

To a Daughter Copy 27-D
with Col N's Comments -

== SLAVERY ==

~ IN ~

OLD CANADA

BEFORE AND AFTER THE CONQUEST

READ BEFORE THE LITERARY AND HISTORICAL SOCIETY OF QUEBEC,
THE 2ND MARCH, 1906 BY

COLONEL HUBERT NEILSON

1906



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That the blot of slavery existed at one time in this fair land of ours is a fact mentioned by few of our historical writers. Some gloss over the fact, others allude to it in a most casual manner, others are silent. Garneau, considered by our French Canadian fellow citizens as the best and most patriotic historian of this Province, in his anxiety to exonerate the French Government from the odium of authorizing slavery, deliberately misquotes the rescripts of that government granting permission to hold negro slaves in Canada, dated 31st October and 6th November, 1688. At page 167, Vol. II of his *Histoire du Canada* (3rd edit. 1859) he says. "I must refer here to a decision which brings great honor to the French government with regard to the exclusion of slaves from Canada, a colony which the King loved above all others on account of the warlike character of its inhabitants; a colony destined to resemble Old France; the home of a gallant gentry, the people animated with sentiments truly national, catholic, and above all French with no admixture of foreign blood. In 1688, permission was asked to bring negroes to the colony. The Government replied that it feared that the climate would be too rigorous for them. This reply sufficed to save our country

“from the terrible plague of slavery. At the time of “the conquest there were perhaps a few, and this event “was followed by an increase in their number, shortly “followed by their complete disappearance.” It is thus history is made to suit the predilections and views of both the writer and perhaps the readers. M. Bibaud, a contemporary of Garneau, who also wrote a History of Canada, honestly admits that there were slaves here before the conquest and further substantiates his statements by quotations from the French laws; on this point Robert Christie, Wm. Smith, J. F. Perrault and the abbé Ferland are silent. Parkman in his “*Old Régime*, page 338, 16th edition,” dismisses the subject in less than a half page. Sulte in his 8 folio volumes “*Histoire des Canadiens Français*” alludes to the matter in very few lines. Kingsford’s volumes give us no further information beyond a short reference to the matter in Vol. II, page 508, where he says: “that Mr. “de la Découverte and his companions were prosecuted “at Montreal in 1718, for opening out trading operations with Albany and bringing into Canada with him “one negro slave and some silver plate.” Kingsford erroneously adds that this negro must have been one of the first brought to Canada.

Therefore for evidences and particulars of the existence of slavery in Canada, we need not seek through the volumes of our standard histories, but in contemporary mémoires, letters, old newspapers, local histories, documents, legal instruments, family records, laws and ordinances, odds and ends, and reliques so dear to the antiquarian.

Yet the first reference to slavery in Canada, I find in B. Sulte Vol. 1 page 66 “*Histoire des Canadiens Français*,” it was the first infancy of the colony at Port Royal (now Annapolis in Nova Scotia) in 1607. Without quoting his authority Sulte says: “Poutrincourt, “(the founder of the place) built a grist mill, and it “occurred to him that the next best move would be to “obtain slaves to work it. It was thereupon decided to “capture three or four Indians, by trick or otherwise, “and that if they offered serious resistance they were “to be stabbed to death without further parleying.”

Whether or not the scheme was successful is not clearly stated. Further on I will tell you more of the red man as a slave to the white man.

The next mention of a slave is found in the "*Relation des Jésuites*," that curious yet most valuable collection of facts, fiction and religion, where it is stated that when the Kertks captured Quebec in 1628, they had with them a young Malagasy slave who was subsequently sold for the sum of 50 écus. (60 sols or 3 Fcs.) about \$30, he appears to have remained in the colony, (Relation of 1632.)

We must now skip many years to 1688, when Governor, the Marquis de Denonville and Intendant de Champigny wrote, from Quebec, to the French Minister on the 10th of August, 31st October and 6th November, among other statements that: "Laborers and servants "are so scarce and costly in Canada that those who "attempt extensive works are ruined in consequence. "We believe that the surest means of obviating this "difficulty would be to bring here negro slaves. The "Procureur Général of the Council assures us that if "His Majesty sanctions this proposal that the principal "inhabitants will cause some to be purchased in the "(West India) islands on the arrival of the (slave) "ships from Guinea (the Gold Coast) and that he will "himself do likewise." To this the Minister replied "His Majesty permits the inhabitants to import negroes "to assist them in cultivating the land; At the same "time it is proper to warn them that the great con- "trasts of climate might prove fatal to these negroes, "and the project thus become a failure." This is the rescript misquoted by the historian Garneau.

The project was attempted with but indifferent success at first. For we see that on the 13th April, 1709, the Intendant found it necessary to issue an Ordinance, with regard to negroes and (*) Pawnee indians. As the ordinance is long winded and involved, the following extract will suffice. This is particularly important as reaffirming the rescript of 1688, establishing and authorizing slavery in the colony; slavery not only of

(*) Spelt Panis in the French records.

negroes as you will note but of the native American Indians of the Far West.

Jacques Raudot, Intendant, etc.

“Having a deep conviction of the advantage to the colony if it were possible to obtain by purchase Indians of the Panis (Pawnee) nation whose country is very distant; further that these people can only be obtained from certain Indians who capture them for the purpose of traffic, chiefly with the English of the Carolinas, and sometimes with our own people; and further that these Canadian purchasers of Panis are exposed to considerable losses, by the fact that some evil intentioned persons among us have inspired these captive Indians, with the idea of freedom, on the plea that in France there are no slaves and that in consequence they cannot be detained as such, and this pretence, not being wholly true, for it is well known that in the West Indian Colonies, negroes are bought and sold into slavery, and all colonies must be considered on the same footing, and that the people of the Panis nation are necessary to the inhabitants of this colony to assist them as laborers, on their farms and for other works, for the same purposes and in the same way that negroes are employed in the said West Indian Islands, it becomes necessary to confirm such purchasers of Panis Indians, in the past or the future in the proprietorship of these slaves.

“Therefore, we with the assent of His Majesty ordain all the Panis and the negroes who have been or shall be purchased shall be the property of those who have purchased them and they shall be held as their slaves.

“We forbid the said Panis or negroes to desert from their masters, and those who shall induce them to leave their masters shall be liable to a penalty of 50 livres.

“We ordain that this present ordinance shall be proclaimed and read in the usual places in the towns of Quebec, Three Rivers and Montreal, that it shall be registered, etc., etc., as law.

(Sgd.) RAUDOT.

Quebec, 13 April, 1709.

This ordinance leaves no doubt as to the conditions and necessities of the times which brought it forth. Slavery under the authority of the rescript of 1688, had taken root in the colony, but the law was too vague to be considered sufficiently binding, and the legality of ownership had been apparently questioned.

The capture of Panis slaves had become quite an important trade among the tribes bordering on the white settlements in the Carolinas. It follows that these tribes played on this continent, at that period, the infamous role of slave traders and slave hunters as the mongrel Arabs of Eastern Africa do to the present day. The Iroquois, Eries, Sakis, Miamis, Illinois, Poutaouatomies and their sub-tribes all participated more or less in this trade.

The people of the Panis nation were thought more docile, more susceptible of becoming useful field laborers. Probably they were less fierce, less warlike than their neighbors. They were comparatively safe people to attack and kidnap. Moreover they dwelt in a country so remote that the temptation to escape was lessened. It was next to impossible for a solitary Indian to travel alone through the vast wilderness which stretched between the early settlers and his former home. Let alone the imminent danger of being taken alive by wandering Indians and losing his scalp and likely tortured.

Young men and maidens were the game most sought after, particularly the latter. The prairies of the West must have been the scene in former times of many outrages on peaceful communities, of many foraging parties returning to the East with long trains of unfortunate captives destined to an existence in some cases worse than death, for it is well known that the red man prizes the freedom of God's earth more highly than any other human being.

From the beginnings of the colony of Louisiana, which of course was part of New France and in communication with the older northern provinces through the chain of Lakes and the Mississippi, negro slaves were imported from the West Indian islands and the

Guinea Coast, and Panis captured and sold to the new settlers. The Panis however were not nearly as satisfactory laborers as the negroes. The innate love of freedom was far more highly developed in them than in the African negro. The Indian is naturally indolent, unused to great exertions except in spells and then his employment must be entirely congenial, the chase, for instance, or war. In Louisiana the Panis still stood on his own ground; he was continually on the lookout for an opportunity of running to the woods; when once under their shelter he defied pursuit. He could find his subsistence there and doubtless in time, if he followed the course of the great Mississippi, its western branches would lead him to the hunting ground of his tribe. Not so the negro in Canada or in Louisiana, if he deserted he would perish in a wilderness new to him, or fall into the hands of some wandering Indian who would soon enough put an end to his miserable existence, and gain a woolly scalp-lock for his belt. In a word the negro was a better laborer and could not easily desert. Hence a luminous idea suggested itself to Bienville, interim Governor of Louisiana; on the 12th October 1708, he wrote to the Court of France begging its sanction for the following scheme: For any two able-bodied Panis sent to the French West Indian Islands, one negro would be brought to Louisiana. The Panis once on strange tropical islands desertion would be impossible and they would in time become useful laborers. This plan however did not commend itself to the French King.

It is a well known fact that the North American Indians spared some of their captives in war for the purpose of making slaves of them. Jonathan Carver, who wrote his travels about 1765, tells us (4th American edition, page 199) that the Chiefs sometimes made presents of slaves to French officers in command of outposts. The Jesuits, he adds, seized on the idea of obtaining captives and sending them to the east for the double and laudable purpose of 1° saving their lives and 2° leading them to the knowledge of Christianity. They even encouraged some traders to buy slaves from the warring tribes for the same purpose. The good

intentions of the pious fathers were in a measure defeated. The tribes soon learnt the value of slaves, and that they could barter them for firewater, and other commodities and in an incredibly short time slave hunting and trading became a regular business. Carver adds that, as early as 1693, the Jesuits wrote to the French Court complaining of the evils resulting from the new trade. So far I have been unable to verify the truth or find the origin of this statement.

In 1736, the number of slaves who had been given or obtained, or claimed to have been given their liberty, became so numerous that in some cases confusion arose, from the greater or lesser validity of these pretensions. Hence an ordinance was issued to legalize a formula of manumission of enfranchisement of a slave by gift, by purchase or otherwise; it ran thus:

“It having been brought to our notice that individuals
“residing in this colony had granted freedom to their
“slaves with no other legal formality than verbal consent, it has become necessary to proclaim an unvarying
“form of granting freedom. henceforth, We, after
“taking counsel with the Marquis de Beauharnois,
“Governor and the King’s Lieutenant General in this
“colony, order that in the future every individual,
“in this colony, whatever his condition or quality,
“desiring to enfranchise his slaves, shall cause a legal
“instrument to be drawn up by a notary, who shall
“keep a minute thereof and cause the same to be registered in the records of the nearest royal registry
“office. We further declare that manumissions must
“be made in the above manner to be valid. And the
“said ordinance shall be read. etc., etc.

(Sgd) HOCQUART.

Quebec, 1st September, 1736.

Now, it happened more frequently every year that runaway slaves from the English provinces reached Canada. It also happened that slaves were captured from the English or other enemies of France as a result of military expeditions; whose property did they be-

come? This question was settled by a Royal ordinance reaffirming certain colonial ordinances dating back to 1692 and which declared that on and after the 23rd July, 1745 such captured slaves were the property of His Most Christian Majesty, and that the produce of their sale was to go to the Royal Treasury. This ordinance further specified that in the case of four negro slaves, who had escaped from the English island of Antigua and landed in Guadeloupe the moneys obtained for them were to be credited to the Treasurer of the Windward Islands and spent in improvements to the fortifications of the said Islands.

Under the French Régime property in slaves was governed by a special code known as the "Code Noir" (The Black Code) which had been (since 1685) in force in the French West Indian Islands and incorporated in the "Coûtume de Paris." It received the Royal sanction as applicable to all French colonies in America on the 13th November, 1705. According to this code negro slaves are declared movable property, *meubles*. Here is an extract of the judicial declaration on this point: "We after consulting with the elder lawyers "and Procurators (or solicitors), the advisors of the "King, and the Counsellors of the Bench, say, that "according to the usage of the Coutume de Paris, cattle "on farms etc., are not part thereof, but are to be sold "separately, and in successions they are the property "of the specified heirs to the movables, etc. etc., just as "on the Island of San Domingo the "Coûtume de "Paris" obtains, the negro slaves on this island are not "considered as immovables, but are sold as movables. "This we attest as true; this decision is not in conform- "ity with the practice of the country where the written "law obtains, but is a municipal law which is always ob- "served where ever the Coûtume de Paris rules."

In Canada the Coûtume de Paris was the law and therefore all slaves were movable property.

Were slaves numerous in the colony previous to the Conquest? It appears not.

Beyond Carver's statement, so far not corroborated with regard to the Jesuits which I have quoted, I have so far found no record proving that religious commu-

nities held slaves, but individuals among the wealthier inhabitants possessed several negro slaves or Panis. In Vol. 6, page 119, of that valuable publication "Recherches Historiques," I find interesting extracts of certain records of the Lemoine de Longueuil family which give us the names of several slaves and their offspring the property of the first Baron de Longueuil as follows:

Charles Lemoine owned two slaves a negro named Charles and his wife named Elizabeth or Charlotte Tibé. They had five children, four of which were baptized at Longueuil.

François born on the 2nd August, 1723, buried 6 Feby. 1730.

Marie Elizabeth, 2nd August 1724, Married 1763.

Marie Charlotte, 10th May, 1726.

Joseph, 7th March, 1728.

Charles....

These six slaves were apportioned as follows, on the 18th June, 1729, on the occasion of a "Partage entre vifs". The Baron retained the boy François and a girl name Marie Elizabeth. To the Chevalier de Longueuil fell the boy Charles and a girl named Charlotte, also the father and the mother and an infant in arms. And in order to equalize the division the Chevalier de Longueuil ceded to the Baron "une Panyse nommée Marie Joseph et un Pany nommé Gabriel," and both parties declared themselves satisfied.

The writer of this family history states that these slaves were domestic servants, not farm laborers. It does not appear that large slave owners existed in New France nor that there was occasion for regular slave markets like in the Southern Countries; but that a limited number of negro slaves were imported and held for domestic and agricultural purposes is amply proved. Also that Panis and other Indians were captured and sold or bartered on the shores of the St. Lawrence for purposes of slavery is an undisputed fact.

Monseigneur Tanguay in his "*Dictionnaire Généalogique des Familles Canadiennes*" and in his "Ex-

tracts" of the parish church registers, dating before and after the Conquest, cites several instances of births, marriages and burials of slaves. Here are a few: "Baptisée Marie Judith, Panis, âgée d'environ 12 ans, appartenant au sieur Préville de cette paroisse": (christened "Marie Judith", Panis, aged about 12, belonging to the Sieur Préville of this Parish.) This is an extract of the registers of the parish of "La Longue Pointe, near Montreal, under date of the 4th November, 1756. A burial certificate taken from the same register under date of March 13, 1755 reads: "Inhumé le corps de Louise, négresse, âgée de 27 ans appartenant à Mr. Deschambeault", (Buried the body of Louise, female negro aged 27 years, belonging to Mr. Deschambeault.)

The old records of the then Criminal Courts offer interesting documents, touching slavery. For instance at Montreal on the night of the 10th to the 11th April, 1734, the slave of Madame de Francheville, a negress, set fire to her mistress' house: it and a good portion of the city was destroyed in consequence. She was tried, found guilty and hanged in June following.

On the 22nd January, 1757, Constant, described as the Panis slave of Monsr. de Saint-Blain, an officer of infantry, was found guilty of a criminal offence and condemned to the stocks on a market day in the public square and to be banished forever from the jurisdiction of Montreal. Apparently a dead loss to the owner, as no compensation is mentioned.

With time and opportunity to pursue researches in the records of Courts of justice, among the minutes of notaries public, etc., of rummaging the archives at Ottawa, Montreal, Quebec and Three Rivers, many notes curious and interesting touching slavery under the French Régime would come to light. Tanguay's work, before referred to, contains many proofs that the Indian slaves were by no means all of the Pawnee nation, most of the Indian nations of the Western prairies had representatives among these unfortunate captives. The Sioux were quite largely drawn upon, also the Kansas savages, whose nationality is sometimes recorded in the contemporary church registers

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as Louise-Sioux, Pierre-Kansa, with their approximate age and the name of their actual or late proprietor. Whatever their tribal origin they were generally referred to under the general designation of Panis, meaning Indian slave, to distinguish them from negro slaves.

A large proportion of these Panis slaves were young females. It is probable that the traders found that there was a better demand for this class of goods. They were employed as useful domestic servants. The Indian women were by nature more docile and better workers than the men. There is no doubt that quite a proportion of these young girls eventually married Frenchman or Canadians and that they have many descendants now among the French Canadians. Indeed to this day it is not altogether uncommon to see one or more members of a Canadian family with traces of the Indian cast of countenance, lank black hair, dark eyes and skin, perhaps also mental as well as physical characteristics, legacies of a redskin ancestor several generations back, of course not necessarily a Panis.

The number of slaves held by the French inhabitants at the time of the Conquest in 1759-60, is uncertain. However, there must have been an appreciable number, for in the articles of capitulation of Montreal granted by Amherst on the 8th September 1760, we find article 47 to the following effect:—"The negroes and panis
"of both sexes shall remain in their quality of slaves
"in the possession of the French or Canadians to whom
"they belong; they shall be at liberty to keep them in
"their service in the colony or sell them, and they may
"also continue to bring them up in the Roman Religion.
"Granted,—except those who shall have been made prisoners."

I will translate from "Recherches Historiques" Vol. 6, page 120—an Act de Mariage, in order to illustrate how marital relations of slaves were carried out under sanction of the Law and Church. "In the year of our
"Lord 1763, Jan. fifth. We saw a paper written by Monsieur Ignace Gamelin and signed by him, by which
"he permits Jacques César, his negro, to marry Marie
"the negress of Madame la Baronne douairière de
"Longueuil, dated the 20th January, 1761, and this in

“consideration of the services rendered by the said
“César to the said Sieur Gamelin since more than thirty
“years, and on the other hand in consideration of ser-
“vices, rendered by the said Marie to the said Baronne
“de Longueuil and to the late Baron and all his family
“from the days when she was able to serve. I the un-
“dersigned being permitted so to do by Messire Isam-
“bart, Curé de Longueuil, do receive their mutual con-
“sent by word of mouth and to give them the nuptial
“blessing in the presence on the husband’s side of the
“said Sieur Gamelin Lagemeraye and on the side of
“the wife Madame Marie Catherine Deschambeault,
“Baronne douairière de Longueuil and Mr. Joseph
“Fleury Deschambeault, agent of the company, (sic)
“undersigned.

(Sgd) DESCHAMBEAULT. Longueuil. IGNACE GAMELIN.
J. ISAMBART, Pte. Curé de Longueuil,
IGNACE GAMELIN.

The consent of the proprietors of these slaves to marry meant emancipation as may be seen by the “Act of Consent,” which reads as follows:

“The undersigned do hereby consent and permit
“Jacques César, my negro, to marry Marie negress of
“Madame la Baronne de Longueuil, on condition that
“Madame de Longueuil shall liberate from slavery her
“said negress. As I liberate César, and he shall not
“pretend nor understand that I liberate him for any
“other purpose nor for any other marriage. Written
“in duplicate, Montreal, this 20th January, 1761.

(Sgd) IGNACE GAMELIN.

“I the undersigned permit Marie, my negress, who
“during the last three years has begged me to permit
“her to marry César the negro owned by Mr. Gamelin,
“who is by him liberated for that purpose, consent to
“this intended marriage, grant her liberty, as Mr.
“Gamelin has done to César on condition however that
“both shall remain in my service for three years, and
“I shall pay them 200 livres per annum. I promise

“to increase the said sum if they deserve it,—done at
“Montreal, Jan. 26, 1763.”

(Sgd.) DESCHAMBEAULT.

Longueuil née Deschambeault.

Please note that Gamelin consented to this marriage two years before Madame Longueuil gave her consent.

After the final cession of the colony to England in 1763, whether it was that the Panis supply fell short or that the newly introduced British sentiments were antagonistic to this particular form of slavery, certain it is that the word Panis slave is seldom found in the Province of Quebec. But Indian slavery was not entirely abolished in Upper Canada as late as 1802.

AFTER THE CONQUEST.

Slavery was practically restricted to the negro race. It had been an accepted institution under the old régime and it continued to flourish under the new. In fact it seems to have acquired for a time, renewed life with the influx of new inhabitants of British origin, and the scarcity of menial servants, domestic and otherwise. Advertisements of negroes for sale, of notices for runaway slaves, etc., are not at all uncommon in the 36 or more volumes of the Quebec Gazette, dating from 1764, to the end of the century. It was the first and only newspaper printed in Canada during most of that period. I have in my possession, among several others, a curious letter of Wm. Brown, the founder of this newspaper and of the press in Canada, to his correspondents in Philadelphia, part of this letter refers to the difficulty of obtaining suitable assistants and he wants a slave!

“Quebec, April 29, 1768.

“To William Dunlap, Esq.,
Postmaster of Philadelphia.

“Dear Friend,

“.....Having been long embarrassed with Canadian (French) boys as menial servants about the

“printing office, who will not engage for a considerable time and who as soon as they find themselves useful, claim larger wages and become intolerably insolent, we are at last come to a resolution of getting negro boys; wherefor we beg you will endeavor to purchase one for us between 15 and 20 years of age fit to put to ye press; one who has had the smallpox, is country born and can be recommended for his honesty. We would not begrudge a pretty good price for such a likely negro. Or if you should be inclined to part with your boy Priam we would be glad to have him, and would be glad to give what would be judged a reasonable price for him. We pray you may try and procure us one so that he may reach us here in the fall; and as soon as you shall be certain of him or determined to part with your own we beg that you may lose no time in acquainting us with the price which we will immediately remit to you by a Bill on (New) York as we shall keep the cash ready till we hear from you. Should it be too late for an opportunity from Philadelphia there has always been vessels from York in August, and September and no doubt there shall be this year.”

In the postscript he adds, “If you are so lucky to get us a negro before you embark him we beg he may be insured.”

If you are interested to know the outcome of this request, I fear I have to disappoint you, as I am unable to tell you whether or not the said Priam or any negro boy was dispatched well and sufficiently insured to W. Brown. In his Diary (which is also in my possession) I do not find the name of Priam, but that of Joe and Saney, evidently slaves. I am pleased to say that W. B. was a kind and indulgent master. In the entries of his Diary, he is very methodical, precise and minute; in it are revealed many things concerning his private and business affairs also his domestic concerns, (he was a bachelor), all of considerable interest now. We here find that at every recurrent New Year's Day, he never omits a small gift of money to “the boys,” mentioning the aforesaid by name. Now and again are items of expense for their clothing,

such as fur caps and mitts, blanket coats, and moccasins shoes at one and six a pair, etc., etc.

It appears that the said Joe fell later into evil ways, for in the year 1774, W. B. notes that he paid a Bailiff seven shillings and six pence to bring Joe off a ship about sailing from port. Desertion was his object no doubt. In 1777 W. B. pays five shillings to the *public executioner* to whip Joe in the "*market square.*" He must have been guilty of a heinous offence. During the siege of Quebec by the American Army in the winter of 1775-76, William Brown, like most of the loyal fellow citizens capable of bearing arms, enlisted in the British Militia. On several occasions when his turn came to mount guard on the ramparts, the diary reveals that either Joe or Saney took his master's duty and received a reward of one shilling each time. The present regulations could hardly allow such substitutions of duty. The same diary tells us also of a considerable sum paid the Doctor on account of a prolonged illness indulged in by Joe. Altogether these two young Africans appear to have had in William Brown the printer a generous master, equally solicitous to apply remedies for their physical and moral obliquities and not unmindful of their comforts withal.

During the French Régime when a slave escaped, there being no newspapers nor even a printing press in the country, it was difficult for the master to give public warning of the escape of his slave, to describe him, offer a reward, etc. Recourse was had to the public crier, at the street corners of towns and the church doors of country parishes. On the 8th February, 1734, Captain Joanne found it necessary to obtain an ordinance of Intendant Hocquart warning all Captains of parishes to arrest and detain his Carribean slave who had escaped and was supposed to be in hiding in the Parish of St-Augustin.

With the advent of the English domination came a printing press and the above mentioned newspaper, the Quebec Gazette. In its advertisement columns are occasionally found notices of slaves for sale, or the

description of a runaway slave. These were usually made noticeable at the left hand corner of the advertisement by the figure of a black man, standing full face to the front. If the advertisement was to give a description of a deserting slave, the cut showed a negro in profile in the act of running holding a cane in his hand, as reproduced hereunder.



I have transcribed a few of these advertisements from the files of the Quebec Gazette.

“February 23, 1769.No. 217.

“As Miles Prenties, tavern keeper in the Lower
“Town of Cuebec, intends leaving the Province, he
“requests all persons who have any demands upon him
“to give in their accounts, and he also requests all
“persons who are indebted to him to make speedy pay-
“ment, so as he may be better able to pay off his just
“debt.

“Mr. Prenties has to sell a negro woman aged 25
“years with a mulatto male child 9 months old; she
“was formerly the property of General Murray; she
“can be well recommended for a good house servant,
“handles milk well and makes butter to perfection;
“Likewise a negro man aged 23 years, a very good
“house servant; understands waiting upon a gentle-
“man and looks well in livery.

The advertisement reappeared at intervals until the 15th of June, when, despairing of getting rid of the three human beings tied to his neck as mill stones, at a time

when he is anxious of removing to foreign parts, Miles Prenties decides to put his chattels to public auction, and announces as follows in the Quebec Gazette.

“To be sold at Public Vendue, on Friday, the 16th instant, a negro woman aged 25, with a mulatto male child 9 months old. She can be well recommended as a good house servant. Likewise a negro man, aged 23, a very good house servant and understands a good deal of cookery.

Note the negro baby 9 months old on the 23rd Feb. was not a day older on the 15th June following.

Whether or not Miles Prenties carried out his intention of leaving the Province, on this occasion, I cannot tell. Certain it is that a few years later he is found as keeper of the most fashionable hotel of the period, in that famous old building known as the Chien d’Or, also Free Masons Hall.

The Gazette of the 20th July, 1769 has an advertisement of Peter du Calvet, merchant of Montreal, for a runaway slave. The said du Calvet became very notorious and troublesome ten years later during the war of independence as an American sympathizer, a spy, an agitator and an obstreperous political prisoner, before and after his release from durance vile. “Joseph Negrie, a young man, of about 22 years of age, of a brown complexion, slim made, 5 feet 3 inches high, his face marked as if he had lately had the smallpox, small legs, speaks French and English tolerably well, ran away in the night between the 7th and 8th instant, etc. The public are desired not to employ the said Negrie and all captains of vessels who may take him on board are forewarned from carrying him out of the Province as they will be pursued to the utmost rigor of the law. Whoever shall discover said Negrie are desired to inform his master Peter du Calvet, Esquire, of Montreal, or Mr. Thomas Lee, merchant of Quebec.

Another:

Quebec, Aug. 24, 1769.

“To be sold, for no fault, the owner having no employ for him, a likely negro fellow about 22 or 23

“years of age, understands cooking, waiting at table
“and household work, etc., etc. He speaks both En-
“glish and French. For further particulars enquire
“of the Printer.”

Quebec, Oct. 19, 1769.

“Run away on the 11th September last, a negro
“woman, named Susannah, about 27 years of age, 5
“feet 10 inches high (!) smooth faced, speaks French
“a little and English. Whoever apprehends and
“secures the said negro woman so that her master
“may have her again shall receive a reward of ten
“dollars by applying to Messrs. Dobie & Frobisher,
“merchants of Montreal or to the Printer here.

“N.B. Whoever harbors and conceals (?) said
“negro woman, shall be prosecuted to the utmost rigor
“of the law.”

FOURTEEN DOLLARS REWARD.

“Run away on Sunday night last from the sub-
“scriber, a negro man named Ishmael, about 36 years
“of age and nearly 5 feet 6 inches high; of a remark-
“ably downcast countenance and a black and copper
“coloured mixed complexion; his hair is short, strong,
“black and curly and his face much pitted with smallpox.
“He wants some of his upper fore teeth, likewise the
“first joint of the fore finger of his left hand. And
“besides on the middle of the right leg he has a fresh
“scar from a horse kick lately received and cured.
“Had on when he went off a round hat cocked up be-
“hind and a blue silk band, a red plush waistcoat, a
“pair of leggings and breeches in one, a pair of shoes
“and metal buckles.

“He came from Claverac near Albany in 1776 with
“his former master, C. Spencer, and speaks and read
“English tolerably well and understands a little
“Dutch and French. He passes himself, 'tis said, as
“a free negro, the more easily to effect his escape
“from the Province. Whoever will apprehend the
“said negro and deliver him to the subscriber, mer-

“chant, Montreal, shall receive the above reward and
“all reasonable charges from

JOHN TURNER.

“Montreal, March 1, 1784.

These few instances will suffice for the purposes of this paper.

The value of negro adult males varied as much as that of good, bad or indifferent horses do now. Besides the age, physical power, whether or not he has acquired immunity from smallpox (then more fatal than now), his intelligence, special aptitudes, temper, habits, docility, etc., had to be considered; they added or took away from his value, which varied from nil to 70 or 80 pounds. A good young woman, accomplished in house work, was worth from 30 to 60 pounds. I have seen two deeds of sale of the same negro woman, known by the name of Peg. The first when she was sold by Elias Smith to James Finlay-- (Post-Master General) under the date of June 9, 1783, for the sum of £50. The second when Finlay sold her to Patrick Langan on the 14th May, 1788, when she again fetched £50.

As I have said before, during the French Régime the majority of slaves appear to have been Paris; after the conquest negroes largely predominated in number. They were brought into Canada from the West Indies, and also from the British Provinces to the South. During the American War it happened occasionally that slaves were captured from the enemy. These slaves were considered the personal property or loot of those who captured them. This is made clear by the following declaration sworn before James Finlay, J.P., dated July 16, 1780:

“This day personally appeared before me James
“Finlay, Justice of the Peace for the Province of
“Quebec, John Munro, Esq., of Matilda in the said
“Province, who maketh oath on the Holy Evangeliste
“that in the year 1780 he was ordered by His Ex. Sir
“Frederick Haldimand to take command of a detach-

“ment of His Majesty’s troops to proceed to the
“enemy’s frontier at Ballstown. That the troops and
“indians under his command did capture a number of
“negroes, which negroes were claimed by the respec-
“tive white men and indians who captured them, and
“were brought to Montreal and sold as was custom-
“ary in such cases, all excepting a negro named Dub-
“lin who being known to be a freeman was liberated
“and enlisted in His Majesty’s service. This de-
“ponent further adds that he never considered these
“captured negroes as ordinary prisoners of war and
“consequently did not report to the Commander-in-
“Chief or any other Commanding officer and further
“deponent saith naught.

“Sworn, etc., etc.

(Sgd.) JOHN MUNRO.

“ JAMES FINLAY. J.P.

“I, Isaac Hill, a Mohawk Chief living at Grand or
“Oswego River, testify that I accompanied Capt.
“Munro of the Royal Regiment of New York, with a
“party of my warriors on an expedition against Balls-
“town, in the year 1780, on which we captured some
“negroes among which was one sold by Lieutenant
“Patrick Langan who then acted as our officer, said
“negroes having been captured by one of my war-
“riors. And I do further testify that the said Lieu-
“tenant Langan acted as agent for my Tribe and
“Party and that the said negro was sold by him for
“our sole use and benefit and that we received from
“him the money the said negro was sold for and fur-
“ther the deponent said not (sic).

(Sgd.) ISAAC HILL.

Negroes imported into the colony were dutiable.
In the year 1790, the Imperial Parliament passed an
act “For encouraging new settlers in His Majesty’s
“colonies and Plantations in America,” wherein it is
“stated that if any person or persons being a subject
“or subjects of the territories or countries belonging

“to the United States of America shall come from
“thence, etc.,...to any of the Bahama or Bermuda
“islands or to any part of the Province of Quebec or
“Nova Scotia or any of the territories belonging to
“His Majesty in North America it shall be lawful for
“any such person after having first obtained a license
“for that purpose from the Governor to import into the
“same...any *negroes*, household furniture, utensils of
“husbandry, clothing, free of duty, provided always
“that such articles shall not in the whole exceed the
“value of fifty pounds for every *white* person and the
“value of forty shillings for any *negro* brought by
“such *white* person.”

TREATMENT OF SLAVES

In my researches I have found nothing to indicate that negroes or Panis were cruelly or harshly treated by their masters. Quite the contrary: for instance, Monsieur Gamelin and the Baronne de Longueuil, in consideration of long and faithful service, permit their slaves César and Marie to marry and give them their liberty. William Brown is considerate of his negro boys. It is true Joe gets a whipping one day; but he doubtless richly deserved it.

D. Gaspé in his “*Anciens Canadiens*,” page 292, mentions a mulatto woman named Lizette whom Mr. de Haberville had purchased when 4 years old; in time she developed habits of temper quite intolerable. On several occasions he attempted to turn her out and give her freedom; when put out of one door she would come in by another snapping her fingers at him, saying that she had been brought up in the family with his children, and his was as much her home as theirs. Otherwise she was a devoted and faithful servant. I remember well my grandmother’s stories of her childhood; (she died in 1866, aged 86), she always spoke affectionately of a devoted negro slave named Lilique (Angelique) originally from Guadaloupe; she had been many years in the family; she positively refused her freedom and died at Three Rivers about 1808 or 1810.

The first census of slaves in the Province of Que-

bee after the conquest, was made in 1784. There were then in Quebec, 88; Three Rivers, 4; and Montreal, 212, total, 304.

All proceeded smoothly enough for slave owners, and few serious difficulties occurred in the relations between masters and slaves in Lower Canada until 1793, when a bill abolishing slavery was framed and presented to the Provincial Parliament by Mr. P. L. Panet, seconded by Mr. L. Dunière. It failed, however, to pass the House. It met with a like fate the following session; but the seeds of unrest were sown.

In February, 1798, a negress named Charlotte, belonging to a Miss Jane Cook, of Montreal absented herself without leave, and having positively refused to return to her service, she was arrested and brought before a Magistrate. When persistently refusing to return to her mistress she was committed to jail. On petition before Chief Justice Monk, she was granted a writ of Habeas Corpus and liberated thereupon without bail.

This was the signal of great rejoicing among the slaves at Montreal and vicinity, and their excitement became such that there were well grounded fears of rebellion, and to a limited extent, a repetition of the horrors of the St. Domingo and Havai negro revolt, was in the minds of the timorous. Another negress named Jude, belonging to a merchant named Elias Smith who had purchased her in Albany for £80 American currency, absented herself from her master's house as the afore-named Charlotte had done. She was committed to gaol, but she also obtained a writ of Habeas Corpus on the 8th March. The Chief Justice at the same time declaring that he would act in a similar manner with all such cases brought to him from the inferior courts.

These legal decisions of the Chief Justice gave a very serious complexion to the relations previously existing between masters and slaves. The masters had but one recourse left, appeal to the Legislature, exposing the injustice and serious loss they were suffering and praying for Legislation to clearly define the

status of the slave and rights of his master. A lengthy petition fully detailing their grievances, dated Montreal, April 1st, 1799, bearing numerous and influential signatures, was laid before Parliament on the 19th April following. It covers pages 122 to 129 of the Journals of the House of Assembly for that year. This petition was presented by Mr. Joseph Papineau, seconded by Mr. Justice de Bonne. It was held over during this session and that of 1800; but on the 17th Jan., 1801, Mr. James Cutbert, seconded by Mr. Justice Panet, presented a Bill "To regulate the condition of Slaves, to "Limit the term of Slavery and prevent the further "introduction of Slaves into this Province." I am ignorant of the text and provision of this Bill; it certainly did not mean emancipation. It was twice read in committee, then tabled, never to be reconsidered again. In vain have I searched through the Journals of the House up to 1816 for further action or enactments or even an allusion to Slavery. Time has not permitted me to search further. The question seems to have been forgotten—it had ceased to be a living consideration.

The slave owners had apparently become discouraged by the high handed and I think illegal action of the Chief Justice, (they had been bluffed), by the indifference of Parliament, by the impossibility of disciplining fractious slaves, of apprehending deserters—finally the lack of law to enforce their rights. For these reasons the custom of slavery seems to have fallen into abeyance.¹ At last in 1833 came the British act of general emancipation. Was this act ever accepted by our Provincial Legislature? Could it become law in the Province of Quebec without such sanctioning, in view of the articles of capitulation, and the legality of the Coutume de Paris in this Province? These are questions which our legal friends among the audience may assist us in elucidating later. (*)

(*) Mr. G. M. Fairchild informs me that he has seen advertisements concerning slaves in the columns of the Quebec Mercury as late as 1820 or 1821.

SLAVERY IN UPPER CANADA.

On the 9th July, 1793, at the second session of the 1st Parliament of Upper Canada, assembled at Newark, an act was passed entitled "An act to prevent the further introduction of slaves and to limit the time of contract for servitudes within this Province.

To summarize the contents of this long act: 1st. After July 9, 1793 no new slaves can be introduced into the Province. 2nd. No negro, or slaves, owned by individuals in the Province are liberated by this act. 3rd. Children born of slave mothers are to remain as slaves until their 25th year.

This was abolition of slavery, it is true; but long drawn out. For instance, to give you an extreme case, suppose a negress slave 10 years of age on the 9th July, 1793, she might have had to remain a slave all her life time had she lived to be 100, she would have remained a slave up to 1883. She might have become mother of several children, the youngest of whom might have been born, say in her 45th year, in 1828 this child would not have gained its liberty until 1853, while the mother would remain in slavery 30 years longer, and then only be released by death, the great emancipator.

Some subsequent legislation to modify this first act may have been enacted by the Provincial legislation but again time has not permitted me to pursue my researches further in this direction. Anyway, the British act of emancipation of August, 1833, under the administration of Earl Grey, grand-father of our present Governor-General, affecting all British Countries and colonies alike, did put an end to slavery in Upper Canada as a British colony and wherever the Union Jack floated.

Permit me now to read you a few more newspaper advertisements, this time with reference to slavery in Upper Canada only. The Venerable Dr. Scadding's work, *Toronto of Old*, page 293 *et seq.* supplies us a few choice examples culled from the Gazette & Oracle, Toronto, Feb., 1806.

"To be sold a black woman named Peggy, aged 40

“years and a black boy, her son, aged 15, named Jupiter, both of them the property of the subscriber. “The woman is a tolerable cook and washerwoman “and understands making soap and candles. The boy “is tall and strong for his age, and has been employed “in the country business, but brought up principally “as a house servant. They are each of them servants “for life. The price of the woman is \$150.00, for the “boy, \$200.00, payable in three years with interest “from the day of sale secured by bond, etc. But one “fourth less will be taken for ready money. Peter “Russell, York, Feb. 19, 1806.

Peter Russell, as you know, was no less a person than the Administrator of the Government of U. C. Peggy had been a source of trouble to her master on one occasion, if not more, for on the 2nd of September, 1803, he had inserted the following notice in the York Gazette: “The subscriber’s black servant Peggy, not “having permission to absent herself from his service, “the public are humbly cautioned from harboring or “employing her without the owner’s leave. Whoever “will do so after this notice may expect to be treated “as the law directs. (Sgd.) Peter Russell.

In the Niagara Herald for 1802, Jany. 2nd, we read “For sale: a negro slave 18 years of age, stout and “healthy; has had the smallpox and is capable of service either in the house or out of doors. The terms “will be made easy to the purchaser, and cash or new “lands received in payment. Enquire of the printer.”

In the same paper, Jany. 18, 1802, we find: For “sale, the negro man and woman the property of Mrs. “Widow Clement. They have been bred to the work of “the farm; will be sold on highly advantageous terms “for cash or lands. Apply to Mrs. Clement.”

The Gazette and Oracle of October 11, 1797, has the following: “Wanted to purchase a negro girl from “seven to twelve years of age of good disposition. “For fuller particulars apply to the subscribers, W. “& J. Cooke, West Niagara, Oct. 4th.”

At York in 1800 the Gazette announces: To be sold

“a healthy strong negro woman about 30 years of age; “understands cooking, laundrying and the care of “poultry. N.B.—She can dress ladies’ hair. Enquire “of the printers, York, Dec. 20, 1800.”

Now we come to an advertisement which is a revelation to me for it proves a fact which I have failed to find elsewhere clearly established; namely that *Indian slavery* continued to exist after the Conquest and even into the early years of this century. It is contained in the Niagara Herald of the 28th August 1802.

“Notice: All persons are forbidden harboring, 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.

(Sgd.) CHARLES FIELD.

Dr. Scadding in Op. cit. page 292 writes: “On the “last of March, 1811, we have it on record that William “Jarvis, of the town of York (Provincial Secretary), “informed the Court that a negro boy and girl, his “slaves, had the evening before been committed to “prison for having stolen gold and silver out of his “desk in his dwelling, have escaped from his said master, and prayed that the Court would order the said “prisoners and one Coachley, a free negro, also committed to prison on suspicion of having aided and “advised the said boy and girl in elopng with their “master’s property. Ordered that the said negro boy “named Henry commonly called Prince be recommitted to prison and there safely kept until delivered “according to law, and that the girl do return to her “said master, and Coachley be discharged.”

Solicitor General Robert Gray manumitted (gave freedom), by his will, dated August 27, 1803, to his faithful black servant Dorinda, as well as her children, and further that they might not want, directed that £1200 of his money be invested and the interest applied to their maintenance. To his black servants,

Simon and John Baker, he gave, besides their freedom, 200 acres of land each and primary legacies as well. Simon and his master were lost on board H.M.S. Speedy, which foundered with all hands on Lake Ontario on the 4th November, 1804. John survived until Jan. 17, 1871. He died in Cornwall. He used to say that his mother was a native of Guinea. He remembered Governor Peter Hunter, nick-named Blue Peter, and described him as a rough old warrior, who used to carry snuff in his pockets, whence he took it in handfuls to the great disfigurement of his ruffled shirt bosom.

Dr. Scadding also remembered gazing with intense curiosity on the pure negress, Aimy Pompadour, knowing that she had been once legally made a present of to Mrs. Captain Denison by her friend Miss Elizabeth Russell, daughter of the Honorable Peter Russell.

I have also come across "Slave Facts," etc., touching the Maritime Provinces. I omit them because they are not strictly within the scope of this paper.
