

NORTH AMERICAN.

[VOL. 1.]

Canadian Rights and Canadian Independence.

[NO. 19.]

PUBLISHED BY H. J. THOMAS.

SWANTON, VT. AUGUST 14, 1839.

EDITED BY CANADIANS & AMERICANS

THE NORTH AMERICAN IS PUBLISHED EVERY WEDNESDAY. Price \$1 50 per an. in advance, or \$2 00 at the end of the year, and in like proportion for further delay of payment.

DE CALVET'S MEMOIR.

[Translated for the North American.]
(CONTINUED.)

[Extract of Mr. Du Calvet's letter to the Canadians.]

Remember, gentlemen, the unfortunate and dreadful fate of poor Germain of Cape Sable, a man whose honesty is well known, and who deserved better treatment; he was born with a strong temperment, but a few months spent in a dark cell, where grief and pain were his only companions, brought on him severe convulsions, the fore-runners of approaching death. In that state, when nature struggles against annihilation, this wretched man was sent home, but it was too late; some few days after he expired with the most frightful convulsions, in the arms of his tender family.

At length the administration of Quebec got tired, not of keeping in irons such a great number of prisoners, but of feeding them. It was necessary to feed them if they wished to continue the captivity of those victims, or else allow them to return to their families, or as a last resort they were to be got rid of in a more summary way—murder.

It was but just that those prisoners should have been restored to their families, after having been acquitted by law. But their liberation would have been in the eyes of the people, a formal censure of the power which had so unjustly deprived them of their liberty. Policy caused the government to appear as having acted with justice. Their release from their jails was favored by all means. The soldiers and officers were inviting them to desert, and when the prisoners would not desert willingly, they were forced to do it. A great number left clandestinely for foreign countries; some through the thick forests of Canada, sought an asylum in the American Colonies, where they now reside, but the greater number went straight back to their homes, from whence government never attempted to take them away. This conduct of the administration showed not only the actual weakness of the government, but also the unjust and illegal proceeding by which these men had been deprived of their liberty. I call those proceedings unjust and illegal because at the beginning, as well as at the termination of those imprisonments, civil law was never consulted, neither had they recourse to a final judgment to absolve their prisoners.

It is terror and dread that forced me to leave the Province in such haste, as the following extract of a letter of mine to a friend will prove—

MONTREAL, July 24, 1783.

"At last, Sir, I feel tired of being crushed down by the odious tyranny of this governor, and I am decided to leave this place and go to London to find out by the most active means, if I can be protected by the laws of that nation; and to obtain justice for my unlawful, tyrannical, and horrible detention, for such it must be considered by all honest men and by all civilized nations. Such is the object of my journey. To that purpose I abandon to the capidity of my enemies all my property; as also the remaining part of my plundered household furniture, together with a sum of \$26,731 which is due to me by several individuals in the province, and three-fourths of which I shall lose by my incarceration, and by the injustice I have suffered. I am leaving, I must say, so as not to be exposed again to imprisonment, or be slaughtered in my own house by the first one who would take it into his head. I am leaving with my son, the only consolation left me, so that he may not be exposed to become the victim of the iniquity which is here practiced.

PIERRE DU CALVET.

Mr. Du Chesnay from Quebec sent me the following letter, by which it will be seen how the people were dreading the treatment they should receive from Gov. Haldimand.

"Sir—Every one must approve of your decision; I wish you all possible success. I have learnt the proceedings of the citizens of Montreal. But what a poor business they are making of it at Quebec! a great number of them are lambs always ready to present their throats to the butcher, and who feel no evil only when suffering under it; the other part are always ready to sacrifice all to their own interests. Your business is that of all the people of this Province, if we reflect a little on it. For who is he who can believe himself in security in his own house after having seen you suffer in such a brutal manner, without having been able to obtain justice to this day. I hope, nevertheless, that you will obtain justice at London. If they do not pass you there, then they consider us as slaves. The ill-treatment you have received must be felt by the whole Province. Such is the light in which all honest men ought to view it."

JUCHEREAU DU CHESNAY.

The following letter shows how dangerous it was to be suspected.

"Sir—I should have had the honor of answering your letter, had I not learnt the next day after I received it, that governor Haldimand had refused to Mr. L'Evesque your passport for passing by New York; in consequence of which it is probable that you will pass through Quebec, unless you wait for his Excellency's leave to pass by the former city.

I feel, as every one ought to do, since the ill-treatment you have received, and (what is really incomprehensible) that it is better now-a-days to be in open rebellion than to be suspected, whether the suspicions are well founded or not. No one can look at your sufferings but with compassion. I conclude in wishing you a suitable reparation for all the immense sufferings you have endured."

GEORGE ALLSOPP.

In 1781, the most respectable merchants brought a series of accusations against the administration of General Haldimand, and it was necessary to find something to repel such a strong attack. Immediate invasion by the Americans was the fabrication resorted to at the St. Louis Castle. A proclamation was issued in consequence, and read with great formalities. A general meeting was called at Montreal, to devise means to repel the enemy. A great number of people were present, but what was their surprise, when they found that the Province was not to be invaded; but that on the contrary, it was General Haldimand's hirelings who were begging praises for their great master, while this same Governor was oppressing the people. Judge Frazer read an address full of compliments to the admirable administration of the governor. At this deception the meeting manifested deep indignation, and great numbers went away. Spies, however, had been sent among them to count their numbers and give the names of those who would not sign this address.

Next morning Brigadier General McLean called before him these refractory characters as he called them; he gave them a severe reprimand and said that they were suspected of being the friends of the Bostonians. After many threats and a great deal of unworthy treatment, absolution was granted them at the price of their signatures, which their consciences had forbidden them the day previous to give. The two citizens the most ill-treated in this business were Mr. Landrian and Lartigue, surgeons of high standing in the Province, and very much respected for their honesty. They were forced to put their signatures to the address, but they protested formally that it was against their inclination, and that he had extorted from them palpable falsehoods.

Mr. Francois Le Maitre Duene had very fine flour mills and saw mills built by the original proprietor, long before the conquest, for the betterment of his farm. The wisdom of the French Government had made it a law of policy with them not only to give their consent to such buildings, but also to invite the people to such undertakings so that a colony so rich in grain and so well provided with timber, might prosper. He was enjoying, peaceably, the fruit of his toil and industry, when a new comer, a Swiss, named Conrad Gagy, took it into his head to claim the property of the water privilege which Mr. Duene had already bought at a great price. This extraordinary claim was an innovation up-

on the rights of the whole Colony, and by those who were well acquainted with the original contract, was deemed a violation of public faith, under the protection of which this transaction had taken place. In a word it was giving the *lie* to France, who in the days of her domination, had made it valid. It is not, then, extraordinary that the insatiable complainant was rebuked in his demands, and condemned to pay the costs of the two tribunals of Judicature of the Province, who for this time had acted independently and without consulting the governor.

Piqued at the magistracy who had dared to encroach on his despotism, General Haldimand put aside these two judgments, and by means of an armed force, he put the Canadian spoil into the hands of his friend, Mr. Gagy. He sent a company of 60 men under the command of Lieutenant D'Ambourges to break down the mill-dam; the water immediately took its natural course, the mills were stopt; the Swiss Gagy triumphed, and the poor Canadian was ruined; and so it will be, as long as England shall send us tyrants who put themselves above the laws.

This last outrage is a symptom of general and complete slavery. A province where the most ample titles of acquisition are no safe-guard against spoliation, where the depraved will of violent man takes the place of civil justice; such a province is a large jail for slaves, who have no guaranty for the long preservation of their fortunes, honor and lives. This province is then in a violent and unnatural social state, which by all laws she is bound to get rid of, and to emancipate herself at any price whatever. Man, it is said, by the natural right of self-defence, may re-
pel force per force; in the name of the authority of the original social state, this prerogative calls not only for the punishment of tyrannical acts, but also for the restoration of constitutional privileges under mild and equal laws, which must be respected and obeyed.

To be Continued.

CANADA.

JOURNAL

OF A POLITICAL PRISONER.

[Translated for the North American.]

6th Dec., 1837.—Another of our companions borne down with fatigue, entered into the first house that we met. He there found friends who gave him the means of reaching the states, which proved successful. He is now in the United States. May he enjoy that liberty which ought to be as free for every one as air and light are for all mankind! As for us, we continued to walk several hours, until overcome with fatigue and hunger, we were forced to do as our friend had done. The first house we came to, was inhabited by French Canadians, by whom we were received with the greatest hospitality. We remained a whole day and night with these generous hosts, so that we might rest a little. At that place, a guide was procured who took us to ——— a fine village, nearly all patriotic. Arrived at this village, our guide begged leave to return to his home, to which we immediately assented. I went to a friend of the cause, whom I knew by reputation only, and who, as well as several gentlemen of the place, displayed the greatest zeal in favoring our escape. They procured us a new guide, and after having left the village, by the opposite road to the one we were to follow, so as to deceive some Tories of the place, who might give notice of our presence to the authorities, we came to the road leading to the States through the woods. It was now night time.

On that evening about 80 patriots had a fight against 600 militia near Missiskoui Bay; the former were defeated and retreated to the United States. They however had but one man killed and some few wounded. R. S. M. Bouchette, lawyer, of Quebec, was wounded in the foot and taken prisoner, as also a young man named Cartier, who was wounded in the hand.

As we were not far from the battle ground, we heard during the battle the report of the fire-arms. Either our guide was frightened by it, or he had more plausible reasons than those he gave; he told us that he could go no further. In vain did we make him the finest promises; in vain did we urge him not to abandon us. Under the pretence of reconnoitering so as to evade a guard, he went round a rock and was seen no more. We were then about one mile and a half from the line. The movements that we remarked at a house where he told us there was a guard, made us believe that we were discovered, which might have been the case. For with a confidence which was not guided by prudence, we had given our real names, although there was a price set on the heads of many of us. However in retreating to the woods, we could have waited for daylight and then proceeded towards the States. This was the advice I gave to my companions. It was true that a little snow which had fallen the day previous might have exposed our retreat, but would it not have operated the same way, whatever route we might have taken? My companions preferred retracing their steps to a barn which was behind us. Arrived at this barn, taking the precaution always to walk in our first footsteps, we decided to retreat to Canada with the intention of keeping ourselves secreted, under assumed names, far away from our residences. It was an act of discouragement and even of despair, brought on by the sad disappointments we had met with.

7th Dec.—We arrived at ——— at 7 o'clock in the morning. With a better acquaintance with the country, or rather with a stronger desire to escape than we then had, we could have avoided this village, where there was a guard. But we were in that state of depression of mind where life and death are quite indifferent. We were resting without any apprehension in a house owned by a Canadian, when a band of 30 or 40 men, armed with bludgeons, came to take us. We surrendered our arms and followed them to a tavern where, for our money, we had a good breakfast. Among those who took us there was a Mr. ——— who had seen us the day before at ———. He adduced this fact in our favor as proving that we were not at the battle of Moore's Corner, of which we were suspected. Besides that, we gave good apparent reasons for our flight to the States. We said we had never taken any part in politics; that for this reason being desirous of not taking arms either for the patriots or the royalists, we thought it advisable to leave the country. These reasons appeared so plausible to the good people of ——— that they regretted that none of them had the power to release us; but we were well treated, keeping us only in sight. They took us to Missiskoui-Bay under a strong escort, but did not tie us.

At Missiskoui Bay we were received by a certain number of militia under arms; their victory of the preceding day seemed to render them very insolent. We were examined by a magistrate of the place to whom we gave our assumed names; we knew then all the importance of incog. for us on this occasion. My name was ———. We gave the story of our flight to the States in such favorable colors, and at the same time our reasons seemed to be so plausible that we would have been set at liberty, if unfortunately one of us had not been recognized by the magistrate. Two other magistrates who had heard nothing of our case, decided that we were guilty because we were Canadians. We were therefore immediately tied together with ropes and thrown on board of a waggon, where we were one over the other, without being able to stir, so as not to hurt our companions. The roads had become very rough by the cold weather, and we were so jolted that we were severely bruised when we arrived at Isle Aux Noix, eighteen miles travel. But this was only the beginning of our misfortunes and hardships.

It was night when we landed at Isle Aux

Noix. We were received at the guard house by a fiend in human shape, to which a commission of Captain had been given: his name was Knight. We were thrown upon the camp-bed of the guard-house, and there divested of our clothes in presence of the guard, and were unblushingly searched all over, to find papers on us. Finding no papers, the Captain appropriated to himself all the money, watches, keys, penknives, and even the spectacles that one of us wore. After this we were taken to another building of cut stone, where there were neither stove or fire. On each side of a passage that extended thro' the building there were cells. Each of us had one of these cells for his abode; each of these cells measured six by six feet. We passed the whole night without bed or bedding, although the cold was intense. A kind of window about four inches wide by 24 inches high, cut obliquely in the wall, and to which there was no glass, brought us in immediate contact with the exterior atmosphere. As our hands and feet were yet wet with the water of the marshes through which we had travelled the night before, what we suffered in our cells is beyond all description. We remained four days at Isle Aux Noix; three times a day we were dragged from our cells to the guard house, always well tied up, to take our meals. It was in this way that they took us to those places where nature daily calls us; three soldiers armed with bayonets accompanied us, and our hands being closely tied together, they were obliged to wait upon us.

Vainly did we solicit our jailor to give us a little straw or hay to sleep on; vainly did we ask him for some utensil to receive the dirt and filth with which we were incommoded every night; all we could obtain from this tyrant, who was designedly so inhumane, was a little straw, with which he shut the holes in the wall of our cells. Undoubtedly we would have perished with the cold, if the number of the prisoners had not increased every day, so much so that they were forced to put four of us in each cell. To retain the animal heat in our bodies two of us laid down side-by-side, with the other two on top. When the two on top became cold, or those underneath oppressed with the weight of their companions, we changed positions. At times we were obliged to get up and dance and jump about the room. One day we remained eighteen hours in our cells, and it sickens me to think of it, we were in the midst of our excrements of the preceding night and the day before. Perhaps we were not the most miserable among the prisoners; many of whom were hardly clothed, having been taken from their homes without having time allowed them to take with them their clothes. Of all the prisoners young Cartier, who was wounded in the hand, inspired me with the most compassion. Like ourselves he was in a cold cell, tied very closely, without being allowed to have his wound dressed. His sufferings must have been intolerable, yet he bore it all with true philosophical courage. Mr. Bouchette who had been wounded in the foot, remained at the guard-house, where he had a fire, hot no bed, and where he was very much neglected by the surgeons. I believe that when he certified in the public newspapers that he had been well treated at Isle Aux Noix, he meant the kind treatment he received from the son of an officer, Mr. John Johnson, who sent him wines and refreshments from his table, and not the harsh treatment he received from the authorities on the Island. If he was taken to St. Johns in a carriage, it was because there was no possibility of making him walk.

11th Dec.—We left the Island to the number of 22. Each of us had his arms tied behind his back, with another rope we were tied two by two. Without this severity there were enough precautions, inasmuch as there were 40 soldiers with fixed bayonets and loaded guns, under whose guard we were placed. As we were we did not look enough like the slaves of the galleys, or those unfortunate wretches who are brought from the inte-