

# THE TRIAL of NILES von SHOULTZ

## *By Irving E. Struthers*

A MYTH OF HISTORY EXPLAINED



OPPOSITE the City of Kingston, on one of the points which reach out into the bay formed in part by an arm of Lake Ontario and in part by the mouth of the Cataraqui River, rise the massive but weather-scarred walls of Fort Henry, a fortress that belongs to the stone age of fortifications whose works are as obsolete as is the flint-lock musket or the muzzle-loading cannon.

Before time had laid a hand heavily upon it, Fort Henry must have been a sight to see; and to-day, if the visitor will for the moment forget the existence of sixteen-inch guns and shells of a ton in weight, the walls and towers and sallyports of the old fortress are impressive even in their decay. They are built of the beautiful light gray limestone found at every turn in Kingston. The stonework of Fort Henry is a credit to the engineers and masons who planned and constructed those massive walls and picturesque martello towers whose most destructive enemy has been time and the elements.

Before the outbreak of the war, which led to the use of Fort Henry as a place of detention for dangerous subjects of the enemy, the visitor was shown everywhere, and one spot no well-informed guide ever neglected was the dungeon in which was con-

fining one of the victims of the troublous days of 1837-38. It truly was a dungeon in every sense of the word—a small space in the centre of a great stone structure, enclosed by massive walls, without light except for the few faint rays that struggled through the heavily grated ventilating aperture high up in the wall, and secured by sets of barred and bolted doors of oak opening upon a narrow, winding passage that could only be lighted by torch or lantern. To-day the interior of the dungeon is in ruins. The floor of planks is gone and the masonry on which it once rested is covered by a pool of water formed by the little streams that during every rain trickle down the slimy walls. A brief survey satisfies the visitor who gladly clambers over decayed timbers and fallen stone, threads the gloomy passage, and so returns to the fresh air and cheerful sunshine.

On December 8th, 1838, there went out from that dungeon to meet death on the scaffold a man whose trial and tragic end are associated with the name of Kingston's most famous citizen and one of Canada's leading statesmen. That criminal was Niles Gustaf Schobte von Shoultz, and his counsel at his trial was John A. Macdonald.

Among the legion of anecdotes based on the life of Sir John Macdonald