

(father of Chief Justice Sir John Beverley Robinson and grandfather of the celebrated lawyer, Christopher Robinson, K.C.), moved in the House, seconded by Edward Jessup, also a United Empire Loyalist, Member for Grenville, for leave to bring in a Bill to enable persons "migrating into this Province to bring their negro slaves into the same". Leave was granted, the Bill was introduced, and finally passed by a vote of eight to four. In the Legislative Council, however, it received the three months hoist.

The opposition to the Act of 1793 and the support of this emasculating Bill of 1798 were based on the very great scarcity of labour which all writers of the time speak of. It was argued that the prohibition of negro slavery would prevent immigration, as well as hamper the work of settlers already in the Province. The opposition to the Bill of 1798 in the House of Assembly was led by Robert Gray, a young member and the first Solicitor-General of Upper Canada.

Gray himself owned slaves until his death in 1804. He was drowned with Mr. Justice Cochran, the High Constable of York, an Indian prisoner, interpreters, witnesses, Angus Macdonell (the Indian's lawyer) some York merchants and the captain and crew of the Government schooner *Speedy*, sailing from New (Toronto) to Newcastle (now Presqu' Isle Point, near Brighton) for the trial there of the Indian for murder. By his will, he manumitted his female slave Dorinda and her children, leaving a fund of £1,200 (\$4,800), of which the income was to be paid to Dorinda, her heirs and assigns for ever. His black servant, John Baker, Dorinda's son, he also left provision for, leaving him £50 and 200 acres of land in the Township of Whitby. Baker afterwards entered the service of Mr. (afterwards Chief) Justice Powell; but every time he got drunk, which was by no means infrequent, he enlisted in the army. At last Powell got tired of begging him off, and

Baker marched away a regular British redcoat. He is said to have been in the battle of Waterloo and certainly returned to Canada. He was a well-known character in Cornwall, Ontario, until his death, in 1871, the last of all who had been slaves in Upper Canada or the old Province of Quebec.

After this legislation of 1793, this Province became a longed-for Paradise for the negro slaves of the land to the south. The "underground railway" brought hundreds of unfortunates toward the North Star. I have heard a negro of high standing say of his own knowledge, that it was not uncommon for dying slaves to express a hope to meet in Canada.

There were many settlements—still existing—of former negro slaves near the border, and many of them settled sporadically in other parts of the Province.

But the slave was not always safe even after reaching the shores of Canada. Sometimes there would be a kidnapping, though this was very rare. More often the law was appealed to, and sometimes with success.

For long it was the doctrine that the Executive had the power, without treaty or statute, to deliver up fugitives from justice of foreign countries, and in 1833 the Legislature of Upper Canada passed an Act expressly authorizing the delivery up of any person who escaped into the Province charged with murder, forgery, larceny, etc. Then came the Ashburton Treaty with the United States in 1842 to much the same effect.

Under the common law before 1833, and under the Act of that year or the Ashburton Treaty which superseded it for the United States, escaped slaves were charged with stealing or even more serious offences, and some were extradited to the land of the free and the home of the brave, where for them to be brave meant torture, and death alone could make them free.

These proceedings were not always successful. An instance or two may be of interest.