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The Fugitive Slave in Canada

(By Fred Landon)

(Continued from last issue).

help and sent two delegates to York (now Toronto) to find out the attitude of the Canadian Government. They stated their case to the governor, Sir John Colborne, who gave prompt reply: "Tell the republicans on your side of the line that we royalists do not know men by their color. Should you come to us you will be entitled to all the privileges of the rest of His Majesty's subjects." When this message was brought back between four and five hundred of Cincinnati's colored population left for Canada, a part of them founding the short-lived Wilberforce colony and the others scattering through the various towns of the province. The position taken thus early by Sir John Colborne was that of all his successors in office, and on the very eve of the Civil War Sir Edmund Walker Head declared that Canada could still afford homes to the refugees.

Canadian legislation was free from any discrimination against the Negro. Occasionally some individual member of Parliament would show unfriendliness, generally for political ends, but no hostile legislation ever marred Canada's good name. The fugitive was shown that the country was ready to give him his chance, and even ready to give him direct aid. An example of such practical help was the policy of remitting customs duties on supplies sent in by the abolitionists of the United States for destitute fugitives. In the liberality of its land grants to Negro colonies the Canadian Government also showed its sympathy. The Elgin Association and the Refugees' Home each secured large tracts of land on easy terms with the understanding that it would be re-sold to the Negroes on conditions which would make it possible for them to become freeholders. There were no political rights denied the fugitive. He paid his fair share of the taxes and he went to the same poll as his white neighbor to cast his vote. The franchise was freely exercised and there was no bar to the Negro holding office. Austin Steward, one of the founders of the Wilberforce colony, looked forward to the time when there would be a Negro representative sent from his district to the Canadian Parliament. In the Elgin Association's settlement Negroes held the office of pathmaster, school trustee and councillor and Dr. J. Wilson Moore, who visited the Negroes in Canada in 1858, noted such offices as school trustee and road commissioner being filled by black men. They were also serving as jurymen. The Negroes were found to be in touch with the leading political events going on in their adopted country. At the time of the agitation over the Rebellion Losses Bill, in the forties, the Negroes in Essex county met and passed resolutions protesting against the terms of the bill and commending the representative from Essex in the Canadian Parliament for his firm stand on the question.

It cannot be denied that there were occasionally some small evidences of

race prejudice in Canada, but these were always local and without force of law. Canadian law and the Canadian courts frowned on anything of this kind. Rev. S. R. Ward, in his autobiography, says he read of a case in southwestern Ontario where the whole mass of colored voters were driven from the polls and for the time disfranchised. "But," he adds, "the injured parties had recourse to law—British law, thank Heaven, and they triumphed."

He pays this tribute to Canadian justice as he saw it being administered in the fifties: "Happily for us, we have equal laws in our adopted race and the black race are on their country, and I know of no judge who would sully the British ermine by swerving from duty at the bidding of prejudice in a case coming before him as betwixt a Negro and a white man. I know of more than one instance in which our Canadian judges have acted with the most honorable impartiality in such cases; indeed I know of no case in which they have done otherwise."

The fugitive's rights of citizenship were recognized by his enrollment in the militia of the province. There were colored companies in the war of 1812 and during the "Patriot War" of 1838, when there was some danger of invasion from across the border, the negroes quickly offered their services. Sir Francis Bond Head, the governor, says of the Negroes: "They hastened as volunteers in wagon-loads to the Niagara frontier to beg from me permission that in the intended attack upon Navy Island they might be permitted to form the forlorn hope." Rev. J. W. Loguen, prominent in the abolition cause, says he was offered the command of a company of black troops in 1838, and notes the promptness with which several black companies were organized as well as the valor they displayed. These people, he points out, could scarcely remain passive when the success of the invaders would break the only arm interposed for their security and destroy the only asylum for African freedom on the continent. Rev. Josiah Henson, founder of the Dawn Negro colony, was on active service during the troubles of 1838, being a captain in the second Essex company of colored volunteers, which helped garrison Fort Malden for five months. His company had a hand in the capture of the schooner Ann, in January, 1838. "The colored men," he says, "were willing to defend the Government that had given them a home when they had fled from slavery."

As might be expected, there were attempts at one time and another to have Canada give up again to slavery those whom she had taken under her protection. The responsibility of Canada for the return of a fugitive slave upon the demand of the American Government, or upon the claim of the former master, was raised during the administration of Sir Francis Bond Head in the late thirties. The case is described in his "Narrative."

(To be continued)

FLOWERS BEATS MALONE.

Seattle, August 17.—Tiger Flowers of Macon, Ga., former world's middle-weight champion, took an easy six-round decision over Jock Malone, white, of St. Paul, here Wednesday night. Malone fought listlessly throughout. Weights: Flowers, 166½; Malone 158½.

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