The critical acclaim heaped on the Brad Pitt-produced 12 Years a Slave at last month’s Toronto International Film Festival ensures that millions of viewers will discover a little-known fact about American slavery: that its tentacles could ensnare even free-born individuals like Solomon Northup, on whose narrative the film is based.

But this fall marks the bicentennial of an event that sheds light on what the author Afua Cooper has called “Canada’s best-kept secret”: this nation’s slaveholding past.

In late September of 1813, following their dramatic naval victory on Lake Erie, American forces crossed into western Upper Canada, seizing the Detroit River border towns of Sandwich (now Windsor) and Amherstburg.

The American invaders began plundering the local inhabitants. A party of Kentuckians raced to the mouth of the Detroit River near Amherstburg to loot the biggest prize of all: the country manor and sprawling farm belonging to the British Indian agent, Matthew Elliott.

During the American Revolution, Elliott arrived in what would become Upper Canada as a desperate Loyalist refugee, dependent on government assistance after being plundered during the conflict.
Over the next few decades, however, the illiterate Irish immigrant became one of the province’s pre-eminent colonists, regularly elected to the Parliament of Upper Canada. Although his salary as the local Indian agent paid him a respectable £200 a year, visiting travellers marvelled at his well-appointed, riverfront estate, comparing it to those of the aristocracy in England. Several wondered how he had amassed such wealth.

In fact, Elliott built his fortune largely on the backs of enslaved labourers. Said to number as many as 60 in 1799, his slave force rivalled that of many plantation owners in the American South, and made him the largest slaveholder in Canada.

In labour-starved Upper Canada, Elliott’s slave force gave him a distinct advantage over his neighbours. He stood better positioned to win and fulfill the lucrative government contracts to supply the colony’s military garrisons.

The revenue from the contracts, estimated at more than £600 a year by his widow, dwarfed the incomes of most settlers and enabled Elliott to establish a genuine plantation. His family’s silverware alone was valued at “upwards of fifteen hundred pounds” — more than most Upper Canadians would earn over the course of their lives.

Hereditary slavery dated back to the French regime. After the British conquest, settlers along the Great Lakes imported enslaved black people from the American colonies

Hereditary slavery in Canada dated back to the French regime. Initially, the enslaved were comprised chiefly captives taken in raids or battles between warring First Nations peoples. Several were brought to white settlements and sold to colonists.

After the British conquest, however, settlers along the Great Lakes imported growing numbers of enslaved black people from the American colonies. Their numbers swelled during the American Revolution, when Loyalist and First Nations forces looted slaves from their American enemies, taking them back to Canada as the spoils of war. The slave raiders included Matthew Elliott.

By 1791, an estimated 500 slaves lived beside the 14,000 free colonists in Upper Canada. Another 200 to 300 slaves toiled at Detroit, which remained an appendage of the province until its transfer to American rule in 1796.

Most slaveholding families owned only one or two, typically using them as domestic servants or as farm labourers. A smaller number of prosperous individuals owned three or more, and in rare instances — as with Elliott and his wealthy peers — several dozen.

The list of slaveholders in Upper Canada included many of the colony’s most powerful residents, such as John Butler of Niagara, William Jarvis of York, Richard Cartwright of Kingston, and Joseph Brant of Grand River.

Like slavery elsewhere, the institution in Canada relied on fear and violence. Matthew Elliott attached a lashing ring to a tree on his farm near Amherstburg as a warning to his human property. The ring remains on display at the town’s North American Black Historical Museum, a haunting relic of the nation’s slave past.

Upper Canadians’ attachment to slavery surprised even visiting Americans like James Parrish, a Quaker traveller from Pennsylvania. In 1793, after discussing the subject with François Baby, a slaveholder and member of the colonial assembly, Parrish observed, “This man seemed as dark in his sentiments as many negro masters in the Southern States.”

The colony’s first lieutenant-governor, John Graves Simcoe, became a committed abolitionist. But when he pushed to end the institution in the province, he met with fierce resistance from his own Parliament. At least six of the 16 members of the assembly owned slaves, as did three of Simcoe’s legislative councillors.

As a result, the compromise law passed in 1793 did not free even one of the colony’s enslaved inhabitants. In fact, the law reaffirmed the property rights of existing slave owners, declaring that all enslaved men, women, and children then in the province would remain slaves for life.
Simcoe and his anti-slavery allies won only two grudging concessions: a very gradual emancipation provision that all children born to enslaved women would become free when they turned 25, and a ban on any additional slaves being brought into the province.

The enslaved inhabitants of both Upper Canada and Michigan could become free if they could only swim, row, or, during the freezing winters, sprint, the short distance across the new boundary.

For the hundreds of Upper Canadians condemned to a lifetime of slavery, the second of these concessions proved the most significant. Across the border, the Americans had passed similar legislation, allowing slaveholders in what would become Michigan to keep their human property, while barring the importation of new slaves.

The two laws soon produced unintended consequences. They inadvertently created sanctuaries from slavery on each side of the Detroit River border. The enslaved inhabitants of both Upper Canada and Michigan could become free if they could only swim, row, or, during the freezing winters, sprint, the short distance across the new boundary.

Well aware of the new legal situation, enslaved inhabitants streamed across the border in both directions.

In 1806, at Amherstburg, where Matthew Elliott’s estate once housed an estimated 60 slaves, only 31 remained in the entire township. Between the fall of 1806 and the spring of 1807, eight more of Elliott’s slaves — five males and three females — escaped across the river.

Desperate to recover their human property, a group of Upper Canadian slaveholders living near the Detroit border implored British officials to intervene. Claiming that the escapes had left them with “heavy losses” and on the brink of “utter ruin,” they urged that British diplomats negotiate with the American government to arrange the slaves’ return.

By 1807, however, the crisis over Britain’s impressment of American sailors into its Royal Navy had left the two nations on the brink of war. So long as the British refused to return American sailors, they stood little chance of convincing the Americans to return the human property of British subjects.

In a last-ditch effort to reclaim his slaves, Matthew Elliott filed a lawsuit in Michigan, demanding their extradition on the grounds that they were private property. The American judge settled the issue for good, declaring that the individuals in question were, in fact, human beings, which countries had no obligation to return. Upper Canadian authorities would later adopt a similar position when faced with similar appeals from Southern slaveholders seeking to recover their own fugitives.

The court’s decision virtually invited the enslaved on both sides of the river to seize their freedom. Although slavery remained legal in Upper Canada and Michigan until the mid-1830s, the slave labour forces along the border melted away decades earlier.

When American soldiers arrived at Matthew Elliott’s stately home in late September 1813, they ransacked it, stripping it bare. Anticipating this, his family had placed many of their possessions into a caravan of nine wagons pulled by 30 horses. But these too fell into American hands and the remnants of Elliott’s slave enterprise became the plunder of war. In an ironic twist a few decades later, the old Elliott homestead became a safe harbour for fugitives from American slavery, at the end of the Underground Railroad.

Although slavery persisted for generations in British North America, the institution never became an entrenched and vital part of the economy as it did in Virginia or the Carolinas. But the existence of the genuine plantation that Matthew Elliott lost 200 years ago this fall demolishes the popular myth that slavery was economically unviable in Canada. As Simcoe discovered, and as the actions of Elliott and his neighbours later showed, most Upper Canadian slaveholders balked when faced with the loss of their human property.

Unable to gain their freedom through legal means, many of Upper Canada’s enslaved inhabitants instead exploited the new border and emancipated themselves, finding an unlikely refuge on American soil.

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