

GASPÉ OF YESTERDAY

POLITICAL SKULDUGGERY IN GASPEZIA

1841 REMOVAL OF THE PERCÉ GAOLER

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A recall of one incident of the turbulent political era when Robert Christie was the Member of the Legislative Assembly for Gaspé. The case of William Annett of Gaspé Bay.

Ken Annett

REMOVAL OF FIRST GAOLER OF PERCE  
1841  
POLITICAL SKULDUGGERY IN GASPEZIA

PREAMBLE

The background for the removal, in 1841, of the first gaoler at Percé has been recalled, in part, by the GASPÉ OF YESTERDAY article, No.015, "ROBERT CHRISTIE, 1787-1856, which SPEC published in the issue of November 29th., 1979. In brief, Robert Christie, a native of Nova Scotia, had moved to Quebec City circa 1809, had studied Law and been admitted to the Quebec Bar, had been a distinguished lawyer who travelled to London to plead before the British authorities and had left his practice temporarily during the War of 1812-1814 to serve as an Officer of the 4th Battalion. Subsequently, as Secretary of the Gaspé Land Claims Commission he met and dealt with all the claimants for lands from Gaspé Bay to Restigouche. In 1827 he was elected to represent the District of Gaspé in the Legislative Assembly of Québec. As his summer home in Gaspesia he acquired some 1200 acres of the original land grant to Colonel Edward I. Man at Cross Point.

When Robert Christie entered the Legislative Assembly after his election as the Member for Gaspé in 1827 he was expelled by the violent opposition of the French Canadian majority in the House. In the following years he was re-elected five times by his Gaspesian constituents and refused his seat in the Assembly each time. Not until 1841 did he succeed in taking his seat in Parliament. In explanation of this bizarre and incredible situation the noted Québec historian, Sir James MacPherson Lemoine wrote:

"...On n'eut jamais à lui reprocher une trahison, une défaillance. La fidélité à son drapeau, pour Christie, c'était une religion. Au reste, il y avait alors parmi l'industrielle et intelligente population du district " inférieur " de Gaspé une classe d'hommes inaccessibles aux appâts de la corruption

"électorale, également peu disposés à subir ce qu'ils nommaient la dictature du FRENCH PARTY.

Les United Empire Loyalists, établis à New Carlisle, à Douglastown, à Pointe Saint-Pierre, à Percé, au bassin de Gaspé: les O'Hara, les Sheppard, les Coffin, les Annett, les Boyle, les Murison, les Kennedy, les MacPherson, les Johnston, les McConnell, les Thompson et consorts avaient leur mot à dire dans le choix d'un représentant en Chambre..."

FIRST  
PERCÉ  
GAOL

In 1828 a longstanding need was about to be met by the provision of a gaol at Percé. The fishing season brought to the region a host of fishermen and mariners. Among them were some whose conduct was a menace to public order. The Justices of the Peace had long complained about the lack of a gaol and Court House. Finally, provision had been made for the physical facilities and it remained to appoint a guardian or gaoler. GASPÉ OF YESTERDAY is fortunate to have the following applications for the post - applications that reflect the social and political tension reflected in the Lemoine quote above.

THE APPLICATION OF ISAAC DECHENE

Percé, March 3, 1828

To his Excellency the Right Honorable George, Earl of Dalhousie, Baron Dalhousie of Dalhousie Castle, Knight Grand Cross of the most honorable Military Order of the Bath, Captain General and Commander in Chief of the Provinces of Upper and Lower Canada, Nova Scotia, New Brunswick and their Dependencies, etc.

The Petition of Isaac Dechene of Percé in the Inferior District of Gaspé, Humbly Sheweth:-

That your Excellency's Petitioner is a native of Kamouraska in this Province, and held a Lieutenancy in the Militia there at the commencement of the late American War during the period of three years.

THE APPLICATION OF ISAAC DECHENE (ctd.)

That he came to the District of Gaspé in the year one thousand eight hundred and thirteen, since which time he has had the Honor to hold his Majesty's Commission of the Peace, and Captaincy in the Militia of the first division of the said District.

That from the circumstance of his being the only person in the Commission of the Peace in this small yet, by far most populous part of the District, particularly during the summer season, when a great number of men resort to the Fishery from the Islands of Jersey, Guernsey and from the parishes of this Province, he has had all along to devote the half of his time to the service of the Public.

That your Excellency's Petitioner has suffered great losses by trade, insonuch that he is hard put to for a decent livelihood for himself and family.

That hearing of the situation of Gaoler for Percé in the Gift of your Excellency, he prays in all humility that your Excellency would be pleased graciously to consider his case with that mark of benevolence, which as the Gaol lot of land joins that upon which he has fixed his residence, enhances the said situation so much that it would be the means of ensuring him a competency during your Excellency's good pleasure- And your Petitioner prays God to direct your Excellency in all your good undertakings, and especially in your good Government of the Province under your fostering care which seems to flourish and advance in civilization in spite of Democracy and its Agents, who give themselves much vain torment to oppose the salutary measures of your Excellency - This wholly from a due regard to truth and not to sway with your Excellency who has the means of being informed. And your Excellency's Petitioner finally prays that you may hear others, and not think your Petitioner weak enough to imagine he could have hopes of giving the least turn to your Excellency's mind to his advantage or that of any man alive and hopes what he has said in this, his humble Memorial, is pardonable.

(Signed) Isaac Dechene

THE APPLICATION OF WILLIAM ANNETT

Gaspé Bay, 10 January, 1828

To his Excellency the Governor in  
Chief for and over the Provinces of  
Lower and Upper Canada, Nova Scotia,  
New Brunswick and other dependencies-

The humble Petition of William Annett  
of the North Side of Gaspé Bay.

Humbly sheweth that pursuant to an Act of Parliament passed in the Province of Lower Canada for the erection of a Gaol in the District of Gaspé, a house has been purchased in Percé and is now fitting up for the reception of Prisoners that might be sent therein.

That as soon as the said Gaol is finished it will then be necessary that a guardian or gaoler would be appointed for the reception and care of the same.

That your Petitioner being desirous for the best maintenance of himself and his family, humbly prays your Excellency to appoint him as the Guardian or Gaoler to the said Percé Gaol, together with the salary and other rights belonging to it.

Wherefore your Petitioner humbly prays your Excellency to appoint him the Guardian or Gaoler for the said Percé Gaol with the salary to be allowed to it and other rights belonging to the same, and your Petitioner will ever pray as in Duty bound.

(Signed) William Annett

GAOLER  
CHOSEN

Of the two candidates above, William Annett was appointed to be the first Gaoler of Percé Gaol and Keeper of the Court House. He and his family took up residence in Percé where they became an integral part of community life. But as the years passed the political strife that had expelled Robert Christie time after time from the Quebec Legislative Assembly, intensified in Gaspesia. The opposition to the Christie Party succeeded in having a new Sheriff appointed who was sympathetic to their cause. Efforts were increased to remove from public office those appointed during the Christie regime. By 1841 the opposition felt strong enough to have the Sheriff order the removal from office of William Annett, Gaoler of Percé, on a charge that they hoped would stand. Some of the record follows:

EXTRACT - JOURNAL OF QUEBEC LEGISLATIVE ASSEMBLY-1830

Minutes of Evidence taken before the Standing Committee of Courts of Justice on the Petition of William Annett of Percé, Gaoler, for an increase of salary.

Edouard Thibaudeau, Esq., a Member of the House, called in, and being interrogated, stated:

That he thinks the sum of £40 is sufficient to indemnify the Percé Gaoler for the duty he has to perform in his office of Gaoler.

That for 3 years he does not know of there having been in the Percé Gaol more than 2 prisoners a time.

That from time to time prisoners are committed for trifling crimes, who are discharged also immediately on bail.

That he is persuaded that not more than 10 in the course of the year, of the latter description, have been imprisoned.

That, however, there is a Lunatic Incendirary confined since August, 1829 - that he has been left there since that time without any legal procedure against him.

That in his opinion several respectable individuals may be found at Percé who would voluntarily take charge in quality of Gaoler for the said sum of £40, which is the amount of salary of the Gaoler at New Carlisle.

[ Edouard Thibaudeau was a bitter opponent of the Party led by Robert Christie, to whom William Annett looked for continuing his post as Gaoler at Percé.]

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TESTIMONIAL OF THE MAGISTRATES AND OTHER INHABITANTS OF THE COUNTY OF GASPE.

Percé, Sept.11,1841

We, the undersigned Magistrates and other Inhabitants of the County of Gaspé do hereby bear testimony to the uniform careful conduct of Mr.William Annett, Keeper of Her Majesty's Gaol at Percé in the said County of Gaspé and of his humane attention to the Prisoners confined therein, and to his respectful character as a member of Society.

(The Signatures of)

John O'Grady

John Le Boutillier,J.P.

John Eden, P.Mr.

Chas Le Bas

Edward Le Couteur

John D.McConnell,J.P.

Philip Bechervaise,Capt.M.

Frederick Janvrin

Joseph Eden

Chas Veit

John Saunders

Benjamin Coffin

Helier Vibert

Philip Duval

Edmund Flynn,Lt.M.

James Rooney, Capt.M.

James Lenfesty

John Wilkie,Prothon.

Charles Robin Co.

John Fauvel

John F.Wilson

Chas Davis,J.P.

H. O'Hara, J.P.

Henry B.Johnston, J.P.

Alex'r McRae

Richard Patterson

Daniel Patterson

Thomas Mills

Charles Le Mesurier

James Thompson

Thomas Suddard

Michael Dorman

James Fitzpatrick

John Ressiny

Georges Ahier

ACTION It was in the autumn of 1841 that the Sheriff of  
TO Gaspé took action to remove William Annett from his  
REMOVE post as Gaoler at Percé. The timing was significant  
 for the Act of Union of 1840 (in force, 1841) had  
 established the administration of government at Kingston, Ont.  
 and had thus removed Robert Christie, as the Member for Gaspé,  
 far beyond the District. William Annett now had to correspond  
 with the Secretary of the Government, D.Daly, Esq. at the  
 Kingston office.

LETTER OF D.DALY, ESQ. TO WILLIAM ANNETT

7 Oct. 1841

Mr. W. Annett,  
 Percé,  
 DP Gaspé

Sir,

In reply to your Memorial of the 13th ult. I am  
 commanded to inform you that under the circumstances  
 of your case, as stated by the Sheriff, His Excellency  
 and the Administration of the Government cannot interfere  
 to prevent that Official's intended removal of you from  
 the employment of Gaoler at Percé,

I am, Sir,  
 (D. Daly, Secretary)

REPLY OF WILLIAM ANNETT TO ABOVE LETTER

Percé, October 23rd.,  
 1841

D. Daly, Esq.  
 Secretary,  
 etc etc.

Sir,

I received your esteemed letter of the 7th Instant  
 and it was as I expected that the whole control of the Gaol  
 lies with Sheriff, but as that Gentleman has intruded him-  
 self upon His Excellency, the late Governor General for his



approval of dismissing me from the place of Gaoler I also presumed that His Excellency would have examined into the affair before he had sent His approbation to the Sheriff.

May I be permitted to beg of you to lay before His Excellency the Administrator of the Government the enclosed Petition at the earliest opportunity and forward me the prayer of the Petition as it is urgently necessary for me to defend myself from any imputation that may have been brought against me.

Your kind attention will confer a lasting obligation on me,  
Sir,

Your obedient humble Servant,

(William Annett)

THE ENCLOSED PETITION OF WILLIAM ANNETT

To His Excellency, General Sir  
Richard Jackson, Deputy Governor  
and Commander in Chief of British  
North America etc. etc.

The humble petition of William Annett, late keeper of Her  
Majesty's Gaol at Percé

Humbly Sheweth

That Your Petitioner has been removed from the said charge by the Sheriff of the district to make room for one of his friends, he having by the late Act of the Legislature control to act as he thinks proper. Your Petitioner conceives it extremely hard to be put out of employment at a moment's notice at this season of the year without any known fault on the part of your Petitioner.

Your Petitioner therefore most humbly prays Your Excellency to grant him a copy of the charges brought against him by the Sheriff of the district that Your Petitioner may be enabled to justify himself to Your Excellency and to the Public at large from any imputation laid before His Excellency the late Governor General.

That Your Petitioner has already laid before Your Excellency testimonials signed by the Inhabitants and particularly the neighbours to his good conduct as Keeper of the said Gaol and of his humanity towards those misguided Persons committed to his charge.

And Your Petitioner as in duty bound will ever pray, etc. etc.

William Annett

REPLY BY D.DALY, ESQ., SECRETARY, TO WILLIAM ANNETT

Kingston,  
17 Dec. 1841

Mr. W. Annett,  
late Gaoler at Percé,  
Percé, DP Gaspé

Sir,

In reply to your Memorial of the 23rd October protesting your removal from the office of Gaoler at Percé, I am commanded by the Administrator of the Government to inform you that you are alleged by the Sheriff to have "retailed or caused to be retailed intoxicating liquors for several months previous to your removal by him, in the Gaol and out-buildings belonging to it".

Any observations you may have to make in response to this charge will not fail to receive due consideration.

I am, Sir etc. etc.

(D. Daly, Secretary)

LETTER AND MEMORIAL OF WILLIAM ANNETT IN RESPONSE TO CHARGES

Percé, January 20th.,  
1842

The Hon. D. Daly,  
Secretary etc etc.  
Kingston

Honored Sir,

I received your highly esteemed letter of 17th December last for which accept my humble acknowledgments and I now take the liberty again of intruding on your goodness to lay before His Excellency the Governor in Chief the enclosed Memorial with your own explanations therewith.

I feel it extremely cruel to be put out of employ

at this season of the year upon such a groundless charge and without the Sheriff's examination into the verity of it - it is out of the power of any person to prove or say that I ever did sell wholesale or retail any intoxicating liquor during the period I had charge of the Gaol. I can make no other apology for the Sheriff than his desire of placing one of his friends in the situation. I conceive that he had no authority to displace me from the charge of the Court Hall to which His Excellency, the late Lord Sydenham, attached five pounds per annum - if need require it I can, in addition to the number of signatures sent (testimonial above) add some hundred more for no one who has any knowledge of me can say any thing to my character but in recommendation of it. You will permit me to beg of you to excuse this self approbation- it being extorted from me.

Permit me to subscribe myself,  
 Honored Sir, very respectfully,  
 Your most obedient servant

(William Annett)

THE ENCLOSED MEMORIAL

To His Excellency the Right Honorable  
 Sir Charles Bagot, K.B., Captain General  
 and Governor in Chief in and over  
 British North America.

The humble representation of William Annett, late Keeper of Her Majesty's Gaol at Percé.

Humbly Sheweth

That in reply to the charge alleged against Your Petitioner by the Sheriff of the district of Gaspé, that he retailed or caused to be retailed intoxicating liquors for several months in the Gaol and out-buildings belonging to it previous to his removal, Your Petitioner most humbly begs permission to represent to Your Excellency that during the period he had the charge of the said Gaol, to which place he was appointed by His Excellency the Earl of Dalhousie in the year 1828 he has never at any time whatever, directly or indirectly, retailed or caused or permitted to be retailed, or to be sold any intoxicating liquor in the said Gaol or any out-building belonging thereto- that it is out of the power of any person what-

ever to substantiate the charge of selling intoxicating liquor against your Petitioner

That Your Petitioner has also been removed from being Keeper of the Court Hall by the Sheriff to which he was appointed in the same year, 1828.

Your Petitioner prays Your Excellency to recommend to the Sheriff of Gaspé to replace him in the charge of the said Gaol and Court Hall.

And Your Petitioner as in duty bound will ever pray

(William Annett)

OFFICIAL REPLY OF GOVERNMENT TO COMMUNICATION OF ROBERT CHRISTIE,  
M.P.P. REGARDING THE DISMISSAL OF WILLIAM ANNETT FROM PERCÉ GAOL

Secretary's Office, East  
Kingston, 19 Oct. 1842

To R. Christie, Esq.,  
M.P.P.

Sir,

I have the honor by command of the Governor General to acknowledge the receipt of your communication of the 27th ult. on the subject of the dismissal by the Sheriff of Gaspé of Mr. William Annett from the Office of Gaoler at Percé. And I am to inform you in reply that with every disposition to give their full weight to the recommendations of the gentlemen who have written in support of Mr. Annett's claim, His Excellency does not see how the decision of the Sheriff can with propriety be reversed or at present called in question by the Executive Government. His Excellency has however directed a note to be made of Mr. Annett's name that it may be brought under consideration should a fitting opportunity offer of again employing him in the public service.

I have the honor to be, Sir,  
Your most obedient servant,  
(D. Daly, Secretary)

TYPICAL OF LETTERS SENT TO GOVERNMENT BY PROMINENT GASPESIANS  
IS THE FOLLOWING LETTER OF JOHN LE BOUTILLIER.

The Honorable D.Daly,  
 Provincial Secretary,

Sir,

I have known Mr. Annett who for many years while Keeper of the Court House and Gaol at Percé was my next door neighbour. I have already borne testimony to his upright and moral character and the good repute he enjoyed and enjoys among all his neighbours, and testified to my conviction that he was unjustly dismissed from his Office by the Sheriff. I still entertain the same opinion of his dismissal and of his good character and think him worthy of His Excellency's favorable consideration when the occasion occurs.

I have the honor to be, Sir  
 Your obedient, humble servant,  
 (John Le Boutillier)

ROBERT CHRISTIE RECORDS THAT WILLIAM ANNETT REMOVED UNJUSTLY

The Honorable D.Daly,  
 Provincial Secretary,

Sir,

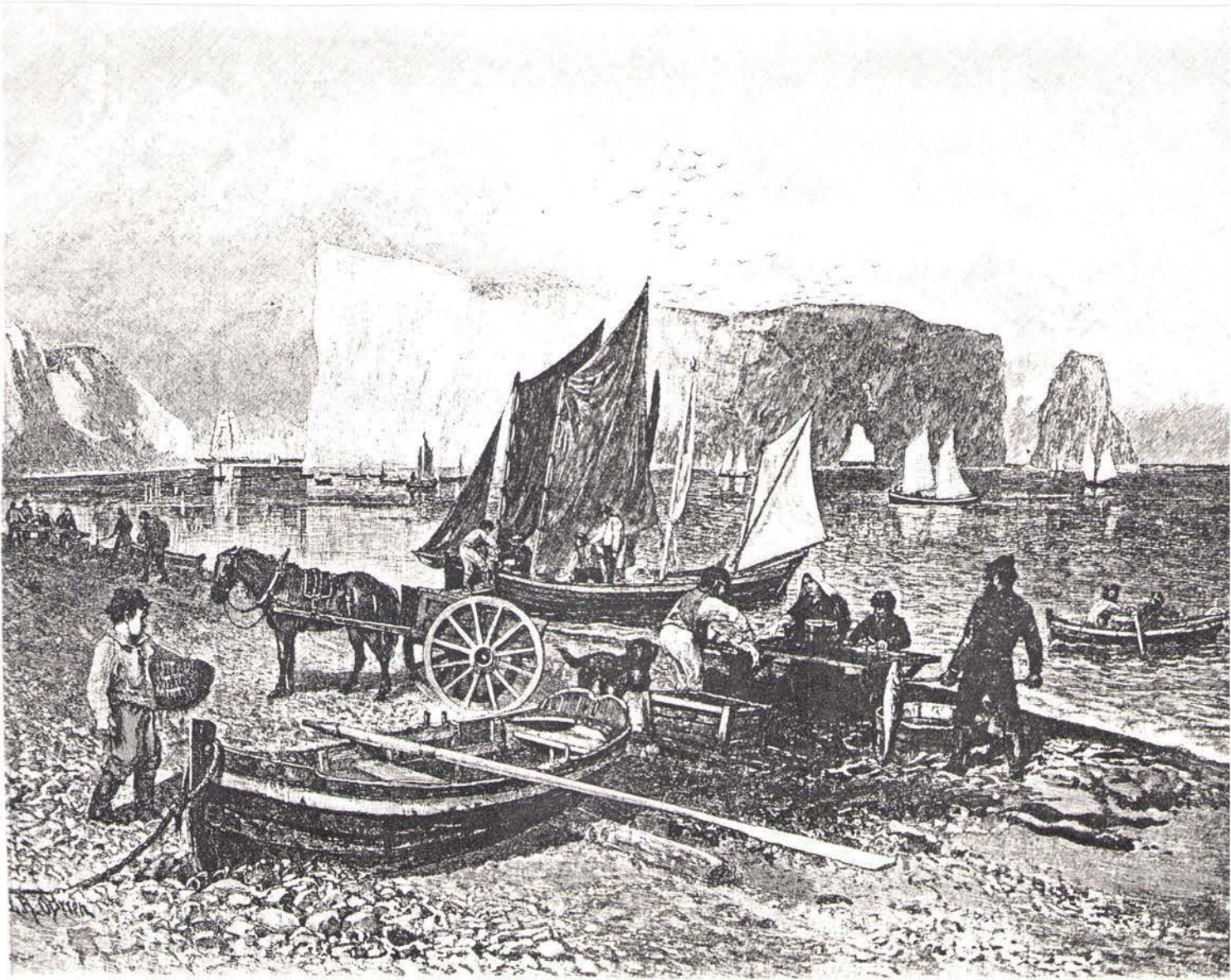
I have the honor to enclose a letter I have received from Mr. William Annett who was removed from his Office of Keeper of the Court Hall and Gaol at Percé unjustly, as I have reason to believe. I forward his letter to serve as a Memorandum with my respectful request that when an opportunity may occur of repairing the injustice it may not be forgotten, a request which from the well-known beneficent disposition of the Governor General towards the injured in this way will favorably be listened to.

I have the honor to be, Sir,  
 Your most obedient servant,  
 (Robert Christie)

IN RETRO Skulduggery is defined by the Oxford Dictionary as "underhand plotting". In retrospect William Annett was most unfortunate in becoming the pawn in a political strife that was foreign to his background, character and experience. He had spent his life as one of a company of honorable men. But even the solid support of all those who testified so willingly on his behalf when his opponents removed him on trumped-up charges was unavailing in an era of political strife that gripped the District, Province and Nation.

In the years 1828-1841, as Keeper of the Court Hall and Gaol at Percé, he was buffeted not only by those who sought to remove him by false charges but on the more personal level by the death of his wife and loss of their eldest son, John. The failure of the administration authorities to investigate and deal justly with his dismissal was the final straw.

William Annett returned from Percé to his 300 acre property at L'Anse-aux-Cousins on the North-West Arm of Gaspé Bay. There he died in September, 1851. His Last Will and Testament lies before me as I conclude this account. He was my great-great grandfather.



Percé of Yesterday