

Voices of Freedom

Research Report

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Walking Tour Sites

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4. Fort George: Richard Pierpont
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1. **Voices of Freedom Park** - 244 Regent Street

An accurate and complete understanding of our history is essential for establishing our true identity. This understanding allows us the opportunity to respond, and the manner of our response uncovers our character and shapes our future. The presentation of Canadian history often excludes the voices of Blacks, one of the earliest group of settlers. Black people have lived in the Town of Niagara (Newark then later Niagara-on-the-Lake) since the earliest non-Indigenous settlement in the late 1770/early 1780s. The earliest Black inhabitants were enslaved by the United Empire Loyalists who were stationed and then relocated to Newark. At this time, there were also Black Loyalists who settled in the area. By the 1830s onwards, many freedom seekers and free Blacks added to the Black population.

In 1842, the total Black population reached its highest number in the Niagara area with 82 enumerated in the town and 116 in the township - 198 total. After this census, the number of black residents in the township decreased. In 1861, the Black population in the grew to 104.¹

The Town of Niagara-on-the-Lake has set aside a significant site in the heart of the Old Town to understand, celebrate, and honour its Black history. Voices of Freedom is an experiential art installation designed to engage, educate, and challenge visitors about this most important aspect of our history. Voices from the past will tell their stories, enriching visitors' understanding of how they shaped our town and nation.

But Voices of Freedom isn't just about looking back. Ongoing research and programming will allow today's and tomorrow's voices to impact our nation's future.

It is a tragic injustice that, amidst the celebrated historical importance of Niagara-on-the-Lake, the Town's significant and nation-shifting Black history has not been given a proper "hearing."

Voices of Freedom is intent on righting this wrong. Individually and collectively, all of Canada will benefit from listening to the Black voices of Canada's past, present, and future. Such a hearing is essential for our nation to move towards a fair, just, and free society.

Voices of Freedom highlights four voices throughout the tour – Chloe Cooley: the 1793 Act to Limit Slavery and the enslaved; Richard Pierpoint: the Coloured Corps and the Black Loyalists; Solomon Moseby: the Moseby Affair and freedom seekers; the Waters family: Roots of Black Settlement.²

¹ Butler, Nancy and Michael Power. *Slavery and Freedom in Niagara*, 1993, 66, <https://digitalcommons.buffalostate.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1011&context=magazines-books>

² Voices of Freedom Park Website, <https://www.vofpark.org/>

2. Gazebo/Queen Royal Park -

16 Front St, Niagara-on-the-Lake, ON L0S 1J0 (Located at the end of King Street at the Niagara River)

Chloe Cooley and the 1793 Act to Limit Slavery

Chloe Cooley was a Black woman enslaved by United Empire Loyalist Sergeant Adam Vrooman — a resident of Queenston, Upper Canada. On 14 March 1793, Vrooman violently bound Cooley in a boat and transported her across the Niagara River to be sold in New York State. Cooley resisted fiercely, causing Vrooman to require the assistance of two other men — his brother Isaac Vrooman and one of the five sons of Loyalist McGregory Van Every.³

Peter Martin, a Black Loyalist and fellow veteran of Butler's Rangers, witnessed Cooley's struggles and screams and, along with witness William Grisley, reported the incident to Lieutenant-Governor John Graves Simcoe and the Executive Council of Upper Canada. Grisley, a white resident of nearby Mississauga Point and employee of Sergeant Vrooman's, was able to provide a detailed account of the events as he was on the boat that transported Cooley, but did not assist in restraining her.

However, this was not the first time Cooley fought against her bondage. She regularly protested her enslavement by behaving in "an unruly manner," stealing property entrusted to her on Sergeant Vrooman's behalf, refusing to work and engaging in truancy (leaving her master's property without permission for short periods of time and then returning).⁴

Some time before the incident, Vrooman had purchased Cooley from Benjamin Hardison of Bertie Township (now Fort Erie, Ontario), a farmer, miller and member of the Legislative Assembly. Vrooman took Cooley to his farm just north of Queenston. She likely worked as a domestic servant in both the Hardison and Vrooman households. Vrooman enslaved at least one other person, a Black man named Tom, at the time he owned Cooley. Tom was in Vrooman's possession in 1783, and Vrooman sold Tom to Adam Kryslar (Cryslar) in 1792, seven months before the Cooley incident.

At the time of the Chloe Cooley incident, whispers of abolition and freedom circulated in the Niagara area among slaveholders and enslaved Blacks alike. These rumours pushed Vrooman and other slaveholders to liquidate their slave assets rather than lose money on their investments should the reports prove true. William Grisley further testified that he saw another Black person bound in the same manner as Cooley and also made light the fact that other slaveholders planned to sell their slaves in the United States.

³ Executive Council Minutes, Land & State book, Upper Canada, Volume A 8th July 1792-27th June 1796, pp. 58-59, entry for March 21, 1793.

⁴ Vrooman, Adam, Queens Town, April 18, 1793. Ontario Archives, Toronto, Ontario, Upper Canada Land Petitions, Reel C 2842; File 6: Upper Canada Land Petitions, "U-V" Bundle 1, Numbers 1-22, 1792-1795 or 1796 (RG 1, L 3, Vol. 514), 8, 8a, 8b.

The Executive Council resolved to put an end to the violent removal of slaves and instructed Attorney General John White to prosecute Vrooman for disturbing the peace. Within the next few weeks, White filed charges against Vrooman in the Court of Quarter Sessions held at Newark (now Niagara-on-the-Lake, Ontario). On 18 April 1793, Vrooman responded to the charges in a petition in which he stated that he had:

[...] been informed that an information had been lodged against him to the Attorney General relative to his proceedings in his Sale of said Negroe Woman; your Petitioner had received no information concerning the freedom of Slaves in this Province, except a report which prevailed among themselves, and if he has transgressed against the Laws of his Country by disposing of Property (which from the legality of the purchase from Benjamin Hardison) he naturally supposed to be his own, it was done without knowledge of any Law being in force to the contrary.

This petition confirms that a charge (called “an information”) was filed against Vrooman as the Executive Council had recommended. Additionally, Vrooman identified from whom he purchased Cooley, which gives credence to the legality of the buying and selling of slaves in Upper Canada. Lastly, Vrooman’s petition reveals that he provided a defence of ignorance to his sale of Cooley, stating that he did not break the law. The charges against Vrooman were dropped. Cooley and other enslaved Africans in the province were considered chattel and did not have any rights to defend in court.

Vrooman gave another reason for his motivations for selling Chloe. He stated that Chloe, “the said Negroe Woman behaved herself in such an unruly manner, latterly that your Petitioner was under the necessity of disposing of her; as whatever property was entrusted to her was embezeled(sic), his service neglected, by her frequently eloping therefrom & he was realy(sic) afraid of receiving more injuries at her hands provided he had kept her.”⁵

Between 1782 and 1803, there were approximately 30 Africans enslaved in NOTL.⁶

Chloe was one of the Africans enslaved in NOTL and one of the 500 – 700 Africans who were held in captivity in Upper Canada from the 1780s until slavery was abolished in 1834.

⁵ Vrooman, Adam, Queens Town, April 18, 1793. Ontario Archives, Toronto, Ontario, Upper Canada Land Petitions, Reel C 2842; File 6: Upper Canada Land Petitions, "U-V" Bundle 1, Numbers 1-22, 1792-1795 or 1796 (RG 1, L 3, Vol. 514), 8, 8a, 8b.

⁶ Agreement of Sale, Street & Butler to Adam Krysler, 6 Nov 1786, AO, F4421-2-0-28, B407684; Return of Negroes brought in Canada by Scouts, and Sold at Montreal,” 1781, Haldimand Papers, MS21763, B-103: 368– 9, Library and Archives Canada, microfilm reel H-1447: 484 – 485; Return of Persons under the description of Loyalists Residents and Return of Persons under the description of Loyalists in the Indian Department (in Census of Niagara, 1783); Daniel Servos Mill Records, Account books, vol.iii, 1798 – 1816, Niagara Historical Society; *Upper Canada Gazette*, July 4, 1793; *Upper Canada Gazette* 17 August 1795; *Upper Canada Gazette*, August 19th, 1795; *Niagara Herald*, 18 November 1801 to 9 January 1802; *Niagara Herald* January 2, 1802; *Niagara Herald*, January 18, 1802; St. Andrew’s Anglican Church Records, Reverend William Sampson, 1790-1822: registers of burials, baptisms and marriages, Grimsby (The Forty); Register of St. Mark’s Anglican by Rev. Robert Addison, 1792 – 1832;

Simcoe and Attorney General John White used the Chloe Cooley incident as a means to introduce legislation to abolish slavery in Upper Canada. On 19 June 1793, Attorney General John White introduced an abolition bill to the House of Assembly, which he said received “much opposition but little argument” from government slaveholders. At least 12 members of the 25-person government owned slaves or were members of slave-owning families. After going through the legislative process, the government brokered a compromise and passed *An Act to Prevent the further Introduction of Slaves and to limit the Term of Contracts for Servitude* (also known as the *Act to Limit Slavery in Upper Canada*). Simcoe gave the bill Royal Assent on 9 July 1793 and expressed his hope that those who were enslaved “may henceforth look forward with certainty to the emancipation of their offspring.”⁷

No enslaved persons in the province were freed outright as a result of the enacted legislation. Though the *Act* prohibited the importation of enslaved persons into Upper Canada, it did not prevent the sale of slaves within the province or across the border into the United States. The *Act* stated that enslaved persons who were in the province at the time of its enactment would remain the property of their masters or mistresses for life, unless manumitted (freed) by their owners. Children born to enslaved women after 1793 would be freed when they reached 25 years of age. Children born to this cohort were free at birth. Slaveholders were required by law to provide food and clothing to the young children they enslaved. In addition, the *Act* required that former slaveholders provide security for recently freed slaves by ensuring that they were held in trust by a local church or town warden so as not to become a public charge. This measure encouraged slaveholders to employ their former slaves as indentured servants. The maximum term for an indenture contract was nine years and could be renewed. Structured as it was, the *Act* set the course for the abolition of slavery after one generation.

Chloe Cooley’s defiance garnered attention that precipitated legislative change. The *Act* was the first and only piece of legislation to limit enslavement in the British Empire until 1833, when *An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted slaves; and for compensating the Persons hitherto entitled to the Service of such Slaves* (later called the *Slavery Abolition Act*) abolished enslavement in all British holdings, including Canada, as of 1 August 1834.⁸

Background Information - *The Niagara River*

Niagara-on-the-Lake began across the Niagara River in that stone building, Fort Niagara. During the American Revolution (1775 – 1783), white Loyalist refugees had fled to this fort still in British hands and soon this fort was overflowing with British troops, militia soldiers and families whose homes had been destroyed in western New York. By 1783, Colonel John Butler faced with feeding this group looked to this side of the river. Wild grapes grew in abundance

⁷ ‘Act to Prevent the further Introduction of Slaves and to limit the Term of Contracts for Servitude,’ Act of 9 July 1793, Chap VII, 33 Geo 3, 2nd session, *A collection of the acts passed in the parliament of Great Britain, particularly applying to the province of Upper-Canada* (CH Horne 1818), 30.

⁸ Natasha Henry, “Chloe Cooley and the Act to Limit Slavery,” Canadian Encyclopedia, 2015, accessed March 18, 2019, <http://www.thecanadianencyclopedia.ca/en/article/chloe-cooley-and-the-act-to-limit-slavery-in-upper-canada/>

here evidence of fertile land so those soldiers with farming experience were sent here to plant crops. Their rough collections of buildings soon became known as Butlersburg.

The Treaty of Paris was signed in 1783, bringing peace between Great Britain and the former Thirteen Colonies turned nation, the United States of America. The Niagara River became the northern boundary for the new nation. Fort Niagara would become American and the refugees realized that their future under a British king lay here at Butlersburg.

Loyalist relocation across the river included the importation of the Africans they enslaved. Early military records document enslaved Africans in NOTL as early as 1781.

3. **St. Mark's Church and Graveyard**

41 Byron St, Niagara-on-the-Lake, ON L0S 1J0

John and Humphrey Waters

Since the establishment of the Town, Black settlers have established roots in the community. One longstanding family of African roots is the Waters family. Humphrey Waters Sr., his wife Ann, and sons James and Humphrey Jr. moved to Niagara-on-the-Lake in 1794 from Kingston upon receiving land grants. It is more than likely Humphrey Sr. was white and Ann was Black. Humphrey Sr. is never identified as Black in any of his land records. Mrs. Waters is noted as being a "negro woman" in St. Mark's burial register. Their parents, Humphrey Sr. and Ann, had settled in the Town of Niagara around 1794, having lived in Quebec, possibly Detroit, and then in various townships along the northern shore of the St. Lawrence River. Humphrey passed away by 1807 and a Mrs. Waters' death, likely Ann, is record in 1802.⁹ The Waters family were members of St. Mark's Anglican Church, whose records help to learn more about them.

James, the elder brother, had been born about 1773, while Humphrey was born sometime between 1776 and 1780. When war was declared in 1812, they would have been in their mid to late thirties. They left wives and children behind in the Niagara area when they joined the Coloured Corps. James married Clarissa Sorrell, December 17, 1811. Humphrey Jr. and Catherine Servos married prior to 1809 when their first child John was born. An 1843 affidavit for the couple noted that they had been living as husband and wife for 35 years.¹⁰ Both couples are identified in the records of St. Mark as "of colour." Based on her family lineage, Catherine Servos was white, therefore only Humphrey Jr. had some African ancestry. James was biracial and his wife Clarissa is likely the woman baptized by Rev. Addison in 1802, whom he identified as "a negro girl". Both James and Clarissa were of African ancestry.¹¹

⁹ The Waters Family in Niagara Research Report, *We Stand on Guard for Thee: Black Participation in the War of 1812*, Harriet Tubman Institute

¹⁰ Ibid.; Early Records of St. Mark's Anglican, Niagara <http://my.tbaytel.net/bmartin/niag-mar.htm>

¹¹ The Waters Family in Niagara Research Report, *We Stand on Guard for Thee: Black Participation in the War of 1812*, Harriet Tubman Institute

James and Humphrey Waters served with the Coloured Corps during the War of 1812, along with approximately 55 Black men enlisted and served in the Coloured Corps, including Richard Pierpoint. James was appointed sergeant in the Coloured Corps, while Humphrey Jr. served as a corporal.¹²

When the Americans attacked Fort George in the spring of 1813, they took the town of Niagara and burned it to the ground before finally retreating in December of that year. During the American occupation, the town and the surrounding farmland was mostly inhabited by women and children, and men too old to fight. Humphrey Waters' wife, Catharine, and their three children found themselves destitute when their farm was looted by American soldiers looking for food and clothing. They were driven from their home and had to receive charitable funds from Reverend Addison of the Niagara Anglican Church.

In the spring of 1814, both Catharine and James' wife Clarissa gave birth to sons. Pregnancy and childbirth during wartime would not have been easy. James and Clarissa's baby son was baptized by Reverend Addison on June 26, 1814, just days before the bloody battle of Lundy's Lane. Sadly, the child did not live long and he was buried in November that same year. Humphrey and Catharine's four sons (Joseph, Daniel, John, William) were baptized by Reverend Addison on September 6 of that year. Life passages continued, even through the harsh conditions of war. The family of Catharine Waters was among the many Niagara families that received monetary and food assistance from Rev. Addison during the war when the family was robbed by American soldiers.

In 1816, Humphrey Waters Jr. filed a claim for property and crops lost during the war. As of June 1823, he still had not received compensation for these losses. Both he and his brother James struggled to re-establish their lives, however some time after the war, they were able to rebuild their houses and farms.

Humphrey received a land grant in Oro Township, Simcoe County, which he leased to others. James spent years trying to claim patents for land in the Kingston area which had been owned by their late father, Humphrey Sr. James died around 1840. His brother Humphrey Jr. simply disappeared. There is the possibility that he may have been captured and sold into slavery, either while on a visit to New York, or from the Niagara region, where there is evidence that slave catchers were operating even north of the border.

The descendants of Humphrey and James went on to live full and interesting lives.¹³ Humphrey Jr. and his wife Catherine had four sons, including John Waters and Daniel Servos Waters. Daniel owned and operated a large livery stable on Regent Street.¹⁴ John was a landlord and served as a Town councillor for six years. He was elected as a town councilor in 1874.¹⁵ John

¹² Voices of Freedom Website, <https://www.vofpark.org/voices-1>

¹³ James and Humphrey Waters Research Report, *We Stand on Guard for Thee: Black Participation in the War of 1812*, Harriet Tubman Institute, <http://tubman.info.yorku.ca/educational-resources/war-of-1812/richard-pierpoint/coloured-corps/james-humphrey-waters/> and <http://tubman.info.yorku.ca/educational-resources/war-of-1812/richard-pierpoint/coloured-corps/james-humphrey-waters/documents/>

¹⁴ Masters, Joseph. *Niagara Reminiscences: Town of Niagara on the Lake* (1978), 199, <https://www.niagarahistorical-museum/media/DRAFT-TheMastersPapers.pdf>

¹⁵ Masters, Joseph. *Niagara Reminiscences: Town of Niagara on the Lake* (1978), 240, <https://www.niagarahistorical-museum/media/DRAFT-TheMastersPapers.pdf>

increased his original land holdings by buying more lots and was a successful farmer. He acquired a tavern license in 1871, 1872 and 1873. John's death in 1880 was recorded in the Town Council minutes:

Councilor

Whereas it had pleased Divine Providence to remove by death one of our number. Be it therefore, Resolved that as a tribute of Respect to the memory of the late John Waters Esquire that Council adjourn its sitting until tomorrow evening at 8 o'clock and to attend his funeral as a bobby (sic). Carried.

John Waters is buried in the St. Mark's cemetery. The Waters family, like many families, have roots going back generations.

Background Information – *Reverend Robert Addison and St. Mark's Anglican*

Two weeks before Lieutenant Governor Simcoe arrived, the Anglican minister Robert Addison arrived in Niagara. He had been sent by the Society for the Propagation of the Gospel in Foreign Parts. His parish covered the wider Niagara area and would include NOTL, Grimsby, and Beamsville. The church building was constructed in 1802 then rebuilt after the War of 1812 due to extensive damage.

During his tenure between 1792 and 1832, Addison baptized, married and buried the settlers and documented these vital statistics in the church registers. In his registers, he identifies enslaved and free Blacks that he provided services for. For example, six months after his arrival, he baptized Jane, daughter of Peter Martin, who was formerly enslaved by Lieutenant Colonel John Butler. His records also confirm the existence of the enslavement of Africans. In February 1797, he married, Moses and Phoebe, slaves of Mr. Jarvis.¹⁶

Freedom seeker William Riley is also buried in St. Mark's Cemetery as well as his daughter Fanny Ross Willson and granddaughter Fanny Rowley.

4. **Fort George**

51 Queen's Parade, Niagara-on-the-Lake, ON L0S 1J0

Richard Pierpoint, Black Loyalists, and The Coloured Corps

At age 68, Black Loyalist Richard Pierpoint petitioned the colonial provincial government "to raise a Corps of Men of Colour on the Niagara Frontier" at the beginning of the conflict in July 1812. The suggestion was first rejected but in October the military decided to take Pierpoint's

¹⁶ Early Records of St. Mark's Anglican, Niagara <http://my.tbaytel.net/bmartin/niag-bap.htm>

suggestion into consideration. In October the Coloured Corps was formed under the white officer, Captain Robert Runchey.

Approximately 55 Black men signed up, including Richard Pierpoint. Many were Black Loyalists who had received their freedom for service in the British military during the American Revolution and some were enslaved who escaped to serve. They feared an American victory would place them again in the horrific shackles of slavery. Pierpoint was born in Bondou, a nation state in current-day Senegal, Pierpoint was raised as a Muslim. He was captured when he was about 16 years of age and shipped across the Atlantic Ocean to British North America, where he was purchased and enslaved by a military officer. When the American Revolutionary War broke out, he enlisted on the British side in Butler's Rangers, a successful fighting force that was stationed at Fort Niagara. After the war, as a reward for his military service he was granted 200 acres (81 hectares) in Grantham Township, what is today the city of St. Catharines.

The Coloured Corps contributed to the British victory at Queenston Heights. They were also involved in the repairs of Fort George and Fort Niagara after American attacks. Although they were good fighters, they were also known as being good "axemen" and towards the end of their service, they helped to build Fort Mississauga and repair other military installations.¹⁷

Long after the War of 1812 ended, Pierpoint received another 100-acre land grant, this time in Wellington County, in the current day village of Fergus. By this time, he was quite elderly and did not wish to undertake the back-breaking work of settling the land. He was also impoverished, relying on friends and neighbours for support. In 1821 he sent a petition to Sir Peregrine Maitland, the Lieutenant Governor of Upper Canada, requesting that instead of his 100-acre land grant for his military service, he receive funds so that he could return home to Bondou.

Your Excellency's Petitioner is a Native of Bondon in Africa, that at the age of sixteen years was made a Prisoner and sold as a slave; that he was conveyed to America about the year 1769; and sold to a British officer; that he served his Majesty during the American Revolutionary War in the Corps called Butler's Rangers; and again during the late American War in a Corps of Color raised on the Niagara Frontier.

That Your Excellency's Petitioner is now old and without property; that he finds it difficult to obtain a livelihood by his labor; that he is above all things desirous to return to his native country; he wishes it may be by affording him the means to proceed to England ... from whence he could return to Bondon.

Sadly, his petition was refused. He lived on his Fergus property for many years, receiving help from other Black settlers in the area. He cleared his land and fulfilled all the requirements of

¹⁷ Richard Pierpoint Research Report, *We Stand on Guard for Thee: Black Participation in the War of 1812*, Harriet Tubman Institute, <http://tubman.info.yorku.ca/educational-resources/war-of-1812/richard-pierpoint/coloured-corps/>; Coloured Corps Research Reports Part I and Part II, *We Stand on Guard for Thee: Black Participation in the War of 1812*, Harriet Tubman Institute, <http://tubman.info.yorku.ca/educational-resources/war-of-1812/richard-pierpoint/coloured-corps/>; Newfield, Gareth, "The Coloured Corps: Black Canadians and the War of 1812". In *The Canadian Encyclopedia*. Historica Canada. Article published March 31, 2011; last modified November 29, 2018. <https://www.thecanadianencyclopedia.ca/en/article/the-coloured-corps-african-canadians-and-the-war-of-1812>

settlement. It is believed that he spent the winter months in the Niagara region where he had many friends and where the winters were not as harsh. In 1828, around the age of 84, he had his last will and testament drawn up, signing his name with an "X."

Richard Pierpoint, "Pawpine," or "Captain Dick," as he was known, died in late 1837 or early 1838. He was a respected member of the Black community, well-known throughout the province as an elder, a veteran, a settler, a "griot" (or revered storyteller). He died far, far away from his beloved homeland to which he had so longed to return.

5. Rye Park

Jail plaque at Rye Heritage Park, Rye St and Cottage St

Moseby Riot September 1837

The Court House had been rebuilt on Rye St. after the War of 1812 far away from Fort Niagara's guns.

Before the American Civil War (1861-1865), thousands of people who were enslaved in the southern United States ran away to find freedom. Many came to Canada. Some freedom-seekers were helped by Underground Railroad conductors, but many more found their way to Canada without any help, or with only the chance kindness of strangers they found along the way. Not everyone succeeded in reaching freedom. Nobody knows how many people were captured and taken back to slavery, or were killed on their journey.

Enslaved Africans were very valuable to slaveholders. They were not paid for their work. Men, women and children could be bought and sold like property. Often, they were terribly punished by whipping, or by having a member of their family sold away. When someone ran away, the slaveholder wanted to find them and bring them back, just as they would have for a runaway horse or cow. Slave catchers were bounty hunters who were paid a reward for capturing escaping enslaved people and returning them to those who legally owned them.

Sometimes, a slaveholder would ask the Canadian government to return a refugee to stand trial in the United States, often falsely accusing them of theft, murder or other crimes to make their extradition more likely. "Extradition" means the formal return of an accused criminal from one country, state or province to the place where the crime had supposedly been committed. The Canadian government usually refused.

In the spring of 1837, an enslaved African American named Solomon Moseby took his master's horse and rode away from Kentucky and slavery. He settled in Niagara (now called Niagara-on-the-Lake), in Upper Canada. Within a few weeks, his new-found freedom was jeopardized. He was thrust into the centre of a dispute that mobilized African Canadians in the Niagara area and beyond and raised the question of whether Canada was truly a safe haven for those fleeing from US slavery. Four years before Moseby's arrival, Upper Canada had passed the Fugitive Offenders Act, "an act to provide for the apprehending of fugitive offenders

from foreign countries, and delivering them up to justice.” Under this act, anyone living in what is now Ontario who was accused of committing a serious crime in another country could be extradited for trial in that country. “Serious crimes” were those that in Canada would be punished by death, corporal punishment or imprisonment with hard labour. In August 1837, Solomon Moseby’s former owner, David Castleman, arrived in Niagara with three associates. Castleman carried a warrant for Moseby’s arrest, issued in Kentucky, and a request for his extradition to Kentucky for trial. Two men, Daniel Kelly and David Castleman, swore before a Niagara Justice of the Peace that on May 14, 1837, Solomon Moseby had stolen a horse belonging to Castleman, who was a well-known horse breeder and landowner who lived near Lexington, Kentucky. A warrant was then issued in Niagara for Moseby’s arrest,[1] and Solomon was imprisoned. Legal papers were forwarded to Toronto requesting that Lieutenant Governor Sir Francis Bond Head sign an extradition order.

The Niagara authorities saw this as a simple task of returning an alleged felon for trial in the place where the crime had been committed. For Solomon Moseby, though, it would mean a return to slavery, and brutal punishment for the “crime” of escaping. African Canadians in Niagara feared the wider implications: many of them had fled slavery themselves. If Moseby was returned to the US for trial for his alleged crimes, then any fugitive living in Canada could be falsely accused and extradited. A petition (dated September 2, 1837) to the Lieutenant Governor from the “Persons of Colour, residents of the Town and Township of Niagara” explained the issue:

Solomon Moseby a man of Colour, made his Escape from Slavery in the State of Kentucky...and availed himself of the protection of the British Laws in Canada to retain that Freedom he had now acquired... [The petitioners] declare their Solemn, and sincere belief that the accusation which is now set up against our poor Coloured Brother is nothing more than a mere pretence to secure him across the line of demarkation [sic], and from under the protection of the British Laws and institution, and the moment he lands on the other side of the Niagara river the charge of Horse-stealing would be withdrawn, and him dragg [sic] off once more to irremidiable [sic] Slavery.[2]

They had attempted to pay Solomon’s erstwhile owner his purchase price, in order to secure his freedom. To the petitioners, the fact that Castleman had “refused 1,000 dollars for [Moseby] in the presence of Alexander Stewart Esqr Barrister at Law,” proved what a valuable commodity Moseby was to him.[3]

One hundred and seventeen white “Inhabitants of the Town of Niagara” also signed a petition “respecting Solomon Moseby the fugitive Slave,”[4] arguing that:

It is the opinion of Your Petitioners that neither morally nor legally can a slave be guilty of the offence charged against him, not being a free agent; that it is notorious beyond all doubt that the man claimed was a Slave when he left Kentucky; that he is now a freeman by the constitutional laws of Great Britain; and that should he be given up, he will inevitably go back to Slavery, there to be tortured as an example.[5]

The petitioners also believed that it was David Castleman’s intention to test Canadian law and find a way to make it easier for American slaveholders to retrieve freedom-seekers. They wrote:

That it will become a precedent whereby no runaway slave will either now or henceforth be safe in a British Colony. Your Petitioners do therefore pray that your Excellency will reconsider your decision, and that if you cannot conscientiously release the man that you will transmit the case to the Home Government for their consideration.[6]

Moseby's lawyer, Alexander Stewart, wrote to Lieutenant Governor Bond Head on September 5, explaining that this case needed a special interpretation of the Upper Canada Fugitive Offenders Act of 1833. There had already been earlier cases in which the fugitive slaves had been allowed to remain in Canada, including the Blackburn Case of June 1833, where Kentucky refugees Thornton and Lucie Blackburn had been accused of trumped up charges in order to secure their extradition.

In his letter, Stewart wondered, "how far our statute passed in 1833 ever contemplated the protection of the barbarous trafic [sic] in human flesh." He noted that, if returned to Kentucky, Moseby would not be imprisoned because "the Labour of the slave is as much the property of the Master as that of his horse" and only in extreme crimes can the State "deprive the Master of his property in his Slave." [7] In Kentucky, Moseby would be neither tried nor punished for horse theft, but would be returned to slavery. Stewart noted that there had been so many slaves escaping to Upper Canada recently, "that Slave holders are seriously alarmed." He believed that the charge of horse theft brought against Moseby was "a mere pretext to obtain his servitude in vile bondage." He went on to say that it was "preposterous" to believe that four men would incur \$400 or more in expenses, and travel 1,500 miles (2400 km) for a \$150 horse. [8]

Stewart reminded the Lieutenant Governor that there was a loophole in the law. The 1833 Act did provide for exceptions: "Fortunately the last action of the Statute arms His Excellency with a power of discretion." [9] However, in Toronto, Attorney General Christopher A. Hagerman believed that Moseby's alleged crime fit the Fugitive Offenders Act, as horse stealing was a capital offence in Canada. He did not seem to have seen (or paid attention to) the communications from Niagara. Abolitionist Hiram Wilson wrote, "I was sorry...to perceive that [Hagerman] made no distinction between the offense of a slave in taking his master's horse, and that of a freeman, in appropriating to his selfish purposes a like amount of property belonging to his neighbour." [10] It may be that Toronto authorities were too preoccupied with other problems - the rumours and unrest that would lead to the Upper Canada Rebellion - to pay careful attention to one legal case in Niagara.

Hagerman recommended that Lieutenant Governor Sir Francis Bond Head sign the extradition warrant to hand Moseby over to the American authorities. Bond Head complied, at the same time requesting direction from legal authorities in England. Bond Head's reply to the Niagara petitioners was published later in the St. Catharines Journal:

It is true, that a Slave in the United States is not a free agent, and that he becomes so the instant he arrives in Upper Canada; but in obtaining freedom, he becomes also responsible for his conduct, like other free men. British law gives him as much freedom as belongs to British subjects, but no more. This land of liberty cannot be made an asylum for the guilty of any colour. The individual in question has been proved to have been guilty of recent felony. I believe him to

have committed it, and I have reason to believe that you are of that opinion. Under these circumstances, I cannot, on account of his colour, conscientiously refuse to deliver him up to the American authorities.[11]

On September 7, Castleman, Moseby's former owner, made his way to Hamilton, and submitted a similar warrant for the arrest and extradition of another Kentucky fugitive, Jesse Happy. Again, the alleged crime was horse theft, but Happy's particular offense had supposedly taken place 4 years earlier. In this case, Attorney General Hagerman felt that the delay in the Kentuckian's prosecuting of Happy looked suspicious. The two cases were dealt with separately: Moseby was seen as a recent criminal who must be sent to trial, Happy as a man who would suffer the unjust punishment of slavery if returned.

In Niagara, an anxious group of supporters had gathered outside the jail as soon as Moseby was arrested. Herbert Holmes, a preacher and teacher, and Sally Carter, a community leader, "gave the alarm to all their comrades on the Niagara frontier, and called on them to come to the rescue at once, and nobly they responded." [12] Soon, there was a Black encampment around the jail, determined that Moseby should not be returned to slavery. White supporters may not have been so evident, but they helped by supplying food and supplies for travellers.

It was a peaceful protest, in which the women had a leading role, persuading the men not to carry weapons. "They were quite unarmed," reported writer Anna Brownell Jameson, "and declared their intention not to commit any violence against the English law." The initial plan had been to raise enough money to cover the price of the stolen horse, and have the charges against Moseby dropped. They were determined "to do no illegal violence, but to lose their lives rather than see their comrade taken by force across the lines." [13]

According to Hiram Wilson, "Castleman tried to negotiate with the captains of the Hamilton and Transit (steamboats) to carry Moseby across the line [border]; but they promptly and wisely refused to disgrace their boats by employing them in business so mean." 14 Sixty years later, another eyewitness remembered, "[Deputy Sheriff] McLeod wished Capt. Richardson of the Canada to take Moseby to Lewiston in his vessel, and received for an answer a reply, forcible and somewhat profane...that no vessel commanded by him would be used to convey a man back to slavery." [15]

On September 12, documentation arrived from Toronto instructing the sheriff to turn Moseby over to the American authorities. Deputy Sheriff McLeod brought in soldiers for additional security. There was a delay when news came that Bond Head was reconsidering his decision. But soon another order came for the prisoner to be taken to the Niagara Ferry, and over to Lewiston.

Numbers vary according to source, but between 200 and 400 African Canadians were gathered at the jail. (The resident Black population of Niagara at the time was about 400.) [16] This "blockading army" made its plans. [17] The women stood on the bridge over the swampy approach to the jail, blocking the road and singing hymns. They would cause a diversion, giving Moseby a chance to escape. [18] One woman remembered later:

[O]ur people were worked up till they said they would “live with him or die with him.” Yes, do or die, that’s what they said, and they went up on that day, crowds and crowds, and the sheriff, that was McLeod, and the constables and soldiers, and the people, and children and the white people, crowds and crowds.[19]

They were armed with all kinds of weapons: pitchforks, flails, sticks, stones. One woman had a large stone in her stocking, and many had their aprons full of stones, and threw them, too. The constables had muskets.[20]

Deputy Sheriff McLeod read the Riot Act to the angry throng, ordering them to disperse. A child eyewitness remembered sixty years later:

[M]other took us up on the top of our house, and we could hear the screaming and the screeching and the firing. Ephraim Wheeler was the jailer, and the sheriff went up and down slashing with his sword and keeping the people back.[21]

As the wagon with Solomon Moseby left the jail yard, Herbert Holmes, one of the leaders and a local school teacher, grabbed the reins of one of the horses. Another supporter, Jacob Green pushed a fencerail through the wheel to stop the wagon. Then McLeod gave the order to fire, and Holmes was hit. Green was stabbed with a bayonet. (Both died from their injuries.) Two others were badly wounded. In the fracas, Moseby escaped.

[The women threw] themselves fearlessly between the black men and the whites, who, of course, shrank from injuring them. One woman had seized the sheriff, and held him pinioned in her arms; another, on one of the artillery-men presenting his piece, and swearing that he would shoot her if she did not get out of his way, gave him only one glance of unutterable contempt, and with one hand knocking up his piece, and collaring him with the other, held him in such a manner as to prevent his firing.[22]

Afterwards, Mrs. Jameson interviewed one of the women, Sally Carter. Events had clearly shaken her faith in Canada:

I asked her if she was happy here in Canada? She hesitated a moment, and then replied, on my repeating the question, "Yes—that is, I was happy here—but now—I don't know—I thought we were safe here—I thought nothing could touch us here, on your British ground, but it seems I was mistaken, and if so, I won't stay here—I won't—I won't! [23]

Many were arrested, but only six Black men and four white were brought to trial. Most of the male rioters were granted their freedom if they served in the militia, which was being raised to put down the Upper Canada Rebellion.[24]

Solomon Moseby did not feel safe in Canada, so he went to England. According to a resident of Niagara:

After some years Solomon Moseby came back, and meanwhile his wife had come here. They met in Mr. — house, but at first they hardly knew one another, but it was a sight to see the tears streaming down their faces with joy...[25]

The rest of their lives, the Mosebys lived in St. Catharines and Niagara.[26]

Debate in Canadian newspapers covered the spectrum of opinion. An article entitled “Mobocracy” in the St. Catharines Journal criticised those involved in the escape, asserting that they were “violating the laws and ordinances of the country which affords an asylum for the oppressed of their race.” The writer blamed the participants for “the enormity of the crime of resisting the officers of the law, in the performance of their duty.”[27] On the other hand, the Niagara Reporter said that the crowd “forbore with Christian fortitude, exclaiming, ‘Don’t hurt the poor soldiers.’”[28]

The incident raised an important principle for lawmakers: should Canada extradite an alleged criminal when the punishment he or she would receive is more severe than if he or she were tried in Canada? The outcome of his decision regarding Moseby must have given Bond Head pause for thought, because he wrote to the Colonial Office in Britain, “giving up a slave for trial to American law is, in fact, giving him back to his former master.” Until American law allowed the accused fugitive to be returned to Upper Canada after trial, “we are justified in refusing to give him up.”[29] After considering the issue, the Colonial Office noted that where false charges were brought against someone in Upper Canada, the accuser was liable to prosecution for perjury. The charges brought by a slaveholder should first be proven in a Canadian court before an accused fugitive could be handed over to American authorities, thus making the accuser liable to Canadian perjury laws.[30]

With no clearly enacted legislation covering the protection of fugitive slaves, African Canadians continued to be apprehensive about their safety in Canada. At a “Great Meeting of the Coloured Population at Ancaster” in March, 1840, they enlisted the help of white abolitionist Dr. Thomas Rolph to explain the situation to anti-slavery groups and lawmakers in England. At the British and Foreign Anti-Slavery Convention in London, in 1840, he presented the concerns of African Canadians regarding extradition. Rolph himself had been corresponding with the government, “trying to obtain protection for the coloured race in Canada, but he almost despaired of success.”[31] However, in 1842, the Webster-Ashburton Treaty between Britain and the US removed horse theft from the list of extraditable offences, in part due to Rolph’s persistence.

To African Canadians in the late summer of 1837, this was not simply a matter of obtaining justice for one man. If Castleman had succeeded in having his former “property” returned to Kentucky, then they would all have been vulnerable to extradition to the US (and reenslavement) for real or trumped up charges.

The Moseby case drew attention to a major flaw in the 1833 Fugitive Offenders Act - extradition could lead to a punishment in another country that exceeded that in Canada for the same crime. This law had been tested in 1833 in the case of Thornton and Lucie Blackburn, fugitive slaves from Kentucky who were falsely accused of crimes by their Kentucky owners. They were freed to start new lives in Canada. The fugitive slave cases such as the Moseby case

were important principle influences the helped establish Canadian extradition and refugee policies that are still used today.¹⁸

6. **Gate Street**

243 Gate Street

Daniel Waters Home

Daniel Waters, son of Humphrey Waters Jr. and Catherine Waters, owned and operated a large livery stable on Regent Street, one of two liveryies in town. He also owned and lived in the house on the northwest corner of Prideaux and Regent streets with his wife Elizabeth Savage (a white woman) and their daughters Clara and Mabel.¹⁹

7. **William and Susannah Steward House**

507 Butler Street, SW corner of John and Butler Sts.

The Coloured Village

Many of the residents of the "Coloured Village" arrived before 1840. William, an African American teamster, and Susannah Steward (also spelled Stewart) lived in Niagara from 1834 to 1847. The Steward home was part of Niagara's "coloured village", a vibrant community of former Canadian slaves, black Loyalists and African American refugees. Later, the Stewards divided their lot for sale to Robert Baxter, a local black resident. In 1837, William Steward was one of 17 local blacks who signed a petition asking Lieutenant Governor Sir Francis Bond Head to refuse to extradite Kentucky fugitive Solomon Moseby. Moseby was rescued from the Niagara jail by more than 200 African Canadians. In 1847, they moved to Galt (now Cambridge) where they lived for the rest of their lives. The Stewards' modest cottage is an excellent example of local vernacular architecture. It serves as a compelling memorial to these hardworking people who contributed to the building of Niagara-on-the-Lake and to protecting African American refugees in the region.²⁰

8. **Fort Mississauga**

¹⁸ Solomon Moseby Research report, *Breaking the Chains: Presenting a New Narrative for Canada's Role in the Underground Railroad*, http://breakingthechains.tubmaninstitute.ca/solomon_moseby ; Mary Ann Guillen Reminisces about the Solomon Moseby Incident, Niagara Historical Society Pamphlet #2,13, <http://www.niagarahistorical.museum/media/NHS2CentennialPoemFortNiagaraandSlaveRescue.pdf> ; Court House and Gaol Heritage Plaque, http://www.ontarioplaques.com/Plaques/Plaque_Niagara16.html

¹⁹ Masters, Joseph. *Niagara Reminiscences: Town of Niagara on the Lake (1978)*, 199, <https://www.niagarahistorical.museum/media/DRAFT-TheMastersPapers.pdf> ; Daniel Waters, 1891 Census, Niagara, Lincoln and Niagara, Ontario, Canada, Library and Archives Canada, http://central.bac-lac.gc.ca/.item/?app=Census1891&op=img&id=30953_148153-00130 ; Butler, Nancy and Michael Power. *Slavery and Freedom in Niagara*, 1993, 55, <https://digitalcommons.buffalostate.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1011&context=magazines-books>

²⁰ William and Susannah Steward House, Ontario Heritage Trust, <https://www.heritagetrust.on.ca/en/plaques/william-and-susannah-steward-house>

223 Queen St, Niagara-on-the-Lake, ON L0S 1J0

The Coloured Corps

The Coloured Corps fought in several battles during the War of 1812. In the early months of 1814, they were assigned to serve as a company of artificers – soldiers who performed engineering and construction duties. This new role was important to the war effort as damaged forts had to be repaired and a new fort had to be built. The British army was in short supply of skilled tradesmen. Many members of the Coloured Corps had become skilled tradesmen during their years of bondage, prior to gaining their freedom.

Fort Mississauga was to be built on a point of land near the Town of Niagara, where the Niagara River flows into Lake Ontario. The initial work by the Coloured Corps included digging trenches and constructing the outer defence wall. The beginnings of the central tower, the powder magazines and barracks were soon built. There were threats of an attack against the fort in mid-July 1814. This looming danger would have made construction efforts extremely dangerous, perhaps causing them to work under the cover of darkness.

The Coloured Corps was not called back into service as infantry. They remained in their role as artificers because their skills and manpower were desperately needed in order to complete the fort. More barracks and officers' quarters were added, as well as a guardhouse and a "sally port" which led down to the lake.

When the Coloured Corps was disbanded in 1815, Fort Mississauga was not complete. The tower was finally built in 1823 but the fort itself remained unfinished. It stands to this day as a testament to the Coloured Corps who built it under the stressful conditions of war: enemy gunfire, the scarcity of resources and the constant threat of hunger and disease. A national historic site, Fort Mississauga was proudly built by Black hands.²¹

9. The Rowley House

King and Queen – 177 King Street

Fanny Rowley

Fanny Louisa Rowley was biracial descendant of freedom seeker William Riley. She was his granddaughter, and daughter of Fanny Riley Willson (who was daughter of William Riley and his German wife Fanny and sister to Mary Ann Guillen). Fanny Rowley was also the step-daughter of Black barber Lewis Ross.

²¹ Fort Mississauga: Built by Black Hands Research Report, *We Stand on Guard for Thee: Black Participation in the War of 1812*, Harriet Tubman Institute, <http://tubman.info.yorku.ca/educational-resources/war-of-1812/richard-pierpoint/coloured-corps/fort-mississauga/>; Gareth Newfield, "Upper Canada's Black Defenders? Re-evaluating the War of 1812 Coloured Corps," *Canadian Military History*, Vol. 18: Iss. 3, Article 5 (2009), 7, <http://scholars.wlu.ca/cmh/vol18/iss3/5>

Fanny met and entered into a relationship with Mr. Salmon Rowley (also named a Samuel), a wealthy white man who immigrated to Canada from Philadelphia in 1881. In 1886, he built the home on King Street.

In 1888, he and Fanny Ross had a daughter who died shortly after birth. In 1889 another daughter was born and died at three months. Both girls were buried in St. Mark's graveyard. The Canada 1891 census states that Fanny and Salmon were married, and they lived with her mother, Fanny Ross. In the 1901 census, the Rowleys adopted a daughter, Maude Mutter, 15, and had a lodger. They continued to live in the King St. house and Salmon acquired more lots that he bought in his wife's Fanny's name.

While on a business trip to Philadelphia on 1905, Salmon died suddenly at his daughter's and his funeral is there. Fanny became a widow with considerable properties in Niagara-on-the-Lake. Shortly after, Fanny sold the properties and moved to Cleveland with the adopted daughter, Maude, who became a piano teacher. She died there in 1912 and is buried in St. Mark's cemetery beside her daughters and mother.

In the 1861 census, 13-year old Fanny was noted as being 'mulatto'.²² In the 1871 Canadian census with Fanny is identified as 'African' or 'colored' along with her mother, step-father Lewis Ross, and his six children.²³ In the 1881 Canadian Census Fanny's and the entire Ross family's origin is listed as 'French'. No racial identification is enumerated in the 1891 census where she is listed with her husband Salmon Rowley. In the 1901 census Fanny is recorded as being 'English' like her husband Salmon.²⁴

When Fanny moved to Cleveland, Ohio she and Maude were listed as French Canadian in the U.S. census and she died as a white woman in 1913.²⁵ This suggests that in Niagara they knew her ancestry, but her skin was so light that she is listed as white where her parents are unknown. Identifying African ancestry in marking Black history is sometimes diluted or erased through intermarriage.²⁶

²² Fanny Willson, 1861 Canada census, Niagara, Lincoln and Niagara, Ontario, Canada, film number C-1048-1049, Library and Archives Canada, http://data2.collectionscanada.gc.ca/1861/jpg/4391560_00017.jpg .

²³ 1871 Canada Census, , Niagara, Lincoln and Niagara, Ontario, Canada, Library and Archives Canada, http://data2.collectionscanada.ca/1871/jpg/4396332_00168.jpg. Lewis and Fanny Ross seems to have first been identified as 'colored' which was crossed out and the word 'African' written over it.

²⁴ 1901 Canada Census, , Niagara, Lincoln and Niagara, Ontario, Canada, <http://data2.collectionscanada.ca/1901/z/z002/jpg/z000079315.jpg>.

²⁵ Fanny L. Rowley, 1910 United States Federal. Census, *Cleveland Ward 21, Cuyahoga, Ohio*; Roll: T624_1174; Page: 3B; Enumeration District: 0320; FHL microfilm: 1375187, Ancestry.com; Fanny L. Rowley, Ohio Death Records, 1 December, 1913; Fannie Louise Rowley, Case No. 66459, Ohio Wills and Probate Records, 1786 – 1998, Estate Files, Docket 103, Case No 66452-66499, 1913-1914, Ancestry.com.

²⁶ Butler, Nancy and Michael Power. *Slavery and Freedom in Niagara*, 1993, 67-68, 78, <https://digitalcommons.buffalostate.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1011&context=magazines-books>

Background Information – *Fanny Rowley and Salmon Rowley*

Mr. Salmon Rowley was born in Elmira, New York and became a successful glass manufacturer in Philadelphia. He had several patents for his jam jars and lids. He was married to Anna Jones and was father to a daughter. When he left the Philadelphia address, he left the operation of his glass factory to his son-in-law and the care of Anna to his daughter. Back in Philadelphia, he is still listed as the President of the Rowley Manufacturing Company, but his son-in-law continued to manage the factory in Philadelphia.²⁷

In the 2000s, this home housed the Trisha Romance Gallery until it was sold in 2016 and returned to usage as a private home.

10. The Negro Burial Ground and Baptist Church

459-487 Mississauga St., Niagara-on-the-Lake, ON L0S 1J0, Canada

On the east side of Mississauga St and south of the traffic lights at Mary St, is the "Negro Burial Ground."

This lot was where the Baptist Church once stood and the church's graveyard.

Not until 1862 did the Baptist Union list the congregation, "black". The church originally had a white majority congregation with a small Black membership, which gradually increased. By then a more substantial church had been built in Virgil and many white members transferred to it.

Mary Ann Guilan describes the issue in an interview with Janet Carnochan around 1890:

The white Baptis' and the black Baptis' disputed for the church, but the black Baptis' won.

As the town changed and people moved to better jobs elsewhere, the congregation declined even more, until in 1878, only ten members were recorded. (Canada Baptist Union Minutes and Report of Annual Meetings, MacMaster University Archives). Although Rev. Lacey was the black minister, not all of the above were "coloured".²⁸

Herbert Holmes and Jacob Green reportedly, who died in the Solomon Moseby Affair were buried in the "Negro Burial Ground", but no tombstones mark their graves today.

²⁷ Rowley owned Hero Glass Works, manufacturing fruit jars and metal lids in competition with Mason jars. See Bill Lockhart, et al, *Hero Glass Firms*, <https://sha.org/bottle/pdf/Heroglass.pdf>.

²⁸ Carnochan, Janet. *History of Niagara (In Part)*, 1914, 177.

The church closed and the building was moved across the street and further south. However, the lot was still used by the family across the street, the Wesleys. The Wesleys lived where today is 519 Mississauga Street, previously 349 Mississauga Street. George Wesley died in 1893 and although a Methodist, was buried here with his son, who had died some years earlier. The burial ground became overgrown and the existing tombstones had fallen. The town took over the maintenance of the burial ground and a heritage plaque was installed.²⁹

11. St. Andrews School house

323 Simcoe St Box 441, Niagara-on-the-Lake, ON L0S 1J0

School for Black Children

The school in connection with the St. Andrew's church, was continued until 1843. At one time the "Old Kirk Hall", began its life as a schoolhouse and later became the sexton's house. This church building was used for the schooling of Black children. Mary Ann Guillan remembers attending this school:

The first school I went to was to a yellow man called Herbert Homes – 'Hubbard Holmes' our people called him. Oh, he was severe. They were then, you know. But he was a fine man and had been educated by a gentleman in Nova Scotia. He used to drill the boys and when holiday time came he would march us all to a grocery kept by a black woman and treat us all to bull's eyes and gingerbread.

I went to school upstairs in the schoolhouse of the Scotch church (St. Andrew's) ... for the colored children. It was a black man who taught it. How many? Oh, it was full of children. The benches were slabs, with flat side up the bark of the tree down, with sticks put in slanting for legs. The children all studied aloud and the one making the most noise was the best scholar in those days.

Holmes was described above as "yellow" suggesting he was light skinned, possibly biracial. He was a popular Baptist preacher as well as teacher, who may have taught in a mission-type school for Black children run and funded by a church. Holmes helped to organize the petition on behalf of the Black community to stop the extradition of Solomon Moseby. He was also said to have been one of the leaders of the crowd at the jail. Sadly, he was killed in the Moseby Affair in 1837.³⁰

²⁹ Butler, Nancy and Michael Power. *Slavery and Freedom in Niagara*, 1993, 41-42, 51, <https://digitalcommons.buffalostate.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1011&context=magazines-books> ; Negro Burial Ground 1830 Heritage Plaque, http://ontarioplaques.com/Plaques/Plaque_Niagara02.html ; Cemetery of escape slaves long neglected, *Globe and Mail*, April 13, 1956

³⁰ Carnochan, Janet. *History of Niagara (In Part)*, 1914, 84, 131; St. Andrew's Presbyterian Church History Booklet; Mary Ann Guillan Reminisces about the Solomon Moseby Incident, Niagara Historical Society Pamphlet #2,13, <http://www.niagarahistorical.museum/media/NHS2CentennialPoemFortNiagaraandSlaveRescue.pdf>

12. St. Davids

Tanbark Road

Between 1800 and 1820, a Black community consisting of small farms formed at the south end of Tanbark Road in the current area of General Brock Highway (Highway 405). The Baptist church was located on Tanbark Road. Following 1815, these farms were gradually bought out and made up the Hanniwell Farm. One Black family that continued living on Tanbark Road from at least 1840 well into the early 20th century was the Graham family.³¹ They lived on a 6-acre farm on lot 94.³² Lewis Graham and his wife Susan Ann/Susanna Graham were listed as living on lot 94 with their young sons Daniel E. and William A. in the 1851 census.³³ William was still living on the family property on lot 94 in 1911 and then listed as living on lot 95 in 1919.³⁴ It is said that their descendant by the name of Hedgeman was the last Black resident of this group in St. Davids.³⁵

13. Winnifred Wesley House

309 Victoria Street (previously 30 Victoria)

George Wesley was a freedom seeker from Kentucky. He married Harriet Cannon and they had three children – George Jr, Mary Francis, Elizabeth, and Henrietta (Susan). Elizabeth Winnifred, Mary Francis's daughter, lived with the family after she was born in 1889.³⁶ They

³¹ Sold on 18 Jun 1840 (Registered 12 Nov 1840) Richard Woodruff, Executor of Giles Hall sold to Lewis Graham 6 acres in Lot 94 Niagara Twp, Land Records from the Crown Grant to the Mid-1860s - Niagara Township, Farmland & Villages <https://www.niagarahistorical.museum/media/LR-NiagaraTownship-Patentto1860s.pdf>

³² Mitchell & Co's Town of St. Catharines and Counties of Lincoln & Welland Directory, 1865, 163.

³³ Lewis Graham and family, 1851 Canada Census, Niagara, Lincoln and Niagara, Ontario, Canada, Library and Archives Canada, <http://data2.collectionscanada.gc.ca/e/e095/e002358176.jpg> ; Lewis Graham is listed as being buried in the St. David's United cemetery (1802-1865), noted in David Hemmings, *Disappearing History of Niagara: The Graveyards of a Frontier Township*. (Bygones Pub.,2010), 130.

³⁴ William Graham, 1911 Canada Census, Niagara, Lincoln and Niagara, Ontario, Canada, <http://data2.collectionscanada.gc.ca/1911/jpg/e002000451.jpg> ; *Voters' List, 191 Electoral District of St. Catharines- Polling Sub-Division No. 5- and No. 2 in the municipality of the Township of Niagara*, 1919. Vault Box 147, 1999.005.066. Municipal Records. Niagara Historical Society and Museum, Niagara-on-the-Lake, Ontario, Canada.

³⁵ Commemorative Walking Tour of St Davids on the 200th Anniversary of the Burning of the Village, July 19, 2014, <https://www.niagarahistorical.museum/media/St.DavidsCommemorativetourfinal-providedbytheSt.DavidsHeritagecttee.pdf>

³⁶ Wesley Family, 1861 Canada Census, Niagara, Lincoln and Niagara, Ontario, Canada, film number C-1048-1049, Library and Archives Canada, http://data2.collectionscanada.gc.ca/1861/jpg/4391944_00556.jpg ; Wesley Family, 1871 Canada Census, Niagara, Lincoln and Niagara, Ontario, Canada, Library and Archives Canada, http://data2.collectionscanada.ca/1871/jpg/4396332_00068.jpg ; Elizabeth Wesley, 1871 Canada Census, Niagara, Lincoln and Niagara, Ontario, Canada, Library and Archives Canada, http://data2.collectionscanada.ca/1871/jpg/4396332_00083.jpg ; Wesley Family, 1881 Canada Census, Niagara, Lincoln and Niagara, Ontario, Canada, Library and Archives Canada, <http://data2.collectionscanada.gc.ca/e/e328/e008187864.jpg> ; Wesley Family, 1891 Canada Census, Niagara, Lincoln and Niagara, Ontario, Canada, Library and Archives Canada, http://central.bac-lac.gc.ca/.item/?app=Census1891&op=img&id=30953_148153-00141 ; Mary Francis Wesley to Winnifred Wesley, Land Transfer Affidavit, 12 February 1931.

lived across from the Baptist church which today is 519 Mississauga Street, previously 349 Mississauga Street.³⁷

Black women, like the Wesley women, engaged work and economic activities outside of the home to help support their families. Sisters Mary Francis, Elizabeth, and Henrietta, and daughter and niece Winnifred Wesley/Wessley worked as general servants and laundresses. Elizabeth Wesley, was listed as working as a domestic servant in a white family's home in the 1871 census when she was 14-years old. Aside from working in the family home and on family farms, these were the only kinds of employment available to Black women. Winnifred Wesley did housework and home nursing until she died in 1961.³⁸

Harriet became widowed when George passed away in 1893. In 1901 Harriet and her daughters Mary Francis and Henrietta sold a half an acre of the family property that they jointly owned (lot 335).³⁹ Then in February 1931, Mary Francis transferred property that she owned and received from her late husband John Lawson to her daughter Winnifred (part of lot 361) located at Simcoe and Anne streets.⁴⁰ In October 1931 Winnifred inherited a house and lot on Victoria Street from John Thomas Samson (part of lot 153), a Canadian-born man of Scottish descent. It is not clear what their relation was for Samson to bequeath her his property.⁴¹ In 1935, Winnifred sold the land she received from her mother to property to Bordeaux Wines.⁴²

The ownership of property aided these Black women in alleviated economic hardship due to their gender and race. These Wesley women were the heads of the household due to the death of a spouse or because they never married. Land ownership provided them some financial security.

14. Lewis Ross Barber Shop

Black businessman Louis/Lewis Ross owned a building on Queen St and rented another for his barbershop. He was the town's only barber on Queen St. Lewis managed to survive a fire that destroyed his barbershop and house. According to a report in the *Niagara Herald* on 4

³⁷ George Wesley, Deed 1660 lot 335, Town of Niagara, City Lincoln, 1877; George Wesley, Deed 1448 lot 335, Town of Niagara, City Lincoln, 1885; Alexander Niven. *Plan of the Town of Niagara* [map]. 4CHS:1Inch. Ontario: Department of Lands, Forests and Mines, 1910.

³⁸ Butler, Nancy and Michael Power. *Slavery and Freedom in Niagara*, 1993, 57, <https://digitalcommons.buffalostate.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1011&context=magazines-books>

³⁹ Harriet Wesley, widow, to Mary Frances Wesley and Heneretta Wesley, Deed 2916 Transfer of lot 335, Town of Niagara, City Lincoln, 11 November 1901.

⁴⁰ Mary Frances Wesley, widow, to Winnifred Wesley, Deed 5964 lot 361, Town of Niagara-on-the-Lake, City Lincoln, 24 January 1931.

⁴¹ Robert G. Dawson, Executor of the last will of John Thomas Samson, deceased, to Winnifred E. Wesley, Deed Transfer of part of lot 153, Niagara Twshp., Cty Lincoln, 29 August 1931.

⁴² Winnifred Wesley to Bordeaux Wines Limited, Town of Niagara, Cty Lincoln, 19 June 1935.

March 1886, "his building was insured, his valuable household effects were mostly saved with slight damage." He moved his barbershop to a new location on Queen St closer to King St.⁴³

15. **Masonic Lodge** (Niagara Lodge #2 A.F. & A.M., G.R.C.)

153 King St, Niagara-on-the-Lake, ON L0S 1J0 (corner of Prideaux and King Streets)

First Parliament of Upper Canada Legislature

The Old Stone Barracks (later the Masonic Hall) is said to have possibly been the site for the first meeting of the first parliament of Upper Canada. The hall was used at that time not only for lodge meetings, but also for various public meeting, and church services.⁴⁴ The first Parliament of Upper Canada opened on Monday, September 17, 1792 and lasted until June 3, 1796 when parliament was dissolved.⁴⁵

March 21, 1793, Black Loyalist Peter Martin gave a witness report to Executive Council about the Chloe Cooley incident and his story was corroborated by a white man named William Grisley who worked for Vrooman.⁴⁶ During the second session of the first Parliament (May 31, 1793 - July 9, 1793), legislation was introduced by Attorney General John White to abolish slavery. Simcoe used the Chloe Cooley incident as a means to introduce legislation to abolish slavery in Upper Canada. On 19 June 1793, Attorney General John White introduced an abolition bill to the House of Assembly, which he said received "much opposition but little argument" from government slaveholders. At least 12 members of the 25-person government owned slaves or were members of slave-owning families. After going through the legislative process, the government brokered a compromise and passed An Act to Prevent the further Introduction of Slaves and to limit the Term of Contracts for Servitude (also known as the Act to Limit Slavery in Upper Canada). Simcoe gave the bill Royal Assent on 9 July 1793, the last day of the first Parliament, and expressed his hope that those who were enslaved "may henceforth look forward with certainty to the emancipation of their offspring."⁴⁷

⁴³ Butler, Nancy and Michael Power. *Slavery and Freedom in Niagara*, 1993, 55, 67, <https://digitalcommons.buffalostate.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1011&context=magazines-books> ; Ad in *Niagara Mail*, 29 November 1865; Ad in *Niagara Herald*, 3 December 1885.

⁴⁴ Mason Hall in Niagara-on-the-Lake, <http://vitacollections.ca/notlheritage/2484490/data>

⁴⁵ 1st Parliament of Upper Canada, Wikipedia, https://en.wikipedia.org/wiki/1st_Parliament_of_Upper_Canada .

⁴⁶ Executive Council Minutes, Land & State book, Upper Canada, Volume A 8th July 1792-27th June 1796, pp. 58-59, entry for March 21, 1793.

⁴⁷ 'Act to Prevent the further Introduction of Slaves and to limit the Term of Contracts for Servitude,' Act of 9 July 1793, Chap VII, 33 Geo 3, 2nd session, *A collection of the acts passed in the parliament of Great Britain, particularly applying to the province of Upper-Canada* (CH Horne 1818) 30; Natasha Henry, "Chloe Cooley and the Act to Limit Slavery," Canadian Encyclopedia, 2015, accessed March 18, 2019, <http://www.thecanadianencyclopedia.ca/en/article/chloe-cooley-and-the-act-to-limit-slavery-in-upper-canada/>

Background Information – *The Masonic Lodge*

The first Provincial Grand Lodge of Upper Canada was formed in 1792 with William Jarvis as Provincial Grand Master before he relocated to the Town of York with his family and the Black people he enslaved to take up his post as the provincial secretary.⁴⁸ When the Act to Limit Slavery was proposed, Jarvis one of the 12 men on the Executive Council who owned slaves. One of the men we enslaved was Henry Lewis. While in Newark, Henry fled his enslavement to Schenectady, New York and in 1798, Henry wrote to William Jarvis requesting that he be able to buy his freedom. Henry wrote,

My desire to support my self as free man and enjoy all the benefits which may result from my being free in a country whear[sic] a blackman is defended by- the laws as much as a white man is induce me to make you an offer of purchasing myself. ... the reason why I left your house is this your woman [Jarvis' wife Hannah] vexed me to so high a degree that it was far beyond the power of man to support it it is true and I will say in all company that I always[sic] lived as well in your house as I should wish.⁴⁹

⁴⁸ A Short History of Niagara Lodge, [http://www.niagaramasons.com/Lodges/Niagara/\(Niagara%20History.htm](http://www.niagaramasons.com/Lodges/Niagara/(Niagara%20History.htm) ; Masters, Joseph. Niagara Reminiscences: Town of Niagara on the Lake (1978), 46, 210, 639, <https://www.niagarahistorical.museum/media/DRAFT-TheMastersPapers.pdf>

⁴⁹ Henry Lewis to William Jarvis, 3 May 1798, William Jarvis Papers, S 109 B55, 56-7. Toronto Reference Library. Special Collections, Archive & Digital Collections, Baldwin Room.