

A Deep Sense of Wrong:

BEVERLEY D. BOISSERY, *THE TREASON, TRIALS AND TRANSPORTATION TO NEW SOUTH WALES OF LOWER CANADIAN REBELS AFTER THE 1838 REBELLION*

Gerry Turcotte

As a recent book, *Canadians in Australia* by Jim Bennett and Ian Fry makes clear, connections and interchanges between the two nations are rather more plentiful than most would expect, whether it be our shared Commonwealth past or the surprising fact that the Eureka Flag was designed by a Canadian involved in that up-rising. Perhaps one of the least known associations is that of the transported English and French Canadian 'convicts' as a result of rebellions in Upper and Lower Canada (now Ontario and Quebec respectively) in 1837 and 1838. As a French Canadian, who has recently discovered a possible relative among the francophone convicts sent out here in 1839, I have a particular interest in the latter.

A Deep Sense of Wrong tells the story of the 56 Canadiens (note the spelling) and 2 US Americans who were convicted of treason over a failed rebellion against the British Crown. The 1838 Rebellion saw thousands of people, many paysans (peasants) armed only with sticks and pitchforks, attempt to overthrow a regime which, among other things, was slowly starving them through seigneurial abuses. The revolts were quickly and savagely quashed. Because of the earlier 1837 rebellion, the Government was keen to suppress the latest unrest in unequivocal terms. It arrested widely and tried people in a military rather than a civil court.

The arrested write of spending months in prison cells covered in frost; of being denied proper counsel; and of sleeping on bare stone floors. 12 men were hanged, while others had their sentences commuted to transportation for life. Of these, as Boissery's research makes evident, at least 18 were the

clear victims of breaches of law and wrongful conviction. That this happened, of course, is not surprising. The men were forced to present their own defences, and this despite the fact that many of them were not only illiterate, but also could not speak English, the language of the courts. The trials were a farce, designed to restore order and bludgeon a resistant people into compliance.

On 26 September 1839 the 58 men chosen for transportation began their march to the wharf where they would be taken by the ironically named vessel the *British America* to Quebec. En route they were joined by 86 convicts from the Upper Canada Rebellion (most of whom were American). In Quebec they transferred to the HMS *Buffalo* which would begin the slow voyage to Australia.

The arrival of what Fry and Bennett call the 'largest body of non-English convicts' to be sent to Australia was hotly resisted. As Boissery puts it, Sydney's citizens 'reacted for the most part with hysteria, viewing the fifty-eight men as monsters to be shunted elsewhere, even though they were the only sizable group transported with no previous criminal records. The press castigated them as "cut throats", clearly expecting them to become violent criminals'. Their opinion would soon change as the men peaceably established themselves at Longbottom, and then obtained early tickets-of-leave due to their 'good behaviour and their reputation as skilled artisans and tradesmen'. They were 'the only group of men who never had a single official complaint laid against them during their period of superintendence'.

By the time they received full pardons they had become very much part of the community. Indeed, despite the depression, many of them thrived, and most managed to raise the funds for their return voyage home. In the end, all but two of the Canadiens returned to Lower Canada. One died, the other, Joseph Marceau, chose to stay. He married Mary Barrett and fathered 11 children, and is commemorated by a street named after him in Figtree, NSW.

Boissery's book attempts to bring this history to life using extensive archival, legal and journal sources. For this reviewer, it is at its most compelling in its account of the convicts' time in Australia. Despite the meticulous research, the book is at times frustrating in its method and presentation. As a publication originally of the Osgoode Society, which produces high quality texts on legal issues, it is not surprising that it should focus on juridical detail in its extensive analysis of the (mis)trial of many of the

Canadiens. But *A Deep Sense of Wrong* is also styled as a micro-history (that is, one which focuses on a small group) 'to make connections that might otherwise not have been discernible'. To that end the final chapter is a lengthy meditation on the effects of convictism on the national Australian character, read via the stories of the 58 exiles. Oddly, however, Boissery spends quite some time criticizing Stephen Nicholas' methodology in *Convict Workers: Reinterpreting Australia's Past*, arguing that had 'Nicholas and his group of historians read the words of the men they speculated about, they might have avoided some embarrassing statements'.

Her main complaint is that such historians depend too much on statistics to draw their conclusions and hence lose the individual. It's an odd note because except for one rather well-known character, François-Maurice Lepailleur (whose journal was edited and translated by her husband F. Murray Greenwood), and to a lesser extent a couple of the more flamboyant exiles, the figures at the heart of this story do not really come alive.

Part of the reason Lepailleur plays such a central role also involves the book's unusual structure, wherein each chapter is prefaced with a fictional interview between Lepailleur and an invented English-Canadian reporter. This structure has come about because of the 'fun' the author had 'writing novels', and as a way of 'including details that do not strictly belong in the flow of the text'. Boissery points out that 'those who read parts of the manuscript ... either loved or hated them' and goes on to say that the 'transitions are not meant to offend or antagonize academics'.

The interviews are especially peculiar given that the book itself ends with an appendix republishing a real interview with Lepailleur conducted by the *Montreal Star* which repeats much of the fictional as well as historical information she provides elsewhere. The sections antagonised me not because I'm an academic but rather because their tone was frequently flip-pant, the interviews anticipated moments of suspense and gave the game away as it were, or they presented at times peripheral material which broke the flow of the central chapters.

Despite these criticisms, which may well have more to do with this reviewer's expectations for the text rather than the book itself, *A Deep Sense of Wrong* is invaluable. This is especially true for those interested in a part of Canadian-Australian history which is not well known, and which exists publically largely through a few place names (Canada Bay, Exile Bay), memorials (in Cabarita Park, Concord, in Glenelg, Adelaide, at Port Arthur), and through what may turn out to be a surprisingly large number

of descendants, myself, possibly, included. On that point, the only reference to Louis Turcot occurs on page 226: 'On 25 July 1841, together with Turcotte [sic] and Guérin, [Guertin] chanted the first high mass performed in the Parramatta church'. Of the two branches of the family, the misprint would have given me more hope of an actual connection. But I am not deterred. Indeed, Beverley Boissery's book reminds us of the value of scholarly attention to original sources and exemplifies its rewards.

NOTES

A much abbreviated version of this article appeared in *The Australian*: "Australian History takes on a Canadian Accent", Canada Day Supplement, 1 July 1996, p. 15.