to Halifax, whence part of them made their way to lands promised them at Shelburne and Preston. Other freed blacks were similarly settled at Digby, St. John, and adjacent points. It was to these freedmen, at the solicita-

<sup>1</sup>Judge Jones, in his "Loyalist History of New York," says that Congress and the legislatures of the several States eagerly accepted Sir Guy Carleton's proposal. He adds:—"A valuation was made and approved of. The money, it is true, has never been paid. What occasioned it? *An absolute refusal on the part of the Americans to comply with a single article in the treaty in favor of the Loyalists.*" The articles referred to by Judge Jones were numbers five and six, providing for restoration to Loyalists of confiscated estates and protecting against future conscription and confiscation, etc. This counter refusal on the part of the British was probably one cause of the hostility on the part of the South towards Great Britain which led to the war of 1812, in opposition to the well-known wishes of the people of the Northern States.

tion of their representative to England—Thomas Peters, a former sergeant in the Black Pioneers, that Lieutenant John Clarkson of the Royal Navy, a brother of the celebrated Thomas Clarkson of anti-slavery fame, was sent to Nova Scotia in 1791 by the Sierra Leone Company to arrange, at the expense of the British government, for the transportation of all freedmen desirous of removal to the new African colony; as the result of which mission a fleet of fifteen ships with eleven hundred and eighty Negroes on board, from various parts of Nova Scotia and New Brunswick, sailed from Halifax on January 15, 1792, for Sierra Leone.

The still-enslaved Negroes brought by the Loyalist owners to the Maritime Provinces in 1783-84 were classed as "servants" in some of the documents of the day. Lists of Loyalist companies bound for Shelburne, made out, it is probable, under the direction of British officers whose dislike to the word "slave" would lead them to use the alternative legal term, contain columns for "men women, children and servants," the figures in the "servants'" column being altogether disproportionate to those in the preceding columns. With Captain Andrew Barclay's company of fifty-five men and women and forty-nine children were no less than fifty-seven servants, thirty-six of these being owned by four families. Stephen Shakspeare was accompanied by twenty servants, and Charles Oliver Breuff, goldsmith of New York, who died many years later at Liverpool, by fifteen. The brothers James and Alexander Robertson, publishers in New York and afterwards at Shelburne of the *Royal American Gazette*, brought twenty, and Alexander Robertson, jr., of Pennsylvania, six servants with his family of four persons. Isaac Wilkins, of Westchester county, New York, a brother-in-law of Lewis Morris—one of the signers of the Declaration of Independence, and father

and grandfather of two highly respected Nova Scotia judges of the supreme court bearing the name of Lewis Morris Wilkins, is said to have brought a number of slaves to the beautiful spot on the shores of Shelburne harbor called by his family Ridge Vale, but popularly known for many years as "Wilkins's Folly." Col. Simeon Perkins, a leading man of Liverpool, wrote in his private diary, May 7, 1783: "Two small schooners from Halifax with people for Port Roseway came in here in the night. A Colonel Campbell is in one of them. He is said to be a man of property; has several slaves with him."

Official lists show that with Loyalists making permanent or temporary homes in the central and lower sections of the fertile Annapolis valley came numerous slaves, and that a good number also accompanied those exiles to whom were granted lands on or near the picturesque site of Digby. The names of proprietors owning but one or two "servants" are too many for repetition. At Wilmot, early in 1784, were Beverley Robinson, lieutenant-colonel in the recently disbanded Loyal American regiment, with seven servants above ten years and two below that age; Thomas Barclay, his brother-in-law, major in the same corps, with seven slaves; Isaac Allen, previously of Trenton, N. J., and late lieutenant-colonel of the Second Battalion New Jersey Volunteers, with seven; and Timothy Ruggles, Esq., of previous distinguished service and subsequent honorable provincial record, with three. At Granville were Richard Betts, Charles Coulborne, George Cornwell, J. T. deSt. Croix, Abel Hardenbrook, Thomas Robblee, each with three slaves; Edward Winslow, with four; and Christopher Benson and John Hicks, each with six. Among the names of slave-holders at Annapolis appeared those of Frederick Davoue, Andrew Ritchie, David Seabury, Lieut. J. Reid, Abel Morrison,

and Mrs. Kane, with three each ; O'Sullivan Sutherland and Joseph Totten, each with four ; the widow S. Grant and George Sutherland, each with five ; and Mrs. Chandler, with six servants. According to the returns from Clements and Moose River, Captain Douwe Ditmars was the owner of four slaves ; Gabriel Purdy, of five ; James De Lancey, lieutenant-colonel of the disbanded First Battalion New Jersey Volunteers, of six ; and John Ditmars, of seven. John Bridgewater, and Captain deMolitor—late in the Anspach service, settlers at Bear River, respectively possessed three and four servants. James Hatfield and some others at Digby had three slaves each ; John Burkitt and Richard Hill, five each ; Major Robert Timpany, the Irish school-teacher and brave soldier, five ; and James Hughstone, six. On the Digby roll also were " Pompey, Absalom, Charles—Negroes, slaves to Captain Isaac Young, who is gone to New York for his family." <sup>1</sup> In this enumeration of " slaves or servants for life," as ran the legal phrase, no free Negroes are included.

In smaller numbers slaves had been carried to other parts of Nova Scotia. Among the exiles establishing themselves at Westchester, Cumberland, Minudie, Baronsfield, and other points in the county of Cumberland, were several slaves, while a larger number of Negro bondmen could be counted in the vicinity of Parrsboro'. At Cornwallis and Horton, Windsor, Newport and Kennetcook were also numerous servants ; one owner, John Grant, previously of Brooklyn, New York, having taken nine of various ages to Loyal Hill, in the neighborhood of the last-named settlement. About that time came also to Musquodoboit from Florida the Bayers and McInnes families, bringing slaves with them.

The muster roll in 1784 of the disbanded South Carolina Royalist corps, to whom lands had been allotted

<sup>1</sup> " Manuscript Documents," Nova Scotia, Vol. 376.

at Stormont, on the east side of Country Harbor, shows thirteen Negro servants, the "property" of four officers of that corps. A few officers of the King's Carolina Rangers, in the list Captain Joseph Marshall, father of the late Judge John G. Marshall, had at that date seven slaves. At Guysborough, where were several officers of the "Department of the Army and Navy," eight slaves were catalogued by name as the property of five owners. And on the muster roll of the transport "Argo," at Halifax in July, 1784, on her way with Loyalists from St. Augustine, Florida, for Guysborough—then Chedabucto, are the names of "Prince, Susanna, Anne, Jane, Carry, Marsh, the property of John Todd"; and of "Liberty" Sarah, Pegg, the property of James Lyle." Several documents in relation to the last three, registered in Guysboro' county in 1793 by David Martin, show that James Lyle had in the previous February paid seventy pounds sterling for them in St. Augustine, and that the man had been previously a slave in Georgia, the woman and child slaves in East Florida.

A very large section of the bondmen being brought into Nova Scotia was carried into that part of the country which a few months later—in the autumn of 1784—was set off as the province of New Brunswick. It is improbable that any slaves were taken to the county of Northumberland: from Westmoreland county no large number of slaves was ever reported, though colored bondmen and bondwomen were bought and sold there at a later date than in some other sections of the Lower Provinces; the few to be found in Charlotte county seem to have been taken there from other parts of New Brunswick.

In the last-named county was the colony at Beaver Harbor, of Quaker Loyalists—the only avowed anti-slavery settlement known to have existed in the British North American Provinces. These Quakers, most of whom had



fled from Pennsylvania and New Jersey to New York, had formed an association in that city to settle "together on the River St. Johns in Nova Scotia." A very few of their number, who must have been included in the list of those having a "Birthright among the people commonly called Quakers," rather than in the membership of the "Society," had served as officers in certain Loyalist corps. At the head of the agreement to remove to Nova Scotia, drawn up and signed in New York in June, 1783, was the prohibitory notice, in a bold hand-writing, "No slave master admitted"; in accordance with which it was ruled, as the fourth regulation, "that no slaves be either Bought or sold nor kept by any person belonging to said society on any pretence whatsoever."

For what reason Messrs. Samuel Fairlamb, John Rankin and George Brown, agents selected by the association to locate the lands granted its members for new homes, chose a tract at Beaver Harbor and not one upon the River St. John is not known. A prompt departure from New York for the new homes in the wilderness must have taken place, since a letter written in October, 1783, mentioned a Quaker settlement at Passamaquoddy, and on January 10, 1784, Aaron Andrews received from the government of Nova Scotia payment for "71,000 ft. of boards and 141,000 shingles" certified by a government agent to have been "delivered to the Quaker Refugees settled at Beaver Harbour, Passamaquoddy." A similar certificate shows that on an adjoining tract of land had been located another body of associated Loyalists called by the government agent the "Annabaptist Refugees."<sup>1</sup> From the quantity of building material allotted to the two bands of settlers, it may be presumed that the Anabaptists largely outnumbered their Quaker neighbors, but an inference of accordance on the subject of human bondage

<sup>1</sup> "Public Documents of Nova Scotia," Vol. 409, Nos. 62, 63.

between the two groups may be drawn from the fact that the township or parish of which they were the earliest settlers bears at the present day the name of Pennfield, an abbreviated form of the earlier Quaker designation—Penn's Field.<sup>1</sup>

It fell out with the anti-slavery township in New Brunswick as with a few other Loyalist ventures in the Maritime Provinces. In a very few years the settlers were so reduced that privation and suffering made them glad to receive aid from Friends abroad. We quote from Mr. Vroom's paper: "What little wealth the Friends had taken with them from their Pennsylvania and New Jersey homes had been long since exhausted in their sojourn in New York and their struggle with the hardships of the New Brunswick wilderness. The town at Beaver Harbor, like other Loyalist towns, had arisen in the expectation of a trade that never came. And yet they had remained, and kept up their struggle, and perhaps tried to hope for better times. But the end was near. A forest fire swept over the place in 1790, leaving only one dwelling house. A few of the inhabitants remained or came back to rebuild their dwellings at or near the old sites, but Pennfield was no longer a Quaker colony, and the highways and landmarks of to-day bear no relation to the plans of the old town of Belle View."

On the splendid intervals of the river St. John, from its mouth, where a fishing and trading station had been

<sup>1</sup> In an interesting paper, in No. 4 of "Collections of the New Brunswick Historical Society," Mr. James Vroom, of St. Stephen, states that the town at Beaver Harbor was to be called Belle View or Belle Vue. After having referred to an old map in the British Museum and a plan in the Crown Land office in Fredericton, it is said by the writer that "Belle View, or Penn's Field was not a town on paper only. There were 149 lots included in the original grant"; and a contemporary writer, shortly after its foundation, estimated the number of its inhabitants at eight hundred. The very small dimensions of the "House" proposed to be built in 1786 for worship leads one to suppose that the figures just given must have included the whole number of settlers around Beaver Harbor.

established by Peabody, Simmonds and White, three Massachusetts men, as early as 1763, to the site of the present town of Woodstock, a distance of more than one hundred and fifty miles, officers and men of several disbanded Loyalist corps established themselves at various points. The greater number availed themselves of lands granted by the government : a few others found more satisfactory locations by purchase from a number of Acadians who had received permission from Governor Parr to remain on lands on both sides of the St. John, near St. Ann's, of which they were willing to dispose in order to avoid the English and seek the more congenial company of their fellow Acadians at Madawaska. The number of slaves arriving with these settlers, according to a military return in the spring of 1784, was four hundred and forty ; but this number was considerably increased by the arrival a very little later from Nova Scotia of several of the more important slave-proprietors in the county of Annapolis, to whom the formation of the new province offered the promise of a more speedy recognition of their claims and a wider opportunity for the attainment of positions of influence and emolument.

A detailed list of the slave-owners of New Brunswick cannot be attempted here. Several of them have been named in connection with Annapolis county, where they first landed after their expatriation, and whence they in a few months removed ; others will find mention in other pages of this essay. They were found at Parr, re-named St. John, the commercial capital of the new province. The first mayor of that town, Gabriel G. Ludlow, former colonel and commandant of De Lancey's Third Battalion, was, as we learn from contemporary church records, the possessor of property in slaves ; and not a few others, slave-owning citizens, were laid away in the " Old Burial Ground " of that city. Slaves were also to be found in the

part of the county of King's adjoining the county of St. John. The three black men and one black woman who arrived with Major, afterwards General, John Coffin, at St. John in May, 1784, and went with him and his family to the tract of land near Westfield, afterwards known as the Alwington or Coffin Manor, came, no doubt, in the capacity of slaves or "servants for life."

In Queen's county also slavery was endorsed by the practice of leading residents. The inventory of the estate of Richard Hewlett, Esq., of Hampstead, shows that farmer, once a daring officer in the presence of the French at Frontenac, and of the Whigs of the Revolution, to have been, at the time of his death in 1790, owner, among other property, of "one Negro boy valued at twenty-five pounds." At Gagetown also were proprietors of slaves. Through an advertisement in the *Royal Gazette and New Brunswick Advertiser* for August 20, 1799, a reward of five guineas, or of three guineas for either of them, was offered for the capture of two Negro men—"Gill, a dark Mulatto with short curly hair, square shoulders, bow legs and walks clumsily;" and Dick, "remarkably black, with a scar on his cheek and another on his chin," the "property of the subscribers," who were Reuben Williams, formerly of Brooklyn, N. Y., and James Peters, a commissioner for the settling of Loyalists in New Brunswick, a magistrate and for many years a member of the House of Assembly, both in 1799 being residents of Gagetown.

Among a number of others in Sunbury county were the Hardings and Elijah Miles, of Maugerville, the latter a captain in De Lancey's Third Battalion, and after the peace a leading man in Sunbury. In the lower section of the large county of York, and in the neighborhood of Fredericton—the political capital, near which such Maryland Loyalists as had escaped from the shipwreck of the "Martha" near Cape Sable, and a large detachment of

De Lancey's Third Battalion, had been settled, slave labor was for some years extensively employed. Among slave-proprietors from these and other corps, and a small section of settlers who may not have seen military service, were Isaac Allen, later a judge of the supreme court of New Brunswick, who had removed his seven slaves from Nova Scotia ; Edward Winslow, who leaving his first location at Annapolis became a member of the first Council formed in New Brunswick and afterwards a judge of the supreme court of that province ; in all probability Caleb Jones, of St. Mary's, a captain in the disbanded Maryland Loyalists, whose name became prominent through his connection with the celebrated slave trial of 1800 at Fredericton ; Captain Maxwell, also of St. Mary's, who as an absentee in 1788 appointed an attorney to dispose of any or every part of his " messuages, lands, tenements, negroes, hereditaments or premises ;" and Stair Agnew, a Virginian and former officer in the Queen's Rangers, and a prominent lawyer of that day. North of the capital and near the southern border of the parish of Dumfries was Jacob Ellegood, another Virginian, who had raised a regiment in the service of the Crown and commanded it in person during the war, at the close of which he had brought his family and slaves and a frame for a dwelling to the cold north.<sup>1</sup> And above this, at the point where the winding Meduxnekeag adds its tribute of waters to the volume of the St. John through the flourishing town of Woodstock, were the Smiths and probably other disbanded Loyalists and slave-owners.

The total number of Negro slaves brought into Nova Scotia, New Brunswick and Prince Edward Island from the revolted colonies previous to the summer of 1784 may

<sup>1</sup> Canon Ellegood, the present venerable rector of the church of St. James the Apostle, Montreal, is a grandson of Jacob Ellegood of Dumfries, N. B.

be estimated with some approach to certainty. Under instructions from Sir Guy Carleton, Colonel Morse, commanding Royal Engineer, made a tour of the Provincial settlements in the autumn of 1783 and early part of the summer of 1784, and to his report appended a "return of the disbanded troops and Loyalists settling in Nova Scotia," for the purpose of ascertaining the number entitled to the "Royal Bounty of Provisions."<sup>1</sup> In the column allotted to "servants" are, Dartmouth, 41; Country Harbour, 41; Chedabucto, 61; Island St. John, now Prince Edward Island, 26; Antigonish, 18; Cumberland, etc., 21; Partridge Island, now Parrsboro', 69; Cornwallis and Horton, 38; Newport and Kennetcook, 22; Windsor, 21; Annapolis Royal, etc., 230; Digby, 152; St. Mary's Bay, 13; Shelburne, —; River St. John, 441; a total number, inclusive of some small figures not quoted, of twelve hundred and thirty-two persons, to nearly all of whom must have belonged the appellation of "slave."<sup>2</sup> During the two or three succeeding years some others were brought into Nova Scotia, New Brunswick and Cape Breton—that island being then under a separate government.

The island of Cape Breton finds no place in Colonel Morse's return of Loyalists "settling or about to settle" in the Maritime Provinces. That distrust of Governor Parr and the authorities in Nova Scotia, which led many influential men to think of the intended province of New Brunswick, delayed the settlement of Cape Breton until it had been definitely learned that a separate government under a lieutenant-governor would be granted the island. In a memorial to the king, dated Feb. 21, 1784, Abraham C. Cuyler, previously mayor of Albany and colonel of a

<sup>1</sup> "Report of Canadian Archives," 1884.

<sup>2</sup> In view of the absence of any return of "servants" from Shelburne and other places on the Southern shore this total may be regarded as by no means extravagant.

Loyalist corps, but then in London, announced his intention, and that of a number of others, of settling in Cape Breton. About the end of October one hundred and thirty persons, among whom were officers of the disbanded Royal Rangers, reached the island from Quebec; about eight hundred others settled in various parts of it in the early summer of the following year; and governor Desbarres announced later that an accession of four thousand persons had speedily followed the publication of his proclamation of September first. Many disbanded soldiers of the regular army were among the settlers: of the six hundred and thirty families of disbanded Loyalists, previously serving in Canada, who had sent Lieutenant Jones to explore Cape Breton and had requested Abraham Cuyler to act as their agent in England in securing lands there, only the party arriving in October, 1784, seems to have really reached the island.

That slaves were held in Cape Breton about that time is certain: in the absence of such returns as Cuyler, the provincial secretary and registrar of grants, for some reason delayed or failed to make, their number is unknown. Cuyler himself was a slave owner, as the old records of the parish of St. George, Sydney, containing an entry of the burial on September 15, 1792, of "Diana Bestian, a Negro girl belonging to Abraham Cuyler, Esq.," sufficiently attest. Among several other entries in the same "register of baptisms, marriages and burials," which explicitly or by implication bear witness to the presence of slaves on the island, is one which reads: "Cæsar Augustus, a slave, and Darius Snider, black folks, married 4th September, 1788." In the early days of the present century there stood on the property of the Barringtons, between North Sydney and Sydney Mines, a building known to have been occupied by the slaves of the original owner—Boisseau, who had brought them

from the West Indies. One other slave is known to have borne the name of Matthews, attorney-general of the island, her owner ; another had been brought from the West Indies, a gift to a member of the family with which she had come. Another Negro was killed in 1791 by a blow dealt him, it is said, with a spade as he was endeavoring to force his way into a building in which a public ball was being held. For this man's death a citizen of Sydney was "excluded for killing a slave" by the Masonic lodge of that place, and was brought to trial before the supreme court in August, 1792. By the court he was "honourably acquitted," and at a later period was reinstated in membership among his Masonic brethren.

A very slight advance in the number of slaves took place in the vast northern province of Canada during the first twenty-five years after its conquest by England. Registers of births, marriages and deaths, with other documents of the period, bear witness to the maintenance of slavery, but afford slight evidence of its expansion through the importation of new laborers.

The diary of General Haldimand, appointed governor of Canada in 1778, contains several references to slaves which show that official to have exercised a somewhat paternal authority, in spite of his reputation for stern military precision. In 1778 a business man at Montreal sought permission from him to sell a Negro for a debt due him by the slave's master ; at Quebec, in the same year, another Negro, in view of services rendered to government, prayed for liberty ; and in 1783, Plato, another slave at Quebec, asked to be allowed to join his own master, from whom he had, it is probable, been separated during the border-strife of the Revolution.<sup>1</sup>

<sup>1</sup> "Canadian Archives."



Just before that strife had become clearly defined along the borders of the province of Canada slaves were being acquired by purchase in its western section. Colonel Clark, in his "Memoirs," remarks: "After the Declaration of Independence drovers used to come in with droves of horses, cattle, sheep and negroes, for the use of the troops, forts, and settlers in Canada, and my father purchased his four negroes, three males and one female named Sue."

An undated document among the Canadian Archives—a "Return of Negroes brought in by scouts and sold at Montreal," and signed by "Sir John Johnson, Lieut.-Colonel Commanding," recalls such scenes as took place on the borders of New York and Canada during the first three or four years of the conflict. The Mohawk Valley was the basis of the Congress operations designed against Niagara and Detroit and the western posts. It was partly, therefore, in order to destroy the resources being husbanded for these expeditions, and in part to favor the escape of such Loyalists as were desirous of reaching Canada, that repeated attacks were directed upon the valley from the Canadian side.<sup>1</sup> The Loyalist troops—the Royal Regiment of New York and Colonel Butler's corps of Mohawk Rangers, the greater number of whom, like the commander-in-chief, Sir John Johnson, had been violently driven from their former homes on the Mohawk, were prominent in these attacks, impelled to them at times by a wish to recover personal property and at others by a spirit of revenge towards their former neighbors. They were generally accompanied by "Canada Indians" and "Mohawk Indians," faithful allies throughout the war, by whom indeed most of the slaves denominated "Rebel Property" were captured, and for whose capture they were promised an allowance by the officer in command. The slaves of

<sup>1</sup> Kingsford's "History of Canada," vol. 7.

escaped Loyalist owners were generally brought in by parties belonging to the Loyalist corps, with whom also were a few slaves of rebel masters, these slaves voluntarily accompanying British officers on their retreat towards the border.

Of the fifty or more slaves named in this list, nearly half were sold at Montreal, a few being carried by Indians and whites to Niagara ; the others were handed over to their former owners. " Charles," " taken at Ball's Town, making his escape out of a window in Col. Gordon's house," was sold to the Rev. David C. DeLisle, the Episcopal rector at Montreal, for twenty pounds, Halifax currency ; Samuel Judah, Montreal, paid twenty-four pounds for " Jacob," also a slave of Colonel Gordon, a rebel master, but for a Negro girl of the same owner he gave sixty pounds ; " Nero," another of Colonel Gordon's slaves, captured by a Mohawk Indian, Patrick Langan sold to John Mittleberger of Montreal for sixty pounds ; " Tom" was sold by Captain Thomson, of Colonel Butler's Rangers, for twenty-five pounds to Sir John Johnson, who gave him to Mr. Langan ; and William Bowen, a Loyalist owner, sold his recovered slave, " Jack," for seventy pounds to Captain John McDonell, of the Rangers. " William," who was sold for thirty pounds to Mr. McDonell, and afterwards carried to Quebec, had been taken at his master's house by Mohawk Indians, " under Captain John the Mohawk, with a waggon and horses which he had got ready to convey his mistress," Mrs. Fonda, wife of Major Fonda, to Schenectady. It may have been on this occasion that the aged man, Fonda, was scalped by Indians in British employ, a deed for which a former Whig neighbor upbraided Sir John Johnson when opportunity permitted more bitterly than for the complete destruction of his own property, the captivity of his sons, and the almost total desolation of the fair valley. Another

Negro man, name unknown, was "sold by a soldier of the 8th regiment to Lieutenant Herkimer, of the corps of Rangers, who disposed of him to Ensign Sutherland of the Royal Regiment of New York."

The name of another enslaved "William," which stands at the head of a list of fourteen men and women owned by Sir John Johnson, recalls some pleasanter facts. The flight of the baronet, in 1776, from Johnson Hall, the residence built by the celebrated Sir William Johnson, his father, had been made in such haste that he left Lady Johnson and the family papers and plate and Bible behind him. The Whigs took charge of Lady Johnson, removing her to Albany, where the local authorities regarded her as a kind of hostage for good conduct on the part of her husband. The papers were buried in an iron chest, but when, two years later, General Haldimand, at the request of the owner, sent a party of soldiers to carry them away, they were found to be utterly spoiled by the dampness. The family Bible was sold with the furniture at auction at Fort Hunter, but by the courtesy of its possessor, was at a later date offered to its real owner. That the plate was not forfeited was due to the faithful conduct of William, the slave. This slave had lived many years with Sir John's father, who thought it a special mark of regard to have him baptised by his own name of William. On the flight of his second master to Canada he hastily buried the valuables, and when sold, as a part of the confiscated estate, to a Whig, he gave no hint to his new owner of the secret of which he was the possessor. In 1780 the baronet in person went to Johnstown and transferred to the knapsacks of about forty soldiers bound to Montreal the treasure saved by the slave, whom men of the Royal Regiment of New York rescued from his Whig master and carried into Canada. <sup>1</sup>

<sup>1</sup> Sabine's "Loyalists," etc., Vol. 2, p. 580.

The total number of slaves in that section of Canada soon to be known as the province of Lower Canada or Quebec was in 1784, according to the official census of that year, only three hundred and four ; of whom two hundred and twelve were in the town and district of Montreal, four at Three Rivers, and eighty-eight in the town and district of Quebec.<sup>1</sup>

If, however, this small list of slaves at Montreal and Quebec received but a limited number of accessions through emigration from the revolted colonies, it seems evident that the advocates of slavery in that part of Canada became at this time more aggressive than they hitherto had been, through the presence of so many more bondmen in the neighboring provinces. In 1784, John Black, a Negro who had served as a seaman in the king's service, was obliged to appeal to Governor Haldimand to protect him in his liberty, of which Captain Martin, by whose wife he was then employed, was seeking to deprive him. Through the *Montreal Gazette* in March, 1784, Madame Perrault offered a Negress for sale ; and a week later appeared an advertisement of a second, "about twenty-five years of age, who has had the smallpox and goes under the name of Peg." Four years later, in March, 1788, a claim for the delivery of "two Negro wenches" was preferred before the Montreal court of common pleas and judgment given that the slaves should be delivered up to the plaintiff. About this date, in the columns of the *Quebec Gazette*, a "hearty Negro boy, about fifteen years of age, well qualified to wait on a gentleman as a body-servant," was offered to any purchaser ; and in the same journal, in October, 1793, was announced an offer of sale of "a stout Mulatto man, aged twenty-three years ; has been used to house-work, speaks both

1 "Canadian Archives," 1889, p. 39.

French and English, and is fit for any hard labour.”<sup>1</sup> In 1795 a female slave was sold at Quebec for one hundred dollars: the latest public slave-sale at Montreal, that of Emanuel Allen, for thirty-six pounds, took place in August, 1797. The conveyance required was passed, but the sale was afterwards set aside by legal proceedings. To these and similar slave announcements variety was sometimes given in the local paper by an advertisement of a runaway, preceded by a rough wood-cut of a dark figure speeding as for life. Any tavern-keeper in the province entertaining a slave made himself liable to a penalty of five pounds.

At the close of the Revolutionary War the western part of Canada—now the province of Ontario—then almost a wilderness, became the home of some thousands of Loyalists, not a few of whom were descendants of the old Dutch and Walloon settlers of the province of New York. They entered Canada at different points, some by crossing the St. Lawrence in the vicinity of Cornwall and at Montreal; while others landed at Cataraqui—Kingston of to-day, and perhaps the largest number at points along the Niagara frontier. Many of them settled along the Upper St. Lawrence, around the beautiful Bay of Quinté, and on the northern shore of Lake Ontario; and others founded homes along the banks of the Niagara and Detroit rivers. At these and other neighborhoods they were joined by large numbers of disbanded troops, militia and half-pay officers, to whom and to the comparatively few immigrants from the mother country very liberal land grants were made by the British government.

During the depressing journey from the old home to the new, in some cases occupying weeks spent in the open boat or waggon, some of the Loyalists and their families

<sup>1</sup> Anderson's "Life of the Duke of Kent," p. 18.

were accompanied by slaves, not a few of whom had come of their own accord. Slave property had in many cases been confiscated with the owner's estates; in some instances a part of it remained, in others slaves had been purchased. On the faithfulness of these attendant Negroes the voyagers were in a great measure dependent for their progress and their comfort. The oar, plied by their strong arm, sometimes aided the sail of their rude bateaux, at other times replaced it; the camp where nightly rested women and children too weary to think of it as on the site of some former deadly conflict or in the neighborhood of the lynx, or bear, or wolf, often owed both safety and comfort to the skill and deftness of their not unwilling hands.

A contributor to the *Napanee Beaver* wrote on a recent date: "There has been considerable controversy of late whether slaves were ever owned in this section of Canada. The Allens brought three slaves with them who remained with the family for years after. Thomas Dorland also had a number of slaves, who were members of the household as late as 1820. The Pruyns, who lived on the front of Fredericksburg, had, we are informed, over a dozen slaves with them. The Ruttans, of Adolphustown, brought two able-bodied Negro slaves with them. Major VanAlstine also had slaves; so had John Huyck, who lived north of Hay Bay; and the Bogarts—near neighbors, and the Trampours, of the opposite side of Hay Bay. The Clarks of Ernestown, to-day called Bath, owned slaves who were with them years after their residence in Canada. The Everetts of Kingston township and Cartwrights of Kingston also had theirs." In the Niagara or Home District, in another section of Ontario, there were estimated to be about three hundred Negro slaves and a few Indian slaves in 1791.

Respecting these slaves brought to the Midland District and to other parts of the province some further facts are

given by Dr. Canniff in his "Settlement of Upper Canada, with Special Reference to Bay Quinté." The Rev. John Stuart, previously Episcopal missionary to the Mohawk Indians, in writing in his memoir respecting his permitted removal to Canada, remarks: "My Negroes, being personal property, I take with me, one of which being a young man and capable of bearing arms, I have to give one hundred pounds security to send back a white prisoner in his stead." Captain Joseph Allan took with him from New Jersey, at the end of the war, to Upper Canada three slaves. The two men, some years later, ran away to Lower Canada. Their owner pursued them to Montreal and spent ten days in a fruitless search for them. The third slave—a woman—he sold with her child to Silas Hill. This boy was afterwards sold to Abram Barker, who retained him until he became, according to law, free at the age of twenty-one. Major Van Alstine's slaves, whom he treated with patriarchal kindness, lived in great comfort in the old-fashioned Dutch cellar-kitchen in his home in Fourth Town. In a note to the author of the above-named volume Sheriff Ruttan informed him that his uncle "brought two negro servants with him who were very faithful, hard-working fellows." During the year of famine they were sent from Adolphustown to Albany "for four bushels of Indian corn—a dreadful hazardous journey through the forest, with no road and the snow very deep, yet they executed this mission and returned in safety." "Black Betty," owned by Nicholas Lazier, was said to have been one of the listeners to the first sermon of the first Methodist preacher at New York, and one of the earliest Methodists of Canada West. Leavens, of Belleville, bought a female slave of Wallbridge for one hundred dollars: a son of this slave was purchased by Captain McIntosh. Captain Herkimer and others in that section of country were also slave-proprietors. For one slave

woman a Mrs. Simpson received the sum of three hundred dollars. Slaves are known to have been held at Thurlow.

At different points along the St. Lawrence bondmen were also found. In answer to a letter from Dr. Canniff, Sheriff Sherwood wrote: "As regards slaves I only recollect two or three who settled in the District of Johnstown; one in particular, named Cæsar Congo, owned by Captain Justus Sherwood who came with his family in the same brigade of boats that my father and family did, and located about two miles above Prescott. They were the very first actual settlers. Well I remember Cæsar Congo, then a stout, strong young man, who often took the late Justus Sherwood of Toronto and myself on his back to assist us along while the boats were drawn up the rapids. Cæsar was sold to a half-pay officer named Bottom, and who after a year's service gave Cæsar his freedom. Cæsar soon after married suitably, and by his industry obtained a snug little place in the town of Brockville, where he lived many years and died." In the neighborhood of the latter town several slaves were held, one of them by Daniel Jones, father of Sir Daniel Jones.

At Fraserfield, the residence of the Hon. Thomas Fraser, in the District of Johnstown, were a number of slaves who had been brought by his father, a United Empire Loyalist, from his former home. To descendants of this gentleman the names of several of these slaves are yet familiar, especially that of the very dignified "Captain York," who lived to a great age. The old "quarters," with their rows of sleeping bunks ranged around the walls, remained years after slavery had ceased to exist, and many of the descendants of the slaves continued in the service of the family until comparatively recent years.

In 1790 the British government, with a view to facilitate the removal of certain Loyalists yet remaining in the United States, and to remove to their remaining American



territory a number of other Loyalists lingering in dependence and abject poverty in Britain, passed an Act "for encouraging new settlers in his Majesty's Colonies and Plantations in America." According to this Act, which was published in the several colonies, any person after August 1, 1790, a subject of the United States, removing thence to any of the Bahama or Bermuda Islands, or to any part of the province of Quebec or Nova Scotia, having first obtained a permit to reside there from the governor of the colony, was at liberty to bring with him any Negroes, household furniture, clothing, etc., the furniture, utensils and clothing not to exceed the value of fifty pounds for each white person in the family and that of forty shillings for each Negro, the sale of any Negro or other property being strictly forbidden within twelve months. Through this legislation a number of slaves were brought into Upper Canada between 1790 and 1793; and a few others were probably added to the slave population by the many families who—like the Ryersons and others—left the Maritime Provinces, New Brunswick in particular, about the same period or a very few years later, for the more level and roomy territories at the west.

With this action on the part of the British government the authorities of the newly formed colony of Upper Canada were somewhat dissatisfied. Both the lieutenant-governor—Simcoe—and the chief-justice—Osgoode—had small regard for slavery. The former had written to a friend during the preceding year that the principles of the British constitution did not admit of slavery, which was also condemned by Christianity. To this statement he had added that "from the moment that I assume the government of Upper Canada, under no modification will I assent to a law that discriminates by dishonest policy between the natives of Africa, America or Europe."<sup>1</sup>

<sup>1</sup> "Simcoe Papers," i., p. 497.

During the second session of the first parliament of Upper Canada, which met at Newark—now Niagara—on May 31, 1793, a bill to “prevent the further introduction of slaves” and to “limit the term of contracts for servitude within the province” was introduced. There is reason to suppose that it was prepared by the chief-justice under an impulse from the lieutenant-governor, who strongly supported it, though Dr. Canniff may be correct in his statement that “Upper Canada was primarily indebted” for this praiseworthy action to Robert Gray, solicitor-general, “an earnest friend of the African race.”

In the preamble to the bill it was declared to be unjust that a people who enjoy freedom by law should encourage the introduction of slaves, “and to be highly expedient to abolish slavery in this Province, so far as the same may gradually be done without violating private property.” It was therefore proposed to enact that “from and after the passing of this Act, so much of a certain Act of the Parliament of Great Britain, entitled An Act for encouraging new settlers, etc., as may enable the Governor or Lieutenant-Governor of this Province, heretofore parcel of His Majesty’s Province of Quebec, to grant a license for the importing into the same any negro or negroes, shall be, and the same is hereby repealed; and that from and after passing of this Act it shall not be lawful for the Governor to grant a license for the importation of any negro or other person to be subjected to the condition of a slave, or to a bounden involuntary service for life in any part of this province, nor shall any negro, or other person who shall come, or be brought into the Province after the passing of this Act, be subject to the condition of a slave, or to such service as aforesaid, within this Province, nor shall any voluntary contract of service or indentures that may be entered into by any parties within this Province, after the passing of this Act, be binding upon them or

either of them for a longer term than a term of nine years."

The second clause of the bill provides that the owners of slaves, at the time within the province, should be secured in their property, and that contracts already made should not be affected; but in the third clause, "in order to prevent the continuation of slavery within this Province," it was proposed to enact that "immediately from and after the passing of this Act every child that shall be born of a negro mother, or other woman, subjected to such service as aforesaid, shall abide or remain with the master or mistress in whose service the mother shall be living at the time of such child's birth, (unless such mother and child shall leave such service, by and with the consent of such master or mistress), and such master or mistress shall, and is hereby required to give proper nourishment and clothing to such child or children, and shall and may put such child or children to work when he, she or they shall be able so to do, and shall and may retain him or her in their service until every such child shall have obtained the age of twenty-five years, at which time such child shall be entitled to demand his or her discharge from, and shall be discharged by such master or mistress from any further service." It was also provided, to prevent any difficulty from uncertainty of age, that the "master, mistress or mother" of any child born in slavery should duly register the date of birth of such child, any master or mistress refusing to do this to be subjected to a penalty of five pounds.

Provision was also made against any undue detention after the age of twenty-five of a child born in the service of any master or mistress; and it was "provided always that in case any issue shall be born of such children during their infant servitude or after, such issue shall be entitled to all the rights and privileges of free-born subjects." It was at the same time enacted that "when-

ever any master or mistress shall liberate or release any person subject to the condition of a slave from their service they shall at the same time give good and sufficient security to the church or town wardens of the parish or township where they live that the person so released by them shall not become chargeable to the same, or any other parish or township."<sup>1</sup>

This bill, which reflects so much credit upon the first legislators of Upper Canada, was passed on the 9th of July, 1793, but not without strong opposition. During the Revolutionary war many slaves had been purchased from the Indians at a low price, and the holders of these desired to reject the bill entirely. "The greatest resistance," wrote the lieutenant-governor to the Secretary of State—Dundas, "was to the Slave Bill, many plausible arguments being brought forward in respect to the dearth of labour and the difficulty of obtaining servants. Some, possessing Negroes, knowing that it was questionable if any subsisting law authorized slavery, wished to reject the bill entirely; others wished to supply themselves by giving leave to import for two years."<sup>2</sup> In his address at the close of the session Lieutenant-governor Simcoe gave expression to the great relief he felt at being no longer liable to be called upon to sign permits for the importation of slaves.<sup>3</sup> Canadian legislators saw thus early, as did Southern leaders during the Kansas conflict more than a half century later, that any restriction upon slavery presaged its destruction.<sup>4</sup>

<sup>1</sup> Canniff's "Settlement of Upper Canada."

<sup>2</sup> "Canadian Archives," 1891.

<sup>3</sup> "Transactions of Canadian Institute," Vol. i., Toronto.

<sup>4</sup> It is but justice to our neighbors across the boundary line to say that previous to this Act in Upper Canada two states at least of the American Union—Pennsylvania and Rhode Island—had adopted similar measures; and that in this they were followed in 1799 by New York with a provision for gradual emancipation, which on July 4th, 1827, resulted in the complete abolition of Negro slavery in that important section of the country.

Slavery in this restricted form continued to receive recognition for some years in the journals of the time in Upper Canada. In the *Upper Canada Gazette and American Oracle* of October 11, 1797, Messrs. W. & J. Crooks, of West Niagara, informed the public of their wish to "purchase a Negro girl of good disposition, from seven to twelve years of age." In the course of years, however, cash and lands came to be regarded as less precarious property than human chattels, and sellers apparently proved more numerous than buyers. At York (Toronto), in December, 1800, the *Gazette* announced "to be sold"—"a healthy, strong Negro woman, about thirty years of age," who understood "cooking, laundry, and the taking care of pantry," and could also "dress ladies' hair." In the *Niagara Herald* of January 2, 1802, there was offered for sale "a Negro man slave, eighteen years of age, stout and healthy," who had "had the small-pox" and was "capable of service either in the house or outdoors." Terms would be made easy to the purchaser, and "cash or new lands received in payment." A few days later, through the columns of the same paper, "the Negro man and woman, the property of Mrs. Widow Clement," were offered "for sale." They had "been bred to the business of a farm," and would be "sold on highly advantageous terms for cash or lands," on application to Mrs. Clement. In 1806 the Hon. Peter Russell, of Toronto, who had previously been receiver-general of the province, and during the absence in England of Governor Simcoe administrator of the government, advertised for sale, in the *Gazette and Oracle*, two of his slaves, both of them "servants for life." "Peggy," who three years before been advertised as absent without her owner's leave, was aged forty years, and "Jupiter," her son, about fifteen. For the mother the price was one hundred and fifty dollars; for the boy, "tall and strong for his

age," two hundred dollars, payable in three years, with interest from the day of sale, and to be secured by bond, etc. For ready money one-fourth less would be taken. A sister of Mr. Russell was the owner of a Negress who attended her mistress in the head-gear of a red turban and under the high-sounding title of Amy Pompadour, and who was afterward legally given by Miss Russell to Mrs. Captain Davison, of Toronto. As late as March, 1811, William Jarvis, the Secretary of the province, had before the court at Toronto a "Negro boy and girl, his slaves," who "had the evening before been committed to prison for having stolen gold and silver out of his desk and escaped from their said master."

Indian slaves were also to be found in Ontario at the beginning of the present century, for through the *Niagara Herald* of August 25, 1802, Charles Field, of Niagara, informed his neighbors: "All persons are forbidden harbouring, employing, or concealing my Indian slave Sal, as I am determined to prosecute any offender to the extremity of the law, and persons who may suffer her to remain in or upon their premises for the space of half-an-hour, without my written consent, will be taken as offending, and dealt with accordingly."<sup>1</sup>

A telegram to Canadian papers from Cornwall, Ont., in January, 1871, called attention briefly to the life story of one of the slaves brought into Ontario under the operation of the Act passed in 1790 by the British government. This very aged man—one hundred and five years old at his death—had seen service in the Revolutionary war, and had in 1792 been brought by his master, Major James Gray, to Canada. At the death of the master, a little later, his slave woman and her children passed into the hands of the son, Robert D. J. Gray, solicitor-general

<sup>1</sup> "Slavery in Canada," by J. C. Hamilton, LL.B. "Toronto of Old," by H. Scadding, D. D.

of the colony. The latter, by his will, made in 1803, and duly proved after his loss in 1804 by the foundering of H. M. S. "Speedy" on Lake Ontario, discharged from the state of slavery in which, in the words of the document, "she now is", his "faithful black woman and servant, Dorinda", and gave her and her children their freedom, and to protect them against want directed that twelve hundred pounds should be invested and the interest applied to their maintenance. To his black servants, Simon and John Baker, sons of Dorinda, he gave with their freedom two hundred acres of land each, as well as pecuniary legacies. Simon Baker went down with his master in the "Speedy"; John lived to serve through the war of 1812, receiving a wound at the battle of Lundy's Lane, and enjoying a pension for fifty-seven years.

Another old colored man, born in New York State in 1766, and brought to Canada as a slave by a United Empire Loyalist, had an interesting record. This man appeared at the court of assize at Ottawa at the advanced age of one hundred and one years and in full possession of all his faculties, to prove the deaths of two persons at the very beginning of the present century. He, too, had fought on the side of the British—through the war of 1812, during which he was present at the battles of Chippewa and Lundy's Lane, and was wounded at Sackett's Harbor.

In the Maritime Provinces the system of slavery promised, through the Loyalist arrivals, a new development. The colonies to the southward, previous to the Revolution, might have been regarded as forming three groups—the planting, the farming, and the trading colonies. Earlier slave-owners in the Lower Provinces had come from the farming and trading sections; at the close of the Revolutionary war came more numerous representatives of the

three classes of colonies, the Loyalists from the planting portions, where the severer style of slavery was in vogue, being in the majority. Hence the term "servant" proved one of only temporary application, and the designations "slave" and "the property of" appeared almost as frequently in official records of early Shelburne as they might have been expected to occur half a century since in a Southern city.

A detailed statement of advertisements to be found in the Halifax weekly journal during the three years succeeding the eventful immigration of 1783, having reference to absconding slaves or slaves to be sold, would become wearisome to general readers, although a few might pause to read an announcement in as large letters as the style of the day would permit, in the *Nova Scotia Gazette and Weekly Chronicle* of June 24, 1783: "To be sold at Public Auction on Saturday, the 28th inst., at the Golden Ball, a Negro wench, twenty-five years of age, a good house servant". Of documents relating to the legal transfer of slaves, a sufficient number has been found in several of the county registry offices to vary the monotony of real estate transfers and the arrangements of probate courts, but from various circumstances it may be presumed that only a few of the transactions in human chattels during those years are now known on earth.

Recorded papers establishing the transfer of a slave woman to successive owners in Halifax can be seen in book twenty-three, in the registry of deeds' office of Halifax. On December 11, 1783, "Alexander Campbell, late a captain in the South Carolina Loyalists, for and in consideration of the sum of forty pounds currency", conveyed to Thomas Green, Esq., late a captain in the Royal Nova Scotia Regiment of Foot, a "certain Negro wench named Nancy", who, on the same day, "personally appeared" before Geo. Wm. Sherlock, J. P., and "freely



acknowledged herself a slave and the property of the within-named Captain Alexander Campbell". Nearly two years later Thomas Green, by a similar document and for the same amount, transfers the said Negro woman to Abraham Forst, gentleman, of Halifax, who one year later conveys, with all his other property, the "certain Negro woman or wench called Nancy, with her child called Tom", to Gregory Townsend, Esq., assistant naval storekeeper.

A wholesale baptism of slaves took place in St. Paul's church, Halifax, on February 10th, 1784. To the record, by the minister, the Rev. Dr. Breynton, is appended, "Negroes christened belonging to Governor Wentworth".<sup>1</sup> A letter from John Wentworth, Esq., dated Halifax, N. S., Feb. 24th, 1784, and addressed to "Paul Wentworth, or to his attorney at Surinam", Dutch Guiana, where his "affectionate kinsman" had a large estate in which the writer of the letter had some concern, has an interesting reference to this baptism :

I herewith inclose to you a bill of lading for nineteen negro slaves, shipped by me on board Schooner Patty, Lemuel Little master, for account and to be employed on the Estates, and for the use of my dearest friend and relation, Paul Wentworth, Esq. I also enclose herewith a Receipt for Sundry provisions shipped for the use of these slaves. And it is agreed that the surplus of their consumption shall be delivered to you on account of Mr. W. free of all expenses and demands whatsoever. This addition of valuable slaves I trust will be exceedingly useful, as they are all either American born or well seasoned, and are perfectly stout, healthy, sober, orderly, industrious and obedient.

Isaac is a thorough good carpenter and master sawyer, perfectly capable of overseeing and conducting the rest

<sup>1</sup> John Wentworth, Esq., had been the last Royal governor of New Hampshire. In July, 1783, he had been appointed "Surveyor-General of his Majesty's Woods in Nova Scotia and other his Majesty's Territories in North America". A few years after this he was made a baronet and appointed lieutenant-governor of Nova Scotia.

and strictly honest. Lymas is a rough carpenter and sawyer; Quako is a field negro, has met an accident in his arm, which will require some indulgence. The other men are sawyers, and John also a good axe-man. Abraham has been used to cattle and to attend in the house, etc. All the men are expert in boats. The women are stout, able and promise well to increase their numbers. Venus is useful in ye hospital, poultry yard, gardens, etc. Upon the whole they are a most useful lot of Negroes, and have behaved so entirely well and to my approbation that I earnestly recommend them to your particular care, and if practicable that they be employed together and that Isaac should be their overseer. I am much interested for them, insomuch that I have had them christened, and would rather have liberated them than sent them to any estate that I am not sure of their being treated with care and humanity, which I shall consider as the only favour that can be done to me on this occasion.

Isaac has tools with him, and the whole are clothed for three years. By the return of this vessel I expect to send two more and six months' provisions (at the rate of English soldiers) for the whole number. The vessel that brings these Negroes belongs to John Prince, Esq., a very respectable merchant of the place, for whom I have the greatest regard and the highest estimation of his integrity and liberality. . . . About three months since I wrote Mr. W. to London that I had purchased these Negroes and should ship them in March for his estate at Surinam.

J. WENTWORTH.

Negroes embarked:—Abraham, James, Henry, Lymas, Cyrus, John, Isaac, Quako, January—9. Priscella, Rachel, Venus, Daphne, Ann, Dorothy—6. *Children*: Celia, William, Venus, Eleonora—4. Matthew and Susannah reserved at Home.

The above all christened by Dr. Breynton, Feb. 11, 1784.<sup>1</sup>

During subsequent years of the decade several transactions in slaves took place, records of which have escaped

<sup>1</sup> Wentworth Letters, Vol. 49, "Manuscript Documents of Nova Scotia," p. 25.

destruction. In 1786 an advertisement of "A Negro boy for Sale", appeared in the *Royal Gazette* of St. John, N. B. ; in July of the same year a "likely Negro wench" was offered through the columns of a Halifax newspaper ; in October, 1788, a "stout, likely and very active young black woman, late property of John H. Carey", was offered for sale in the *St. John Gazette and Weekly Advertiser*, "not for any fault", being "singularly sober and diligent"; and in May, 1789, Abraham Treadell, of St. John, surveyor, sold to John Ward, merchant, of the same place, "his heirs, executors, administrators and assigns forever", Toney, a Negro boy, for twenty-five pounds. Transfers of slaves were then also somewhat frequent in the county of Annapolis. David Randall, of Wilmot, in 1785 devised to his wife Kezia, "the use of my Negro wench Sukey" during the life of the said wife ; in 1786 Thomas Cornwell, of Annapolis, a "reduced captain in His Majesty's late King's American Regiment", gave to Isaac and David Bonnett, merchants of the same place, a bill of sale of "one farm, one Negro girl named Letisha, one roan horse named Beatable, one yoke of oxen, one milch cow", and various other articles of property ; and just a year later Christopher Benson, Esq., of Granville, executed a similar paper in favor of John Robertson, merchant of Annapolis, in the varied inventory of which are catalogued "one Negro man named Squire, and one Negro boy named Dave". During the same year Frederick Sinclair, of Annapolis, tavern-keeper, purchased a "Negro girl named Jane". Several slaves were disposed of by the will of Joseph Totten, of the firm of Joseph Totten & Co., merchants of Annapolis, recorded in March, 1788. To his wife Susannah, in addition to certain real estate, was given during her life or widowhood the use of "slaves, horses, cattle, stock", etc., and to each of three daughters a

“ Negro girl slave”, to her “ executors, administrators and assigns for ever”. In the event of the death or re-marriage of the widow, the testator directed that at a convenient time thereafter the slaves, cattle and stock and other articles left for her use should be sold at the discretion of his children “ either at auction among themselves or at public vendue as the major part of them shall agree and think best”, the proceeds to be divided according to appended instructions. A bill of sale, of similar tenor to those just mentioned, may be found in the registry office at Pictou. By this paper Archibald Allardice, mariner, makes over to Dr. John Harris, of Truro, as security for forty pounds advanced him, “ one negro man named Sambo, also one brown mare and her colt”. In Hants county, in 1789, as private papers show, Captain John Grant disposed of a Negro girl, one of the nine slaves brought with him from New York, to Robert Killo, of Halifax, receiving for her thirty pounds. The presence of slaves at Halifax at this time is recognized in an advertisement of a pawnbroker, dated January 14, 1788, in which he states that “ it is particularly desired that no apprentice, bound servant, nor slave will apply, for no business will be transacted”.

Shelburne records of the period present the historical student with some peculiar reading. In the magistrates' court record of the old Loyalist town may be found details of an interesting trial there in 1788. The defendant, one Jesse Gray, who had received a large grant of land at Argyle for military service at the South, had sold to William Mangham, of Shelburne, a colored woman— Mary Postill, for one hundred bushels of potatoes. No exception was taken by the court to the bargain, the charge against Gray being one of misdemeanor, it being alleged that he was not the legal owner of the chattel sold. Proof having been furnished that the woman had been his

legal property at the South, the court at once acquitted him, and the slave, for the hundred bushels of potatoes, became the undisputed property of Mangham. In probate court records for the same year is the will of Thomas Robinson, "formerly of Sussex county, Delaware, at present of Nova Scotia", whom in 1778 his Whig neighbors had "ordered to surrender himself for trial or stand attainted for treason":

I give and bequeath unto my eldest son, Thomas Robinson, Four Hundred Pounds in cash, Nova Scotia currency. Also I give my said son my pinchback watch, chain and gold seal. Also my Negro Boy named Manuel, also the bed and furniture I sleep on, with my silver spectacles.

*Also*—I give and bequeath to my daughter Arcadia Cannon Two Hundred Pounds in cash, Nova Scotia currency, to be paid to her by my executors, together with my Negro woman Priscilla and her child Sally.

*Item*—I give and bequeath to my brother Peter Robinson a Negro boy named Philip, by trade a blacksmith, and now in my said brother's possession.

Some interesting facts are found in the late Dr. Patterson's "Life of James McGregor, D. D.", grandfather of Professor McGregor of Dalhousie University. The Rev. Daniel Cock, the much-esteemed Presbyterian pastor at Truro in 1788, was very greatly surprised one day to receive an unusually bulky letter from James McGregor, the young Presbyterian minister at Pictou. The latter minister had learned, to his amazement, that Mr. Cock had had in his possession two slaves—a mother and daughter. The mother, given him, it is said, in Cornwallis, he had sold because of her unruly conduct; the daughter, whom he seems to have secured by purchase, he had retained. There could be no question that these bondwomen were treated with kindness; but to young McGregor, recently from Britain, where the controversy

on the slave trade had begun to excite public feeling to its depths, the very thought of a minister of Christ retaining a fellow-being in bondage was so revolting that he made it a special reason for refusing all communion with a presbytery tolerating such conduct in one of its members. Bewildered by Mr. McGregor's letter, Mr. Cock took it to a friend, Matthew Archibald, whose purchase of the boy Abram has been noted on a previous page. These neighbors were soon, however, to be more greatly surprised by the appearance in print of a similar paper, entitled, "A Letter to a Clergyman, urging him to set free a Black Girl held in Slavery". "Permit me to speak freely", wrote the young preacher, and without awaiting permission he "spoke freely," solemnly charging Mr. Cock to liberate his slave, since until he should do so none of his services could be acceptable to God. The ministers of the Truro presbytery became very indignant, and one of their number, the Rev. David Smith, pastor at Londonderry, took up a heavy pen in behalf of his mild-tempered but slave-owning friend, using such arguments as have been advanced and repeated and reiterated by the advocates of West Indian and Southern slavery. If, however, the members of the presbytery and a number of their friends were very indignant at the action of James McGregor, not a few persons in that section of the country read the published paper with warm approval of its contents.<sup>1</sup> The

<sup>1</sup> Mr. Cock and his neighbors were sometimes attacked from other directions. Israel Longworth, Q. C., author of the "Life and Times of the Hon. S. G. W. Archibald", tells this story of the boyhood of that distinguished Nova Scotian:—"During the time Parson Cock owned a black female slave, and one or more other slaves were held in Truro, a Baptist minister from the United States preached at Truro and spoke against human slavery, maintaining that the soul of a slave was more precious than a million of money. Coming out of the meeting young Archibald remarked in the hearing of the minister, 'That is strange doctrine you have been preaching, for Dr. John Harris bought a slave the other day, body and soul, for ten pounds'. This slave of Dr. Harris was known as 'Black Jeff', who, so tradition says, died of small-pox, from getting up and drinking three pints of cold water when his attendant was asleep".

slave girl, often called "Deal McGregor" from Dr. McGregor's allusion to her as a "sister", continued under Mr. Cock's roof until his death in 1805.<sup>1</sup>

The sincerity of James McGregor's opposition to slavery was abundantly proved. Two years before, in 1786, having found that Matthew Harris, of Pictou, who had sold the boy Abram, was the owner of a colored girl, and also of a Mulatto man named Martin, he at once sought their release. Of twenty-seven pounds, the part of his first year's stipend received in cash, he paid twenty pounds for the freedom of the girl, and a portion of the payments received by him for a year or two in produce went toward payment of the balance of the ransom price of fifty pounds. Through his influence also the slave-owner was persuaded to guarantee the Mulatto—Martin—his freedom on condition of a certain term of good service. A further sum of nine or ten pounds was also paid out of his small salary to secure the release of a woman held in bondage for a term of years.<sup>2</sup>

It is satisfactory to know that the enfranchised slaves justified the interest taken in them by the young Scotch minister. Dinah Rhyno, the young girl owned by Harris, continued throughout life to cherish the warmest gratitude towards her benefactor. She and her husband, George Mingo, a colored man who had served in the American war, became members of the Presbyterian church at Pictou, and by their consistent lives everywhere commanded respect. Several of their children lived to a good old age as members of the Presbyterian churches in Moncton, Bedford and elsewhere. Robert Mingo, one

<sup>1</sup> The passage in which this allusion occurs was this: "Tell me, Reverend Sir, why you do not sell me? I am your brother, and your slave is your sister. You are not able. I bless God for his kindness to me, which hath put it out of your power to deal with me as you have done with my sister". "Remains of Rev. James McGregor", p. 170.

<sup>2</sup> "Memoir of James McGregor, D. D.", pp. 153-158.

of the sons, highly respected for his Christian character, died at Bedford two years ago ; Abbie Mingo, a daughter of the slave freed by Dr. McGregor in 1787, died in November, 1898, at Truro, a pensioner, during the later years of a very long life, of the First Presbyterian church of that town.

Any harsh judgment of the clerical slave-holder at Truro according to the standard of to-day would deserve, at the same time, to be met with protest. Casting a glance backward, he might have regarded himself, in his treatment of his bondwoman, as a man of advanced views. Only a century before, Cotton Mather, a well-known New England divine—he who so eagerly advocated the adoption of certain desperate remedies for the “diabolical” disease of witchcraft, had approved the proposal to intercept William Penn and his fellow-Quakers on the ocean on their way to their new colony, and sell “the whole lot” at Barbadoes as slaves. By way of justification Mr. Cock might have cited the fact that Cotton Mather himself, who had only died sixty years previously, had been given by his congregation a Negro worth fifty pounds, and that in gratitude for the gift many a noble resolution had been made by him to save, with God’s blessing, his bondman’s soul ; and the further fact that Jonathan Edwards, a much more distinguished divine, who had died only thirty years before the date of Dr. McGregor’s attack, had once offered a puncheon of wine for an able-bodied slave.<sup>1</sup> To the well-known names of Cotton Mather and Jonathan Edwards he might have added those of Dr. Hopkins, Dr. Williams and Ezra Stiles, two of whom at least were then living. And he might have asserted, without fear of contradiction, that scores, if not hundreds, of slave-holding ministers could at the time be found on the American continent, and more than one of them in the

<sup>1</sup> “Independent”, New York, Jan. 1, 1891.



Maritime Provinces. In the items of the appraisement of the personal estate of the deceased rector of Shelburne, made by James Cox and Lynde Walter in 1798—ten years after the publication of a “Letter to a Clergyman”—were these: “Samuel, a Black Boy, thirty-five pounds; William, a ditto, thirty pounds; a girl, twenty-five pounds”, followed by others giving the valuation of the cattle on the estate.

In an old volume in the office of the registry of deeds, Halifax, may be found an interesting “deed of gift” drawn up in August, 1787, by Edmund Crawley, of H. M. S. “Ambuscade”, a member of one of the earliest Halifax families, but at the above date with his ship in England. By this document he claims as his own “property” his Negro woman, Tamar Cole, and all her children born before March 1, 1783. To Tamar Cole he gives her freedom, and at the same time their freedom to the young children she may have had since the date named, as these were not born under his “family’s care and expense”. But of the children born previous to that date he gives one each to four young nephews and nieces at Halifax, the slaves to be under the guardianship of the young people’s parents. If more than four such slave children—born before 1783—should be living, they, “the girl Sophia excepted”, were to be the joint property of the nephews and nieces; and all the slaves thus given to his young relatives were to be held as their property until the “property” should be of the age of thirty-six years. Each slave upon the attainment of that age was to be free upon the production of a certificate from the minister and church wardens of St. Paul’s of good behavior “as becomes negro slaves”. In case of inability to produce such a certificate to a “justice of the peace of the said town of Halifax” they were to be required to serve another year, or until they could produce the necessary certificate, with an abstract from the parish register to attest their arrival at the stipulated age. On the fulfilment of these conditions

they were to have their freedom at the age of thirty-six, "and not otherwise".<sup>1</sup>

But few legally-attested, immediate manumissions are to be found among the records of that period. On the 21st December, 1786, an interesting document of the kind was duly registered in the office of the registry of deeds, St. John, New Brunswick :

To all people to whom these presents shall come Frederick William Hecht, Esquire, of the City of St. John, in the Province of New Brunswick, sendeth greeting. Whereas a certain Molatto Man now called Joshua Moore, born in the city of New York in America the nineteenth day of April one thousand seven hundred and sixty-six, in a state of slavery to the said Frederick William Hecht, and as a slave to the said Frederick William Hecht has continued to the date of these Presents, Now know ye that the said Frederick William Hecht, for Himself, his Heirs, Executors, Administrators, hath renounced and disclaimed, relinquished, and by these presents doth clearly and absolutely renounce, relinquish, disclaim and release unto the said Molatto Joshua Moore all the Estate, Dominion, Right, Title, Interest, Claim and Demand whatsoever of him the said Frederick William Hecht in Law or Equity of in over and to the Person and Services of the said Molatto Joshua Moore, hereby declaring and making the said Joshua Moore to all Intents and purposes whatever manumitted and discharged from a state of Slavery and the service of the said Frederick William Hecht, his Heirs, Executors, and Administrators forever as if freeborn. In Witness whereof the said Frederick William Hecht hath hereunto set his Hand and Seal this Nineteenth Day of December in the year of our Lord One Thousand Seven Hundred and Eighty-six.<sup>2</sup>

FREDERICK WILLIAM HECHT. [L.S.]

Sealed and delivered

In presence of

ANN HECHT.

THOMAS WETMORE. )

<sup>1</sup> See Book 28, p. 26.

<sup>2</sup> Frederick William Hecht was "senior assistant commissary in Nova Scotia" in Feb., 1784, having his office at Fort Howe, St. John.

On the following day Thomas Wetmore appeared before Gabriel G. Ludlow, Esq., mayor of the city, and deposed to the signature of Mr. Hecht, on which that official appended his certificate :

At the same time appeared before me Joshua Moore, a Molatto, who the said Thomas declared was the Joshua Moore within named and intended, and it appearing to me that there is no fraud intended upon the publick nor any impropriety in his being manumitted I hereby allow the same. In testimony whereof I have hereunto set my hand and caused my seal of Mayoralty to be affixed the day and year above written.

G. G. LUDLOW.

By similar documents on May 2, 1787, John Hume, "late of the Island of Carriacow (one of the Leeward Islands) but now of the city of St. John, New Brunswick", gave their freedom to a "certain Negro wench now called Betty Hume", about thirty-three years old, purchased by him at Carriacow in 1780, and to her child, a Mulatto boy born in Grenada in 1785 "in a state of slavery to the said John Hume". Through an earlier instrument, drawn up in May, 1779, and recorded in the registry of deeds' office, Bridgetown, Annapolis county, Robert Baird, "for divers good Causes and Valuable Considerations me hereunto moving" did "give, grant, quit-claim and manumitt unto a certain Negro named Thomas of all and all manner of servitude and bondage whatsoever" which he or any possible claimants through him could ever have upon him.

Several facts indicative of the existence of slavery in the Maritime Provinces at the beginning of the last decade of the century are furnished by Lieutenant John Clarkson, during his mission in 1791-92. When the governor, Sir John Wentworth, generally correct in his estimate of public affairs, wrote in October, 1796, to the Duke of Portland in reference to the Negroes still in the province,

that "Slavery being almost exterminated here, distinctions naturally painful to these people are gradually dying away", he saw with the eyes of the judiciary rather than with those of the general public. The truth of his words in relation to Nova Scotia seemed to admit of question ; had the statement been applied to New Brunswick it might have been declared to be untrue. In Nova Scotia wills probated between the years 1796 and 1799 at Halifax, Amherst, Shelburne, authorize the transfer of slaves to heirs ; in 1798 Jeremiah Northrup offered a reward through the *Royal Gazette* to any person who would bring to Mr. David Rudolph at Halifax, or to himself at Falmouth, a " Negro boy named James Grant, a smart, likely lad " ; through the same medium Reuben Tucker of Digby sought the apprehension of a colored man named Francis Webb ; and by a certificate acknowledged before a justice of the peace James Cox, of Shelburne, in 1800 hired " my slave, George Cox, to Captain Samuel Mann, of the brig Greyhound, for a coasting voyage to Newfoundland and back ". John Herbert, of Shelburne, in a will recorded in March, 1799, gave and bequeathed to his wife, Sarah Herbert, a Negro woman named Venus ; and to his " son Thomas the house I now live in, as also all the land and lots I hold in the township of Shelburne," and " to my said son Thomas a slave named Isaac".

During the same period more numerous transactions in slaves took place in New Brunswick, though trace has been probably lost of a still larger number through lack of care in the preservation of the earlier documents of more than one county. In the probate records of St. John no slave is mentioned later than 1795, when Samuel H., of the city of St. John, " gives and bequeaths" to his " beloved wife a negro woman named Phillis", one chest of drawers and all the pictures, etc. ; but several sales of

Negroes took place in the years immediately following that date. George Harding, of Maugerville, in July, 1797, transferred in due legal form to his son John a Negro boy named "Sippio" for the sum of fifteen pounds; a week later Munson Jarvis, a leading merchant of St. John, sold and delivered to Abraham DePeyster, one of the original grantees of St. John, "one negro man named Abraham and one negro woman named Lucy", agreeing to warrant and defend the sale against all persons whatsoever; and in the *St. John Gazette and Weekly Advertiser* of March 1, 1799, a negro woman and child, the mother about nineteen years old, brought up in the country, well acquainted with dairy and housework, and "sold for no fault", was offered to purchasers. Other advertisements of that period indicate that a growing uncertainty was attending any investment in slaves. Legal documents were strengthened; absconding slaves were advertised for. Robert Guthrie, of Central Norton, Kings county, offered a reward for one; Titus Knapp, a former officer of one of DeLancey's corps, at first a settler at Kingston but a little later of Westmoreland county, a larger reward for another, named Nero; and Colonel Peters and Reuben Williams, of Queen's county, as will have been seen on a previous page, made in 1799 a generous offer for that day to any one who would secure for them "two colored men, Gill and Dick, the property of the subscribers".

Several slave sales took place in Nova Scotia during the first decade of the present century. In the years 1801 and 1802 several Negroes were bought and sold in the county of Yarmouth. One bill of sale is quoted by the Rev. J. Roy Campbell, according to which in December, 1801, a slave-owner sold for thirty-nine pounds a "certain Negro boy named Jack," born in his own house of parents

“both my property”.<sup>1</sup> Precisely the same amount was paid by Dr. Bond of Yarmouth in the same month for Manuel Jarvis, a slave believed to have been brought from the West Indies by his owner, Colonel Lewis Blanchard, from whom Dr. Bond, as an old ledger shows, also purchased in March, 1802, for forty pounds another slave named Kate, then or soon after married to Manuel.

A similar incident in domestic life was the purchase, in the same county, of Dinah, a Negro woman, by James Lent. Mr. Lent, an ensign in the Queen's Rangers during the war, had come at the peace to Shelburne, whence he had removed in 1784 to Tusket Village, his neighbors knowing him as “Judge” Lent, the magistrate of the district. The judge's slave, William, having become discontented, had concluded with successive generations that it was not good for man to be alone, and had persuaded his master to buy him a wife. Had Nova Scotian slavery been like that of Virginia the investment of a hundred pounds in Dinah would have resulted in no small profit to Mr. Lent, his “heirs, administrators and assigns”. A daughter of William and Dinah Berry, born in slavery in Nova Scotia, died at Tusket in 1893 at the age of one hundred and six years.

A conveyance found several years since in a safe in the cellar of the late Peter Bonnett, high sheriff of the county of Annapolis, transfers in October, 1804, from Isaac Bonnett and other administrators of the estate of Robert Dickson, late of Annapolis, to William Robinson, his heirs, etc., in consideration of the sum of seventeen pounds, a “certain Negro girl slave named Priscilla, about eight years and four months of age, being part of the personal estate of the late Robert Dickson”, and after the usual form guarantees to the purchaser his right to

<sup>1</sup> “History of Yarmouth”, by Rev. J. Roy Campbell.

the possession and services of the slave. The witnesses to this will were Charles Cornwell and Laurence Sniden. Descendants of this slave girl were recently living in Annapolis county.

A still later document—the latest of the kind in Nova Scotia of which I have any knowledge—possesses a peculiar interest from its date, the names it bears, the doubt respecting the legality of the transfer to which expression is given, and the absence of the usual guarantees. The paper is duly signed and sealed, but bears no evidence of having been placed on record :<sup>1</sup>

PROVINCE OF            }  
NOVA SCOTIA.        }

Know all men by these presents that Alice Allison of Horton, Widow and Relict of Joseph Allison, late of Horton in the County aforesaid, yeoman deceased, Administratrix, William Allison and John Allison, Administrators of all and singular the Goods and Chattels, rights and credits which were of the said Joseph Allison at the time of his death to be administered, For and in consideration of the sum of Thirty-nine pounds lawful money of the Province aforesaid to them in Hand paid by Simon Fitch, of Horton, in the county aforesaid, Esquire, upon the Second day of March last, the receipt whereof is hereby acknowledged, Have Granted, Bargained, and Sold and made over unto the said Simon Fitch a certain Negro woman named Nelly, of the age of twenty-five or thereabout, now in the possession of the said Simon, where she hath been since the said Second day of March last, which Negro woman was and is a part of the Personal Estate of the said Joseph Allison (if a Negro can be considered personal property in Nova Scotia) and all the Right, Title, Interest and Claim which the said Joseph Allison in His Lifetime Had, and which the said Alice Administratrix, William Allison and John Allison Administrators aforesaid Had or have in and

<sup>1</sup> For the use of this document I am indebted to Mr. W. L. Barss, LL. B., of the law firm of King & Barss, of Halifax.

to the said Negro woman and to her services for and during her natural life, to Have and to Hold the said Negro Woman and all the Estate, Right, Title, Interest, Claim and Demand which the said Joseph Allison Had in his lifetime, and which they the said Alice Administratrix, William Allison and John Allison Administrators Had or Have of and in the said Negro Woman and to her Services for and during Her natural life unto the said Simon Fitch His Executors, Administrators and Assigns in as full and ample a manner as the said Joseph Allison in His lifetime possessed the same and as the said Alice Administratrix, William Allison and John Allison Administrators as aforesaid Held or possessed the same.

In Witness whereof the Parties to these Presents have Hereunto Subscribed their names and affixed their seals at Horton this second day of March in the year of our Lord One Thousand Eight Hundred and Seven.

Alice Allison, Administratrix. [L.S.]

Wm. Allison, Administrator. [L.S.]

John Allison, Administrator. [L.S.]

Signed, sealed and  
Delivered in presence of }  
Jeremiah Calkin, Jr. }

Some faded old documents furnish proof that slavery continued to exist several years later than the date of the above transaction in that part of New Brunswick lying nearest to Nova Scotia. Slaves, never very numerous there, seem to have fallen chiefly into the hands of two leading men, both of them magistrates. One of these, James Law, said to have been a Virginian taken in boyhood to Connecticut, had, at the close of the French war, during which he fought with conspicuous gallantry, commenced business as a trader at Fort Cumberland about 1761. There he married a daughter of Colonel Thomas Dickson, and became one of the most wealthy and prominent and prodigally hospitable men of that part of the country. His slaves have been described as "a petted and useless lot" who thought so much of themselves that "as proud



as Law's Negroes"—uttered in less polished phrase—became a proverbial expression. The several slaves owned by Titus Knapp, previously mentioned, had been purchased by him, according to his grandson, Charles E. Knapp, Esq., of Dorchester, at different auction sales after he had made his home at Fort Cumberland. He owned at one time "Sippio Milligan, Peter Martyn, Lucy Martyn, Newton Bacchus, and several others whose names are forgotten". A bill of sale in the possession of W. C. Milner, Esq., Point de Bute, dated January 9, 1804, proves the transfer by James Law to Titus Knapp of a Negro boy named Peter for the sum of forty-two pounds. This boy was again sold, about 1810, to James Isaac Hewson, with whom he remained "until after the emancipation of slaves".

A still later transaction appears in another bill of sale, also in the possession of Mr. Milner :

Know all men by these presents that I, Sarah Allen of the county of Westmoreland and Province of New Brunswick, for and in consideration of Thirty Pounds, to me in hand paid at and before the sealing and delivery hereof by Titus Knapp Esquire of Westmoreland and Province aforesaid, the Receipt whereof I do hereby acknowledge, have bargained, and sold and by these presents do bargain and sell unto the said Titus Knapp a Mulato Boy about Fourteen Years Old named Bacchus, to have and to hold the said Mulato Boy to himself, his Heirs and assigns for ever ; and I the said Sarah Allan for myself, my heirs and Assigns against all and every other Person or Persons whatsoever shall and will him warrant and Defend for ever unto the said Titus Knapp. In Witness whereof I have hereunto set my hand and Seal this Tenth day of May in the Year of our Lord One Thousand Eight Hundred and Eight, and in the Forty eighth year of his Majesty's Reign.

Signed, Sealed and  
delivered in presence of us, } SARAH ALLEN. [L.S.]  
CATHERINE DIXON.  
JAMES KNAPP.

Of twenty-two "servants" on the "provision" roll of the disbanded officers and soldiers and Loyalists "settling or about to settle" in June, 1784, in Prince Edward Island, then the "Island of St. John", six were in a separate column for "whites"; it may therefore be inferred that the others were colored "servants for life". Nearly all the latter were in the service of officers of the disbanded First Battalion of the King's Rangers, and were thus distributed: "Samuel Hayden, captain, three; Edward Mainwaring, captain, three; John Throckmorton, captain, two; Peter Anderson, ensign, two; Joseph Beers, ensign, two; Alex. Smith, adjutant, two; Lewis Davis, surgeon, one". Two servants are also enumerated with George Burnes, captain in the Royal Fencible American Regiment.

The number of American Loyalists who found homes in the island of St. John in succeeding months was not large, and few of them were, as far as can be learned, owners of slaves. A part of the proprietors among whom the fertile lands of the island had been so lavishly divided were ready to give up a portion of their large grants to the disinherited strangers, but the loss of some of the governor's despatches prevented that fact from becoming widely known. A few months later an agent was sent to the Loyalists in Nova Scotia with offers from the governor and proprietors to induce them to remove to the island colony. At Shelburne the agent found a number of "decent, steady people, mostly farmers", disappointed in the quality of the land on which they had been located, and glad to make a fresh venture. With a party of sixty of these, Loyalists and others, including John Brecken, George Maby, John Chambers, Nathanael, Stephen and William Wright, who arrived at Charlottetown from Shelburne on July 26, 1784, on their way to Bedeque, came no slaves: whether any bondmen were on board the

several vessels reported in the September following by Mr. Stewart, the agent to muster the disbanded soldiers and Loyalists, to be on the way from Shelburne, is uncertain.<sup>1</sup>

Somewhat later, several Loyalist families, arriving from other points, brought colored "servants" with them to the island. Among these families was that of Colonel Joseph Robinson, whose descendants have held a prominent place in public affairs.<sup>2</sup> In consequence of his activity in raising a troop of cavalry in North Carolina and in other ways promoting Royal interests, Colonel Robinson's dwelling had been burned by the rebels, and his family obliged to flee for their lives, and afterwards escape with him in a vessel bound either to Florida or one of the West India Islands. Of the several slaves who came north with them first to the neighborhood of St. John, N. B., and somewhat later to Little York, P. E. I., where the slaves occupied little cabins on the corner of their master's farm, one, known as "Sancho", or "Sancho Campbell", had rendered the family special service by saving Mrs. Robinson and her children from the sharks which threatened their destruction through the upsetting of the boat in which they were being landed at their first place of refuge. This slave lived to be one hundred and five years of age.

With the Haszard family, from Rhode Island, slaves also came to the province. The only bills of sale registered at Charlottetown are two, recorded in October, 1804, by which in November, 1802, "Thomas Haszard of Charlottetown, Esquire", assigns to "William Haszard of

<sup>1</sup> "Manuscript Documents", Nova Scotia, Vol. 376.

<sup>2</sup> One daughter of Col. Robinson married John Brecken, a grandson of whom is the Rev. Ralph Brecken, D. D., of Mt. Allison University, and one of the most eloquent preachers of the Canadian Methodist Church; another daughter became the wife of Robert Hodgson, and mother of Sir Robert Hodgson, chief-justice and afterward governor of Prince Edward Island.

Lot 49, merchant", in consideration of twenty pounds, Halifax currency, a Mulatto boy three years old called Simon ; and on the same date gives to his granddaughters " Harriot Clarissa Haszard and Sarah Louisa Haszard one Mulatto girl about five years of age named Catharine". Governor Fanning also was the possessor of two Negro men, to one of whom—Shepherd—when setting them at liberty, he gave a farm.

Of a slave named Sickles, owned by William Creed, previously of Boston, a glimpse is obtained through Dr. Patterson's " Life of James McGregor". This slave, who was much interested in Mr. McGregor's preaching at Three Rivers during his visit to the Island in 1794, was baptised during a visit of the same minister in the following year, and soon after, through the influence of Mr. McGregor, was given his freedom.<sup>1</sup> One or more slaves, bearing the same name, are known to have belonged to David Higgins, who came to the Island from Boston about the commencement of the Revolutionary war and carried on business in the district visited by the minister named.

An interesting reference to slavery in the island colony appears under date of July, 1800, in an old memorandum book of one of the early residents of Charlottetown, who seems to have been an adept in the art of using words to conceal rather than to disclose his meaning :

I was under the necessity of telling my servants, Jack and Amelia—to get them to go to Prince Town—that at the end of one year, if they behaved themselves well (of which I was to be the judge), and that neither Mrs. — or myself wanted them or either of them, I would give them their liberty ; that is to say, only for themselves two, not liberty for any children they now have or may hereafter have. But I also told them that if they or either of them misbehaved, they forfeit all expectations thereto. I

<sup>1</sup> "Life of James McGregor", p. 280.

also told them as long as either of us wanted them, they were not to look for or expect their liberty, but to remain slaves as long as we, or either of us, thought proper; and I also assured them, if they behaved themselves well, they should never be sold with my consent.<sup>1</sup>

The latest known advertisement of a public slave sale in the Lower Provinces appeared in the *Royal Gazette and Nova Scotia Advertiser* of September 7, 1790, where in the column of "Sales by Auction" William Millet offered at his auction room, Halifax, on "Thursday next, the 9th inst., ship bread, mess pork, Indian and Rye meal, some household furniture, a stout, likely Negro man, and sundry other articles", the prominent type being given to the Negro man. No later advertisement of the private, unconditional sale of a slave is found in any paper in the Lower Provinces than that which appeared in the *New Brunswick Royal Gazette* of October 16, 1809, when Daniel Brown offered for sale Nancy, a Negro woman, to any purchaser of whom he guaranteed a "good title". And it is probable that the latest offer of a reward for the apprehension of a runaway slave to be found in a Lower Provinces' paper, was that which was made through the *Royal Gazette* of New Brunswick for July 10, 1816.

<sup>1</sup> *Weekly Examiner*, Feb. 11, 1881.

## CHAPTER III.

### ORIGIN OF THE SLAVE. HIS TREATMENT IN CANADA. CAUSES OF THE DECLINE OF SLAVERY IN CANADA.

The slave in Canada was not in every case a Negro. Among bondmen in Quebec were Indians known as Panis, or, as some have called them, Pawnees ; and a few of these captive Panis, if one may judge from the advertisement of Charles Field, before quoted, were also found in the western province.<sup>1</sup> Of the slaves brought to the Maritime Provinces by settlers from the Northern states, either before or after the war of the Revolution, a number were of mixed race.

Not many years after Dutch traders had introduced African slaves into Virginia, the fortunes of war threw numbers of Indian captives into the hands of the English settlers in America, who enslaved them as their Anglo-Saxon forefathers had enslaved their prisoners more than a thousand years before. At the close of the fierce Pequod war, when about seven hundred Indians had been slain or captured, the captives were divided between the colonists of Connecticut and Massachusetts. By the authorities of the latter province the male children were sent to the Bermudas ; the women and girls being distributed as slaves among the settlements at home : a somewhat similar course was no doubt adopted by the managers of the first-named province. Many other Indian captives were thrown into the hands of New England settlers by the King Philip war. These could be held as slaves at home, but could not at the time be lawfully taken out of the country. Another terrible war—between the South Carolinians and

<sup>1</sup> See page 48.

Tuscaroras—ending in the defeat of the latter, left a large number of Indian prisoners in possession of the Carolinians, who shipped them as slaves to the other colonies. There the commission of cruel outrages by several of them led the General Courts, in the northern colonies in particular, to prohibit, under severe penalties, the further introduction of Indians as slaves. In the meantime, many Guinea slaves, regarded as of greater value than the Indians, who had proved poor and dangerous house servants, had been brought into the colonies; and both at the north and south the two races had intermarried, the Indians at length becoming absorbed in the much greater number of blacks, a limited amalgamation also taking place between the latter and the whites.<sup>1</sup> Besides these blended races were also some others whom the cupidity and cruelty of English captains had led them to carry away from other sections of Africa than Guinea and from ports in the East Indies. A similar variety of race was found in the free Negroes sent to Nova Scotia, as these were described in the lists prepared by order of Sir Guy Carleton at New York.<sup>2</sup>

<sup>1</sup> Johns Hopkins "University Studies", Series xi and xiv. On the savage service of that day James Russell Lowell makes this comment: "Let any housewife of our day who does not find the Keltic element in domestic life so refreshing as to Mr. Arnold in literature, imagine a household with one wild Pequot woman, communicated with by signs, for its maid-of-all-work, and take courage. Those were serious times indeed when your cook might give warning by taking your scalp or chignon, as the case might be, and making off with it into the woods". "Indian men", Mrs. Alice Morse Earle remarks, "often left their masters dishonestly dressed in their masters' fine apparel, and even wearing beribboned flaxen wigs, which must have been comic to a degree, over their harsh, saturnine countenances". It after all seems only natural "that any such wild child of the forests should have fled away from the cramped atmosphere of a Puritan household and house", adds Mrs. Earle. The same writer, in "Colonial Days in Old New York", remarks that she "has noted the fact that nearly all African-born Negroes who have become leaders in this country, or men of marked note in any way, have been Guinea men".

<sup>2</sup> See Vol. 423 of the "Manuscript Documents of Nova Scotia", consisting of extracts from the "Dorchester Papers", in which the origin of each freed-man sent by Sir Guy Carleton from New York to Nova Scotia is given.

Representatives of these blended races were to be found among the slave population of the British American provinces. Frequent mention is made in documents of the period of "Mulattos", "Mullottas" or "Molattos". Benjamin Condon, of Cornwallis, in 1777 gives to his son, James Condon, "the home farm", one half of certain undivided upland, "also my Spanish Indian man servant", for whom he asks his son to make comfortable provision in the event of his being incapacitated by age, sickness or other cause. Judge Ritchie, of Halifax, remarks that there frequently in his boyhood came to his father's house in Annapolis an old colored man with long hair and sharp features, and known as "Old Marsh", who was often spoken of by the judge's mother as one of the slaves of his grandfather, John Ritchie, Esq., and was supposed to be a native of Madagascar; and among slaves set free by Judge Isaac Allen of Fredericton, in the very first years of the century, is said to have been a girl carried off from the East Indies and sold at New York.

Slavery throughout British North America was generally of a mild type, like that of the Northern states. The Rev. John Wiswall, the first rector of Wilmot, N. S., driven by the Whigs in 1776 from his parish at Casco Bay, Maine, sent this message to his slave, Dinah, in a letter from Boston to a near relative: "Remember me to Dinah. I allow her to live with you or where she pleases until she hears from me. I am determined not to sell her to anybody. This you can assure her from me".<sup>1</sup> Judge Reeves, in speaking of slavery in Connecticut, whence a number of the New Englanders came to Nova Scotia, shows the system in practice in that province to have been "very far from the absolute, rigid kind. The master had no control over the life of his slave. If he killed him, he was liable to the same punishment as if he

<sup>1</sup> Manuscript Journal of Rev. John Wiswall.



had killed a freeman. The master was as liable to be sued by the slave, in an action for beating and wounding, or for immoderate chastisement, as he would be if he thus treated an apprentice. A slave was capable of holding property in the character of devisee or legatee. If the master should take away such property his slave would be entitled to an action against him by his *prochain ami*. From the whole, we see that slaves had the same right of life and property as apprentices, and that the difference betwixt them was this, an apprentice is a servant for time and the slave is a servant for life".<sup>1</sup> In accordance with this interpretation of the right of the slave the man who in Cape Breton was charged with the death of a Negro was brought to trial, only escaping a severe penalty on the plea of self-defence.<sup>2</sup>

In the New England colonies a large degree of social as well as legal freedom seems to have been permitted. Madam Knight, of Boston, who travelled through Connecticut in 1704, gives us a glimpse of slave life in that province, and as quoted by Mrs. Earle says that the Negroes were too familiar, being permitted to sit at the table with the master and dip into the same trencher. Of the New England slaves Hawthorne has written : " They were not excluded from the domestic affections ; in families of middling rank they had their places at the board ; and when the circle closed around the evening hearth its blaze glowed on their dark shining faces, intermixed familiarly with their master's children".

The laws of the Southern provinces, humane to the white man, were severe to the Negro. The statute of Virginia which declared who were slaves had adopted, as we learn from Bancroft, the idea long prevalent through Christendom that "all servants not being Christians,

<sup>1</sup> Johns Hopkins " University Studies ", Series xi, p. 387.

<sup>2</sup> See page 34.

imported into this colony by shipping, shall be slaves". Yet, it was added, "Conversion to the Christian faith doth not make free". The early Anglo-Saxon rule, interpreting every doubtful question in favor of liberty, declared the children of freemen to be free: doubts arose in Virginia whether the offspring of an Englishman by a Negro woman should be bond or free, and the rule of the Roman law prevailed over that of the Saxon. The offspring followed the condition of its mother—a rule generally adopted throughout the colonies and in the West Indies. From the same authority we learn that Virginia law also made the master absolute lord over the Negro. "The death of a slave from extremity of correction was not accounted felony, since it cannot be presumed—such is the language of the statute—that premeditated malice, which alone makes murder felony, should induce any man to destroy his own estate"—a conclusion which fails to take into account the force of human passion. "Finally it was made lawful for persons, pursuing fugitive coloured slaves, to wound or even to kill them".<sup>1</sup> But even the slavery of the Southern colonies, at the period at which numerous Southern Loyalists found their way to the territory of the present Canadian provinces, had not developed as much general harshness in practice as was seen when the rapid growth in the trade in rice, sugar and cotton, the trinity that dominated the industry of the South, had led to greater effort to supply the imperious demands of a widening market; and when the advance of Abolition sentiment at the North had made slavery a great political interest in the country, while on the plantation it was promoting greater restiveness on the part of the slave, and increased suspicion on that of the owner.

Instances of the treatment of slaves in Canada after the Southern fashion there apparently were. Mr. T. W. Casey,

<sup>1</sup> Bancroft's "History of the United States", Vol. ii, p. 193.

of Napanee, Ont., writes that "for years a tree that stood at Finkle's Point, above Bath, was pointed out as one to which a slave had been tied to be severely thrashed". Among the dwellings destroyed at Windsor, N. S., on a fateful Sunday in October, 1897, was one at which I had often looked askance in childhood, because of the story that a slave boy, killed by a blow from a hammer in the hand of his master, had been known to put in an occasional appearance there. Mrs. J. M. Owen, of Annapolis, to whom the writer of this paper has to express his indebtedness for more than one item of interest, has referred in the *Halifax Herald* to the tradition that Mrs. Barclay, wife of Colonel Barclay, of Annapolis, was responsible for the death of a slave through a severe whipping she had ordered him. In his "History of Pictou" the Rev. Dr. Patterson says: "We have not heard of any cases of those in Pictou who owned slaves ill-treating them. On the contrary, a poor woman who belonged to Matthew Harris and obtained her freedom used to confess that her life had never been so free from anxiety as when living with him; but in other places tradition has preserved the remembrance of some cruel deeds, showing the character of the system. We have heard, for example, of a Negro slave in Truro who was so treated by his master that several times he ran away, usually making for Pictou. On one occasion his master, having caught him, cut a hole through the lower lobe of his ear, through which he passed the end of a whip-lash, and knotting it he mounted his horse and rode off, dragging after him in that way the poor man, who shortly after died, it was believed in a large measure through the treatment he had received".

Some serious revelations are made in Lieutenant Clarkson's journal. Three or four years before the arrival of that officer in this province—in 1791—on his philanthropic mission, slavery, especially in the more populous

settlements of Nova Scotia, had assumed a fast-and-loose character. During the war of the Revolution Loyalist slave-owners had been unable to exercise over their slaves the previous strict control ; and after their arrival in the remaining British colonies, where opportunities for employment were uncertain and the cost of maintenance great, not a few necessitous proprietors were glad, especially when the issue of the food rations was about to cease, to let their slaves forage as best they could for themselves and their families. The consequence of this cessation of government supplies was a sad one, not only to the cast-off slaves, but to many of the free blacks as well, especially at Burchtown and Shelburne, where several Negroes, after having parted with what little they had, died on the streets from hunger.<sup>1</sup> Liberty was not, however, purchased by this responsibility of the bondman for personal and family maintenance. His human owner had only relaxed, and not abandoned, his hold upon his convenient property. "There are many instances", wrote Clarkson in Halifax, December, 1791, when he had one day been calling on several persons to "give up some children whose parents were about leaving with him" for Sierra Leone—"many instances, after seven years have elapsed, that the master has retaken his slaves because they were useful, and sold and disposed of them as he thought proper". Among men so unprincipled and base as these Clarkson found some of his strongest opponents.

Other persons also grieved the spirit of the perplexed philanthropist. On one occasion he called upon a Mrs. H., at the dockyard, to intercede for the freedom of a Negro girl, whose family, after the burning of their house at Preston, had indentured her to this woman for five years, three of which she had served. Believing that the girl, all whose relatives were to go to Sierra Leone, would at

<sup>1</sup> Memoirs of Boston King, "Arminian Magazine", 1798, p. 209.

the end of the five years' term he sold as a slave, the lieutenant pleaded for her freedom, but to no purpose. All appeals to Mrs. H. as a woman and a mother, he states in his journal, were "fruitless". At another time he waited upon a Mr. Lee, an "honest, well-meaning, good sort of a man", whose slave, Clarkson had reason to believe, ought to have been free. The owner insisted upon the legality of his title, and declined to liberate his man, and the lieutenant withdrew, having concluded that Captain Mason, of the "Delaware", and his surgeon had forged a title to the boy and then sold him to Lee. In another instance, in spite of the partial acquiescence of two Halifax magistrates in the scheme of a butcher about to carry off a colored lad to the United States, he rescued the lad, and no one having appeared against him when he presented himself to justify his action, he placed the boy with the boy's father and enrolled him with the father's family for embarkation for Western Africa.

Two even more sad illustrations of the working of slavery in Nova Scotia belong to the same period. During a visit of some days to Shelburne Clarkson was called upon by a "black slave"—John Cottrell, the property of Mr. Farish. He had been taken in execution by the sheriff, with all the rest of his master's property. Clarkson describes the interview as very affecting. With tears, the slave, whose wife and children were free, stated that though separation from them would be like death itself to him, he had come to the conclusion to resign them for ever, because he was convinced that that course would ultimately render them more comfortable. "Much more", adds Clarkson, "he said which it is impossible to convey in language adequate to our feelings on this occasion". Touched by the man's deep emotion and noble spirit, Clarkson promised to purchase his freedom, and at once approached his owner, from whom with sorrow he learned

that the intricacy of law, as it affected this slave's condition, was such as to prevent his sale by his owner. The worthy Major Skinner, the leading magistrate of Shelburne, also gave the lieutenant no ground for hope of success in rescuing the slave during the short time remaining to him in Nova Scotia; he had therefore to abandon the attempt.

The second illustration takes us to other sections of Nova Scotia. A certain resident at Manchester, Guysboro' county, according to Clarkson, had succeeded in getting a young colored woman, under pressure of want, to indenture herself to him for a year. Taking advantage of her ignorance, he had inserted in the document "thirty-nine years" instead of one year, and had obtained her mark by way of signature. He then told her that she was to serve for the year with a Dr. B. of Lunenburg, to whom she was sent. On arrival at Lunenburg the poor girl learned with intense surprise that she had been bound for a term of thirty-nine years and made over to Dr. B. for the sum of twenty pounds. At the end of three years of alleged cruel treatment she had made her escape from the German town, and after the endurance of great hardship had reached Halifax. In this woman's behalf Clarkson wrote Dr. B. and also sought legal advice. Having been informed that she might recover wages from the doctor, but that the slowness of the process of law would prevent a final settlement of her case in time for removal to Sierra Leone, he was obliged to abandon further effort in this instance also. "And", he adds, "there were many others of a similar nature". Can one very greatly wonder that in sheer disgust, on the very eve of sailing from Halifax in January, 1792, he should have written words which seem libellous?—"the Black people being considered in this province in no better light than beasts"!

This sweeping statement of the worried lieutenant must nevertheless not be allowed to pass unquestioned. In Nova Scotia and New Brunswick, and in Ontario, as we have seen, were owners of slaves who did not forget that those under their control were human beings. If there were masters like one at Maugerville, N. B., whose slaves, on a slight pretext tied up in the barn and vigorously whipped, as the emancipated "Cato" was wont to describe, were ready to desert him at the first distinct whisper of freedom, there were others like his neighbor, Elijah Miles, whose kindness had so attached his Negroes to himself and to his place that only the lapse of years could detach them from their former master. To the Negro the word "freedom" had an intense attraction;<sup>1</sup> and when the word was being translated into fact many copied the conduct of the slave at Yarmouth who rushed into his master's kitchen with the exclamation, "We'se free", and, proof against any offer of wages, sought a shanty for himself and wife, in preference to the previous comfortable shelter. Yet not a few of these, by the frequent acceptance of refuge in old haunts, and by their dependence upon their former owners and upon their children after them, bore witness that the period of bondage had not been wholly without its sunshine.

The lives of Canadian slaves were without annals. Their existence was passed on one of the lowest levels, references to them in contemporary records being only occasional and as brief as possible, except

<sup>1</sup> T. W. Higginson, of Cambridge, Mass., tells of the influences which predisposed him to be an Abolitionist: "My own strongest impulse came incidentally from my mother". The acquaintance of his father, who was steward at Harvard, and also "patron", led to several visits to Southern families. "Being once driven from place to place by an intelligent Negro driver, my mother said to him that she thought him very well situated after all; on which he turned and looked at her, simply saying: 'Ah, missis! free breath is good'. It impressed her greatly, and she put it into her diary". "Cheerful Yesterdays", p. 123.



under very special circumstances. Some scenes caught by the mental camera tempt one to smile; others dispel any tendency to gaiety. A suggestive picture of the relations subsisting between slaves and their owners at Yarmouth at the beginning of the century, handed down by parents and now retouched by the pen of Mrs. Maria J. L. Thorburn, of Ottawa, merits preservation in full: "My maternal grandfather, Dr. Bond, mentioned on page 145 in Campbell's 'History of Yarmouth', owned two slaves, the man named Manuel, and his wife Kate. They were employed as household servants. When my mother (afterwards Mrs. Farish) was a girl, probably about 1802, a child was born to this couple. My grandfather made a present of the little one to my mother, telling her she could give it any name she chose. She had just been reading the romantic adventures of Lady Hester Stanhope, so gave the name of her heroine to the little slave-born baby. Hester was one of the memories of my childhood, often coming in after years to our house in Yarmouth. When the slaves were liberated Manuel came into the kitchen one day, exclaiming, 'Kate, we're free'! Having been all their lives in slavery and cared for, they were utterly unable to take care of themselves, and my grandfather offered to keep them and pay them wages, but so elated were they with their new-found liberty that they refused, even though, to keep themselves alive during the cold ensuing winter, Manuel had frequent recourse at nights to the potato bin of his old master, his knowledge of the premises making this an easy matter. I remember both Manuel and Kate very well. The latter eked out a precarious living by selling molasses candy to the juveniles of the town, especially on 'training-days' and at launches. She came very often to my mother's house, whence she was never sent away empty. She lived to be over a hundred years (having



been born in 1773), and died not so many years ago, near Weymouth, N. S."

Some serio-comic aspects of slave life are presented by certain local traditions. The treatment of a slave by an old Loyalist officer at or near Woodstock, N. B., must have given more pleasure to the "small boy" than to the slave. Each day the old gentleman rode up to the tavern for his accustomed potation, followed by a slave on foot, who at the door handed the filled glass to his master, and as regularly executed the most dexterous possible movement in order to evade the blow from the master's stick which invariably accompanied the return of the emptied glass. Not less amusing, to two individuals, was the treatment of a slave at Annapolis, which tradition imputes to Joseph Winniett, a leading member of a family long prominent in the old Nova Scotian capital. A slave girl had one day during Mr. Winniett's absence from home provoked to the utmost the patience of her mistress. On his return Mrs. Winniett promptly demanded a severe whipping for the slave at the hands of her master. Having ordered the girl to an adjoining room, Mr. Winniett charged her to scream at the top of her voice, while he proceeded to apply his whip with such vigor to the furniture of the room as made all rattle again until at the opened door the satisfied mistress informed the refractory girl that she had learned a lesson without any mistake this time!

In some cases the attachments between the slaves and the families of their owners were strong and lasting. A gentleman whose early life was spent in St. John, N. B., tells of a slave brought to Hampton by his maternal grandfather, Isaac Ketchum, a Loyalist. This slave was older than his mother, and through all the trials and critical periods of that mother's married life had proved so faithful a friend that a resting place had been promised her at death beside the mother. Many years passed, and

then one day the sons and daughters, true to their mother's promise, bore the body of old "Phemy", the former slave, from her humble home on Princess street, St. John, of that day, and laid it beside the dust of the mother, whose life-chapter had been closed many years before.

In several instances thoughtfulness on the part of the master is seen in the bequest for the benefit of the slave. Thus in 1789 Anna Lillie, of Halifax, widow of Theophilus Lillie, in her will arranges that at her death her "black man, Cæsar", is to be free, and leaves ten pounds with her executors to be used "in case of sickness or other necessity", and in a codicil orders, like a thoughtful woman, that "the feather bed and bedstead whereupon he usually sleeps, and also the bed clothes and bedding belonging thereto, be also given unto Cæsar". A few months earlier Thomas Leonard, of Horton, places this clause in his will: "I give and bequeath to my former Negro woman Phillis (I have given her freedom with her child) fifty pounds Nova Scotia currency to be paid her as follows, viz.: Ten pounds in three months after my decease and ten pounds a year for four years after, making the said fifty pounds". In similar spirit Joseph Fairbanks, of Halifax, in 1790 by his last will and testament directed that "my old and faithful servant, Richard Fortune, shall be emancipated and made free immediately after my decease", and made provision for giving him five pounds annually so long as he should live. According to the disposition by Edward Barron, Esq., of Barronsfield, Cumberland county, of the "worldly estate which it hath pleased God to bless me with", Phœbe, his slave, was to have her freedom at his death, and her son, Hugh Cumming, at the age of twenty-one or sooner if she should so wish. "Let her have two cows and six ewes". Joshua F. De St. Croix, of Granville, dying in 1804, directed that his "faithful servant Bess" should be free if

she wished, and instructed his three sons to pay her ten pounds a year during her life. And Stephen Reed, of Amherst, in 1801 requests his sons "jointly to provide for and comfortably take care of the black man and black woman slaves belonging to me, during their natural lives". An equally benevolent intention may have prompted the slave-owner who either gave or bequeathed a slave for the "use and benefit of the wardens and vestry of St. Paul's", Halifax.

The truth of the assertion of Lieutenant Clarkson, if understood in relation to the moral and spiritual welfare of the slaves, would also admit of very serious question. From a share in some at least of the church ordinances of the time they were not debarred. As early as in 1769 an entry appears in the records of the Protestant Dissenting church, now St. Matthew's Presbyterian, of Halifax, of "Samuel, Susannah and Elizabeth, children of William and Charity Willet, John, a Negro servant", baptized by "the Rev. Mr. John Seccombe". Seven years earlier—in 1762—an entry of the baptism of two Negro girls, Lucia and Frances, was made in the register of St. Paul's parish; and in 1775 another of "a negro of Mr. McNamara's". Subsequently to the baptism of Governor Wentworth's numerous party many others took place, though a distinction was not always clearly drawn in the records between the candidates slave and free. Similar entries are also found in the records of Annapolis, Sydney, C. B., and others of the older parishes of the provinces. In the register of the parish church, Prince William, York county, N. B., may be read in the handwriting of the Rev. Frederick Dibblee, first rector of Woodstock, under date of July 28, 1798: "Baptized two Black children, the property of Col. Ellegood, named Sally and Adam Wise". The early parish records at Maudgerville, N. B., have similar entries. On September 14, 1788, John Beardsley, the rector of that

parish, baptized "Cæsar Broadstreet, a servant to Peter Ryerson; Nathanael and John, servants of Captain [Elijah] Miles; Edward Ludlow, servant to Mr. [Richard] Carman; Margaret Allison, servant to Mrs. Allison; Scipæo Africanus, Susannah Africanus, Mary, Osman and Cornelius Moore, all Black Adults";<sup>1</sup> on "April 26, 1791, John, a black servant child of Mr. John Simonson; and on "October 3, 1797, Ann and Mary Ann, Mr. Simonson's black children", and also "Elizabeth and Easter Longmuire, black adults of Mr. Lawton". Richard Clarke, the first rector of Gagetown, N. B., has in his register, under date of January 1, 1788, an entry of the baptism of "Maria, an adult, and Lydia, servants of Col. Ludlow", a brother of Chief-justice Ludlow; and another, dated St. John, March 6, 1788, of "Bettie, a Negro wench", and "Charles, ye son of Bettie". Among recorded baptisms at Annapolis are those of slaves belonging to the families of Chandler, DeLancey, Ditmars, Polhemus and Sneed. Records of burials of colored people, distinctly reported as servants or slaves, are less frequent than those of baptisms. One is found in the Maugerville record under date of July 27, 1783: "Buried Rachel, a black woman—servant of William Hubbard, Esq."; another appearing in the register of St. George's parish, Sydney, C. B., has been quoted on a previous page.<sup>2</sup> A similar entry of a later date is the record of the funeral of "Andrew, a servant of Captain

<sup>1</sup>The Rev. R. W. Colston, rector of Maugerville, in an account read at memorial services held in that parish on August 31st, 1898, is reported to have said: "At the vestry meeting in 1790 the first sexton was elected, Scipio, the colored slave of Eliza [Elijah?] Miles. Four years afterwards Scipio received a surname, Africanus." If the quotation from the records be correct, as given in the text, it would seem as if the poor fellow had been burdened with the classic title at his baptism, in 1788, or perhaps at an earlier date.

<sup>2</sup> See page 33.

Smith", at Woodstock, N. B., in 1808.<sup>1</sup> The parish clergyman of that day required the power to repress a smile, or the faculty of "smiling inside" which George Washington's slave ascribed to his master, or the sonorous, classic or historic names frequently conferred on slaves in baptism or repeated in the publication of the banns of marriage must have seriously discounted pulpit dignity.

The once prevalent idea that the right to enslave a Negro was based upon his being a pagan, and that to hold him in bondage after conversion to baptism was illegal—an idea which led to the passage of a law in Maryland in 1671, and at a later period in New York, that conversion or baptism should not be taken to give freedom to slaves, and at the beginning of the eighteenth century in some quarters awakened a strong objection to the baptism of slaves on the part of slave-proprietors—seems to have given Provincial masters little concern. It is not improbable, however, that in relation to the marriage of slaves they were' in some measure hampered by that fear of complication of property which led a great majority of West India planters to oppose formal marriages, while they encouraged illicit unions. Several marriages of slaves, as such, are recorded in old parish church registers. One may read in that of St. Mark's, Niagara, Ont.: "Married, 1797, February 5th, Moses and Phœbe, Negro slaves of Mr. Secretary Jarvis"; and in that of St. George's, Sydney, C. B. : "George Peter, black man, and Isabella Tomas, a free black woman, having been published three Sundays in the church, married 22nd July, 1787". The entry in the latter register of the marriage of "Cæsar Augustus, a slave, and Darius Snider, black folks", has

<sup>1</sup> The descendants of Captain Jacob Smith, of DeLancey's First Battalion, say that he brought one or two slaves to Woodstock. Others of the name also appear to have brought slaves to that part of New Brunswick.

already been quoted. Of several marriages of colored people recorded in the registers of St. Paul's, and the Protestant Dissenting church, Halifax, and of the parish churches at Annapolis and elsewhere, a few at least were those of slaves.

In some other quarters there seems to have been a lack of regard on the part of masters for the marriage bond in relation to their slaves. A recent writer on slavery in North Carolina says : " The intermarriage of slaves was a matter of little ceremony. The masters of the contracting parties must first consent to the union. That being arranged, the groom sought his bride, offered her some toy, as a brass ring, and if his gifts were accepted the marriage was considered as made. If the couple separated the present was always to be returned. Such separation occurred often, in particular in the absence of children, and quite independently, in many instances, of the wish of the parties".<sup>1</sup> In the British provinces as elsewhere usage held the children to be the property of the owner of the mother, and interference between the parents by owners seldom took place, but a somewhat amusing story told by Judge Morse of Amherst, of the courtship of a slave of Samuel Gay of Cumberland, and " Sylvey", an attractive young slave belonging to Colonel Henry Purdy of Fort Lawrence, gives some countenance to the suspicion that in Nova Scotia as in some other places slave marriages were not always matters of much ceremony.<sup>2</sup> And it does not appear that when two slaves owned by Miss Polly Polhemus, a daughter of John Polhemus, one of the Loyalist captains at Annapolis, arranged an exchange of partners, Miss Polhemus or any outside party interfered with the compact ; and so one of these worthies continued to drive the carriage of his mistress from her residence

<sup>1</sup> Johns Hopkins " University Studies", Series xiv., p. 225.

<sup>2</sup> A son of this couple, a much respected old man, died at Amherst about sixteen years ago.

near Clementsport to the parish church, himself a very picture of ebony dignity.

Lieutenant Clarkson, during his short mission to the Maritime Provinces, was an appreciative witness to the labors in behalf of their own race of men like David George—a Baptist, and Moses Wilkinson and Boston King—Methodists, all of whom, as free Negroes, accompanied him to Sierra Leone, but he seems to have been unacquainted with the efforts of William Black and James McGregor and others, who recognized in these enslaved Africans men and women for whom Christ died, and who found opportunity to render to some of them such services as Paul the apostle rendered to Onesimus of the olden time.

Frequent offers of rewards for the apprehension of runaway slaves towards the close of the last century indicate growing dissatisfaction with a state of bondage, but this restlessness was not by any means universal. One exception was old Zip Moses, the property of Frederick Davoue of Annapolis, a “shut-eye sentry”, according to Mrs. J. M. Owen, over the old gentleman’s daughters, who rewarded Zip’s free and easy guardianship with such tokens of good-will as made his position seem to him one to be retained as long as was possible. A lady belonging to this city tells of an old colored man of former days in Halifax who met an offer of freedom made by his master with the sage remark: “Master, you eated me when I was meat, and now you must pick me when I’m bone”. The same lady remembers a former slave named Chloe, who died somewhere in the thirties, for many years a servant with the Bains, a Scotch family once residing on the site of the present Academy of Music. This woman, my informant tells me, had in her countenance few lineaments of the Negro race, and held herself almost aloof from the colored people, a crowd of whom on the



day of her funeral looked with wonder at the unusual sight of the young men of the household following the body of a colored woman to her grave in the old cemetery.<sup>1</sup>

The causes of the rapid decline and early extinction of slavery in the British North American Provinces are worthy of study.

Public opinion had not at any time been unanimous in favor of the system. Though the traffic in captive Africans for the West Indies and the Southern States had been to some extent in the hands of traders belonging to the New England and Middle States, the general conscience of those sections of the country had never approved of the traffic, and from those sections the earlier slaveholders of Nova Scotia had come. It was owing in part

<sup>1</sup> This glimpse of a life reminds the writer that he learned during a residence of four years in Bermuda, where in 1834 the sun on July 31st set upon four thousands of slaves and on the following morning rose upon them all as freemen, that the more nearly the distinction of race is obliterated in the slave, the more keenly the iron of bondage enters his soul. There passed away in 1872 from the West Indies a minister whose life was said by his brother ministers, both white and colored, to have been "fully in accordance with the New Testament pattern". When, in 1825, Bishop Inglis, of Nova Scotia, in which diocese Bermuda was then included, first visited that colony, he had heard of this young man, and had called upon him to ascertain his willingness to accompany him to Nova Scotia, to be trained for the ministry of the Episcopal Church. Having learned that representations concerning himself had already been made to the managers of the English Wesleyan Missionary Society by their missionary on the islands, whom he described as having been an "angel of light" to him, the young man respectfully declined any further overtures from the bishop in a note about which that gentleman was heard to say that no student at King's College, Windsor, could have presented a better piece of composition. Upon the grant, by the British government, after the abolition of slavery in 1834, of five thousand pounds to the Wesleyan Missionary Society for the erection of school buildings for the colored population of the West Indies, on condition that the Society should expend half that sum from its own funds for the same purpose, the committee of the Society, having resolved to raise the necessary sum as a special fund, sent for this young minister to cross the ocean, and during eighteen or twenty months spent by him in Britain received from him most effective aid. Charles DeWolfe, of Horton, N. S., at one time a fellow-student with the late Governor Archibald in the law office of William Sutherland of Halifax, and afterwards one of Nova Scotia's most eloquent preachers, heard him in England and classed him with James Parsons, the leading Nonconformist preacher of that day in Britain. Some years later the minister in question re-visited Britain as a delegate from



to this cause that wills probated in Halifax and some other counties towards the close of the century contained so many items of enfranchisement. Thus Richard Wenman of Halifax, in September, 1781, arranges to "give unto my Negro named Cato his liberty" and to "hereby release him from all idea of slavery, if he will faithfully serve my said daughter, Elizabeth Susanna Pringle, two years, and not otherwise". In February, 1784, Charles Montague, of Halifax, says in his will: "I have only one Negro, named Francis. He is to have his freedom". The will of Anne Cosby, eldest daughter of William Winniett and widow of Major Cosby, drawn up in Annapolis in 1788, has this item: "I do also give and devise to my black woman named Rose, a Mulatto girl named Agatha, and to my black man named John Bulkely, to each and every one of them their full freedom and discharge from all servitude as slaves from the day of my decease for ever". Under somewhat similar circumstances, in May, 1787, Margaret Murray, widow, of Halifax, devises: "I do manumit my two Negro women, Marianne and Flora, and also my Negro boy Brutus when

the West Indies to the annual meeting of the Evangelical Alliance. And yet this young man—Edward Fraser, the son of a Scotch father and a Mulatto slave mother, was, when Bishop Inglis approached him in Bermuda, himself a slave, unable to make any change in his position without permission from his master. That such a man could be held as "personal property", in common with "goods and chattels", and subject to all the accidents of fortune or impulses of another, made slavery, mild as in the main it was in Bermuda, appear a hideous fact. Such ownership seemed, from a Christian point of view, a dark crime. Keenly enough were his limitations felt by the young man himself. He was not ungrateful for kindness received, for he wrote the managers of the Missionary Society, "Obliged in gratitude as I am, I know not how to excuse a willingness to leave my master and his family until your verdict makes my call to higher duties unquestionable"; yet at the same time he added that the very thought that he was a slave often came over him as a "mildew and a frost". He "could not think freely", his "mind was in bonds". Even when he had been accepted conditionally as a candidate for the ministry his name could not appear with the names of other young men in published official documents. This "story of a crime" had happily a termination creditable to all concerned. At the request of the Missionary Society, the owner, Mr. Lightbourn, gave young Fraser his freedom and forwarded to the Secretaries a certificate of manumission which did honor to the freed-man while reflecting credit upon himself.

he shall arrive at the age of twenty-one years". Similar extracts from other wills have been given on a previous page because of some appendage in the way of aid or support to the enfranchised slaves.

An important reason for the decline of slavery lay in its inadaptation to a northern climate. The shortness of the season favorable to the products of the earth, and the length of the winter, with its expense of food, clothing and shelter, rendered slavery to any great extent an unprofitable thing in a northern climate; on the other hand the successive and varying natural products of the warmer zone all favored the expansion of slavery at the South, and caused it to become a very important industrial element. "New York", said George Bancroft many years ago, "had imported as many Africans as Virginia". And, he added "that it is not a slave state like Carolina is due to climate and not to the superior humanity of its founders".<sup>1</sup> This fact of climate to no small extent accounts for the divergence of opinion between the representatives of the northern and southern colonies at the consolidation of the republic several years after their achievement of independence, when six states voted against the extension of slavery beyond certain limits, and—important lesson to all ages—the absence of one representative from a certain state fastened upon the new nation a terrible evil, only recently thrown off at a tremendous cost of human life and treasure.<sup>2</sup>

<sup>1</sup> "History of United States", vol. ii., p. 303.

<sup>2</sup> On April 19, 1784, the question was put to vote in Congress, "Shall the words referring to the prohibition of slavery throughout the entire Union after the year 1800, which had been moved to be stricken out, stand"? An affirmative vote of a majority of all the states voting being required, the restriction proposed failed, the absence of a member from New Jersey rendering the vote of that state null for want of a quorum. "Humanly speaking", remarks Horace Greeley, "we may say that this accident—a most deplorable and fatal accident—of the absence of a member from New Jersey prevented the adoption at that time of a proposition which would have confined slavery in our country within the limits of the then existing states, and precluded all reasonable probability of subsequent contention, collision, and bloody strife touching its extension". Greeley's "American Conflict", vol. i., p. 40.

Slavery would be a too costly thing for Canada to-day; what must it have been a century since? What could Isaac Wilkins do with his slaves among those granite rocks at Point Carleton in Shelburne harbor? or what could Charles Oliver Breuff with his fifteen in Shelburne town? And how John Grant, weary and ill and dispirited by his heavy losses as a Loyalist, and how his gentle wife, who like thousands of women at that sad period had left all other friends to "keep her only unto him", when they crossed by boat from Mount Denson to Loyal Hill and found their six children safely beside them, must have wondered what they were going to do with that other group—that group of nine dark faces! During the three or four years in which rations of pork and flour were provided for servants equally with their masters the pressure for food supplies was not a so serious matter, but after that period the supply for the appetites of those nine slaves of varying ages, from "Sam" at thirty-three and "Nance" at twenty-nine down to little "Betty" at three, must have been an important question at Loyal Hill. It was just about this time that Captain Grant lessened the burden by disposing of one of the girl slaves, a gift to his daughter Rachel from her Dutch grandfather, to Richard Killo, a Halifax innkeeper.<sup>1</sup>

<sup>1</sup> Captain Grant had secured a commission when a mere boy in the Forty-second Royal Highland regiment (Black Watch). With that celebrated regiment he had fought at Fontenoy in 1745, and in 1756 had landed at New York. In 1758 he retired from the army, and during the following year married Sarah Bergen, a descendant of Hans Hansen Bergen, an early Norwegian-Dutch settler of New York. After having served with the colonial troops at the capture of the Havannah and in the expedition to Crown Point, he had settled quietly down at his home in Jamaica, Long Island, when the stirring scenes of the Revolution once more aroused him. At first, on account of the pronounced Whig tendencies of his wife's friends, he retired to the West Indies, whence, however, he soon returned to take an active part in the conflict on the side of Britain. One wound, of several received on battle-fields, shortened his days. His losses of various kinds were estimated by him, at five thousand pounds. The tract of three thousand acres granted him within a few miles of the fort at Crown Point, and confiscated by the authorities of Vermont, became thickly settled in a very few years after the close of the war. In view of this loss the government

The uncertain character of slave property, especially in the neighborhood of the sea, had also its effect in hastening the decline of the traffic. In ports like Quebec and, in particular, Halifax, where at any moment the press-gang might patrol the streets to hurry on board the king's ships any stragglers unable to escape their clutches ; and where, through departures of vessels for more or less distant ports, were frequent opportunities for the escape or stealing of slaves, the owners of Negroes were never secure. A striking illustration of the uncertain tenure of this species of property is furnished in the records of the probate court, Halifax. In the inventory of the estate of Balthazar Creamer, Halifax, recorded April 1, 1796, the item of a "tract of land at Preston" is followed by "one black man by the name of Benjamin", estimated by the appraisers at sixty pounds ; "one black woman by the name of Mary", sixty pounds ; "one black girl by the name of Sary", thirty pounds. In a second inventory, rendered necessary by the death during the following year of Catharine, widow of the said Balthazar, these items are repeated, with some explanatory notes of a brief but significant character : "One black man, forty pounds, carried off in the *Raison* frigate ; one black woman, ran away at Chester, thirty pounds ; one black girl, died".<sup>1</sup>

But most powerful of all the causes of the final extinction of slavery in the several British American provinces was the action of the courts of law. The decision in 1772 of Lord Mansfield, elicited by the harsh treatment of James Somerset, a slave carried from Virginia to England and

granted him three thousand acres at Loyal Hill, Hants county, where he died in 1792. Several of the solid business men of Hants county and of the city of Halifax are descendants of this Scotch soldier.

<sup>1</sup> The *Raison* was one of two French war vessels captured by his Majesty's ships *Thetis* and *Hussar* in the West Indies. Not less than three warrants of impress had been granted ships of war at Halifax between November 1, 1796 and January 31, 1797.

on his capture after escape from his master sent on board ship to be sold in Jamaica, to the effect that no master could compel a slave to go from Britain to any foreign country, or even to any British colony, gave a strong impulse to the anti-slavery movement in Britain toward the close of the last century ; and affected legal circles throughout the empire. A further impulse in the same direction was given by the passage in 1797 by the Imperial parliament of an Act which repealed a certain Act of Geo. II. in so far as it had provided for the compulsory sale of Negro slaves taken under execution in His Majesty's plantations.

In Upper Canada, where the first legislators had put serious restrictions upon slavery, some misconception of the Act of 1797 seems to have hastened the decline of the institution. Some bondmen were set free by will, as in the instance of Solicitor-general Gray in 1804 ; some were enfranchised by their living masters at different periods, and a few others were held according to the Act of 1793, until they took their freedom under the Imperial Emancipation measure of 1833. The " Township Book " of the township of Louth, in the county of Lincoln, contains a memorandum in which are mentioned the names of two or three slaves living there in 1824. Mr. J. C. Hamilton mentions two young slaves, known as Hank and Sukey, who claimed their liberty in 1834 ; and Dr. Canniff writes of an assignment in 1824, for seventy-five dollars, of a Mulatto boy, Tom, from an owner in Haldimand, Newcastle, to a citizen of Thurlow, in which it was stated that the said boy had ten years to serve, according to the laws of the province, from the 29th February, 1824, as the child of a female slave. This lad, if living, would have been for five months only a freeman on August 1, 1834, the date fixed for emancipation throughout the empire : it

may therefore be supposed that a few others in Upper Canada besides those named by Mr. Hamilton became really self-proprietors under the Imperial Act of 1833.

Several legal conflicts prepared the way for the extinction of slavery in Quebec. In February, 1798, Charlotte, a slave, was claimed by her mistress in Montreal, and released on *habeas corpus* by Chief-justice James Monk. Soon after this another Negress, "Jude", was arrested as a runaway slave by order of a magistrate. The Negroes in Montreal, acquainted with the "Charlotte" affair, threatened to rise in revolt, but when the woman was brought before the chief-justice, he released her also, declaring as he did so that in his opinion slavery had no longer an existence in Lower Canada. On February, 1800, however, the case of "Robin" came before the full court of King's Bench, Mr. James Fraser claiming the Negro as his property, but after the argument had been heard it was ordered that the said "Robin, *alias* Robert, be discharged from confinement". An effort was soon after made through the legislature to obtain a definition of the true position of slavery in the province, but without success. Petitions were presented in 1799-1800 by citizens of Montreal, asking the legislature to vindicate the right of masters over their slaves. The applicants invoked in favor of their demand the ordinance by Raudot of 1709, which edict, they urged, was in force when the definitive treaty of peace was signed, and was, in consequence, part and parcel of the laws, usages and customs of Canada, recognised by the Act of Quebec. Bills, in accordance with the requests, were introduced in 1800, 1801 and 1803, but none were accepted. The slave-owners were nearly all residents of Montreal and Quebec; and the country members of the legislature, having little interest in the matter, and no inclination to maintain the system for the benefit of certain wealthier citizens, took no action upon

it, and the slave-owners had to bow finally to the decisions of the courts.

No precise date for the extinction of slavery in Lower Canada can be given. Several writers on that province, apparently following each other, trace it back to an adverse decision by Chief-justice Osgoode in 1803, but these are manifestly in error. That gentleman, who had been removed from Upper Canada to Lower Canada, returned to England, according to the "Report on Canadian Archives for 1892", during the summer of 1801, and there resigned his office early in 1802. James Monk, who had discharged his duties and applied to be appointed his successor, remained chief-justice of Montreal, while Elmsley, previously of Upper Canada, succeeded Osgoode as chief-justice of the lower province. The decision is said to have been rendered at Montreal; it is altogether probable, therefore, that reference is intended to the judgment given at that place about 1799 by Chief-justice Monk, whose opposition to slavery may have been partially due to his associations with certain other judges.

In the Maritime Provinces the action of the higher courts was equally interesting and important. The Hon. Thomas Andrew Strange, chief-justice of Nova Scotia for the five years ending in 1797, when he was made a baronet and appointed to a more responsible position in Bombay, had been throwing the whole weight of a powerful influence in favor of freedom to the slave.<sup>1</sup> His successor, Sampson Salter Blowers, he seems to have impressed with his own views; and it is not improbable

<sup>1</sup> One hundred pounds were given by Chief-justice Strange to provide a Library room at King's College, Windsor. His law library, presented by him to the province, became the nucleus of the present library of the bar at Halifax. In 1800 the Nova Scotia House of Assembly made a grant of £172. 0. 0., to defray the expense of a portrait of him, to "preserve the memory of an upright judge and an honest man". "Murdoch's History", Vol. 3. This portrait, which adorns the Legislative Council chamber, was painted by Benjamin West.



that his teachings had in a less direct way affected Sir James Monk at Montreal. In January, 1800, Chief-justice Blowers, writing confidentially to Ward Chipman, afterwards a judge of the supreme court of New Brunswick, informed him that "the question of the slavery of Negroes had been often agitated in Nova Scotia "in different ways, but had not received a direct decision". "My immediate predecessor, Sir Thomas Strange", he added, "dexterously avoided an adjudication of the principal point, yet, as he required the fullest proof of the master's claim in point of fact, it was found generally very easy to succeed in favour of the Negro by taking some exceptions collateral to the general question, and therefore that course was taken"; and "several trials have been had in which the jury decided against the master". "I had frequent conversations with Mr. Strange", Mr. Blowers went on to say, "on this important question, and always found that he wished rather to wear out the claim [of the slave-holders] gradually than to throw so much property, as it is called, into the air at once". Chief-justice Blowers, on his appointment in 1797, adopted precisely the policy of his predecessor. "Since I have been chief-justice", he wrote, "a black woman was brought before me on *habeas corpus* from the jail at Annapolis. The return was defective and she was discharged, but as she was claimed as a slave I intimated that an action should be brought to try the right, and one was brought against a person who had received and hired the wench. At the trial the plaintiff proved a purchase of the Negro in New York as a slave, but as he could not prove that the seller had a legal right so to dispose of her, I directed the jury to find for the defendant, which they readily did". The rejection, by a large majority of the Nova Scotia legislature in 1787, of a clause recognizing the slavery of Negroes as a statute right brought into a bill for the "regulation of servants",



and the adoption by two successive leading judges of the policy described by Mr. Blowers, had its intended effect. "This course", that gentleman informed Ward Chipman, "has so discouraged the masters that a limited service by indenture has been very generally substituted by mutual consent". "Mr. Strange", said he, "always aimed to effect this and generally succeeded".

The policy pursued by these judges was in accordance with the precedent furnished by Lord Mansfield, and, there can be little doubt, was influenced by his direct teaching respecting slavery in the British islands. Of Strange, it is stated in the "Dictionary of National Biography" that, "adopting a legal career, he entered Lincoln's Inn in 1776, and as a law student received much help from his mother's friend, Lord Mansfield". That eminent English jurist, when pressed for a decision in the famous Somerset case, expressed great reluctance to give any direct decision.<sup>1</sup> "In five or six cases of this nature", he stated, "I have known it"—the question of the right of a master to the services of a slave when in England—"accommodated by agreement between the parties. On its coming before me I strongly recommended it here, but if the parties will have it decided we must give our opinion. Compassion will not on the one hand, nor inconvenience on the other, be to decide, *but the law*. The setting fourteen or fifteen thousand men"—the number of slaves estimated to be at that time in the ports of the United Kingdom—"at once free by a solemn opinion is much disagreeable in the effects which it threatens. If the parties will have judgment, *fiat justitia, ruat cælum*. Let justice be done whatever the consequence. I think it right the matter should stand over, and if we are called upon for a decision proper notice shall be given". A decision having been demanded, the plea that villeinage

<sup>1</sup> See page 94.

had never been abolished by law in England and that therefore the possession of slaves was not illegal was set aside by Lord Mansfield, who ruled: "Villeinage has ceased in England, and it cannot be revived. The air of England has long been too pure for a slave, and every man is free who breathes it. Every man who comes into England", Lord Mansfield continued, "is entitled to the protection of English law, whatever oppression he may heretofore have suffered, and whatever may be the colour of his skin: *quamvis ille niger, quamvis tu candidus esses*. Let the Negro be discharged". And by that decision an immense amount of human property was, to use the words of Chief-justice Strange, "thrown into the air at once".

In New Brunswick slavery found in the person of the leading judge, the Hon. George Duncan Ludlow, no such opponent. Mr. Ludlow had been a judge of the supreme court in New York, whence he had been driven, with the loss of his whole estate, at the close of the Revolutionary conflict. In New Brunswick, to which province he had retired, he occupied a first place in public affairs. Ward Chipman wrote in 1800 to Sampson Salter Blowers, of Halifax:

Our chief-justice is very strenuous in support of the masters' right as being founded on immemorial usage and custom in all parts of America ever since its discovery: he contends that customs in all countries are the foundations of laws and acquire their force: that there was a system of laws in every British colony regulating slavery under the idea of its existence independently of those laws, and that there never was a law in any of the colonies directly establishing it: that Negroes when first imported into the Plantations were considered as villeins in gross and were afterwards by some local laws in some of the colonies made [word undecipherable]: that the legal presumption in the colonies was always against the Negro unless he could show a manumission: that in Carolina by their original

charter, framed by the great Locke, the importation of slaves was prohibited, but that after a short experiment they were obliged to give it up, after which slaves were imported there without any positive law to authorize it: that the custom is so universal that the courts are bound to take notice of it: that this being the established universal custom in the Colonies (and as such having acquired the force of law) at the time Nova Scotia was settled proclamations were issued to encourage settlers to go there from the other colonies, in consequence of which these settlers carried with them their slaves which they continued to hold without any legal decision against their right: that the several Acts of Parliament and the courts in England in their adjudication recognize slavery as being established and made lawful by universal custom in America: that as all the Acts of the Colonial Assemblies are sent home for the approbation of the Crown, it cannot [but] have been known in England that there was no law directly establishing it: that the judges therefore could never have held slavery as lawful in the Colonies if they had not recognized it as legally established by universal usage and custom independently of Colonial Acts of Assembly; and he relies much upon the Statutes 7 and 8 Wm. III., C. 22, §9, as an implied recognition of the usages and customs in the colonies as having the force of law, if not repugnant to the provisions of Acts of Parliament relating to the Colonies.

“Chief-justice Ludlow”, Ward Chipman wrote further to Chief-justice Blowers, “grounds himself principally upon what he calls the Common Law of the Colonies, by which, he says, this doctrine [the right to hold slaves] has been uniformly recognized and established without any Act having ever been passed in any one of them directly authorizing slavery. I confess the idea of any such Common Law in the Colonies not only unknown but repugnant to the Common Law of England appears to me to be altogether fanciful”. In reply Mr. Blowers wrote that “The right to hold a Negro by this tenure is supposed by us to be only maintainable either by the Common Law

of England, the Statute Law of England or the Colony, or upon adjudged cases, and such seemed always to be Mr. Strange's opinion. No lawyer with us ever talked of the Common Law of the Colonies as distinguished from that of England, nor would I think our late chief-justice have countenanced a position of the kind. The Common Law of England has been claimed and recognized as the birthright of every British subject in the Colonies, and has been so considered, as well by the most eminent lawyers in England as by the superior courts of judicature in most if not all the British colonies in North America before the Revolution".

This difference in opinion between the two leading judges of the two provinces may have been in some measure the result of their training. Chief-justice Blowers, a graduate of Harvard, was a Massachusetts man, as was also Ward Chipman, who in the main agreed with him; while Chief-justice Ludlow had been a judge in New York. There was also the further fact, pointed out by Murdoch in his "History of Nova Scotia", that "the institutions of New Brunswick resemble those of the province of New York . . . while Nova Scotia followed more closely the pattern of Massachusetts". In Massachusetts slavery obtained but a weak foothold, and died early and quietly through a very simple legal decision, one case having been brought in 1783 before the courts in Worcester, which determined that the system was inconsistent with the Declaration of Independence and the Constitution sequent; and by that single decision dealt it a death blow. In New York slavery had an earlier establishment and a more extensive development. As early as 1652—thirty-seven years before Louis XIV. by a royal mandate permitted Negro slavery in Quebec—the government in Holland consented to the exportation of slaves to New York for sale, and by the end of the century they had

greatly increased in number. In that state slavery died later, and in a large measure from the influence of an uncongenial climate. The effect of environment on Chief-justice Ludlow was recognized by his fellow chief-justice in Nova Scotia when the latter wrote to Ward Chipman : “ It is not improbable that in New York the principles of the Common Law were contaminated by the more arbitrary notions of the Dutch”.

In February, 1800, the question of the legality of slavery in New Brunswick came before the full bench of judges at Fredericton. The question came up on the return to a writ of *habeas corpus*, issued by Judge Allen to Caleb Jones, Esq., directing him to bring into court Nancy, a colored woman in his possession, whom he claimed the right to hold as a slave. The counsel engaged on both sides included the ablest men in the province. For the master were Jonathan Bliss—attorney-general for the province—Thomas Wetmore, John Murray Bliss, Charles J. Peters and William Botsford ; while Ward Chipman and Samuel Denny Street were counsel for the slave, as “ volunteers”, to use Chipman’s words, “ for the rights of humanity”.<sup>1</sup> Each member of the counsel addressed the court, Jonathan Bliss’s speech being divided into thirty-two heads, and Ward Chipman’s covering

<sup>1</sup> Daniel Bliss, a Loyalist from Concord, Mass., and father of John Murray Bliss—one of the counsel for the master—was the author of the elegant and widely-copied epitaph found on a stone in the old “ Hill Burying-ground” in Concord, Mass. : “ God wills us free : man wills us slaves. I will as God wills ; God’s will be done. Here lies the body of John Jack, a native of Africa, who died March, 1773, aged about 60 years. Though born in a land of slavery he was born free. Though he lived in a land of liberty, he lived a slave, till by his honest (though stolen) labours he acquired the cause of slavery which gave him his freedom, though not long before Death—the grand tyrant—gave him his final emancipation and put him on a footing with kings. Though a slave to vice he practised those virtues without which kings are but slaves”. John Jack, a slave to Benjamin Barron, of Concord, must have saved one hundred and twenty pounds, which was the price of his freedom. Daniel Bliss, after his exile a prominent man in New Brunswick, died at Lincoln, near Fredericton, in 1806. The late Lemuel Allan Wilmot, judge of the supreme court and governor of New Brunswick, was a grandson of Daniel Bliss.

eighty pages of foolscap. Both have been preserved, as has also the correspondence between Ward Chipman and his old friend Blowers, called forth by this trial.<sup>1</sup>

The intensity of feeling aroused by the trial may be inferred from the fact that two challenges to a duel were sent out at its close. One of these, from Stair Agnew, a slave-owner residing near the mouth of the Nashwaak, and the real owner of the slave before the court, Judge Allen declined to accept—an act of great courage at that day; the other, from John Murray Bliss to Samuel Denny Street, led to an encounter with pistols at nine paces distance, in the old court-house still standing just below the Queen hotel in Fredericton, which the seconds succeeded in terminating after a single harmless exchange of shots. Some keen remarks on the part of Mr. Bliss had called forth a blow or an attempted blow from Mr. Street, followed by a challenge on the part of Mr. Bliss to his opponent to meet him with pistols in an hour, to which a response was returned of readiness to oblige him in half that time. Tradition has it that after the affair was happily ended, Mr. Street, who during the Revolutionary war had acquired the reputation of a “fire-eater”, coolly inspected the impression made by the bullet on the wall, and remarked, “Missed him by an inch”. The principals and their seconds, Messrs. Stair Agnew and Anderson, were all indicted by the York county sessions, but some difficulty appears to have been found by the magistrates in determining who were the actual principals in the affair, and the case was ultimately quashed on the ground of irregularities.<sup>2</sup>

<sup>1</sup> For a copy of this interesting correspondence the writer is indebted to the Rev. W. O. Raymond, M. A., of St. John. Ward Chipman's lengthy “Brief”, with some notes from the able pen of the owner of the MS., J. Allen Jack, Esq., D. C. L., of St. John, will appear in the forthcoming volume of “Transactions of the Royal Society of Canada”.

<sup>2</sup> Mr. J. W. Lawrence in his “Footprints” is in error in his narrative of this incident. The above statement is from the Rev. W. O. Raymond, gathered from original documents.

In reference to the issue of this exciting trial the *St. John Gazette*, of Tuesday, February 12, 1800, reports that "the question of slavery upon general principles was discussed at great length by the counsel on both sides, and we understand the court were divided in their opinions, the Chief-justice and Judge Upham being of opinion that by the existing law of this province Negroes may be held as slaves here, and Judge Allen and Judge Saunders being of opinion that the law upon that subject is the same here as in England, and therefore that slavery is not recognized by the laws of this province.<sup>1</sup> The court being thus divided, no judgment was entered", and the Negro woman, Nancy Merton, having failed in obtaining her liberty, was conveyed by Mr. Agnew to William Bailey, from whom he had purchased her and to whom she bound herself for a fifteen years' service. Immediately after the close of the trial Ward Chipman reported to Chief-justice Blowers an intention to commence an action for false imprisonment against Captain Jones, and in that way to test his right, but such intention must have been abandoned.

Eighteen months later—at the September term of the supreme court, 1801—an important case was tried in Nova Scotia. A slave named Jack had run away from James DeLancey, Esq., near Annapolis, and after brief service with John Umlach, at St. Margaret's Bay, had gone to Halifax, where he found employment on wages with William Woodin. Having learned this fact, Colonel DeLancey directed his attorney, Thomas Ritchie, Esq., to inform Mr. Woodin that the man in his employ belonged to Mr. DeLancey, who demanded his wages, and in the event of non-payment of these and detention of the slave

<sup>1</sup> Two at least of these assistant judges were, or had been, slaveholders. Judge Allen had brought several slaves with him to Nova Scotia; Luke, a slave of Judge Upham, was tried in St. John in September, 1798, and executed, for the murder of a girl. See Lawrence's "Footprints", p. 58.



would enter an action against the employer. In reply Mr. Woodin's attorney stated the ignorance of the employer in relation to the social condition of the Negro, refused payment of his wages, none of which at the time were due him, and informed Mr. DeLancey that he might have the Negro whenever he should think proper to send for him; while he at the same time asserted that Jack and all other Negroes in Nova Scotia were freemen, there not being any law here to make them otherwise. As the result of an action of trover in the supreme court Mr. DeLancey obtained a verdict in his favor with seventy pounds damages, but the counsel for the defendant, Richard J. Uniacke, Esq., moved the court in arrest of judgment, upon the ground that an action of trover would not lie for the conversion of a Negro in this province, as here a Negro could be no more the slave of Mr. DeLancey than he could that of any other person in London or elsewhere; and that Mr. DeLancey should have brought his action for damages for detaining the Negro, as in the case of any other servant. The hearing of the motion having been fixed for September of the following year, Mr. DeLancey had an opinion prepared by Joseph Aplin, Esq., of Annapolis county, a Loyalist and former attorney-general of Prince Edward Island, submitted to several leading legal authorities in England.

This opinion of Mr. Aplin, though an *ex-parte* one, is of interest because of the standing of its author and the prominence of the English lawyers to whom it was submitted. The views of these several authorities were published in pamphlet form in 1802 in St. John, N. B., under the title of "Opinions of Several Gentlemen of the Law on the Subject of Negro Servitude in the Province of Nova Scotia".<sup>1</sup> The author of the preface, whose name

<sup>1</sup> For an opportunity of consulting this pamphlet I have been indebted to John T. Bulmer, Esq., of Halifax, whose copy, bearing the autograph of Ward Chipman, is the only one known to be in existence.



is not given, observes that "The question, whether any such thing as Negro slavery can legally exist in this province, has long occupied the attention both of the learned and unlearned among us. It has, indeed, lately undergone a judicial investigation, but without any judicial decision. Now, whether any particular Negro (admitting him to be a slave) belongs either to A, or B, is a matter in which none but the litigating parties are directly interested. Therefore a judicial decision of it can only disappoint the hopes of one of two men. But when it becomes questionable whether any *particular thing* is really and truly *property*, which had hitherto been considered as property, the dispute becomes a matter in which every member of the community is either nearly or remotely interested; for although every man in this province is not possessed of this species of property, yet every man *may* be possessed of it. Nothing, therefore, can be of more extensive utility to the public than to have this question put so fast asleep that it may never awake again. How far the publication of these papers may go towards effecting this the event only can tell".

In the course of his very able argument Mr. Aplin contends, against the allegation that slavery had never been established in Nova Scotia by law, that neither in Antigua, Virginia or New York had there been any Provincial code creative of any such state of slavery, and that the same might be asserted in relation to several of the more northern colonies, but in particular of Massachusetts, Rhode Island and Connecticut, the laws of which speak of slaves while none of them are declaratory of a state of slavery.<sup>1</sup> The only law of this province", he

<sup>1</sup> "Slavery was never directly established by statute in Connecticut", says the editor of the Revisions of the States' Laws in 1821, "but has been indirectly sanctioned by various statutes and frequently recognised by courts, so that it may be said to have been established by law". Johns Hopkins "University Studies", Series xi.

points out, "which so much as mentions a Negro is intituled 'An Act for the regulating inn-holders, tavern-keepers and retailers of spirituous liquors'", in the second section of which it was enacted, to prevent the growth of pawnshops, "that in case any soldier, sailor, servant, apprentice, bound servant, or *Negro slave*, or other person whatsoever, shall leave any pawn or pledge as a security for any sum exceeding five shillings, contracted in such manner, such soldier, sailor, servant, apprentice, bound servant, or *Negro slave* or other person whatsoever, or the masters or mistresses of such servant, apprentice, bound servant, or *Negro slave*, may complain to any justice of the peace where such retailer, inn-holder, tavern or ale-house keeper or any other whatsoever, receiving such pawns or pledges usually resides . . . . to compel such retailer", etc.; etc.<sup>1</sup> "It is observable that this Act", Mr. Aplin goes on to claim, "does, and that in the most emphatical manner, speak of Negroes as *slaves*. But it may be easily discerned that it does just as emphatically suppose them to have been so before the Act was made, or even thought of. Hence it may be inferred, at least, that the Provincial legislature had in their eye (if indeed they had anything rational) that these very Acts of Parliament had already made slaves of Negroes within the province.<sup>2</sup> Therefore it may not improperly be said that a law of this province does, in fact, admit of such a state as that of slavery in it".

To this somewhat interesting point Ward Chipman, of New Brunswick, seems to have attached much import-

<sup>1</sup> In the *Nova Scotia Gazette and Weekly Chronicle* of Halifax, March 18, 1783, Evan Lewis, in advertising as a pawn broker, says: "It is particularly desired that no apprentice, bound servant, nor slave will apply, for no business will be transacted". The Act, quoted above, which evidently called for this caution, and to which both Joseph Aplin and Ward Chipman seem to have attached considerable importance, was passed in 1762.

<sup>2</sup> Reference is here made to the original charter made by Charles the Second in 1661, and especially to the preamble of Act 23. Geo. 2, and to contain provisions of that and subsequent Acts.

ance, as in writing of the celebrated case in Fredericton in 1800 to Chief-justice Blowers he remarks, "The principal difficulty on that side seemed to be the not finding any Act of Assembly of your province recognizing the existence of slavery there. Had the counsel [for the master] stumbled upon your Act passed in 1762, p. 117 of your laws as revised in 1783, in the second section of which Negro slaves are mentioned, the conclusiveness of the reasoning upon their principles would have been considered as demonstrated". "The expression you mention of 'Negro slaves'", said Mr. Blowers in reply, "in our province law for regulating inn-holders, etc., has been considered here as merely a description of a class of people existing in the province, and not as a recognition of the law of slavery. When the law made in 1787 for the regulating of servants was brought into the House of Assembly, there was a clause inserted for the government of Negro slaves which was rejected by a great majority on the ground that slavery did not exist in this province and ought not to be mentioned, and that the expression in the inn-holder's law was the description of a class of people whose condition was the effect of imposition or mutual consent between the parties".

To Mr. Aplin's contention that the English Acts which made Negroes in the West Indies the personal property of their masters made Negroes such here, the English authorities consulted gave an unqualified approval, the attorney-general of England and Mr. Percival pronouncing the "legal inference drawn by him to be "quite irresistible and unanswerable". The third legal authority, Mr. Tidd, "reputed to be the most learned special pleader" in England, gave as his opinion that the plaintiff was not merely "entitled to the services of his slave" but to "something more, namely to the property in him and right of disposing of him", and that upon that ground "an action

of trover was the proper form of action". The same gentleman also gave special emphasis to a fact stated by Mr. Aplin, which must have presented itself to the minds of readers of this paper while glancing at the numerous extracts from probate records, that "Negroes, even in this province, have always been allowed to pass by will, as personal estate. They have always found their way into inventories, both of testate and intestate persons. They have constantly been made the subjects of distribution, under our Provincial law, as part of the intestate's personal estate. They have uniformly been sold here under execution; and add to all this, they are and always have been sold, in the common course of traffic, as other chattel interests are or were sold, and warranted by the bill of sale to be the property of the seller".

At the September term of the supreme court at Annapolis in 1803, William Woodin was summoned to appear to answer to James DeLancey on a plea of trespass in this case, damages being laid at five hundred pounds. Papers preserved in the office of the prothonotary in Halifax prove the production of sufficient evidence that "Jack" was the son of slaves in the possession of James DeLancey's father in New York, and that upon the division of the estate at the death of the father he had fallen to the share of the plaintiff, in whose possession as "slave and servant" he had been both in the revolted colonies and in Nova Scotia; but these documents furnish no information respecting the issue of the trial. It seems clear, however, that Colonel DeLancey failed to regain possession of the slave. On May 2 of the following year—1804—that stern, uncompromising Loyalist, whose activity as leader of his troop of light horse in behalf of royal interests had obtained from the Whigs the title of the "Commander of the Cowboys", and later of the "Outlaw of the Bronx", and whose declining health had obliged him in 1800 to resign

his seat in the Council of Nova Scotia, passed away from earth at his farm near Round Hill, Annapolis. In the inventory of his personal estate, duly recorded, the man "Jack", whose absence had proved one of the worries of his later months, finds no place among the several Negroes there enumerated.

In speaking of slavery in the Maritime Provinces, the few who have recognized its existence as an historical fact have assumed that during some one or other of the first years of the century it became illegal through some special decision of the courts. In Nova Scotia a distinct condemnatory judgment was passed, according to the late John George Marshall, who in 1823 was appointed chief justice of the common pleas for Cape Breton. Judge Marshall has stated—naming no year—that a slave suddenly left the service of his master in Shelburne and came to Halifax. The master followed him and was about to take him back to Shelburne, when application was made on the slave's behalf to Mr., afterwards Judge, Wilkins, who obtained a writ of *habeas corpus*, under which both master and slave were taken before Chief-justice Blowers. When the case itself, and the question of slavery in general, had been pretty fully argued by counsel on each side, Chief-justice Blowers,—to use Judge Marshall's own words—"legally and righteously decided that this province was not debased with that cruel and abominable slave system which John Wesley appropriately characterized as the 'sum of all villainies'". On the other hand Judge Thomas C. Haliburton, in his "History of Nova Scotia", published in 1829, only five years before the general emancipation, says that this question had then in Nova Scotia "never received a judicial decision".<sup>1</sup>

No such decision was at any time given, as far as is known, in New Brunswick. In the *Royal Gazette and*

<sup>1</sup> "History of Nova Scotia", vol. 2, p. 280.

*New Brunswick Advertiser*" of July 28, 1801, in which the Act 30, Geo. III, Chap. 27. mentioned on a previous page, was republished, one of the judges of that province wrote thus :<sup>1</sup>

Of your question respecting slavery I have thought much, but I can see it only in one point of view. The statute 30 G. 3rd, chap. 27., to which you refer, undoubtedly relates to persons coming with their families from the States to settle in the King's American Dominions, and to those persons only ; but in the very terms in which it allows them to bring in their Negroes as part of their property it acknowledges those Negroes when brought in to be, what they were before—*slaves* : because by forbidding them to be sold within the first year, it tacitly permits the sale of them after that period. But in what country can a Negro be sold, but one in which slavery is allowed by law? The power of selling is the strongest proof, and is indeed a legislative recognition of the existence of slavery in the country in which it is permitted. This is a short but direct answer to the question, "Why Americans coming to settle in the King's colonies should be allowed to retain their slaves, but the Loyalists who had already settled there should lose theirs"?<sup>2</sup>

The case in point of fact does not exist. The slaves which the Loyalists took with them to their new settlements were, and are at this moment, slaves. Slavery was formerly allowed in all the colonies, and it still subsists in some of them which have claimed for themselves the freedom they refuse to others ; and the law of slavery stands on the same foundation in the colonies which adhered to their allegiance that it does in those which have renounced their allegiance. What that foundation is is of no consequence to the question ; since if it existed in the old colonies it certainly remains in the present ones.

With Mr. J. C. Hamilton, of Toronto, author of a paper already mentioned,<sup>3</sup> I cannot but entertain doubts, in

<sup>1</sup> See pages 42-43.

<sup>2</sup> A similar interpretation of the statute of 1790, it is altogether probable, led Lieut.-governor Simcoe, of Upper Canada, to urge through the legislature of that colony the anti-slavery measure of 1793.

<sup>3</sup> See page 5.

the face of the action of the Upper and Maritime Provinces' courts, whether slavery was ever actually abolished in the present Canadian provinces until the vote of the British Parliament, followed by a few strokes from the pen of William IV., in 1833 rendered it illegal wherever the flag of Britain was spread to the breeze. In 1790 the "Pennsylvania Abolition Society" sent a memorial to Congress, bearing the official signature of "Benjamin Franklin, president", asking that body to "step to the very verge of its power for discouraging every species of traffic in the persons of our fellow-men". This counsel, addressed in vain to the United States law-makers, was abundantly carried into effect by the chief-justices of Upper Canada, Montreal and Nova Scotia.

Haliburton, writing of Nova Scotia in 1829, strengthens the doubt to which expression has just been given. After a very brief reference to the action for trover in the DeLancey case, and the statement, already quoted, that the subject of slavery had never received a judicial decision, he proceeds to remark: "The most correct opinion seems to be, that slaves may be held in the colony; and this is not only corroborated by the construction of several English Acts of Parliament, but by particular clauses of the early laws of the province. On this subject there prevailed much romance and false sentiment in Nova Scotia as well as in England. The effect produced by this latent abandonment of slavery is, however, beneficial to the country".<sup>1</sup>

Any further discussion respecting the precise period of the legal abolition of slavery in Canada is unnecessary: the legal conflicts described practically and effectively destroyed it very early in the century. A conviction that any claims of slave-owners would find but the barest

<sup>1</sup> "History of Nova Scotia", vol. 2, p. 280.



possible recognition by the courts of the country soon caused serious depreciation in the value of slaves and rendered disposal of them in the home market difficult. At the close of the trial at Fredericton in 1800 Judge Allen, who had "strenuously insisted that it is beyond the power of human laws to establish or justify" slavery, set at liberty his slaves, one of them a girl born in the East Indies and bought in New York from the master of a ship. This girl, having become free, married a man who had served in Colonel Allen's New Jersey regiment, and her descendants lived for many years in the employ of the family of her former master. Some other proprietors seem at the same time to have imitated Judge Allen's consistent action, while others, uncertain of the future, yet loth to relinquish their property, still retained their slaves, in hope of a change in their own favor.<sup>1</sup> Occasionally a determined man like Stair Agnew of Fredericton, or James DeLancey of Annapolis, both former Loyalist officers, made a brave fight with destiny, but results to them proved thoroughly disappointing. The policy of Chief-justices Osgoode, of Upper Canada; Monk, of Montreal; Strange and Blowers of Nova Scotia; and of Judge Allen and Ward Chipman of New Brunswick was to triumph. In the success of that policy, as has been elsewhere shown, probably no one of those named had been a greater factor than had Thomas Andrew Strange, though before the beginning of the century he had sailed with Clive for India.

The losses to the slave-owners proved in many cases serious. Tradition still preserves in Cumberland the incident of an exchange of a slave for a horse, the slave soon learning the possibility of freedom and leaving his new master minus the value of the horse. Free to go or to

<sup>1</sup> Judge Allen is said to have become a correspondent of William Wilberforce.



stay, as the Negroes soon found themselves to be, able-bodied men left those whom they had served by constraint for voluntary labor elsewhere, while in not a few instances the women and children and the feeble-minded remained on the farm even when burdensome. According to the inventory of the personal property of Colonel DeLancey, whose vain effort to recover his man slave has been described, there remained on his estate in June, 1804: A Negro woman, "at present disordered in her mind", valued at "nothing"; four Negro girls estimated at forty, thirty, twenty-five and twenty pounds; and a boy, at eighteen pounds. But perhaps no experience at this period was more trying than that of Captain Daniel McNeil, a former officer of the Royal North Carolina corps of Loyalists. Captain McNeil, with possibly one exception, the only adherent in the family to the Crown, obtained lands with his brother-officers at Stormont, in Guysboro' county, but after a time removed to the county of Hants, where he secured other lands. Thence he returned to North Carolina, where he remained several years, finally succeeding, by the aid of an influential relative, in regaining a portion of his lost property. Having been obliged to accept payment for the amount in slaves, he sailed for Windsor, but landed there only to be informed that legal decisions had so affected the value of slaves as to render them all really valueless to him and practically their own masters.<sup>1</sup>

An indication of the prevalent uncertainty as to property in slaves is seen in the bill of sale made out in King's county in 1807 and copied in full on a previous page. In this document the presence of the expression, "If a Negro can be considered property in Nova Scotia", and the absence of the guarantees used in earlier papers

<sup>1</sup> For these facts I am indebted to his grandson, Hon. Dr. Daniel McNeil Parker, of Dartmouth.

of the kind are very significant. That Daniel Brown, in his advertisement of a Negro woman in the *New Brunswick Royal Gazette* of October 16, 1809, should guarantee a good title to any purchaser of the woman accentuates rather than removes the doubt.

Many persons possessing slaves took advantage at this period of the system of limited arrangement which Chief-justice Strange had sought some years before to introduce. In the last year of the century there appeared in a Halifax newspaper a characteristic advertisement: "For sale for a term of years, as may be agreed on, a likely, stout Negro girl, aged eighteen years, good natured, fond of children, and accustomed to both town and country work. For full particulars apply at the old parsonage, Dutch-town"—the name at that time of the north suburbs of Halifax. One of the latest known advertisements of this kind appears in a Halifax paper for 1820: "To be sold:—Two years and a half time of a black servant man; is a good plain cook, understands family work and the care of horses".

In some instances the assignment of a more or less distant period for freedom may have been prompted by motives of justice to young slaves. A probable illustration of such arrangement is found in the will of the Rev. James Scovil, first rector of Kingston, King's county, N. B., dated in 1804, proved in 1809 and duly recorded: "I give to my wife Amy", so runs the document, "the use of one-third of my landed property as the law directs, and likewise I give and bequeath to my said wife the use of my servant boys, Robert and Sampson, the first being twelve years old the twelfth of March last, the other ten the twentieth of August next, under the following restrictions—that is to say—that at the age of twenty-six years they shall be set at liberty provided they do faithfully discharge the duties of servants until that period; and I

do constitute and appoint my son, Elias Scovil, and my said wife their overseers to see that they are kept at service and reasonably treated. At the decease of my said wife, provided the time fixed for their freedom be not expired, for the remainder of the time they may have to serve they shall be disposed of in such a way as my said wife may think proper". The son, Elias Scovil, became his father's successor as the second rector of Kingston; the witnesses, Richard Clarke of Gagetown, and Oliver Arnold of Sussex, were, like the testator, Loyalist clergymen.

A final effort for relief by legislative action was made by Nova Scotia proprietors in 1808. During the session of that year, Mr. Warwick, member for the township of Digby, presented a petition from John Taylor and a number of other proprietors of Negro servants brought from the old provinces, in which they stated that, owing to the doubts entertained by the courts, such property was being rendered useless, the Negro servants leaving their masters daily and setting them at defiance. In consequence of these facts they prayed the passage of an Act for "securing them their property or indemnifying them for its loss". It was, no doubt, with a view to such an end that Thomas Ritchie, member for Annapolis, during the same session introduced a bill to regulate Negro servants within the province. This bill, which passed its second reading on January 11, 1808, but never became law, was in all probability the last struggle of a system which merited only death.

The destiny of the slaves of the British North American provinces is a matter of some interest. At the beginning of the century their number had been greatly reduced. The majority of those then remaining in the Maritime Provinces were to be found in the southern and western parts of Nova Scotia, and in the counties bordering on the

St John river, only nineteen slaves being reported about that time by Amos Botsford from the county of Westmoreland, then including the county of Albert, and few if any from the county of Charlotte.<sup>1</sup> Only a slave here and there was manumitted by the master during life : a number were set free according to the last will and testament. Of those liberated a few score may have been included in the living freight of twelve hundred carried away by Lieutenant Clarkson to Africa ; a few others may have joined Lieutenant Francis Miller, who at the time of Clarkson's visit was endeavoring to enlist colored men at Halifax for the Black Carolina corps, then doing military service in the West Indies. Numerous slaves must have been carried away from Nova Scotia by that section of Loyalists—larger than some persons have supposed—who after the lapse of several years returned to the vicinity of former homes, in the neighboring republic. The last slave sold on New Haven Green—if not the last sold in Connecticut—was Lois Tritten, born in Halifax in 1799. This slave, who bore a family name found in the old records of St. Paul's church and the Halifax registry of deeds, and who was sold in New Haven in 1824, lived until June 11, 1894.

Others were sent abroad, where slave labor proved more profitable and slaves commanded higher prices. A speculation like that of John Wentworth, Esq., in 1784, in sending a party of slaves to Surinam for plantation labor there, would serve as an object lesson, and secure probable frequent imitation, at that period in particular, when many disbanded officers and others intending to

<sup>1</sup>At the time of the taking of the first general census in New Brunswick, in 1824, fourteen hundred and three people of color were enumerated, and of these the Rev. W. O. Raymond, M. A., of St. John, than whom I know no better authority on New Brunswick history, remarks : "I think that the majority were at one time slaves or the children of slaves, and many of them lived or had lived in the families of their owners", with whom they came to New Brunswick.

leave the country were willing to abandon their property for a small return. Many slaves were sent out of the provinces for sale in a less demonstrative manner. Depositions were laid before the Council of Upper Canada in March, 1793, to the effect that a Negro girl had been violently carried off and sold by one Fromand to a person in the United States, and that others were intending in the same manner to dispose of their Negroes ; and orders were given the attorney-general to prosecute Fromand.<sup>1</sup> For such a traffic the constant communication by shipping between the Maritime Provinces and various ports in the United States and West Indies gave special advantages. Captain Lemuel Little, of the Halifax schooner "Patty", when in 1784 he carried nineteen slaves from Halifax to Surinam ; and Captain Pierre Doucet, of Clare, on his way in August, 1791, in his schooner "Peggy" from Jamaica to Cuba with ten slaves, were neither the first nor the last Nova Scotia sea-captains engaged in the slave trade. Probate court records in 1769, already quoted, contain an item respecting the proceeds of the sale of a slave boy in Carolina by a Halifax business man. It is certain that on more than one occasion, and it is believed that on many occasions, slaves were taken from Shelburne and Halifax to the West Indies for sale ; the account books of Benjamin DeWolfe, one of the earlier merchants of Windsor, show sales in the same islands of slaves from Hants county ; and Lieutenant Clarkson's manuscript journal, though covering only the last few months of 1791, gives several instances of schemes for carrying Negroes—not in every case slaves after human law—to the United States for the evident purpose of sale. "Some years ago", wrote Mr. Blowers to Ward Chipman, when the latter was preparing for the Fredericton slave case of 1809, "I had determined to

<sup>1</sup> "Report of Canadian Archives," 1891.

prosecute an owner for sending a Negro out of the province against his will, who had found means to get back again, but the master being willing to acknowledge his right to freedom nothing further was done. On that occasion I made a few short notes which I send you enclosed in their very rough state".

This traffic, carried out, there is reason to believe, from other provincial ports, and at a period when the very few weekly journals were as silent in respect to home affairs as to-day they are communicative, lost, it may be imagined, none of the force of its current when on the one hand British law at the instance of Clarkson, Wilberforce and their fellow-abolitionists had put its ban on the importation of Africans to the West Indies, and on the other the provincial courts had almost destroyed the value of slaves at home.

From such a traffic scenes of injustice and cruelty are and must be inseparable. A certain point reached, the hardening process in the human heart proceeds with rapidity, soon banishing all semblance of regard for justice. An instance of wrong led Governor Wentworth, of Nova Scotia, in September, 1792, to address a letter to C. F. Greville, governor or administrator of one of the West India islands, asking his interposition for the "release of a certain Negro young man" who had been "insidiously and unjustly sold as a slave in your Island". "The enclosed papers", he goes on to say, "which I beg leave to assure you are well ascertained, will afford full information on the subject, and I sincerely hope lead to the emancipation and discharge of the Negro man, as he was most undoubtedly free when sold in your island. It is further to be represented that the purchaser may have his remedy and recover payment by transmitting proof to this country, in which I will strenuously aid".<sup>1</sup> At that

<sup>1</sup> "Wentworth Letters", vol. 50, Nova Scotia Records.

period, too, there were separations with a sequel not unlike those indicated by the columns of advertisements for lost children or other relatives which to this day give a sad interest to the religious press of the African churches of the United States. An aged woman at Annapolis used to recall, to her latest days, a scene witnessed by her in childhood, when a slave woman was put on board a schooner from a wharf at the lower end of the town to be taken away, her screaming child clinging to her till torn from her by sheer force.

Numerous descendants of the former slaves in the Upper and Lower British American provinces are to be found near the homes of their ancestors. Some of these slaves had gone with their masters into exile, because they were unwilling to be separated from the owners on whose land they were born and with whose families they had lived. Frequently the attachment proved so enduring that, when made free, they long remained at service in the families of their masters, bequeathing to their children a predilection for the name of the master they had served. The remark made by Dr. Canniff in reference to the descendants of slaves in Ontario that "some of them had done badly, while some again have made themselves respectable and happy", might no doubt with equal justice be passed upon the lineal successors of a large proportion of the slave-proprietors of the early days.

The parts of the Maritime Provinces inhabited by the descendants of the early slaves have already been indicated. Few of the colored people near Halifax have a provincial slave ancestry. Some of them are descendants of freedmen settled at Preston on the evacuation of New York; many others are the more or less distant offspring of those slaves who during the war of 1812 fled from Southern plantations and sought refuge on board British ships of war in the Chesapeake, by which they were brought to

Halifax and St. John, N. B., those reaching the latter place finding a home a few miles beyond the beautiful Loch Lomond. In Nova Scotia as in New Brunswick they were treated as freemen : Great Britain paid the American government a heavy indemnity for the offence of helping them to freedom, for three years maintained them in part out of the national chest, and then settled them on Crown lands. In 1837 they were fully enfranchised in Nova Scotia ; a few years later they were allowed to sit on juries. Their testimony was never rejected in any court in British North America.



## CHAPTER IV.

### INFLUENCE OF CANADIANS ON SLAVERY ELSEWHERE.

Although slavery had for a quarter of a century been actually abolished throughout the Maritime Provinces, the steadily advancing movement which culminated in the Imperial Act of 1833 was watched by public men, and in particular by the commercial section of more than one community, with great interest.

As has been recently shown in one of a series of interesting historical reminiscences in the *Acadian Recorder* of this city, the West India islands, the only portion of the empire really affected by that Act, were in close commercial relations with the Maritime Provinces. The fish and lumber sent by these provinces to the West Indies formed an important, if not the larger, part of their export trade—a trade that, directly and indirectly, gave employment to an immense number of industrious men. On the success of this trade Halifax had in a large measure depended for her prosperity, if not for her existence; and the agricultural sections of the provinces for their imports and circulating medium. With their interests thus interwoven, the merchants of the Lower Provinces, in spite of their general belief in the right to emancipation of slaves of any color or origin, had not a little sympathy with West India planters and exporters in their alarm at the probable consequences, as seen from a business standpoint, of the success of the English abolitionists. In that alarm the West Indies, about 1824, appealed to the Northern colonies for moral aid in their resistance to the onward march of the already triumphing emancipation crusade in the mother country, by petitions to his majesty's government in their favor. Under these circumstances the

merchants of Halifax, while giving expression to their sympathy with any measure for the freedom of West Indian bondmen, felt themselves also called upon to assure the British authorities of their belief that the real moral reform aimed at could only be attempted with safety when preceded and attended by education and by a gradual improvement in the laws under which slavery had for generations existed.

In carrying out, nearly ten years later, the policy of emancipation—an experiment fraught with great difficulty from the unwillingness of the planters to adopt it, and with great danger, as they alleged, to their lives and property, from the numbers and temper of the slaves—the Colonial secretary, Lord Stanley, acted in partial harmony with the representations of prominent Halifax merchants. This he did when on introducing a ministerial measure into the British House of Commons on April 23, 1833, he proposed to combine with freedom to every slave in the British colonies an apprenticeship of twelve years, and the payment out of the earnings of the slaves to their masters of the sum of fifteen millions of pounds. The friends of emancipation having remonstrated against these features of the plan, it was finally modified by a reduction of the term of apprenticeship to six years and a provision to pay the masters twenty millions of pounds sterling out of the national treasury. The bill passed the House of Commons August 7, the House of Lords August 20, and received the royal assent August 28, 1833. The day fixed for emancipation was August 1, 1834, and it was left optional with the local legislatures respectively to adopt or reject the system of apprenticeship. Antigua and Bermuda rejected that system, while the other West India islands adopted it.<sup>1</sup>

<sup>1</sup> The apprenticeship scheme did not work well. In some instances the local legislatures voluntarily abolished it, and in 1838, two years before the time of its appointed expiration, it was brought to an end by Act of Parliament.

The measure was not needed in any of the present Canadian provinces. The memorable first of August, 1834, so longed-for by West Indian slaves, so feared by West Indian planters, had nothing to render it memorable in northern latitudes. Two young slaves in Upper Canada, Mr. Hamilton tells us—with whom may have been possibly a very few others—took their freedom by virtue of the Imperial measure, as the last representatives of a system which Canadian courts had condemned to death a quarter of a century and more in advance of the national warrant. But of the immense sum of \$100,000,000 appropriated by the British government as an indemnity to the owners of the 781,000 slaves then set free throughout the empire not one solitary dollar found its way into Canadian hands !

The first legislators of Upper Canada, when at Niagara in 1793, under some pressure from Lieutenant-governor Simcoe, they enacted that all persons previously held in slavery elsewhere should after the passage of the Act containing this provision be free on arriving in that province, little dreamed of the results to follow their action “after many days”. That action was nevertheless preparing their new province to become for years a cause of dread and vexation and severe financial loss to Southern slaveholders ; and the name Canada to many a Negro on American soil in sufferings worse than death to be a synonym for freedom, home, life.

From an early period Canada seemed predestined to be an Arcadia to the captive African, and the North Star to be his guide to freedom. Francis Parkman, in a sketch of a journey in 1751 of Father Picquot, a Sulpician missionary, and at the time a French emissary, tells us that “during eight days he coasted the northern shore of Lake Ontario with various incidents, such as an encounter

between his dog Cerberus and a wolf, to the disadvantage of the latter, and the meeting with 'a very fine negro of twenty-two years, a fugitive from Virginia'".<sup>1</sup> And it has been seen, on an earlier page of this paper, that in the list of "fifteen souls" at Cape Sable, on the southern coast of Nova Scotia, in 1686—more than half a century earlier—there was a solitary negro whose name of La Liberté, or Liberty, a name sometimes given to slaves in the colonies, especially those at the South, implies that he also as an aspirant for freedom had in some way to us unknown reached that quiet French settlement.<sup>2</sup>

In 1810 there were no slaves in Massachusetts, New Hampshire, Vermont and Ohio, and in the course of a few years subsequent to that date in the Northern states in general the freedom of the bondmen was secured or provided for ; but in the South, where at the formation of the constitution eminent men who regarded slavery as a great evil had consented to give the system certain advantages which they hoped would be only temporary, that system had so far ceased to be disliked as at first, that many of its numerous advocates, "supposing that gain is godliness", professed to find in that word of God which teaches the sacredness of humanity a Divine warrant for a system which trampled upon rights that no law or oppression should dare touch.<sup>3</sup>

"The North emancipated : the South fortified". The compromise adopted at the consolidation of the general government by men who shrank from what they regarded as insurmountable obstacles to emancipation in

<sup>1</sup> "Montcalm and Wolfe", vol. i., p. 69.

<sup>2</sup> See page 6.

<sup>3</sup> One of the best discussions of this subject is found in a published lecture on "Southern Slavery not founded on Scripture Warrant", by Rev. William Somerville, A. M., Reformed Presbyterian minister, Cornwallis, N. S. This lecture was originally delivered before the Acadia Lyceum, Horton, N. S., in 1864, to counteract an apparent tendency to favor the Southern Confederacy.

their own time, and the concessions at later perilous periods by American statesmen who feared for the stability of the Union, gave to the Slave states an influence which culminated in the "Dred Scott" decision in 1857. Those compromises led in the North to what Henry Ward Beecher has aptly called a "condition of imprisoned moral sense". Fidelity to these agreements was everywhere regarded as a moral obligation by men that hated slavery; hence the perplexity to men abroad who could not "understand what was the reason of the later hesitancy of President Lincoln, and of the people, when they had risen to arms, in declaring at once the emancipation of the slaves". The same fact is stated in another form: "The South manufactured nothing except slaves; it was a great manufacture, that; and the whole market was bribed. . . . Every manufactory, every loom as it clanked in the North said: 'Maintain not slavery, but the compromises of the Constitution', for that was the veil under which all these cries were continually uttered".<sup>1</sup>

Under these circumstances the condition of the Southern slave was comparatively hopeless in his own country. The pen has run too rapidly: he was a man without a country. Even in this statement too much has been said: his manhood was even denied. In the case of Dred Scott, a slave who brought suit to recover his freedom, suing for it in the federal court on the ground of being a citizen of a different state from the defendant, and further, of being taken into territory made free by a certain Act of Congress, Chief-justice Taney in his decision in the federal court declared that Scott was not entitled to bring suit in that court because he was not a citizen, but was a member of a race which for more than a century previous to the adoption of the Declaration of Independence had

<sup>1</sup> "Wendell Phillips, a Commemorative Discourse".

been regarded "as beings of an inferior order, . . . and so far inferior that they had no rights which the white man was bound to respect".

Previous to this decision a great number of slaves had taken refuge in Canada. If pursuing owners could not command the aid of state officials in the capture and removal of their fleeing property, that aid had so often been given to the master to lead the helpless Negro back to a bitter doom that the fugitive felt that no guaranteed safety could be enjoyed except when upon British soil. His escape was too dependant upon the sentiment or humor of the local authorities. Many were less fortunate than the fugitive slave who had reached Vermont when his master pounced upon him and carried him before a magistrate. The slaveholder regarded his proof of ownership as beyond all question, but the magistrate continued to demur as if requiring still further evidence. At last the exasperated slave-owner demanded to know what proof would satisfy the judge that the slave was really his property. The startling reply came, "A bill of sale from God Almighty"; and, in the absence of any such title to possession, the trembling Negro left the room a free man.

When, however, the enforcement of the Fugitive Slave Law, enacted in 1850, had been begun, and the "Dred Scott" decision had been given in 1857 in the highest court in the land, affirming the right of the slaveholder to carry his slaves unmolested into any state or territory of the Union, in no spot in the whole republic, however secluded, could the escaped slave be secure from the pitiless grasp of the master, with the whole power of the country behind him. Even before the "Dred Scott" decision had been given, and only a year or two after William Lloyd Garrison had proudly showed a row of escaped Negroes sitting on the platform of an anti-slavery

convention, and had defied the whole South to reclaim them, the very men thus exhibited were fleeing to Canada for their lives. Massachusetts even had become a hunting-ground for fugitives. The circumstances connected with the capture and delivery to their former owners of Thomas Sims and Anthony Burns, two escaped slaves who had reached Boston, were of sad significance. Thomas Wentworth Higginson, an active friend of the slaves, remarks: "The curious thing was that although there was a state law of 1843 prohibiting every Massachusetts official from taking any part in the restoration of a fugitive slave, yet nearly all these employees [in the capture and restoration] were Boston policemen, acting, so the city marshal told me, under orders from the mayor and aldermen". For the fugitive, therefore, any life worth living lay only beyond the national boundary line—in Canada.<sup>1</sup>

Miss Janet Carnochan, president of the Niagara Historical Society, in an interesting paper published in the "Transactions" of the society for 1897, gives a brief sketch of one of the earlier arrivals at Niagara:

My informant, a large woman, somewhat portly, with good features, not darker than many Caucasians, with a stately presence and bearing well the snows of seventy winters, told the story well in her soft voice: 'Yes, I could tell you about the old times. I was born in Niagara in 1824 and my father came here in 1802. He was a slave. No, he did not run away. He came with his master all the way from Fredericksburg, Virginia, driving the carriage with six horses, his master bringing his money in bags, enough to last him; he came all that way to see the Falls, and staid at Black Rock a while. My father was the coachman, and though his master was not cruel like some masters, my father was always afraid he might be sold off to work in the cotton fields, and a

<sup>1</sup> "Cheerful Yesterdays", pp. 135, 144. Houghton, Mifflin & Co., Boston, 1898.

gentleman from Niagara, Mr. D., told him he could easily escape and come to Niagara where there were many colored people. So he hid in the corn fields. It was September: and oh, the misery my father was in when September came. He had his dark days every year, for he remembered lying out at night, the cold, and the fright at being taken, and little to eat, and the rain, oh! the children did not like when the time of the year came, for he never forgot it, and he was down then. But I must go back to my story. At last his master had to go back without his coachman, although he waited a long time, and then my father came to Niagara, where he bought a little piece of land'.

For many years the escaping Southern slave on his journey to the Canadian border had only the assistance of scattered individuals. At the outset, Canada was but "a name, a far-away hope"; and, as the fugitive dared not ask for guidance and had to rest by day and travel by night, the journey, when successful, was often a struggle of months and months. John Little, in later years a prosperous and respected Ontario farmer, used to tell an interesting story of his experiences in reaching the North, before the definite organization of the rescuers of the slave. His troubles began when his master got into debt and sold him, about the age of twenty, to a man who had the reputation of being a most successful negro-breaker. A visit one Sunday to his broken-hearted mother, who had been deprived of all her children, brought an order to the overseer from the master for five hundred lashes with a bull-hide whip. When a part of these had been given and the wounds had been bathed in salt and water, and such sleep had been had as could be obtained with the feet fettered and in the stocks, he was brought out in the morning to receive another instalment, and after having fainted was sent into the fields to do his usual work. Despite, however, all the master's efforts the slave refused



to be "broken in". "I had made up my mind", said he, "that if he would find whips, I would find back". At last the master decided to ship him off to New Orleans, but while waiting to sail he managed to steal off and conceal himself, hoping to be sold "running" to some neighbor with whom he might live at least a more endurable life.

After having passed through the hands of several owners, all more or less cruel, he heard of Canada and hope. He had married, and his wife and he resolved to make an attempt for freedom. The husband slipped out first and managed a plan of escape for the wife, who at the time was ill. At the last moment they were betrayed and the wife brutally beaten to make her reveal her husband's hiding place. The effort being in vain, fetters were in course of preparation for her wrists and ankles when she too escaped and managed to join her husband. That night and the next were spent in awful anxiety through the close pursuit of their master and a band of armed slaves. Their long and toilsome journey, with little guidance but that afforded by the North Star, their repetition of parts of their journey, their narrow escapes from enemies, cannot be told here. It is sufficient to say that they persevered until at last they reached Chicago, where sympathizing friends were soon found to help them into the British province. There, fourteen years later, John Little was able to boast that he "had over one hundred acres of land under good cultivation, and that he could at any time lend or borrow two thousand dollars, while Mrs. Little was enabled to enjoy the comforts and respect attending such a position".<sup>1</sup>

<sup>1</sup> See "Stories of the Underground Railroad", an interesting paper by Miss M. Murray, of Kingston, Ont., in the "Canadian Methodist Magazine" for September, 1898, from which two or three incidents are here given.

Strange spectacles were witnessed in those days on the British side of the "mystic line". Occasionally there were scenes of sadness. One incident of specially deplorable character has been narrated in detail by the president of the Niagara Historical Society. Among a large number of escaped slaves at Niagara in 1837 was a recent arrival from Kentucky named Moseby, whose extradition had been demanded on the ground that he had stolen a horse from his master to aid him in his escape. The man was arrested, and after considerable legal wrangling the Canadian authorities consented to deliver him up to his former owner. Word having been passed among the numerous Negroes in the neighborhood that Moseby was to be surrendered, a movement under the leadership of Herbert Holmes, a Baptist or Methodist exhorter and school teacher who had received some education in Nova Scotia, was set on foot for his rescue. Some three hundred colored people, under the direction of Holmes—himself a mulatto, though never a slave—invested the Niagara jail where Moseby was imprisoned, keeping sentries constantly on the watch, and frustrating repeated attempts on the part of the authorities to remove him under cover of darkness. The perplexity of the sheriff was increased by the evident sympathy of white citizens with the colored people. Two gentlemen of St. Catharine's got up a largely signed petition in favor of the prisoner, but without avail; a captain of a vessel, asked to take the prisoner by water to Lewiston, returned the sheriff an answer both forcible and profane, but the answer of a humane man—that no vessel commanded by him should ever be used to carry a man back to slavery; and the citizens generally indicated their opinions by ready assistance in feeding and sheltering the investing force. For three weeks the authorities postponed action, waiting for the excitement to subside and the Negroes to disperse.

Finally the sheriff determined to deliver his prisoner to the American authorities across the river without further delay—a fact which friends of the prisoner within prison walls soon made known to those whom it concerned.

Elaborate preparations were made, and on the appointed day the fettered prisoner was helped into the waggon, preceded by the deputy-sheriff, and surrounded by soldiers and constables, with other constables on foot with fixed bayonets, the citizens looking down on the scene from the roofs of the neighboring houses. Outside the jail the Riot Act was read, and then the spirited team rushed out of the yard. On each side of the road and across it were two hundred black men, most of whom personally had felt the lash of slavery, ready to dispute the return of the prisoner to a captivity worse than death. Holmes seized the horses' heads and stopped them, while another colored man ran a pole into one of the wheels and locked it. The deputy-sheriff, seeing the state of affairs, gave the double order to "fire" and to "charge". Instantly Holmes fell dead, killed by a bullet from a soldier's musket, and the man who had locked the waggon wheel received a thrust from a constable's bayonet, from which he soon after died. Meanwhile the prisoner, who was an athletic man, whose handcuffs had not been locked or had been weakened, sprang from the waggon into the thickest of the crowd, leaped a rail fence into a corn field and made his escape, some time later reaching Montreal and finally England. A large number of the colored men were imprisoned, but at the breaking out of the Canadian rebellion were released to join a colored military company.<sup>1</sup>

About 1838 the time and risk attending escape from the slave states were both materially lessened by the union in Philadelphia of numerous friends of the slave into a secret organization which in subsequent years became

<sup>1</sup> "Publications of Niagara Historical Society", No. 2.

known to the general public as the "underground railroad". Its leading managers were Quakers, Levi Coffin being "president"; but with them were associated other bold spirits, such as John Brown, of Harper's Ferry fame, who with his six stalwart sons did many a bold stroke of business in its behalf. It had also its various "lines" leading north and south, with "stations" and "station masters"; and, to prevent discovery, various technical business terms were used by its unpaid and often heavily taxed officials and employees. The history of the conscientious law-breakers who for a quarter of a century directed this organization is a history of heroes inspired by the noblest motives. Their original purpose was not to entice slaves from their masters, but to aid systematically those who had succeeded in escaping, to prevent their recapture, and to pass them on as speedily as possible to the extreme northern terminus—the Canadian border. Nor in the wide field of lowly romance will aught ever be found more thrilling than the experiences of some of the numerous passengers by the "underground railway" in their frantic efforts to reach freedom and Canada.

With the aid of this secret organization of heroic men and women, successful attempts at escape into Canada became much more numerous. While many bondmen started bravely on the expedition northward with slight idea of distance and dangers, only to be seized on the way and sold into harsher slavery, a good proportion of the adventurers, after experiences scarcely less perilous than the crossing of "Eliza" and her boy over the floating ice-bridges of the Ohio, as told by Mrs. Stowe in her marvellous novel, reached the Canaan of their dreams in safety. "All through Ohio to-day", says a narrator of the escape of one of these, "grey-haired men and women still tell how their mothers warmed, fed, and often clothed

the fugitives, and their fathers drove through storm and darkness to save from worse than death the people committed to their charge”.

In a pleasant home many years since in an Ontario town a minister sent across the border by the Abolitionists to see how the escaped fugitives were faring, heard from his hostess, a woman of great beauty and the wife of a cultured young Englishman, an interesting life story. An inquiry as to his acquaintance with the Hon. Joshua R. Giddings and two or three other prominent men of Ohio, and a reply in the affirmative, elicited the remark that to them she owed her life. She was the daughter of a Virginian, a man supposed to be wealthy and of good moral character. With him, a widower, lived a son and daughter—the latter, accomplished especially in music, a favorite in society. On the sudden death of the father, the son, called home from Yale, learned to his sad surprise that not only had his father died insolvent but that the young girl in the home whom he had fondly regarded as a sister was not the daughter of his own mother, but of a slave, and that no provision had been made for her freedom. As the father's “property” as well as his daughter, the young girl, though her appearance indicated nothing but the purest Caucasian blood, had, in accordance with the usage of slavery in general and the law of Virginia in particular, to be placed on the auction-block and sold, subject to the usual indignities, at public sale with the father's other possessions. A slave trader, then purchasing for some other market, outbid all competitors, became her owner, and shut her up in a cell in the prison until a gang should be ready to leave for the South.

The brother, aware of the penalty of imprisonment in the penitentiary for aid in the rescue of a slave, but desperate at the idea of the sister falling into the hands of such a man for such a purpose, resolved to save her, if

possible. To accomplish this he made a confidant of a friend, interviewed an agent of the secret "railroad", and putting on the style and garb of an old "mammy" who wanted to see the "little missy jis' once mo'", he was admitted to her cell. There he presented her with a long, keen-bladed knife, made her kneel and swear that sooner than be taken alive she would plunge it into her heart; and remaining in the cell sent her out from it in the disguise in which he had entered it. She at once found her brother's friend, by whom she was conveyed across the country to the point where, as agreed, the "railroad" agent met them; and thence she set out on her perilous journey to a strange land, hiding by day in farmhouse garrets and driving in the care of strangers through the long chill October nights, over rough corduroy roads and dark forest byways between the "stations".

Once escape seemed impossible, two or three slave-hunters having arrived at the village she had reached, and the necessary boat being away. In this dilemma Mr. Giddings procured a horse and buggy, hastily took on board a closely veiled lady about the same size as the slave girl, and drove off as if in desperation, closely followed by the hunters at breakneck speed, until at the end of many miles he reined up his panting horse and angrily demanded to know why the men were following him. They in turn demanded the woman as their property, Giddings insisting that she was no property of theirs. Then they threatened the vengeance of the law, while he reiterated that she was a free woman and no man's property. Finally, as the controversy could be continued no longer, the lady lifted her veil and showed to the infuriated men the face of an entire stranger. In the meantime, another rescuer, as soon as the slave-hunters were well out of the village, had taken a fast horse and driven the fugitive with all speed to Cleveland. From Cleveland she was safely taken around

the lake and across the Detroit river into Canada. And the sequel the visiting minister saw in her own pleasant Canadian home, to which she had only gone after having some time refused to marry on account of antecedents revealed by her own lips. In that town the brother joined her at the close of a long imprisonment.<sup>1</sup>

There may have been less of romance, but there was little less of cruelty in the experience of James King, an escaped slave who lived many years in the service of the father of Thomas Conant, author of the recently-published "Upper Canada Sketches". His original owner, the head of one of the leading families of Virginia, was also his father, but other sons, becoming sensitive as they grew up to the presence of their slave half-brother, induced the father to sell him. His new owner wished to place him in a leading position on his large farm, but was prevented by the old overseer, whose jealousy prompted him to the use of all possible expedients to bring the young man under the lash, from which he only narrowly escaped. At length, goaded almost to madness during the absence of his master, he fled to the woods, where, fed by neighboring slaves, he resolved to await the master's return; but the appearance of an advertisement offering a large reward for his apprehension as a runaway, led him to a greater distance. Again alarmed, he "followed the North Star by night" and slept during the day until he reached Harrisburg, Pa. From that place he walked by day, boldly inquiring his way to Canada, but always careful to keep going northward. Canada he had always heard of among the slaves, but had supposed it to be a land where the wild geese went and everything was covered by feathers; yet onward he plodded in search of freedom. From Charlotte, N. Y., he worked his passage in a small vessel bound to Colborne, Ont., and in 1854 made the

<sup>1</sup> E. H. Smith, in New York *Evening Post*.

province his future home. About three weeks before the old man's death in 1895 Mr. Conant at his earnest request communicated with the former slave's friends in Virginia. An immediate response was received, with the revelation of his real name, an invitation to visit his native state, and an intimation that such a visit might result to his profit, but such was the dread of slavery felt by the man of fourscore years, that, with an inquiry respecting a half-brother, he returned an absolute refusal.

In another instance Helen Craft, a slave-wife, whom T. W. Higginson has described as "quite as white" as his own sisters, dressed herself like a fashionable young planter, and took William, her husband, along under the guise of a servant. To prevent discovery she feigned invalidism of several sorts, rendering her thoroughly dependent upon her faithful servant. Affairs assumed a critical aspect in Baltimore, where, on going to buy tickets for himself and his master, the servant was told that he could not pass on until some responsible white person should give bonds for him. Several times the servant repeated the story that his master was ill, and being on his way to Philadelphia to take medical advice might die if detained, and ended with a most emphatic and effective declaration: "My master cannot be detained". "Scarcely had they arrived on Canadian soil when the rheumatism departed, the right arm was unslung, the toothache was gone, the beardless face was unmuffled, the deaf heard and spoke, the blind saw and the lame "leaped as an hart".

At neither terminus of the "underground railroad" does any discrimination seem to have been made on the basis of complexion. A representative of a small section of colored Methodists in Ontario, in addressing the General Conference of the Methodist Church recently in Toronto, proved himself a master in hyperbole by



remarking that if in those days a man had been as "black as two midnights in a dark cellar" he would have found ready aid on his arrival in Canada. One of the most remarkable agents of the "railroad" was a full-blooded Negress, who had been for twenty years a slave. Shrewd and courageous, always armed with a gun or revolver—the two-fold purpose of which any wavering member of her contingent was given to understand, this very ordinary-looking black woman had succeeded in carrying off, with her own family, nearly three hundred other slaves, winning for her success in leading her people out of their land of bondage the appropriate appellation of "Moses".

Lively demonstrations sometimes attended the first moments after arrival in the land of promise. Among a party of four, in charge of Harriet Tubman, alias "Moses", on one occasion was a young man named Joe. After a narrow escape the train on which they were bound north approached the bridge below Niagara Falls and other members of the party burst into singing, but Joe, not disposed to shout until quite out of the wood, sat motionless with his head buried in his hands, waiting for—he hardly knew what! As the train crossed the bridge the others called to him in the utmost excitement to come and look at the Falls, but he could not be stirred. A moment later, when they were on the descent from the middle of the bridge, "Moses" rushed at him and shaking him fiercely exclaimed: "Joe, you've shook de lion's paw! Joe, you're free"! Then "the strong man, who could stand the greatest physical suffering without a quiver, burst into hysterical sobbing and singing, so much did the touch of Canadian soil, the breath of free British air, mean to these men". More demonstrative still was the action of another escaped slave—Stanford. This man, who had had a terrible struggle to escape his pursuers—who in fact, after his first arrival at St. Catharine's had been kidnapped in the middle of the night

and carried back to the American side of the border—on reaching again the Canadian side “leaped on shore, rolled himself in the sand, and even rubbed it into his hair in the wildness of his delight at finding himself once more on free soil”.

A special effort for the settlement of some of these freed slaves was made in 1850. The principal promoter of the movement was the Rev. William King, a native of Londonderry, Ireland, who in 1846 had been sent as a missionary to Canada by the Free Church of Scotland. During a residence in Louisiana he had married a planter's daughter, who at her father's death inherited fifteen slaves. On the death of Mrs. King the disposal of these slaves depended upon her husband, the minister, then rector of a college. Their estimated value in the slave market was nine thousand dollars, but he refused to sell them; and placing them for a time upon a plantation gave them the proceeds of their own labors. In 1848 he brought them to Western Canada, thus securing to them their freedom. Having found in the province a great number of fugitive slaves—many of them very ignorant and in great poverty—he in 1850 presented their position to the Presbyterian Synod, at the time in session in Toronto, succeeded in enlisting the sympathies of its members, as well as those of other denominations, and secured the co-operation of Canadian anti-slavery societies. In June of that year a company was incorporated, called the Elgin Association, and a prospectus was issued for the “social and religious improvement of the colored people of Canada”. The public was asked to take stock to the value of twenty thousand dollars, and with the money obtained nine thousand acres of land in the county of Kent were purchased from the government, to be sold to colored settlers at the rate of from two to three dollars per acre. This tract the Elgin Association, so-called from Lord Elgin, the Governor-general, who favored the enterprise, had

divided into lots of fifty acres each, for which the settler was to pay in ten annual instalments with interest.

Mr. King formed the nucleus of the settlement by giving his fifteen freed Negroes their land in 1850. The place became known as the "Buxton Settlement", in honor of Sir Thomas Fowell Buxton of England, whose life-long devotion to the cause of the slave in the colonies of Great Britain had resulted in the Imperial Act of 1833, by which the very last vestige of slavery was removed from the Canadian provinces. In 1853 one hundred families had settled on the "King tract", while many others had occupied improved farms in the neighborhood. They had been helpful to each other, and most of the farms had been cleared and homes built by means of "chopping bees", those warm-hearted, neighborly institutions of early Canadian times. The settlers also found employment on the farms of their white neighbors, and by the sale of railway ties to the builders of railways then in course of construction. Within fifteen years from the commencement of the settlement all the land purchased by the Association was allotted and peopled by one thousand colored settlers. Farms were cleared, houses built after a prescribed model, roads opened up, and school-houses, a brick hotel, and industrial buildings erected. Meanwhile the religious and educational interests of the people had not been neglected. The sale of intoxicating liquors had been prohibited, Mr. King had been sustained there as a Presbyterian missionary by the Synods of the Presbyterian Church in Canada, religious ordinances had been provided for the numerous Baptists and Methodists in the neighborhood by the church authorities, and elementary training in general knowledge afforded by both week-day and Sunday-schools.<sup>1</sup>

<sup>1</sup> See "Place-Names of Canada", by George Johnson, F. S. S., and a "A Short History of the Presbyterian Church in Canada", by William Gregg, M. A., D. D.

The county of Kent, in which the Buxton settlement is situated, proved an attractive abiding place for Southern fugitives. The Negro—a child of the sun—found the milder winters of this extreme western section of Ontario much more to his satisfaction than the colder blasts of the country farther to the eastward. Harriet Beecher Stowe's "Uncle Tom" lived at Chatham for some years, and found it the home of many of his race, who were reputed to be "usually quiet, self-respecting, law-abiding, religious people, excellent servants and devoted to the people whom they served". In the county of Kent, and one or two of the adjacent counties, several of such fugitives became successful farmers.

That "belated Covenanter", the good and brave though much abused John Brown, of Harper's Ferry fame, occasionally availed himself of the nearness of Western Ontario for the accomplishment of his purposes as a rescuer of the enslaved. It was at Chatham, on one such occasion, that he took the first of those apparently imprudent steps which cost him his life, but perhaps best served the purpose at which for years he had aimed with an intensity akin to fanaticism. A Massachusetts abolitionist, who with others had met him by appointment in Boston nearly a year earlier, writes: "Brown's plan was simply to penetrate Virginia with a few comrades, to keep utterly clear of all attempts to create slave insurrection, but to get together bands and families of fugitive slaves, and then be guided by events. If he could establish them permanently in those fastnesses [of the Alleghany Mountains], like the Maroons of Jamaica and Surinam, so much the better; if not, he would make a break from time to time, and take parties to Canada, by paths already familiar to him. All this he explained to me and others, plainly and calmly, and there was nothing in it that we considered either objectionable or impracticable; so that his friends in Boston—Theodore Parker, Howe, Stearns, Sanborn, and

myself—were ready to co-operate in his plan as thus limited. Of the wider organization and membership afterwards formed by him in Canada we of course knew nothing”.<sup>1</sup>

This wider organization took place in a Negro church at Chatham, where he arrived about the middle of March, 1859, accompanied by twelve colored people carried off from slave owners in Missouri, who through arrival in Canada became legally as well as practically free. At a secret convention in May, called by himself and attended only by such whites and blacks as he believed in thorough sympathy with his views, a “Provisional Constitution for the People of the United States” was adopted. It was of course drafted by Brown, and aimed directly at slavery and slave-holders, while in it any intention to interfere with or destroy any state or federal government was distinctly disclaimed. Brown was elected commander-in-chief: with some high-sounding titles conferred upon others, the more moderate one of treasurer was given to Brown’s son, Owen. This action was said, according to the preamble, to have been taken by “citizens of the United States and oppressed people who by a recent decision of the Supreme court are declared to have no rights which the white man is bound to respect”.<sup>2</sup> It is not strange that this defiance of the United States government, carried into effect a few months later within easy reach of Washington, has led an admirer and friend of John Brown to regard it as obvious that the long delay of an “opportunity of fulfilment had disturbed the delicate balance of the zealot’s mind”.

The long and anxious procession northward continued to the outbreak of the civil war in the United States. It was in 1862 that the British Parliament, influenced by the decision of the Upper Canada court of common pleas on a

<sup>1</sup> “Cheerful Yesterdays”, p. 221.

<sup>2</sup> Greeley’s “American Conflict”, vol. 1, p. 287.

writ of *habeas corpus* issued by one of the superior courts in England in the case of John Anderson, a fugitive slave from Missouri, passed an Act declaring that no writ of *habeas corpus* should again issue in England into any British colony in which a court was established having authority to grant such a writ.<sup>1</sup>

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Just then the day of redemption for the Southern slave was beginning to break. As often in nature the darkest hour had preceded the dawn. The movements that prepared the way for the emancipation of the slave seemed, for a time, only to render his position more intolerable by rivetting his fetters the more firmly.

The publication in 1851 of Harriet Beecher Stowe's "Uncle Tom's Cabin", begun as a serial in an anti-slavery journal of Washington, had intensified the hatred of slavery at the North; and the passage of the Fugitive Slave Law, with the "Dred Scott" decision in 1856, had increased this hatred on the part of the North while it had rendered the South overbearing. Then, when violent contests between the pro-slavery and anti-slavery settlers in Kansas had resulted, to the great disgust of the South, in a vote excluding slavery from that territory, came in October, 1859, the attack on the arsenal at Harper's Ferry, Virginia, by Brown and his few but desperate followers, and two months later the execution of Brown as a sequel to that bold act, fanning the flame of national passion to a white heat.

Victor Hugo judged correctly, when early in the course of the nation's conflict he wrote, "What the South slew last December was not John Brown, but Slavery." Held as before by the idea of "vested rights" and a regard for national compromises, the people of the United States

<sup>1</sup> "History of Canada and other British Provinces", by J. George Hodgins, LL. D., p. 204.

moved with hesitation towards the point of accepting the destruction of slavery as of equal importance with the preservation of the Union ; but at length their government resolved to take upon its broad shoulders the work so bravely begun and long continued by the Abolitionist "fanatics", and determined, at the risk of tearing their great republic asunder, that every man under their national banner should be free. At immense cost of life and treasure, through "blood and fire and vapour of smoke", the aimed-for end was attained ; and a few days before the departure of 1865 a proclamation was issued—not by President Lincoln, who was denied a well-earned part in the triumph, but by the Secretary of state—that the amendment to the Constitution destroying slavery "within the United States or any place subject to their jurisdiction" had been approved by twenty-seven out of thirty-six states and therefore had been adopted.

Then the pathways to the various Southern termini of the "underground railroad" soon became grass-grown ; and the watchers at the Canadian boundary line were at liberty to close their previously wakeful eyes ; the road was no longer needed, its business was spoiled. Canada soon ceased to be in plantation life and song another name for heaven ; the North Star, so long the nightly guide thither, soon came to seem but like a tradition.

But—and let it ever be regarded as a gem in Canada's circlet of renown—previous to that period when a few strokes of the pen struck off the fetters from four millions of bondmen in the South, as the pen in the hand of William IV., King of Great Britain and Ireland, had done in the case of West Indian bondmen more than thirty years before, not fewer than thirty thousand slaves had crossed the Canadian boundary line ;<sup>1</sup> had, to use the

<sup>1</sup> "It is estimated that more than 30,000 American slaves, after escaping from bondage, found an asylum in Canada".—Appleton's American Cyclopaedia", article "Slavery".

words of one of their number, "shook the lion's paw"; and under the British flag in Canada had found freedom, shelter, education for "the life that now is and for that which is to come", and thus at least partial preparation for the duties of Christian citizenship.

Many of these, on the proclamation of emancipation, returned to their former neighborhoods, where not a few of them have made commendable use of advantages conferred upon them in helping others who had been denied their privileges.

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These two great nations, Great Britain and the United States, harmonious now as never before, have together banished from earth the idea that it is right for one man to make another man his property.

When Britain had abolished slavery in the West Indies and Bermuda, an eminent Bermudian, Chief-justice Esten, wrote: "Happy had it been for these favoured isles, favoured in climate and most attractive in beauty, if the foot of slavery had never stalked over the land. As mercy is said to be twice blessed, so slavery is twice cursed—a curse to the master and a curse to the slave". And when the United States at a later period had struck off the long-worn fetters of their bondmen, though without such compensation to the owners as had been provided by Britain, a Southern senator said to the faculty and students of Middletown Wesleyan University: "Slavery is gone, and I am glad of it. I feel that I myself am liberated".

From such data may be estimated Canada's gain through the early abolition of slavery.



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