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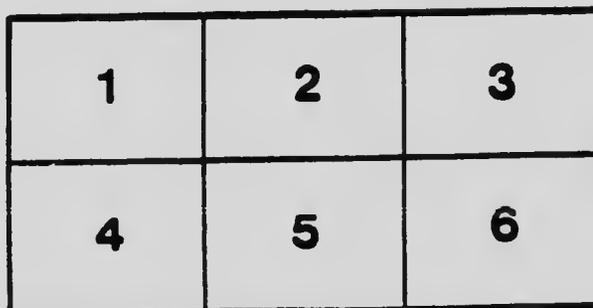
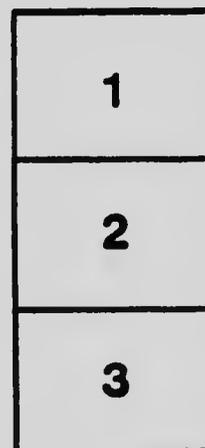
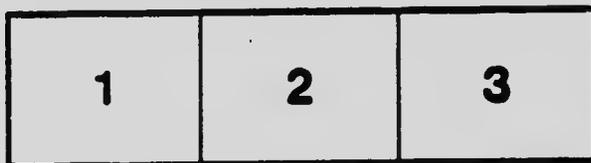
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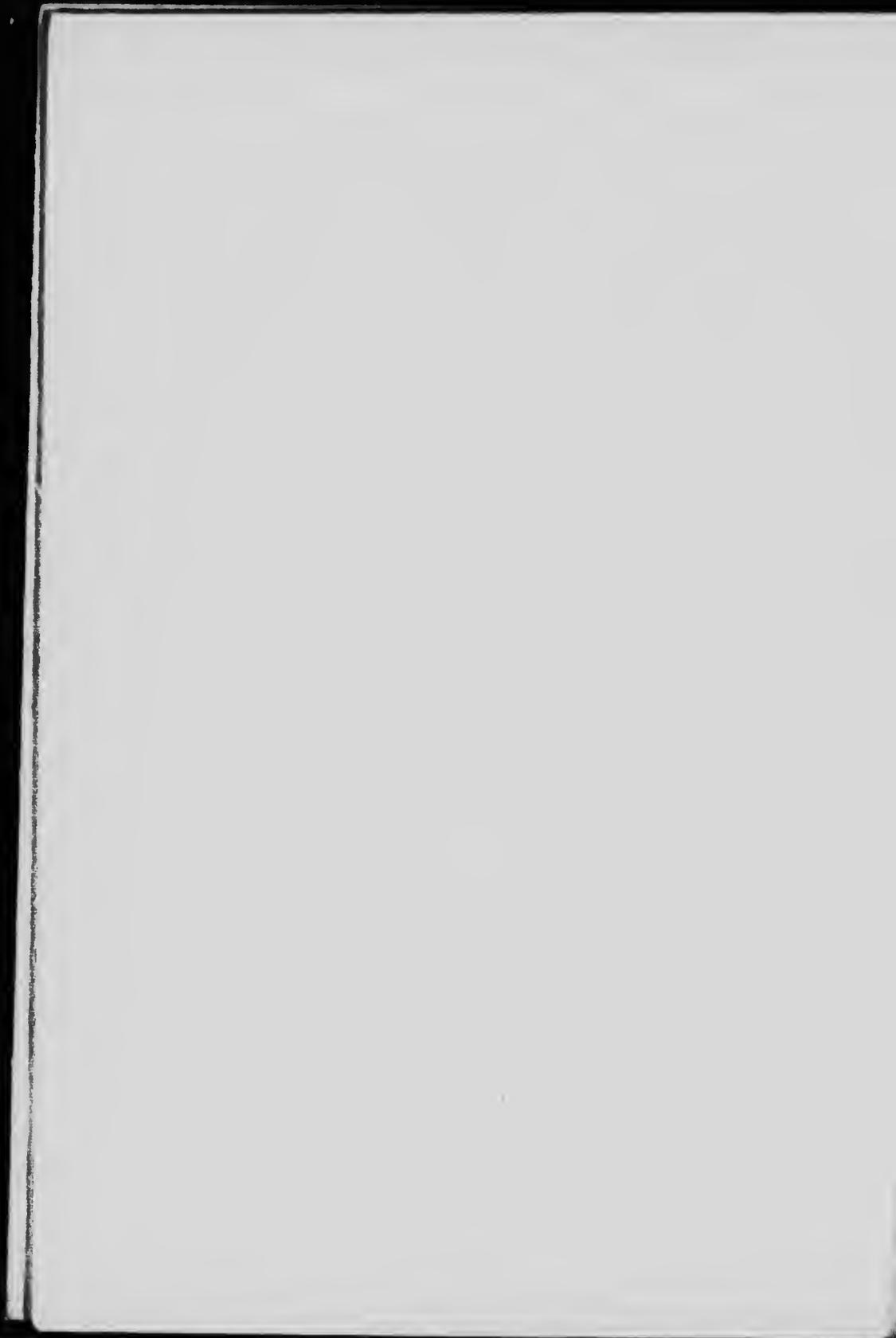
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**BRITISH SUPREMACY  
AND CANADIAN SELF-GOVERNMENT**

PUBLISHED BY  
**JAMES MACLEHOSE AND SONS, GLASGOW**  
*Publishers to the University*

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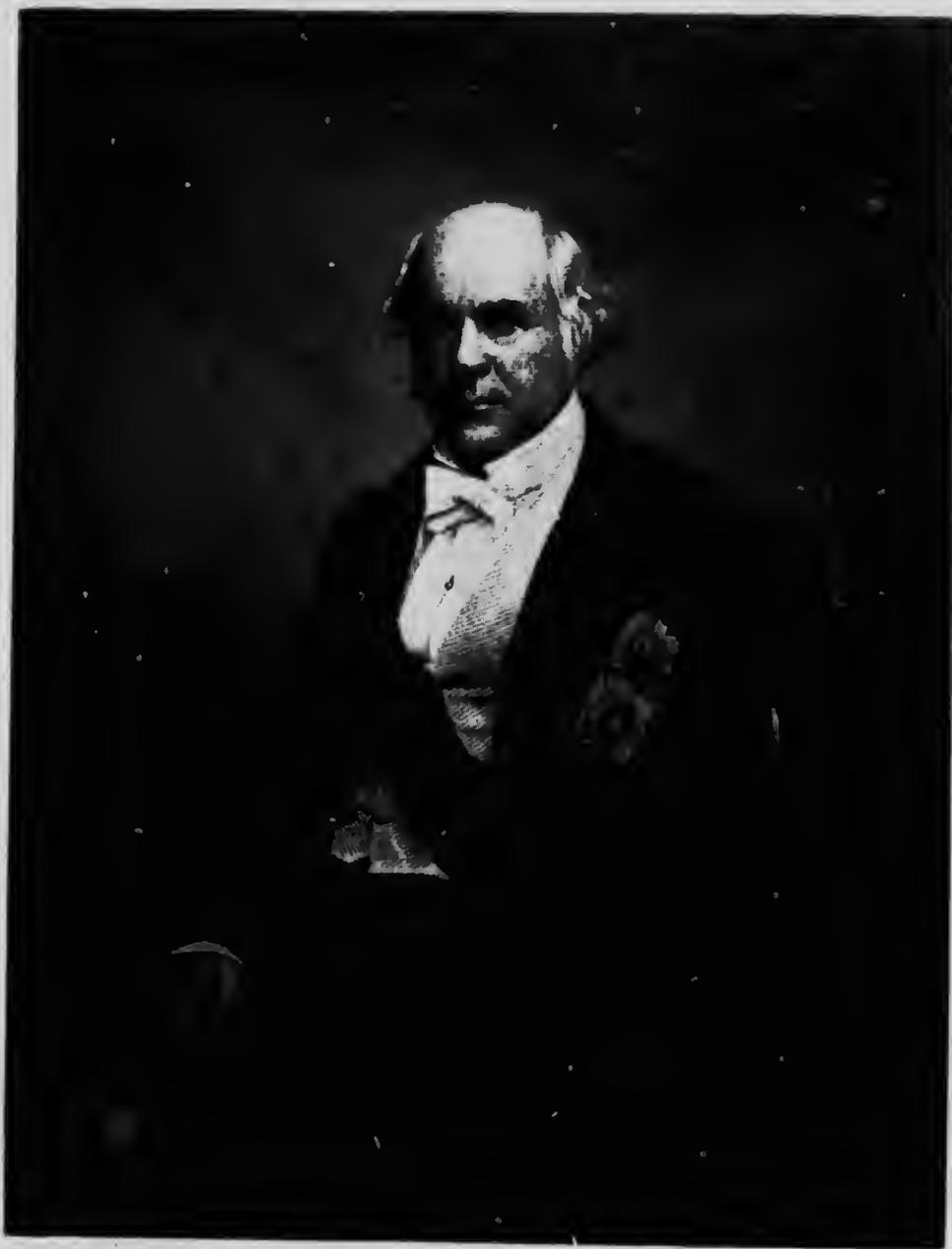
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**MCMXIX**





LORD ELGIN

**British Supremacy**  
&  
**Canadian Self-Government**

1839-1854

By

**J. L. Morison, M.A., D.Litt.**

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Toronto

S. B. Gundy

*Publisher in Canada for Humphrey Milford*

1919

JL55

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1719

GLASGOW : PRINTED AT THE UNIVERSITY PRESS  
BY ROBERT MACLEHOSE AND CO. LTD.

To  
M. T.



## PREFACE

THE essay which follows had been printed, and was on the point of being published, when the outbreak of war involved my venture in the general devastation from which we are only now emerging. More than four years of military service lie between me and the studies of which this book is the summary. It was written under one dispensation; it is being published under another. My first impulse, therefore, was to ask whether the change which has rendered so much of the old world obsolete had not invalidated also the conclusions here arrived at. But reflection has simply confirmed me in the desire to complete the arrangements for publication. Self-government is the keynote of the essay, and it is unlikely that self-government will cease to be the central principle of sane politics either in the British Empire or in the world outside. I watched a Canadian division coming out of the last great battle in France, battered and reduced in numbers, but with all

its splendid energy and confidence untouched. The presence of the Canadians there, their incomparable spirit and resolution, the sacrifices they had just been making, with unflinching generosity, for the Empire, seemed only the last consequences of the political struggle for autonomy described in the pages which follow. They would have been impossible had the views of all the old imperialists from Wellington to Disraeli prevailed.

The material on which this volume is based falls into three groups. First in importance are the state papers and general correspondence of the period, contained in the Canadian Archives at Ottawa. In addition to the correspondence, ordinary and confidential, between the Secretaries of State for the Colonies, and the Governors-General, from 1839 to 1867, I read two very notable collections, designated in the foot-notes the Bagot Correspondence and the Elgin-Grey Correspondence. In the former are contained not only Bagot's private correspondence with Lord Stanley, but also letters from Bagot's British friends and Canadian political advisers. These constitute the most important evidence which exists for Bagot's year of office. In the same way, the private correspondence, carried on between Earl Grey and the Earl of Elgin from

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1847 to 1852, takes precedence of all other Canadian material of that period; and is, indeed, the most enlightening series of documents in existence on mid-Victorian Colonial policy.

The second group is composed of pamphlets and early newspapers, more especially the admirable collection of pre-confederation pamphlets in the Archives at Ottawa, and the Bell and Morris collections at Queen's University, Kingston. I cannot pretend to have mastered all the material supplied by the newspapers of the period; but I have attempted to work through such representative journals as the *Toronto Globe*, the *Montreal Witness*, and the Kingston papers published while Kingston was capital of the united Provinces. I consulted certain others, French and English, on definite points of political interest, such as the reappearance of Papineau in politics in 1847.

The *Canadiana* of Queen's University Library gave me my third group of documents: and the facts from books were confirmed or modified by information gathered, chiefly in Kingston, from persons whose memories of the period under discussion were still fresh and interesting.

As the work proceeded, certain impressions were

very definitely created in my mind. It seemed clear, in the first place, that no statesman, whose experience was limited by unbroken residence in Europe, quite understood the elements which, between 1839 and 1867, constituted the Home Rule problem in Canada. More especially on fundamental points concerning Canadian opinion, and the general temper of the populace, even the best men in England seemed singularly ignorant. A second impression was that, while the colony remained throughout essentially loyal, and while the political leaders in Canada displayed really great qualities of statesmanship at critical moments, the general development of Canadian political life was seriously delayed by the crudities and rudeness of provincial politicians. British ignorance was not the only obstacle in the way.

The last impression was that the relations between Britain and Canada depended then, as now, not on constitutional forms, or commercial bargains, or armed protection, but on racial solidarity, and community in social and moral ideals. It was this solidarity, far more than conscious statesmanship, which held Canada and Britain together. These impressions I have tried to analyse and elucidate in the chapters which follow.

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I have to thank the Dominion Archivist, Dr. A. G. Doughty, for many kindnesses, and more especially for permitting me to read the Elgin-Grey Correspondence. To my friends, Mr. K. K. M. Leys, of University College, Oxford, Dr. Adam Shortt, Ottawa, and Professor W. D. Taylor, of Queen's University, Kingston, I am indebted for advice and information. Mr. James MacLehose and Dr. George Neilson made the final stages of printing easy by their generous assistance. The opinions which I express are my own, occasionally in spite of my friends' remonstrances.

J. L. MORISON.

INNELLAN, ARGYLLSHIRE,  
*May, 1919.*



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## CHAPTER I.

### INTRODUCTORY.

THERE are antinomies in politics as in philosophy, problems where the difficulty lies in reconciling facts indubitably true but mutually contradictory. For growth in the political world is not always gradual; accidents, discoveries, sudden developments, call into existence new creations, which only the generous logic of events and the process of time can reconcile with pre-existing facts and systems. It is the object of this essay to examine one of these political antinomies—the contradiction between imperial ascendancy and colonial autonomy—as it was illustrated by events in early Victorian Canada.

The problem was no new one in 1839. Indeed it was coeval with the existence of the empire, and sprang from the very nature of colonial government. Beneath the actual facts of the great

American revolution—reaching far beyond quarrels over stamp duties, or the differentiation between internal and external taxation, or even the rights of man—was the fundamental difficulty of empire, the need to reconcile colonial independence with imperial unity. It was the perception of this difficulty which made Burke so much the greatest political thinker of his time. As he wrote in the most illuminating of his letters, “I am, and ever have been, deeply sensible of the difficulty of reconciling the strong presiding power, that is so useful towards the conservation of a vast, disconnected, infinitely diversified empire, with that liberty and safety of the provinces, which they must enjoy (in opinion and practice, at least), or they will not be provinces at all. I know, and have long felt, the difficulty of reconciling the unwieldy haughtiness of a great ruling nation, habituated to command, pampered by enormous wealth, and confident from a long course of prosperity and victory, to the high spirit of free dependencies, animated with the first glow and activity of juvenile heat, and assuming to themselves as their birth-right, some part of that very pride which oppresses them.”<sup>1</sup>

<sup>1</sup> Burke, *Letter to the Sheriffs of Bristol*.

Dissatisfied as he ever was with merely passive or negative views, Burke was led to attempt a solution of the problem. He had never been under any illusion as to the possibility of limiting colonial constitutional pretensions. A free government was what the colonists thought free, and only they could fix the limit to their claims. But many considerations made him refuse to despair of the empire. His intensely human view of politics led him to put more trust in the bonds of kindred and affection than in constitutional forms. He hated the petty quibbles of political legists and pedants—their dilemmas, and metaphysical distinctions, and catastrophes. In his opinion the bulk of mankind was not excessively curious concerning any theories whilst they were really happy. But perhaps his political optimism depended most on his belief that institutions, as living things, were indefinitely adaptable, and that the logic of life and progress naturally overcame all opposing arguments. In his ideal state there was room for many mansions, and he did not speak of disaster when American colonists proposed to build according to designs not ratified in Westminster.

I have dwelt on the views of Burke because here, as in Indian affairs, he was the first of British

statesmen to recognize what was implied in the empire, and because his views still stand. But his contemporaries failed utterly, either to see the danger as he saw it, or to meet it as he bade them meet it. Save Chatham, they had no understanding of provincial opinion ; in their political methods they were corrupt individualists, and their general equipment in imperial politics was contemptibly inadequate.

After the loss of the American colonies, the government in England contrived for a time to evade the problems and responsibilities of colonial empire. The colonies which remained to England were limited in extent and population ; and such difficulties as existed were faced, not so much by the government in London, as beyond the seas by statesmen with local knowledge, like Dorchester. At the same time, the consequences of the French Revolution and the great wars drew to themselves the attention of all active minds. Under these circumstances imperial policy lost much of its prestige, and imperial problems either vanished or were evaded. It was a period of "crown colony" administration.<sup>1</sup> The connexion, as it was called, was maintained through oligarchic

<sup>1</sup> Sir C. P. Lucas, *Introduction to Lord Durham's Report*, p. 266.

institutions, strictly controlled from Westminster ; local officials were selected from little groups of semi-aristocrats, more English than the home government itself ; and the only policy which recommended itself to a nation, which still lacked both information and imagination, was to try no rash constitutional experiments, and to conciliate colonial opinion by economic favours and low taxation.

Yet the old contradiction between British ascendancy and colonial autonomy could not for long be ignored ; and as in the early nineteenth century a new colonial empire arose, greater and more diversified than the old, the problem once more recurred, this time in Canada. It is not the purpose of this book to discuss the earlier stages of the Canadian struggle. The rebellions under Mackenzie in the West and Papineau in the East were abnormal and pathological episodes, in considering which the attention is easily diverted from the essential questions to exciting side issues and personal facts. In any case, that chapter in Canadian history has received adequate attention.<sup>1</sup> But after Colborne's firmness had repressed the

<sup>1</sup> Its latest statement may be found in Sir C. P. Lucas's admirable edition of *Lord Durham's Report*, Oxford, 1912.

armed risings, and Durham's imperious dictatorship had introduced some kind of order, there followed in Canada a period of high constitutional importance, in which the old issue was frankly faced, both in England and in Canada, almost in the very terms that Burke had used. It is not too much to say that the fifteen years of Canadian history which begin with the publication, in 1839, of *Durham's Report*, are the most important in the history of the modern British empire ; and that in them was made the experiment on the success of which depended the future of that empire.

These years are the more instructive, because in them there are few distracting events drawing the attention from the main constitutional question. There were minor points—whether voluntaryism, or the principle of church establishment, was best for Canada ; what place within the empire might safely be conceded to French-Canadian nationalism ; how Canadian commerce was to relate itself to that of Britain and of the United States. All of these, however, were included in, or dominated by, the essential difficulty of combining, in one empire, Canadian self-government and British supremacy.

The phrase, responsible government, appears everywhere in the writings and speeches of those days with a wearisome iteration. Yet the discussion which hinged on that phrase was of primary importance. The British government must either discover the kind of self-government required in the greater dependencies, the *modus vivendi* to be established between the local and the central governments, and the seat of actual responsibility, or cease to be imperial. Under four governors-general<sup>1</sup> the argument proceeded, and it was not until 1854 that Elgin, in his departure from Canada, was able to assure the British government that the question had been for the time settled.

The essay which follows will describe the character of the political community within which the question was raised; the fortunes and policy of the governors-general concerned in the discussion; the modifications introduced into British political thought by the Canadian agitation; and the consequences, in England and Canada, of the firm establishment of colonial self-government.

<sup>1</sup> I omit from my reckoning the brief and unimportant tenure of office by the Earl Cathcart, who filled a gap between Metcalfe's retirement and Elgin's arrival.

## CHAPTER II.

### THE CANADIAN COMMUNITY.

To understand the political evolution of Canada it is essential to begin with a study of the elements of Canadian society. Canadian constitutionalists would have written to better purpose, had they followed the example of the Earl of Durham, in whose *Report* the concluding practical suggestions develop naturally from the vivid social details which occupy its earlier pages, and raise it to the level of literature. In pioneering communities there is no such thing as the constitution, or politics, *per se*; and the relation between the facts, sordid and mean as they often are, of the life of the people, and the growth of institutions and political theories, is fundamental.

Canadian society, in 1839 and long afterwards, was dominated by the physical characteristics of the seven hundred miles of country which stretched from Quebec to the shores of Lake Huron, with

its long water-front and timid expansion, north and south; its forests stubbornly resisting the axes of the settlers; its severe extremities of heat and cold; the innumerable inconveniences inflicted by its uncultivated wastes on those who first invaded it; and the imperfect lines of land communication which multiplied all distances in Canada at least four-fold. It was perhaps this sense of distance, and difficulty of locomotion, which first impressed the settler and the visitor. To begin with, the colony was, for practical purposes, more than a month's distance from the centre of government. Steam was gradually making its way, and the record passage by sailing ship, from Quebec to Portsmouth, had occupied only eighteen days and a half,<sup>1</sup> but sails were still the ordinary means of propulsion, and the average length of voyage of 237 vessels arriving at Quebec in 1840 was well over forty days.<sup>2</sup> To the immigrant, however, the voyage across the Atlantic was the least of his troubles; for the internal communications of Canada left much to be desired. The assistance

<sup>1</sup> Robinson, *Life of Sir John Beverley Robinson, Bart.*, pp. 75-6.

<sup>2</sup> *Report of the Agent for Emigration*, Toronto, January, 1841. "The passage extended to seven complete weeks," writes a Scottish settler, Robert Campbell, in 1840, "and to tell the truth we were weary enough of it." MS. letter, *penes me*.

of railway transportation might be entirely ignored, —as late as 1847 only twenty-two miles of railway lines had been laid and worked.<sup>1</sup> There was, of course, during the open season, the wonderful passage by river and lake into the heart of the continent; although the long winter months broke into the regularity of the traffic by water, and the St. Lawrence rapids added to the traveller's difficulties and expenses. Even the magic of a governor-general's wand could not dispel the inconveniences of this simplest of Canadian routes. "I arrived here on Thursday week," grumbled Poulett Thomson, writing from Toronto in 1839. "The journey was bad enough; a portage to Lachine; then the steamboat to the Cascades, twenty-four miles further; then road again (if road it can be called) for sixteen miles; then steam to Cornwall forty miles; then road, twelve miles; then, by a change of steamers on to Lake Ontario to Kingston, and thence here. I slept one night on the road, and two on board the steamers. Such, as I have described it, is the boasted navigation of the St. Lawrence!"<sup>2</sup> For military purposes there was the alternative route, up the Ottawa to Bytown,

<sup>1</sup> *Conditions and Prospects of Canada in 1854*, London, 1855.

<sup>2</sup> Poulett Scope, *Life of Lord Sydenham*, pp. 141-2.

and thence by the Rideau military canal to Kingston and the Lakes. On land, progress was much more complicated, for even the main road along the river and lake front was in shamefully bad condition, more especially when autumn passed into winter, or when spring once more loosened up the roads. There is a quite unanimous chorus of condemnation from all—British, Americans, and Canadians. One lively traveller in 1840 protested that on his way from Montreal, he was compelled to walk at the carriage side for hours, ankle-deep in mud, with the reins in his hands, and that, with infinite fatigue to both man and beast, he accomplished sixty miles in two days—a wonderful performance.<sup>1</sup> In the very heart of the rebellion, W. L. Mackenzie seems to have found the roads fighting against him, for he speaks of the march along Yonge Street as over “thirty or forty miles of the worst roads in the world”; and attributes part of the disheartening of his men to what one may term mud-weariness.<sup>2</sup> Local tradition still remembers with a sense of wonder that Sydenham, eager to return to his work in Lower Canada, once travelled by sleigh

<sup>1</sup> Richardson, *Eight Years in Canada*, p. 117.

<sup>2</sup> See an interesting letter of January, 1838 in Christie, *History of Lower Canada*, v. 109.

the 360 miles from Toronto to Montreal in thirty-six hours.

Off the main routes, roads degenerated into corduroy roads, and these into tracks, and even "blazed trails"; while, as for bridges, cases were known where the want of them had kept settlers who were living within three miles of a principal town, from communicating with it for days at a time.<sup>1</sup> And, as the roads grew rougher, Canadian conditions seemed to the stranger to assert themselves more and more offensively, animate and inanimate nature thrusting man back on the bare elements of things. The early descriptions of the colony are crowded with pictures of wretched immigrants, mosquito-bitten, or, in winter, half dead with cold, struggling through mud and swamp, to find the land whither they had come to evade the miseries of civilization, confronting them with the squalor and pains of nature. Far into the Victorian era Canada, whether French or British, was a dislocated community, with settlements set apart from each other as much by mud, swamp, and wood-land, as by distance. Her population, more particularly in the west, was engaged not with political ideals, but in an incessant struggle

<sup>1</sup> *Lord Durham's Report*, Appendix B. (ed. by Lucas), iii. p. 84.

with the forests ; and the little jobs, which enabled the infant community to build a bridge or repair a road at the public expense, must naturally have seemed to the electors more important items of a political programme than responsible government or abolition of the clergy reserves. No doubt, in the older towns and cities, the efforts of the earlier settlers had gained for their sons leisure and a chance of culture ; yet even in Toronto, the wild lands were but a few miles distant, and, as Richardson saw it, London was "literally a city of stumps, many of the houses being still surrounded by them."

Straggling along these 700 miles, although here and there concentrated into centres like Quebec, Three Rivers, Montreal, Kingston, and Toronto, was a population numbering well over a million, which from its internal divisions, its differences in origin and disposition, and its relation to the British government, constituted the central problem at the time in British colonial politics. The French population formed, naturally, the chief difficulty. Thanks to the terms of the surrender in 1763, and the policy of Dorchester, a unit which called itself *la nation Canadienne* had been formed and *nationalité* had become a force in Lower

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Canada, imperfectly appreciated even by the leaders of the progressive movement in England and Western Canada. In the Eastern townships, and in Quebec and Montreal, flourishing and highly organized British societies existed. The Rebellion had found sturdy opponents in the British militia from the townships, and the constitutional societies of Quebec and Montreal expressed, in innumerable resolutions and addresses, the British point of view. But Lower Canada was for practical purposes a French unit, Roman Catholic in religion, and, in structure, semifeudal. In the cities, the national self-consciousness of the French was most conspicuously present; and leaders like Papineau, La Fontaine, and Cartier proved the reality of French culture and political skill. Below the higher classes, Durham and Metcalfe noticed that in Lower Canada the facilities given by the church for higher education produced a class of smaller professional men, from whose number the ordinary politicians and agitators were drawn. To the church they owed their entrance into the world of ideas; but apparently they were little more loyal to the clergy than they were to Britain. "I am led to believe," wrote Metcalfe in 1845, "that the influence of the clergy is not predominant.

among the French-Canadian people, and that the avocat, the notary, and the doctor, generally disposed to be political demagogues, and most of them hostile to the British government, are the parties who exercise the greatest influence. Whatever power the clergy might have acting along with these demagogues, it would, I fear, be slight when exercised in opposition to them.”<sup>1</sup>

These active, critical, political groups were not, however, representative of French Canada. So long as their racial pride remained unhurt, the French community was profoundly conservative. It was noticed that the rebels of 1837 and 1838 had received no support from the Catholic priesthood; and in a country where the reverence for that ancient form of Christianity was, in spite of Metcalfe's opinion to the contrary, profound, it was unlikely that any anti-religious political movement could make much permanent headway. Devoted to their religion, and controlled more especially in education by their priests,<sup>2</sup> the *habitants* formed the peculiar people of the American continent. Education flourished not at all among

<sup>1</sup> Kaye, *Papers and Correspondence of Lord Metcalfe*, p. 453. Metcalfe undoubtedly overestimates the influence of these men, as compared with the church, over the *habitant* class.

<sup>2</sup> *Lord Durham's Report* (ed. by Lucas), Appendix D, iii. p. 284.

the rank and file. Arthur Buller found the majority of those whom he met either not able to write, or able to write little more than their names.<sup>1</sup> The women, he said, were the active, bustling portion of the *habitants*, thanks to the admirable and yet inexpensive training to be had in the nunneries. As for the men, they farmed and lived as their fathers had done before them. They cleared their land, or tilled it where it had been cleared, and thought little of improvement or change. M'Taggart, whose work on the Rideau Canal, made him an expert in Canadian labour, much preferred French Canadians to the Irish as labourers, and thought them "kind, tender-hearted, very social, no way very ambitious, nor industrious, rarely speculative."<sup>2</sup> To the Canadian commonwealth, the French population furnished a few really admirable statesmen; a dominant and loyal church; some groups of professional men, disappointed and discontented sons of humble parents, too proud to sink to the level of their uninstructed youth, and without the opportunity of rising higher; and a great mass of men who hewed wood and drew water, not for a master, but for themselves,

<sup>1</sup> *Ibid.* p. 267.

<sup>2</sup> M'Taggart, *Three Years in Canada*, i. p. 249.

submissive to the church, and well-disposed, but ignorant, and at the mercy of any clever demagogue who might raise the cry of nationalism. Still, when nationality remained unchallenged, the French-Canadians were at least what, till recently, they remained, the most purely conservative element in Canada.

The second element, in point of stability and importance, in the Canadian population was that of the United Empire Loyalists, the remnants of a former British supremacy in the United States. They had proved their steadfastness and courage by their refusal to accept the rules of the new republic; and their arrival in Canada gave that country an aristocracy of Anglo-Saxon origin to counterbalance that of the seigneurs on the Lower St. Lawrence. The men had in many cases been trained to arms in the revolutionary war, and they served a second and perhaps a harder apprenticeship in the Canadian forests. They had formed the centre of resistance to American attacks in the war of 1812. Their sons and grandsons had once more exhibited the hereditary loyalty of the group, in resisting the rebels of 1837-38; and Metcalfe, who was their best friend among the governors of the United Provinces, justly

looked on them as the most conspicuous examples of devotion to connection with the British Empire, and loyal subjection to the Crown.<sup>1</sup> Robinsons, Cartwrights, Ryersons, and a score of other well-known families, proved, generation after generation, by their sustained public capacity, how considerably the struggle for existence, operating on sound human material, may raise the average of talent and energy. The tendency of the Loyalists to conservatism was, under the circumstances, only natural. Their possession, for a time, of all the places in Upper Canada which were worth holding, was the consequence of their priority in tenure, and of their conspicuous pre-eminence in political ingenuity. Critics of a later date forgot, and still forget, in their wholesale indictment of the Family Compact, that the Loyalist group called by that name had earned their places by genuine ability. If, like other aristocracies, they found it hard to mark the precise moment for retirement before the rise of democracy, their excuse must be found in their consciousness of high public spirit and their hereditary talents for administration.

Politically and socially one may include among the Loyalists the half-pay officers, from both

<sup>1</sup> Kaye, *op. cit.* p. 407.

navy and army, whom the great peace after Waterloo sent to Canada, as to the other colonies; and certain men of good family, Talbots or Stricklands, who held fast by English conservative tradition, played, where they could, the English gentleman abroad, and incidentally exhibited no mean amount of public spirit. Conspicuous among these was Colonel Talbot, who had come to Upper Canada with Simcoe in 1793, and became there an erratic but energetic instrument of empire. "For sixteen years," says Mrs. Jameson, writing with a pardonably feminine thrill after a visit to the great man, "he saw scarce a human being, except a few boors and blacks employed in clearing and logging his land; he himself assumed the blanket coat and axe, slept upon the bare earth, cooked three meals a day for twenty woodsmen, cleaned his own boots, washed his own linen, mi'ked his cows, churned the butter, and made and baked the bread."<sup>1</sup> Yet, as Strickland confesses, in his *Twenty-Seven Years in Canada West*, there were few Talbots. "Many high-spirited gentlemen," he says, "were tempted by the grants of land bestowed on them by the government, which made actual settlement one of the conditions of

<sup>1</sup> Mrs. Jameson, *Studies and Rambles in Canada*, vol. ii. p. 189.

the grant. It followed, as a matter of course, that the majority of these persons were physically disqualified for such an undertaking, a fact which many deserted farms in the rear townships of the county in which I reside painfully indicate.”<sup>1</sup>

French Canadians and United Empire Loyalists constituted the stable factors in Canadian public life; but the process of immigration, which the years of rebellion checked only for a time, had by 1840 prepared another element, and that the most incalculable and disturbing both socially and politically. Indeed the real problem of Canadian public life lay simply in the influence of the humbler class of immigrants on existing administration and opinion. It was natural for the other settlers and the governing class to regard the larger part of the new population as beneath the political level. The very circumstances of the emigrating process carried with them a suggestion of degradation. Durham had embodied in his *Report* the more flagrant examples of the horrors of emigration;<sup>2</sup> but a later review, written in 1841, proves that many of the worst features of the old system still continued. There were still the privations, the

<sup>1</sup> Strickland, *Twenty-Seven Years in Canada West*, vol. i. p. 135.

<sup>2</sup> *Lord Durham's Report*, ii. pp. 242-59.

filth and the diseases of this northern "middle passage," the epidemics and disorders inflicted on the Canadian community as ship-load after ship-load of poor wretches passed ashore at Quebec. On land their sorrows were renewed, for many of them were paupers, and there was still no organized effort to introduce the labourer to those who required his labour. More than one half of the 12,000 who, according to the report of 1841, passed in that year through Bytown locks, were considered objects of charity. Many of them were common labourers with families, men who had little but their physical strength as capital for the new venture; and cholera, typhus, or smallpox had in many cases reduced even that to the vanishing point. More especially among the Irish settlers, who, in these years and later, fled in dismay from the distresses of Ireland, the misery continued long after the first struggle. M'Taggart, who had his prejudices, but who had unusually good opportunities for observation, thought that a tenth of the poorer Irish settlers died during their first two years in the country. He found them clumsy at their work, accustomed to the spade and shovel, not to the axe, and maiming themselves most fearfully, or even killing themselves, in their experi-

ments in clearing the ground.<sup>1</sup> Of all who came, the immigration agents thought the Lowland Scots and the Ulster Irishmen the best, and while the poorer class of settler lagged behind in the cities of Lower Canada, these others generally pushed on to find a hard earned living among the British settlers in the Upper Province. Some of them found their way to the United States. Others, faced with the intolerable delays of the land administration, took the risk of "squatting," that is, settling on wild land without securing a right to it—often to find themselves dislodged by a legal owner at the moment when their possession *de facto* seemed established. The majority settled as small farmers in the more frequented districts, or became shop-keepers and artisans in the towns.

Politically their position was curious. The Reform Act of 1832 had extended the British franchise, but the majority had still no votes; and the immigrants belonged to the unenfranchised classes. The Irish had the additional disability of being reckoned disloyal, followers of the great Irish demagogue, and disorderly persons until proved otherwise.<sup>2</sup> To government servants and

<sup>1</sup> M'Taggart, ii. pp. 242-5.

<sup>2</sup> See a despatch of Lord Metcalfe on the effect of Irish agitation on the tranquillity of Canada, Kaye, *op. cit.* pp. 432-4.

the older settlers alike, it seemed perilous to the community to share political power with them. Yet they were British citizens; many of them at once became active members of the community through their standing as freeholders; the democratic influence of the United States told everywhere on their behalf; and even where hard work left little time for political discussion, the fact that local needs might be assisted by political discussion, and the stout individualism bred by the life of struggle in village, town, and country, forced the new settlers to interest themselves in politics. Many of the new arrivals had some pretensions to education—more especially those from Scotland. Indeed it is worthy of note that from the Scottish stream of immigration there came not only the earlier agitators, Gourlay and Mackenzie, but, at a later date, George Brown, the first great political journalist in Canada, Alexander Mackenzie and Oliver Mowat, future leaders of Canadian liberalism, and John A. Macdonald, whose imperialism never lacked a tincture of traditional Scottish caution. The new immigrants were unlikely to challenge the social supremacy of the old aristocracy, but they formed so large an accession to the population that they could not

long remain without political power. They must either be granted the rights of numerical majority or be exasperated into destructive agitation.

It is not altogether easy to describe the community or chain of communities created out of these diverse elements. Distance, climatic difficulties, and racial misunderstandings weakened the sense of unity in the colony; and the chief centres of population were still too young and unformed to present to the visitor the characteristics of a finished civilization.

Everywhere, but more especially in the west, the town population showed remarkable increases. Montreal, which had, in 1790, an estimated population of 18,000, had almost trebled that number by 1844; in the same interval, Quebec increased from 14,000 to nearly 36,000. In the Upper Province, immigration and natural increase produced an even more remarkable expansion. In the twenty-two years between 1824 and 1846, Toronto grew from a village of 1,600 inhabitants to be a flourishing provincial capital of 21,000. In the census of 1848, the population of Hamilton was returned as 9,889; that of Kingston as 8,416; Bytown, the future capital, had 6,275 inhabitants; while a score of villages such as London, Belleville,

Brockville, and Cobourg had populations varying from one to four thousand.<sup>1</sup>

Social graces and conveniences had, however, hardly kept pace with the increase in numbers. The French region was, for better or worse, homogeneous, and Quebec formed a social centre of some distinction, wherein the critical M'Taggart noted less vanity and conceit than was to be met with in the country.<sup>2</sup> But further west, British observers were usually something less than laudatory. The municipal franchise in the cities of Lower Canada, being confined to the possessors of real estate, shut out from civic management the more enterprising trading classes, with the natural result that mismanagement and inefficiency everywhere prevailed. In Quebec there was no public lighting, the community bought unwholesome water from carters who took it from the St. Lawrence, and the gaol—a grim but useful test of the civilization of the place—not merely afforded direct communication between the prisoners and the street, but was so ill ordered that, according to a clerical authority, “they who happily are

<sup>1</sup> *Censuses of Canada* (1665-1871), vol. iv.; *Appendix to the First Report of the Board of Registration and Statistics* (1849); *A Statement of the Population of Canada* (1848).

<sup>2</sup> M'Taggart, *op. cit.* i. p. 35.

pronounced innocent by law may consider it a providential deliverance if they escape in the meantime the effects of evil communication and example."<sup>1</sup> While Montreal had a better water supply, it remained practically in darkness during the winter nights, through the lapsing in 1836 of its earlier municipal organization.<sup>2</sup> Strangers were said to find the provincial self-importance of its inhabitants irritating. At the other extreme of the province, Mrs. Jameson found fault with the citizens of Toronto for their social conventionalism. "I did not expect to find here," she wrote, "in the new capital of a new country, with the boundless forests within half a mile of us on almost every side, concentrated as it were, the worst evils of our old and most artificial social system at home, with none of its *agrémens*, and none of its advantages. Toronto is like a fourth or fifth rate provincial town with the pretensions of a capital city."<sup>3</sup>

Everywhere, if contemporary prints of the cities may be taken as evidence, the military element was very prominent, and the tone was distinctly English. The leaders of society looked

<sup>1</sup> *Lord Durham's Report*, Appendix A. Sir Charles Lucas has not included this appendix in his edition.

<sup>2</sup> *Ibid.* (ed. Lucas), iii. p. 220.

<sup>3</sup> Mrs. Jameson, *Studies and Rambles in Canada*, i. p. 98.

to London for their fashions, and men like John Beverley Robinson moved naturally, if a little stiffly, in the best English circles when they crossed to England. It was, indeed, a straining after a social standard not quite within the reach of the ambitious provincial, which produced the conventionalism and dullness, noticed by British visitors in Canadian towns.

In the smaller towns or villages where pretensions were fewer, and society accepted itself for that which it really was, there was much rude plenty and happiness. An Ayrshire settler writing in 1845, after an orthodox confession that Canada, like Scotland, "groaned under the curse of the Almighty," described his town, Cobourg, as a place where wages were higher and prices lower than at home. "A carpenter," he writes, "asks 6s. sterling for a day's work (without board), mason 8s., men working by the day at labourer's work 2s. and board, 4s. a day in harvest. Hired men by the month, 10 and 11 dollars in summer, and 7 and 8 in winter, and board. Women, 3 and 4 dollars per month, not much higher than at home. Provisions are cheaper here than at home. Wheat, 4s. per bushel; oats 1s. 3d. and 1s. 6d. per bushel; potatoes, 1s. 6d.; beef and pork, 3d. and 4d. per

lb.; butter, 6d. per lb.; cheese, 6d.; tobacco, 1s. per lb.; whisky, 1s. 6d. per gallon; apples, 1s. 6d. per bushel; tea from 2s. 6d. to 4s., and sugar, 6½d. per lb. . . . A man by honest industry here may live comfortably and support himself decently—I can, I know—and save something too. We live much better here than at home.”<sup>1</sup>

More especially in the smaller towns, the externals must have presented a steady and dull monotony—the jail and court-house, three or four churches, a varying number of mean-looking stores including a liberal proportion of taverns, and the irregular rows of private houses.

If lack of efficient public spirit, and social monotony, marked the towns, the settlers in the bush were hardly likely to show a vigorous communal spirit. They had their common life, building, clearing, harvesting in local “bees,” primitive assemblies in which work, drinking, and recreation welded the primitive community together, and the “grog-boss” became for a time the centre of society.<sup>2</sup> But the average day of the farmer was solitary, and, except where politics meant

<sup>1</sup> *A Long-treasured Letter*, from *Matthew Fowlds and Other Fenwick Worthies*, Kilmarnock, 1910, pp. 205-11.

<sup>2</sup> Strickland, *Twenty Seven Years in Canada West*, i. p. 35.

bridges, roads, and material gifts, his outlook was limited by the physical strain of his daily life, and work and sleep followed too closely on each other's track to leave time for other things. M'Taggart has a quaint picture of a squatter, which must have been typical of much within the colony in 1839. He found the settler, Peter Armstrong, "in a snug little cabin, with a wife, two children, some good sleek grey cats, and a very respectable-looking dog. He had but few wants, his health was aye good; there was spring water plenty just aside him, and enough to make a good fire in winter, while with what he caught, shot, gathered and grew in the yard, he lived well enough." His relation to the state, secular and ecclesiastical, is best gauged by his admission that when it came to marriage, he and his wife—Scottish like himself—"just took ane anither's word on't."<sup>1</sup> Crime, on the whole, considering the elements out of which the community had been formed, was surprisingly little in evidence.<sup>2</sup> In certain regions it had a natural fertility. Wherever the white trader met the Indian, or rival fur-

<sup>1</sup> M'Taggart, *op. cit.* i. p. 201.

<sup>2</sup> This statement I modify below in dealing with the violence which disfigured political life in Canada at this time.

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traders strove in competition, the contact between the vices of the two communities bred disorder, and Canadian trading success was too often marked by the indiscriminate ruin of the Indians through drink and disease.<sup>1</sup> At Bytown, where the lumberers gathered to vary their labours in the bush with dissipation, the community "was under the control of a very dangerous class of roughs, who drank, gambled, and fought continually, and were the terror of all well-disposed citizens."<sup>2</sup> Drunkenness seems to have been a very prevalent vice, probably because whisky was so cheaply produced; and where self-restraint was weak, and vast numbers of the poorest classes from Britain formed the basis of society, drunkenness was accompanied by bestial violence, or even death, in sudden and dreadful forms.<sup>3</sup> But it was the verdict of a Scottish clergyman, who played his part in pioneer work round Perth, that "considering the mixture of worthless persons, which our population formerly contained, it was astonishing how few crimes had been committed."

<sup>1</sup> *Passim* in descriptions of the Canadian Indians, and the North-West.

<sup>2</sup> *Lord Durham's Report*, ii. p. 125 n.

<sup>3</sup> See local news in the early volumes of *The Montreal Witness*.

Three powerful influences helped to shape the young Canadian community and to give it some appearance of unity—education, religion, and politics. It now becomes necessary to examine these factors in Canadian existence in the years prior to, and immediately after, the visit of Durham to the colony. In religion and education, however, our analysis must concern Upper and British Canada rather than the French region. In the latter the existence and dominance of the Catholic church greatly simplified matters. Thanks to the eighteenth century agreements with the French, Roman Catholicism had been established on very favourable terms in Lower Canada, and dominated that region to the exclusion of practically all other forms of religious life. As has already been shown, the church controlled not only religion but education. If the women of the Lower Province were better educated than the men, it was because the convent schools provided adequately for female education. If higher education was furnished in superabundance, again the church was the prime agent, as it was also in the comparative neglect of the rank and file; and comment was made by Durham's commissioners on the fact that the priesthood resented anything which weakened

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its control over the schools. This Catholic domination had a very notable influence in politics, for, after the first outbursts of nationality were over, the Catholic laity in politics proved themselves a steadily conservative force. La Fontaine, the first great French leader who knew how to cooperate with the British Canadians, was only by accident a progressive, and escaped from politics when the growth of Upper Canada radicalism began to draw him into dangerous religious questions.<sup>1</sup> But in the Upper Province, education and religion did not show this stationary and consistent character, and played no little part in preparing for and accentuating the political agitation.

Education had a history rather of good intentions than of brilliant achievement. At different times in the earlier nineteenth century, schemes for district grammar schools and general common schools were prepared, and sums of money, unhappily not in increasing amounts, were voted for educational purposes. But, apart from the doubtful enthusiasm of the legislators, the education

<sup>1</sup> I have accepted Durham's, rather than Metcalfe's estimate of the influence of the Roman Catholic church in Canada. The latter may be found in a despatch to Stanley, entitled by Kaye, "State of Parties in 1845" (Kaye, *op. cit.* p. 449).

of the British settlers was hampered by an absence of suitable teachers, and the difficulty of letting children, who were often the only farm assistants at hand, attend school for any length of time. According to good evidence, half of the true school population never saw the schools, and the other half could give only seven months in the year to their training.<sup>1</sup>

In most country districts, the settlers had to trust to luck both for teachers and for schoolhouses, and beginnings which promised better things too often ended in blank failure. There is both humour and romance in these early struggles after education. In Ekfried, by the Thames, in Western Canada, there had been no school, till the arrival of an honest Scot, Robert Campbell, and the backwardness of the season in 1842, gave the settlement a schoolmaster, and the new settler some ready money. "I get a dollar and a half, a quarter per scholar," he wrote to his friends in Scotland, "and seeing that the wheat did little, I am glad I did engage, for we got plenty of provisions."<sup>2</sup> In Perth, a more ambitious start

<sup>1</sup> Hodgins, *Documentary History of Education in Upper Canada*, iii. p. 296.

<sup>2</sup> MS. letter, 5 December, 1842.

met with a tragic end. The Scottish clergyman, appointed to the district by government, opened a school at the request of the inhabitants. All went well, and a generous government provided fifty pounds by way of annual stipend; until a licentiate of the Anglican Church arrived. By virtue of the standing of his church, the newcomer took precedence of the Scottish minister and displaced him as educational leader. But, says the Scot, with an irony, unchristian but excusable, "the school under the direction of my clerical successor, soon after died of a consumption, and the school-house has been for sometime empty."<sup>1</sup>

The main difficulty in education was to provide an adequate supply of competent teachers. Complaints against those who offered their services were almost universal. According to a Niagara witness, not more than one out of ten teachers in the district was competent to instruct his pupils even in the humblest learning,<sup>2</sup> and the commissioners who reported to the government of Upper Canada in 1839 both confirmed these com-

<sup>1</sup> Bell, *Hints to Emigrants*, p. 125.

<sup>2</sup> Hodgins, *Documentary History of Education in Upper Canada*, iii. p. 266.

plaints, and described the root of the offence when they said, "In this country, the wages of the working classes are so high, that few undertake the office of schoolmaster, except those who are unable to do anything else; and hence the important duties of education are often entrusted to incompetent and improper persons. The income of the schoolmaster should, at least, be equal to that of a common labourer."<sup>1</sup> In so precarious a position, it was unfortunate that sectarian and local feeling should have provoked a controversy at the capital of the western district. Much as the education of the province owed to John Strachan, he did infinite harm by involving the foundation of a great central school, Upper Canada College, and of the provincial university, in a bitter religious discussion. It was not until the public capacity and unsectarian enthusiasm of Egerton Ryerson were enlisted in the service of provincial education, that Upper Canada emerged from her period of failure and struggle.

Apart from provincial and governmental efforts, there were many voluntary experiments, of which Strachan's famous school at Cornwall, was perhaps the most notable. After all, the colonists were

<sup>1</sup> *Ibid.* p. 249.

Britons, many of them trained in the Scottish system of national democratic education, and wherever the struggle for existence slackened down, they turned to plan a Canadian system as like as possible to that which they had left. Kingston was notably enterprising in this respect. Not only were there schools for the more prosperous classes, but attempts were made to provide cheap education for the poor, at first supported by the voluntary contributions of ladies, and then by a committee representative of the best Anglican and Presbyterian sentiment. Three of these schools were successfully conducted at very small charges, and, in certain cases, the poorest received education free.<sup>1</sup> In higher education the period of union in Canada exhibited great activity. The generous provision made for a King's College in Toronto had been for a long time stultified by the ill-timed sectarian spirit of the Bishop of Toronto; but a more reasonable temper prevailed after the Rebellion, and the second governor-general of the united provinces, Sir Charles Bagot, spent much of his short time of service in securing professors and seeing the provincial university launched.<sup>2</sup>

<sup>1</sup> *Memorials of the Rev. John Machar, D.D.*, p. 62.

<sup>2</sup> Bagot Correspondence, in the Canadian Archives, *passim*.

At the same time, the two other Canadian colleges of note, M'Gill University and Queen's College, came into active existence. In October, 1839, after many years of delay, Montreal saw the corner-stone of the first English and Protestant College in Lower Canada laid,<sup>1</sup> and in the winter of 1841-2, Dr. Liddell sailed from Scotland to begin the history of struggle and gallant effort which has characterized Queen's College, Kingston, from first to last. It is perhaps the most interesting detail of early university education in Canada, that the Presbyterian College started in a frame house, with two professors, one representing Arts and one Theology, and with some twenty students, very few of whom, however, were "fitted to be matriculated."<sup>2</sup>

It is well to remember, in face of beginnings so irregular, and even squalid, that deficiencies in Canadian college education had been made good by the English and Scottish universities, and that Canadian higher education was from the outset assisted by the genuine culture and learning of the British colleges; for the main sources of university inspiration in British North America

<sup>1</sup> *Montreal Gazette*, 8 October, 1839.

<sup>2</sup> *Memorials of the Rev. John Machar*, p. 77.

were Oxford and Cambridge, Glasgow and Edinburgh.<sup>1</sup>

There were, of course, other less formal modes of education. When once political agitation commenced, the press contributed not a little to the education of the nation, and must indeed be counted one of the chief agencies of information, if not of culture. Everywhere, from Quebec to Hamilton, enterprising politicians made their influence felt through newspapers. The period prior to the Rebellion had seen Mackenzie working through his *Colonial Advocate*; and the cause of responsible government soon found saner and abler exponents in Francis Hincks and George Brown. At every important centre, one, two, or even more news-sheets, not without merit, were maintained; and the secular press was reinforced by such educational enterprise as the Dougalls attempted in the *Montreal Witness*, or by church papers like the Methodist *Christian Guardian*.<sup>2</sup>

<sup>1</sup> A strong, probably exaggerated, opinion exists among the older members of the Canadian community that, while information and specialization have grown, culture has retreated from the standards set for it by the former school of English and Scottish college instructors.

<sup>2</sup> "The amount of postage paid by newspapers would be a fair indication of their circulation. . . . The postage on the *Christian Guardian* was £228, which exceeded by £6 the aggregate postage on the following newspapers: *Colonial Advocate*, £57; *The Courier*, £45; *Watchman*,

Nothing, perhaps, is more characteristic of this phase of Canadian intellectual growth than the earlier volumes of the *Witness*, which played a part in Canada similar to that of the Chambers' publications in Scotland. The note struck was deeply sober and moral; the appeal was made to the working and middle classes who in Canada as in Scotland were coming into possession of their heritage; and if the intellectual level attained was never very high, an honest attempt was being made to educate the shop-keepers and farmers of Canada into wholesome national ideals.

Little literary activity seems to have existed outside of politics and the newspapers. For a time cheap reprints from America assisted Britons in Canada with their forbidden fruits, but government at last intervened. It is a curious fact that this perfectly just and natural prohibition had a most unfortunate effect in checking the reading habits of the colony.<sup>1</sup> In the larger towns there

£24; *Brockville Recorder*, £16; *Brockville Gazette*, £6; *Niagara Gleaner*, £17; *Hamilton Free Press*, £11; *Kingston Herald*, £11; *Kingston Chronicle*, £10; *Perth Examiner*, £10; *Patriot*, £6; *St. Catherine's Journal*, £6; *York Observer*, £3."—Egerton Ryerson, *Story of My Life*, p. 144.

<sup>1</sup> *The Montreal Witness*, December, 1845. "We do not mean to criticize those prohibitory regulations, but, however good their motives, the effect has been to girdle the tree of knowledge in Canada, by shutting out the people from the only available supplies of books."

were circulating libraries, and presumably immigrants occasionally brought books with them; but newspaper advertisements suggest that school books, and the like, formed almost the only stock-in-trade of the book-shop; and the mercurial Major Richardson, after agitating the chief booksellers in Canada on behalf of one of his literary ventures, found that his total sales amounted to barely thirty copies, and even an auction sale at Kingston discovered only one purchaser, who limited his offer to sevenpence halfpenny. In speaking, then, of the Canadian political community in 1839, one cannot say, as Burke did of the Americans in 1775, that they were a highly educated or book-reading people. Their politicians, progressive and conservative alike, might have shortened, simplified, and civilized certain stages in their political agitations, had they been able more fully to draw on the authority of British political experience; and their provincialism would not have thrust itself so disagreeably on the modern student, had Locke, Rousseau, Burke, and the greater leaders in modern political science, been household names in early Victorian Canada.

As with other young communities, the church and religion had their part to play in the shaping

of modern Canada. And yet it would be impossible to attribute to any of the Canadian churches an influence so decisive as that which religion exercised through Presbyterianism in the creation of the Scottish democracy, or through Independency in moulding the New England character. For while the question of a religious establishment proved one of the most exciting issues in politics, influences more truly religious suffered a natural degradation and diminution through their over-close association with secular affairs.

Once again the situation in Lower Canada was simplified by the conditions prevailing among the French Canadians. For Lower Canada was wholeheartedly Catholic, and the Canadian branch of the Roman Church had its eulogy pronounced in no uncertain fashion by the Earl of Durham, who, after praising its tolerant spirit, summed up the services of the priesthood in these terms: "The Catholic priesthood of this Province have, to a remarkable degree, conciliated the good-will of persons of all creeds; and I know of no parochial clergy in the world, whose practice of all the Christian virtues, and zealous discharge of their clerical duties, is more universally admired, and has been productive of more beneficial consequences.

Possessed of incomes sufficient, and even large, according to the notions entertained in the country, and enjoying the advantage of education, they have lived on terms of equality and kindness with the humblest and least instructed inhabitants of the rural districts. Intimately acquainted with the wants and characters of their neighbours, they have been the promoters and dispensers of charity, and the effectual guardians of the morals of the people ; and in the general absence of any permanent institutions of civil government, the Catholic Church has presented almost the only semblance of stability and organization, and furnished the only effectual support for civilization and order. The Catholic clergy of Lower Canada are entitled to this expression of my esteem, not only because it is founded on truth, but because a grateful recognition of their eminent services, in resisting the arts of the disaffected, is especially due to them from one who has administered the government of the Province in these troubled times.”<sup>1</sup>

Upper Canada and the British community presented a somewhat different picture. Certain Roman Catholic elements among the Irish and the Scottish Highlanders reinforced the ranks of

<sup>1</sup> *Lord Durham's Report*, ii. p. 138.

Catholicism, but for the greater part Anglicanism and Presbyterianism were the ecclesiastical guides of the settlers. At first, apart from official religion, the Church of England appeared in Canada in missionary form, and about 1820 the Society for the Propagation of the Gospel had fifteen missionaries in Lower Canada, and seventeen in Upper Canada. But under the fostering care of governors like Colborne, and the organizing genius of Dr. Strachan, Rector, Archdeacon, and latterly Bishop in Toronto, the Anglican Church in Canada became a self-dependent unit. The Bishop of Toronto was able to boast in 1842 that in his western visitation, which lasted from June till October, he had "consecrated two churches and one burial ground, confirmed 756 persons at twenty-four different stations, and travelled, including his journeys for the formation of District Branches of the Church Society, upwards of 2,500 miles."<sup>1</sup> In cities like Toronto and Kingston it was on the whole the church of the governing class, and shared in the culture and public qualities of that class. Nor was it negligent of the cure of poorer souls, for Anglicans co-operated with Presbyterians in the

<sup>1</sup> Strachan, *A Journal of Visitation to the Western Portion of his Diocese* (1842). Third edition, London, 1846.

management of the poor schools in Kingston, and in that and the other more prominent towns of the province, the English parish church system seems to have been transplanted and worked most efficiently. Equal in importance, if not in numbers, Scottish Presbyterianism claimed its section of the community. Down to 1822, there were but six organized congregations in Upper and Lower Canada connected with the Church of Scotland,<sup>1</sup> but at the first Presbyterian Synod held in Canada, in 1831, fourteen ministers and five elders gathered at Kingston to represent the Church;<sup>2</sup> and by 1837 the number of congregations had grown to 37 in Upper Canada, and 14 in Lower Canada. Nor were these weak and struggling efforts. The Scottish Church at Kingston had in 1841 a membership of 350, and an average attendance of 800. Like its Anglican rival, it was simply a parish church, and its minister, trained in Edinburgh, as the Anglican cleric came naturally from an English college, visited, preached, and disciplined according to the rules of Knox and Melville, and maintained, perhaps more genuinely than either school or

<sup>1</sup> *Memorial of the Rev. E. Black, D.D., to the Secretary of State for the Colonies.*

<sup>2</sup> *Memorials of the Rev. J. Machar, D.D., p. 38.*

newspaper could, an educational influence on his flock not unworthy of the mother country. Here and there the ties, which still remained strong, between Canadian settlements and the districts in Scotland whence the settlers were drawn, proved useful aids in church extension. Lanark, in Upper Canada, owed its church to the efforts of friends in Lanarkshire, in Scotland, who collected no less a sum than £290 for the purpose.<sup>1</sup>

But the religious life of Canada was assisted by another less official force, the Methodist Church. Methodism in its earlier days incurred the reproach of being rather American than British, and, in one of his most unjustifiable perversions of the truth, Strachan tried to make the fact tell against the sect, in his notorious table of ecclesiastical statistics. Undoubtedly there was a stronger American element in the Methodist connection than in either of the other churches ; and its spirit lent itself more readily to American innovations. Its fervent methods drew from the ranks of colder churches the more emotional, and being freer and homelier in its ritual, it appealed very directly to a rude and half-educated community. Thus the Methodist preachers made

<sup>1</sup> Bell, *Hints to Emigrants*, p. 86.

rapid headway, more especially in regions untouched by the official churches.

In the representative man of early Canadian Methodism, Egerton Ryerson, qualities conspicuously British and conservative, appeared. Through him Methodism came forward as the supporter of the British connection in the Metcalfe troubles, as through him it may claim some of the glory of organizing an adequate system of provincial education. But, after all, the noblest work of the sect was done in informal and irregular fashion. They were the pioneers and *coureurs du bois* of the British province in the religious world. Perhaps the most genuine tribute paid to this earlier phase of Methodism was that of John Beverley Robinson, when his fellow Anglicans blamed him in 1842 for granting a plot of ground for a Methodist chapel. "Frequently," he retorted, "in the most lonely parts of the wilderness, in townships where a clergyman of the Church of England had never been heard, and probably never seen, I have found the population assembled in some log building, earnestly engaged in acts of devotion, and listening to those doctrines and truths which are inculcated in common by most Christian denominations, but which, if it had not been for

the ministration of dissenting preachers, would for thirty years have been but little known, if at all, to the greater part of the inhabitants of the interior of Upper Canada."<sup>1</sup> Still the Canadian Methodist Church did not occupy so conspicuous a place in the official public life of Canada, and in Sydenham's Legislative Council of 1841, out of twenty-four members, eight represented Anglicanism, eight Presbyterianism, eight Catholicism, and Methodism had to find lowlier places for its political leaders.<sup>2</sup>

Hitherto religion has been viewed in its social and spiritual aspects. But Canadian history has, with perhaps over-emphasis, selected one great controversy as the central point in the religious life of the province. It is not my intention to enter here into the wearisome details of the Clergy Reserve question. But the fight over the establishment principle forms an essential factor in the social and political life of Canada between 1839 and 1854, the year in which it was finally settled. It is first necessary to discriminate between what may be called casual and incidental support to churches in Canada, and the main Clergy Reserve

<sup>1</sup> Robinson, *Life of Sir J. B. Robinson*, p. 179.

<sup>2</sup> Dent, *The Last Forty Years*, i. p. 109.

fund. When Dr. Black challenged, in the interests of Presbyterianism, certain monies paid to Anglican churches in Upper and Lower Canada, he was able to point to direct assistance given by the Imperial Parliament to the Anglican Church in Canada. He was told in answer that these grants were temporarily made to individuals with whose lives they terminated, and that a pledge had been given in 1832 that Britain should be relieved of such expenses.<sup>1</sup> In a similar fashion, when the district of Perth, in Upper Canada, was settled by discharged soldiers and emigrants from Scotland, "Government offered assistance for the support of a minister, *without respect to religious denomination,*" and, as a matter of fact, the community thus assisted to a clergyman, received, not a minister of the Church of Scotland, but one ordained by the Secession Church in Scotland—a curious but laudable example of laxity on the part of government.<sup>2</sup>

The root and ground of offending lay in the thirty-sixth and following clauses of the Constitutional Act of 1791, which proposed to support

<sup>1</sup> Sir G. Grey to the Rev. E. Black, 25 March, 1837, in *Correspondence relating to the Churches of England and Scotland in Canada* (15 April, 1840).

<sup>2</sup> Bell, *Hints to Emigrants*, p. 101.

and maintain a Protestant clergy in the provinces by grants of land, equal in value to the seventh part of lands granted for other purposes. On the face of it, and interpreted by the clauses which follow, the Act seems to bear out the Anglican contention that the English Church establishment received an extension to Canada through the Act, and that no other church was expected to receive a share. It is true that the legal decision of 1819, and the views of colonial secretaries like Glenelg, admitted at least the Scottish Church to a portion of the benefits. But for the purposes of the situation in 1839, it is merely necessary to say that a British parliament in 1791, ignorant of actual colonial conditions, and more especially of the curious ecclesiastical developments with which the American colonies had modified the British system before 1776, and probably forgetful of the claims of the Church of Scotland to parliamentary recognition, had given Canada the beginnings of an Anglican Church establishment; and that the Anglicans in Canada, and more especially those led by Dr. John Strachan, had more than fulfilled the sectarian and monopolist intentions of the legislators.

Three schools of opinion formed themselves in

the intervening years. First and foremost came the establishment men, mainly Anglican, but with a certain Presbyterian following, who claimed to monopolize the benefits, such as they were, of the Clergy Reserve funds. Canada as a British colony was bound to support the one or two state churches of the mother country; religious inequality was to flourish there as at home; dissent was to receive the same stigma and disqualification, and the dominant church or churches were to live, not by the efforts of their members, but at the expense of all citizens of the state, whether Anglican, Presbyterian, or Methodist. This phase of opinion received its most offensive expression from leaders like the Bishop of Toronto. To these monopolists, any modification of the Anglican settlement seemed a "tyrannical and unjust measure," and they adopted an ecclesiastical arrogance towards their fellow-Christians, which did much to alienate popular sympathies throughout the province.

At the other extreme was a solid mass of public sentiment which had little interest in the ecclesiastical theories of the Bishop of Toronto, and which resented alike attempts to convert the provincial university into an Anglican college, and the cumbersome and unjust form of church establishment,

the most obvious evidence of which lay in the undeveloped patches of Clergy Reserve land scattered everywhere throughout the settlements. It was the undoubted desire of a majority in 1840 that the Clergy Reserve system should be ended, the former reserves sold, and the proceeds applied to educational and general purposes ; a desire which had been registered in the House of Assembly on fourteen different occasions since 1826.<sup>1</sup> The case for the voluntary principle in Canada had many exponents, but these words of Dr. John Rolph in 1836 express the spirit of the movement in both its strength and its weakness : " Instead of making a State provision for any one or more churches ; instead of apportioning the Clergy Reserves among them with a view to promoting Christianity ; instead of giving pensions and salaries to ministers to make them independent of voluntary contributions from the people, I would studiously avoid that policy, and leave truth unfettered and unimpeded to make her own conquests. . . . The professions of law and physic are well represented in this Assembly, and bear ample testimony to the generosity of the people towards them. Will good, pious and evangelical ministers of our holy religion be likely to

<sup>1</sup> Lord Sydenham to Lord John Russell, 22 January, 1840.

fare worse than the physicians of the body, or the agents for our temporal affairs? Let gospel ministers, as the Scriptures say, live by the gospel, and the apostolic maxim that the workman is worthy of his hire implies the performance of duty rewarded temporarily by those who impose it. There is no fear that the profession will become extinct for want of professors.”<sup>1</sup>

Between the extremes, however, there existed a group of moderate politicians, represented, in the Upper Province by Baldwin, in the Lower by La Fontaine, and among British statesmen apparently by both Sydenham and Elgin. Especially among its Canadian members, this group felt keenly the desirability of supporting religion, as it struggled through the difficulties inevitably connected with early colonial life. But neither Baldwin, who was a devoted Anglican, nor La Fontaine, a faithful son of his Church, showed any tinge of Strachan's bitterness as they considered the question; and nothing impressed Canadian opinion more than did La Fontaine's speech, in a later phase of the Clergy Reserve troubles, when he solemnly renounced on behalf of his coreligionists any chance of stealing an advantage while the Protestants

<sup>1</sup> Quoted from Dent, *The Last Forty Years*, ii. p. 192.

were quarrelling, and when he stated his opinion that the endowment belonged to the Protestant clergy, and should be shared equally among them. It was this school of thought—to anticipate events by a year or two—which received the sanction of Sydenham's statesmanship, and that energetic mind never accomplished anything more notable than when, in the face of a strong secularizing feeling, to the justification for which he was in no way blind, he repelled the party of monopoly, and yet retained the endowment for the Protestant churches of Canada. "The Clergy Reserves," he wrote in a private letter, "have been, and are, the great overwhelming grievance—the root of all the troubles of the province, the cause of the Rebellion—the never-failing watchword at the hustings—the perpetual source of discord, strife, and hatred. Not a man of any party but has told me that the greatest boon which could be conferred on the country would be that they should be swept into the Atlantic, and that nobody should get them. My Bill<sup>1</sup> has gone through the Assembly by a considerable majority, thirty to twenty, and I feel confident that I can get it through the

<sup>1</sup> That is, his bill for dividing the Reserves in certain proportions among the churches.

Council without the change of a word. If it is really carried, it is the greatest work that ever has been done in this country, and will be of more solid advantage to it than all the loans and all the troops you can make or send. It is worth ten unions, and was ten times more difficult.”<sup>1</sup>

It is a melancholy comment on the ecclesiastical interpretation of religion that, ten years later, when the firmly expressed desires of all moderate men had given the Bishop of Toronto a good excuse for acquiescence in Sydenham's *status quo*, that pugnacious ecclesiastic still fought to save as much of the monopoly as could be secured.<sup>2</sup>

With the Clergy Reserve dispute, the region of politics has been reached; and, after all, politics furnished the most powerful influence in the young Canadian community. But politics must be taken less in the constitutional sense, as has been the custom with Canadian writers, and more in the social and human sense. It is important also to note the broad stretches of Canadian existence

<sup>1</sup> Poulett Scrope, *Life of Lord Sydenham*, pp. 160-1.

<sup>2</sup> See the Elgin-Grey Correspondence (Canadian Archives) for the year 1850.

into which they hardly intruded. Political questions found few exponents among the pioneers as they cleared the forests, or gathered lumber for the British market, or pushed far to the west and north in pursuit of furs. Even the Rebellion, when news of it reached Strickland and his fellow-settlers in the Peterborough country, came to them less as part of a prolonged struggle in which they all were taking part, than as an abnormal incident, to be ended outright by loyal strength. They hardly seem to have thought that any liberties of theirs were really endangered. When Mackenzie himself complained that instead of entering Toronto with four or five thousand men, he found himself at the head of a poor two hundred, he does not seem to have realized that, even had his fellow-conspirators not mismanaged things, it would still have been difficult to keep hard-working settlers keyed up to the pitch of revolutionary and abstract doctrines.<sup>1</sup> There must have been many settlers of the temper of the humble Scottish janitor in Queen's College, Kingston, who wrote, in the midst of the struggle of parties in 1851: "For my part I never trouble my head about one of them. Although the polling-house was just across

<sup>1</sup> Christie, *History of Lower Canada*, v. pp. 113-14.

the street, I never went near it." <sup>1</sup> In the cities, however, and along the main lines of communication, the interest must have been keen, and the country undoubtedly attained its manhood as it struggled towards the solution of questions like those of the Clergy Reserves, the financing of the colony, the regulation of trade and immigration, and, above all others, the definition of responsible government.

Something has already been said of the various political groups in the colony, for they corresponded roughly to the different strata of settlement—French, Loyalist, and men of the later immigration. It is true, as Sydenham and Elgin pointed out, that the British party names hardly corresponded to local divisions—and that these divisions were really too petty to deserve the name of parties. Yet it would be foolish to deny the actual existence of the groups, or to refuse to see in their turbulence and strife the beginning of national self-consciousness, and the first stage in a notable political development.

Most conspicuous among the political forces, because the bond of party union was for them

<sup>1</sup> *Faithful unto Death, a Memorial of John Anderson, late Janitor of Queen's College*, p. 26.

something deeper than opinion, and must be called racial, was the French-Canadian group, with the whole weight of *habitant* support behind it. From the publication of Lord Durham's *Report*, through the Sydenham régime, and down till Sir Charles Bagot surrendered to their claims, the French politicians presented an unbroken and hostile front to the British community. Colborne had repressed their risings at the point of the bayonet; a Whig government had deprived them temporarily of free institutions; Durham—their friend after his fashion—had bidden them be absorbed into the greater British community; Sydenham came to enforce what Durham had suggested; and, with each new check, their pride had grown more stubborn and their nationalism more intense. Bagot, who understood them and whom they came to trust, may be allowed to describe their characteristics, through the troubled first years of union: "On Lord Sydenham's arrival," he wrote to Stanley, "he found the Lower Province deprived of a constitution, the legislative functions of the government being administered by a special council, consisting of a small number of members nominated by the Crown. A large portion of the people, at least those of French origin, prostrate under

the effects of the Rebellion, overawed by the power of Great Britain, and excluded from all share in the government, had resigned themselves to a sullen and reluctant submission, or to a perverse but passive resistance to the government. This temper was not improved by the passing of the Act of Union. In this measure, heedless of the generosity of the Imperial government, in overlooking their recent disaffection, and giving them a free and popular constitution, . . . they apprehended a new instrument of subjection, and accordingly prepared to resist it. Lord Sydenham found them in this disposition, and despairing, from its early manifestations, of the possibility of overcoming or appeasing it, before the period at which it would be necessary to put in force the Act of Union, he determined upon evincing his indifference to it, and upon taking steps to carry out his views, in spite of the opposition of the French party. . . . They have from that time declared and evinced their hostility to the Union . . . and have maintained a consistent, united, and uncompromising opposition to the government which was concerned in carrying it into execution.”<sup>1</sup>

To describe the French in politics, it has been

<sup>1</sup> Sir Charles Bagot to Lord Stanley, 26 September, 1842.

necessary to advance a year or two beyond 1839, for the Rebellion had terminated one phase of their political existence, and the characteristics of the next phase did not become apparent till the Union Assembly of 1841 and 1842. It was indeed an abnormal form of the national and racial question which there presented itself. French Canada found itself represented by a party, over twenty in number, the most compact in the House of Assembly, and with *la nation Canadienne* solidly behind them. In La Fontaine, Viger, Morin and others, it had leaders both skilful and fully trusted. Yet the party of the British supremacy quoted Durham and others in favour of a plan for the absorption of French Canada in the British element ; and the same party could recount, with telling effect, the past misdeeds, or at least the old suspicions, connected with the names of the French leaders. Misunderstood, and yet half excusably misunderstood ; self-governing, and yet deprived of many of the legitimate consequences and fruits of self-government ; without places or honours, and yet coherent, passionately French, and competently led, the French party stood across the path of Canadian peace, menacing, and with a racial rather than a party threat.

In the Upper Province, the party in possession, the so-called Family Compact group, posed as the only friends of Britain. They had never possessed more than an accidental majority in the Lower House, and, since Durham's rule, it seemed likely that their old supremacy in the Executive and Legislative Councils had come to an end. Yet as their power receded, their language became the more peremptory, and their contempt for other groups the more bitter. One of the most respectable of the group, J. S. Cartwright, frankly confessed that he thought his fellow-colonists unfit for any extension of self-government "in a country where almost universal suffrage prevails, where the great mass of the people are uneducated, and where there is but a little of that salutary influence which hereditary rank and great wealth exercise in Great Britain."<sup>1</sup> Their position had an apparent but unreal strength, because they knew that the older type of Colonial official, the entire British Conservative party, and the Church of England, at home and abroad, supported them. As late as July, 1839, Arthur, the representative of the Crown in Upper Canada, could write thus to his government concerning more than half the

<sup>1</sup> Bagot Correspondence : Cartwright to Bagot, 16 May, 1842.

population under his authority: "There is a considerable section of persons who are disloyal to the core; reform is on their lips, but separation is in their hearts. These people having for the last two or three years made a 'responsible government' their watch-word, are now extravagantly elated because the Earl of Durham has recommended that measure. They regard it as an unerring means to get rid of all British connection, while the Earl of Lincoln, on the contrary, has recommended it as a measure for cementing the existing bond of union with the mother country."<sup>1</sup>

Their programme was precise and consistent. The influence of a too democratic franchise was to be modified by a Conservative upper house, and an executive council, chosen not in accordance with popular wishes, but from the class—their own—which had so long been dominant in the executive. The British connection depended, in their view, on the permanent alliance between their group and whatsoever representative the British crown might send to Canada. French Canadian feeling they were prepared to repress as a thing rebellious and un-English, and the

<sup>1</sup> Arthur to Normanby, 2 July, 1839.

friends of the French in Upper Canada they regarded very much as a South African might the Englishman who should be prepared to strengthen his political position by an alliance with the native peoples; although events were to prove that, when other elements of self-interest dictated a different course, they were not unwilling to cooperate in the interests of disorder with the French. In ecclesiastical affairs, they supported the establishment of an Anglican Church in Canada, and insulted religion never found more eloquent defenders than did the Clergy Reserve establishment at the hands of Sir Allan MacNab, the Conservative leader, and his allies. But events and their own factious excesses had broken their power. They had allowed nothing for the possibilities of political education, in a land where the poorest had infinite chances of gaining independence. They scorned democracy at a time when nothing else in politics had a stable future; and the country naturally distrusted constitutional logicians whose conclusions invariably landed them in the sole possession of emoluments and place. Sydenham's quick eye foresaw the coming rout, and it was his opinion, before the Assembly of 1841 came to make matters certain, that moderate men would overturn the

sway of old Toryism, and that the wild heads under MacNab would stultify themselves by their foolish conduct.<sup>1</sup>

In Upper Canada, the Conservative and Family Compact group had to face a vigorous Reforming opposition. It is well, however, after 1838, to discriminate between any remnants of the old Mackenzie school, and the men under whom Canada was to secure unrestricted self-government. The truth is that the situation up to 1837 had been too abnormal to permit the constitutional radicals to show themselves in their true character. Mackenzie himself, in the rather abject letter with which he sought reinstatement in 1848, admitted the falsity of his old position: "Had I seen things in 1837 as I do in 1848, I would have shuddered at the very idea of revolt, no matter what our wrongs might have been. I ought, as a Scotsman, to have stood by the government in America to the last; exerted any energy I possessed to make it better, more just, more perfect; left it for a time, if too oppressive, but never tried, as I did, to put it down."<sup>2</sup> Mackenzie's ideal, discovered

<sup>1</sup> Lord Sydenham to Lord John Russell, 23 February, 1841.

<sup>2</sup> Elgin-Grey Correspondence: W. L. Mackenzie to Major Campbell, 14 February, 1848.

by him too late to be very useful, was actually that of the Reforming Loyalists who refused to indulge in treason in 1837, but who determined to secure their ends by peaceful persuasion. Their leader in public affairs was Robert Baldwin, whose career and opinions may be more fitly considered at a later point, and Francis Hincks expounded their views in his paper *The Examiner*. They were devoted adherents of the Responsible Government school; that is, they desired to have provincial cabinets, not simply chosen so that they might not conflict with public opinion, but imposed upon the governor by public opinion through its representatives in the House of Assembly. They had for years protested against the Clergy Reserves monopoly, and although Baldwin seems always to have favoured the retention of some form of assistance to religion, the ordinary reformer was vehement for absolute secularization. Sydenham when he came, refused to admit that the British party names were anything but misnomers in Canada; and yet Hincks was not singular among the reformers when he said that he had been in favour of all the measures advocated by the British progressives—Catholic Emancipation, the Repeal of the Test and Corporation Acts, Abolition of

Slavery, and Parliamentary Reform.<sup>1</sup> Their relation to the French was curious. Unlike the French, they were usually strong advocates of a union of the two provinces, and they sympathized neither with Papineau's doctrinaire republicanism, nor with the sullen negative hatred of things British which then possessed so many minds in Lower Canada. But grievances still unredressed created a fellow-feeling with the French, and from 1839 until 1842 the gradual formation of an Anglo-French reforming *bloc*, under Baldwin and La Fontaine, was one of the most notable developments in Canadian political life.

After the Union, as before it, the political life of Canada was characterized by a readiness to resort to violence, and a lack of political good manners, which contrasted painfully with the eloquent phrases and professions of the orators on either side. The earliest impression which the first governor-general of the Union received of politics in his province was one of disorder and mismanagement. "You can form no idea of the manner in which a Colonial Parliament transacts its business," Poulett Thomson wrote from Toronto, in 1839. "When they came to their own affairs,

<sup>1</sup> Hincks, *Reminiscences*, p. 15.

and, above all, to the money matters, there was a scene of confusion and riot of which no one in England can have any idea. Every man proposes a vote for his own job, and bills are introduced without notice, and carried through *all* their stages in a quarter of an hour.”<sup>1</sup> The first efforts in the struggle for responsible government were rendered needlessly irritating by the absence of that spirit of courteous moderation which usually characterizes the proceedings of the Imperial Parliament. The relations between the governor and his ministers, at the best difficult, were made impossible for a man like Metcalfe by the ill-mannered disdain with which, as all the citizens of his capital knew, the cabinet spoke of their official head; and in debate the personal element played far too prominent a part. In all the early Union assemblies, too, the house betrayed its inexperience by passing rapidly from serious constitutional questions to petty jobs and quarrels, and as rapidly back again to first principles. There was a general failure to see the risk run by too frequent discussions on fundamentals, and much of the bitterness of party strife would have been avoided if the rival parties could have prosecuted their

<sup>1</sup> Poulett Scrope, *Life of Lord Sydenham*, p. 165.

adverse operations by slower and more scientific approaches.

The warmth of feeling and the disorder exhibited in the councils of state and the assembly, met with a ready response in the country. It is only fair to say that many of the gravest disturbances were caused by recent immigrants, more especially by the Irish labourers on the canals in the neighbourhood of Montreal.<sup>1</sup> But the whole community must share in the discredit. The days had not yet ceased when political bills called on adherents of one or other party to assemble "with music and good shillelaghs";<sup>2</sup> and indeed the decade from 1840 to 1850 was distinctly one of political rioting. The election of 1841 was disgraced, more especially in Lower Canada, by very violent strife. In 1843 an Act was deemed necessary "to provide for the calling and orderly holding of public meetings in this province and for the better preservation of the public peace thereat."<sup>3</sup> In the Montreal election of April, 1844, Metcalfe accused both his former inspector-general and the reform candidate of using inflammatory and reckless language, and

<sup>1</sup> See, for example, a despatch—Metcalfe to Stanley, 24 June, 1843—descriptive of troubles on the Beauharnois Canal.

<sup>2</sup> A bill of 1833, *penes me*.

<sup>3</sup> Metcalfe to Stanley, 23 December, 1843.

certainly both then and in November disgraceful riots made the elections no true register of public sentiment. At the very end of the decade, the riots caused by the passing of the "Rebellion Losses" Act, organized, it must be remembered, by the so-called loyal party, endangered the life of a governor-general, and made Montreal no longer possible as the seat of government. One may perhaps over-estimate the importance of these details; for, after all, the communal life of Canada was yet in its extreme youth, and in England itself there were still remnants of the old eighteenth century disorders, with hints of the newer revolutionism. Their importance is rather that they complicated the task of adjusting imperial standards to suit Canadian self-government, and introduced unnecessary errors into the conduct of affairs by the provincial statesmen.

It was obvious then that the United Provinces of Canada had, in 1839, still some distance to travel before their social, religious, and political organization could be regarded as satisfactory. Individually and collectively poor, the citizens of Canada required direct aid from the resources of the mother country. Material improvements in roads and canals, the introduction of steam,

the organization of labour, were immediately necessary. Education in all its stages must receive encouragement and recognition. Religion must be freed from the encumbrance of a vexatious controversy. Municipal institutions and local government had still to be introduced to teach the people the elements of self-government; and a broader system of colonial legislation and administration substituted for the discredited rule of assemblies and councils at Toronto and Quebec. There was racial hate to be quenched; and petty party jealousies to be transmuted into more useful political energy. A nation was at its birth. The problem was whether in Great Britain there were minds acute and imaginative enough to see the actual dangers; generous enough not to be dissuaded from trying to avert them by any rudeness on the part of those who were being assisted; prophetic enough to recognize that Anglo-Saxon communities, whether at home or across the seas, will always claim the right to govern themselves, and that to such self-government none but the community actually affected may set a limit.

## CHAPTER III.

### THE GOVERNORS-GENERAL: LORD SYDENHAM.

BETWEEN 1839 and 1854, four governors-general exercised authority over Canada, the Right Honourable Charles Poulett Thomson, later Lord Sydenham, Sir Charles Bagot, Charles, Lord Metcalfe, and the Earl of Elgin.<sup>1</sup> Their statesmanship, their errors, the accidents which modified their policies, and the influence of their decisions and despatches on British cabinets, constitute on the whole the most important factor in the creation of the modern Canadian theory of government. In consequence, their conduct with reference to colonial autonomy and all the questions therewith connected, demands the most careful and detailed treatment.

When Lord John Russell, then leader of the House of Commons, and Secretary of State for the

<sup>1</sup> I disregard Cathcart's tenure of office. For all practical purposes it was merely that of an acting governor.

Colonies, selected a new governor-general of Canada to complete the work begun by Durham, he entrusted to him an elaborate system of government, most of it experimental and as yet untried. He was to superintend the completion of that Union between Upper and Lower Canada, which Durham had so strenuously advocated ; and the Union was to be the centre of a general administrative reconstruction. The programme outlined in Russell's instructions proposed " a legislative union of the two provinces, a just regard to the claims of either province in adjusting the terms of that union, the maintenance of the three Estates of the Provincial Legislature, the settlement of a permanent Civil List for securing the independence of the judges, and, to the executive government, that freedom of action which is necessary for the public good, and the establishment of a system of local government by representative bodies, freely elected in the various cities and rural districts."<sup>1</sup> In attaining these ends, all of them obviously to the advantage of the colony, the Colonial Secretary desired to consult, and, as far as possible, to defer to Canadian public opinion.<sup>2</sup>

<sup>1</sup> Instructions to the Right Hon. C. Poulett Thomson, 7 September, 1839.

<sup>2</sup> *Ibid.*

Nevertheless, Lord John Russell had no sooner entered upon his administrative reforms, than he found himself face to face with a fundamental constitutional difficulty. He proposed to play the part of a reformer in Canada; but the majority of reformers in that province added to his programme the demand for executive councils, not merely sympathetic to popular claims, but responsible to the representatives of the people in a Canadian Parliament. Now according to all the traditions of imperial government a demand so far-reaching involved the disruption of the empire, and ended the connection between Canada and England. To this general objection the British minister added a subtler point in constitutional law. To yield to colonial reforming ideas would be to contradict the existing conventions of the constitution. "The power for which a minister is responsible in England," he wrote to his new governor, "is not his own power, but the power of the crown, of which he is for the time the organ. It is obvious that the executive councillor of a colony is in a situation totally different. . . . Can the colonial council be the advisers of the crown of England? Evidently not, for the crown has other advisers for the same functions, and with

superior authority. It may happen, therefore, that the governor receives, at one and the same time, instructions from the Queen and advice from his executive council totally at variance with each other. If he is to obey his instructions from England, the parallel of constitutional responsibility entirely fails; if, on the other hand, he is to follow the advice of his council, he is no longer a subordinate officer, but an independent sovereign." <sup>1</sup> The governor-general, then, was in no way to concede to the Canadian assembly a responsibility and power which resided only in the British ministry.

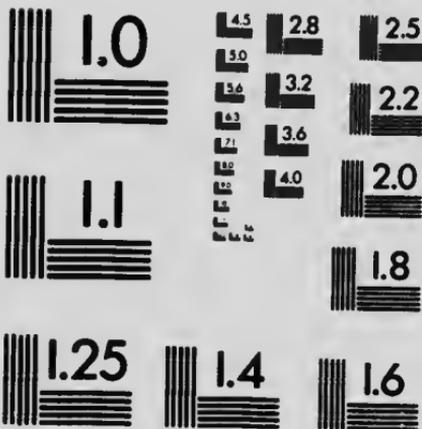
At the same time large concessions, in spirit if not in letter, helped to modify the rigour of this constitutional doctrine. "I have not drawn any specific line," Russell wrote at the end of the despatch already quoted, "beyond which the power of the governor on the one hand, and the privileges of the assembly on the other, ought not to extend. . . . The governor must only oppose the wishes of the assembly when the honour of the crown, or the interests of the empire, are deeply concerned; and the assembly must be ready to modify

<sup>1</sup> Lord John Russell to the Rt. Hon. C. Poulett Thomson, 14 October, 1839.



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some of its measures for the sake of harmony, and from a reverent attachment to the authority of Great Britain."

Two days later, an even more important modification than was contained in this exhortation to charity and opportunism was proposed. It had been the chief grievance in both provinces that the executive positions in Canada had been filled with men who held them as permanencies, and in spite of the clamour of public opinion against them. Popular representative rights had been more than counterbalanced by entire executive irresponsibility. A despatch, nominally of general application to British colonies, but, under the circumstances, of special importance to the United Provinces of Canada, changed the status of colonial executive offices: "You will understand, and will cause it to be generally known, that hereafter the tenure of colonial offices held during her Majesty's pleasure, will not be regarded as equivalent to a tenure during good behaviour, but that not only such officers will be called upon to retire from the public service as often as any sufficient motives of public policy may suggest the expediency of that measure, but that a change in the person of the governor will be considered as a sufficient reason for any altera-

tions which his successor may deem it expedient to make in the list of public functionaries, subject of course to the future confirmation of the Sovereign. These remarks do not apply to judicial offices, nor are they meant to apply to places which are altogether ministerial and which do not devolve upon the holders of them duties in the right discharge of which the character and policy of the government are directly involved. They are intended to apply rather to the heads of departments, than to persons serving as clerks or in similar capacities under them; neither do they extend to officers in the service of the Lords Commissioners of the Treasury. The functionaries who will be chiefly, though not exclusively, affected by them are the Colonial Secretary, the Treasurer or Receiver-General, the Surveyor-General, the Attorney and Solicitor-General, the Sheriff or Provost Marshal, and other officers who, under different designations from these, are entrusted with the same or similar duties. To this list must also be added the Members of the Council, especially in those colonies in which the Executive and Legislative Councils are distinct bodies." <sup>1</sup>

<sup>1</sup> Lord John Russell to the Right Hon. C. P. Thomson, 16 October, 1839.

The importance of this general circular of October 16th is that, at a time when the Colonial Secretary was exhorting the new governor-general to part with none of his prerogatives, and in a colony where public opinion was importuning with some persistence for a more popular executive, one of the best excuses for withholding from the people their desires was removed. The representative of the crown in consequence found himself with a new and not altogether comfortable opportunity for exercising his freedom of choice.

It fell to Charles Poulett Thomson, President of the Board of Trade in the Whig ministry, to carry out the Union of the two Canadian provinces, and to administer them in accordance with this doctrine of modified autonomy. The choice of the government seemed both wise and foolish. Poulett Thomson had had an admirable training for the work. In a colony where trade and commerce were almost everything, he brought not Durham's aristocratic detachment but a real knowledge of commerce, since his was a great mercantile family. In Parliament, he had become a specialist in the financial and economic issues, which had already displaced the diplomatic or purely political questions of the last generation.

His speeches on the revision of taxes, the corn laws, and British foreign trade, proved that, in a utilitarian age, he knew the science of utilities and had freed himself from bureaucratic red tape. His parliamentary career too had taught him the secret of the management of assemblies, and Canada would under him be spared the friction which the rigid attitude of soldiers, trained in the school of Wellington, had been causing throughout the British colonies for many years.

There were, however, many who doubted whether the man had a character and will powerful enough to dominate the turbulent forces of Canadian politics. Physically he was far from strong, and almost the first comment made by Canadians on him was that their new governor-general came to them a valetudinarian. There seemed to be other and more serious elements of weakness. Charles Greville spoke of him with just a tinge of good-natured contempt as "very good humoured, pleasing and intelligent, but the greatest coxcomb I ever saw, and the vainest dog, though his vanity is not offensive or arrogant";<sup>1</sup> and a writer in the *Colonial Gazette*, whose words reached Canada

<sup>1</sup> Greville, *A Journal of the Reigns of George IV. and William IV.*, iii. p. 330.

almost on the day when the new governor arrived, warned Canadians of the imbecility of character which the world attributed to him. "While therefore," the article continues, "we repeat our full conviction that Mr. Thomson is gone to Canada with the opinions and objects which we have here enumerated, let it be distinctly understood that we have little hope of seeing them realised, except through the united and steadfast determination of the Colonists to make use of him as an instrument for accomplishing their own ends."<sup>1</sup> With such an introduction one of the most strongly marked personalities ever concerned with government in Canada entered on his work.

Strange as it may seem in face of these disparaging comments, the new governor-general had already determined to make the assertion of his authority the fundamental thing in his policy, although with him authority always wore the velvet glove over the iron hand. In Lower Canada the suspension of the constitution had already placed dictatorial powers in his hand; but, even in the Upper Province, he seemed to have expected that diplomacy would have to be supported by authority to compel it to come into

<sup>1</sup> Quoted from *The Kingston Chronicle and Gazette*, 19 October, 1839.

the Union; and he had no intention of leaving the supremacy over all British North America, which had been conferred on him by his title, to lie unused. The two strenuous years in which he remade Canada fall into natural divisions—the brief episode in Lower Canada of the first month after his arrival; his negotiations with Upper Canada, from November, 1839, to February, 1840; the interregnum of 1840 which preceded the actual proclamation of Union, during which he returned to Montreal, visited the Maritime Provinces, and toured through the Upper Province; and the decisive months, from February till September 19th, 1841, from which in some sort modern Canada took its beginnings.

The first month of his governorship, in which he settled the fate of French Canada, is of greater importance than appears on the surface. The problem of governing Canada was difficult, not simply because Britons in Canada demanded self-government, but because self-government must be shared with French-Canadians. That section of the community, distinct as it was in traditions and political methods, might bring ruin on the Colony either by asserting a supremacy odious to the Anglo-Saxon elements of the population, or by

resenting the efforts of the British to assimilate or dominate them. When Poulett Thomson landed, on October 19th, 1839, at Quebec, he was brought at once face to face with the relation between French nationalism and the constitutional resettlement of Canada.

Durham had had no doubt about the true solution. It was to confer free institutions on the colony, and to trust to the natural energy and increase of the Anglo-Saxon element to swamp French *nationalité*. "I have little doubt," he said, "that the French, when once placed, by the legitimate course of events and the working of natural causes, in a minority, would abandon their vain hopes of nationality."<sup>1</sup> It was in this spirit that his successor endeavoured to govern the French section in Canada. Being both rationalist and utilitarian, like others of his school he minimized the strength of an irrational fact like racial pride, and, almost from the first he discounted the force of French opposition, while he let it, consciously or unconsciously, influence his behaviour towards his French subjects. "If it were possible," he wrote in November, 1839, "the best thing for Lower Canada would be a despotism for ten years

<sup>1</sup> *Lord Durham's Report* (Lucas), ii. p. 307.

more; for, in truth, the people are not yet fit for the higher class of self-government, scarcely indeed, at present, for any description of it."<sup>1</sup> A few months later, his language had become even stronger:—"I have been back three weeks, and have set to work in earnest in this province. It is a bad prospect, however, and presents a lamentable contrast to Upper Canada. There great excitement existed; the people were quarrelling for realities, for political opinions and with a view to ulterior measures. Here there is no such thing as a political opinion. No man looks to a practical measure of improvement. Talk to any one upon education, or public works, or better laws, let him be English or French, you might as well talk Greek to him. Not a man cares for a single practical measure—the only end, one would suppose, of a better form of government. They have only one feeling—a hatred of race."<sup>2</sup>

But at the outset his task was simple. His powers in Lower Canada, as he confessed on his first arrival, were of an extraordinary nature; and indeed it lay with him, and his Special Council, to settle the fate of the province. Pushing on

<sup>1</sup> Poulett Scrope, *Life of Lord Sydenham*, p. 148.

<sup>2</sup> Poulett Scrope, p. 168.

from Quebec to Montreal, he lost no time in calling a meeting of the Special Council, whose members, eighteen in number, he purposely left unchanged from the régime of his predecessor. On November 13th and 14th, after discussions in which the minority never exceeded three, that body accepted Union with the Upper Province in six propositions, affirming the principle of union, agreeing to the assimilation of the two provincial debts, and declaring it to be their opinion "that the present temporary legislature should, as soon as practicable, be succeeded by a permanent legislature, in which the people of these two provinces may be adequately represented, and their constitutional rights exercised and maintained."<sup>1</sup> Before he left Montreal, he assured the British ministry that the large majority of those with whom he had spoken, English and French, in the Lower Province were warm advocates of Union.<sup>2</sup>

Yet here lay his first misjudgment, and one of the most serious he made. It was true and obvious that the British inhabitants of Eastern Canada earnestly desired a union which would promote

<sup>1</sup> *Journals of the Special Council of Lower Canada*, 13 November, 1839.

<sup>2</sup> The Right Hon. C. P. Thomson to Lord John Russell, 18 November, 1839.

their racial interests; true also that a group of Frenchmen took the same point of view. But the governor was guilty of a grave political error, when he ignored the feeling generally prevalent among the French that Union must be fought. Colborne's judgment in 1839, that French aversion to Union was growing less, seems to have been mistaken.<sup>1</sup> The British government, more especially in the person of Durham, had not disguised their intention—the destruction of French nationalism as it had hitherto existed. They had taken, and were taking, the risk of conducting the experiment in the face of a grant of self-government to the doomed community; and the first governor-general of union and constitutionalism was now to find that French racial unity, combined with self-government, was too strong even for his masterful will, although he had all the weight of Imperial authority behind him. But, for the time, Lower Canada had to be left to its council, and the centre of interest changed to Toronto and Upper Canada.

There, although racial troubles awaited him, the governor had to persuade a popular assembly before he could have his way; and there for the

<sup>1</sup> Sir John Colborne to Lord Normanby, 19 August, 1839.

first time he was made aware of the perplexing cross-currents and side eddies, and confusion of public opinion, which existed everywhere in Canadian politics. So doubtful was the main issue that he debated with himself whether he should venture to meet the Assembly without a dissolution and election on the definite issue of the Union; but the need for haste, and his natural inclination to take risks, and to trust to his powers of management, decided him to face the existing local parliament. By the end of November he had arrived at Toronto, and the Assembly met on December 3rd.

Two plain but difficult tasks lay before him: to persuade both houses of Parliament to accept his scheme of Union, and to arrange, on some moderate basis, the whole Clergy Reserve question. To complicate these practical duties, the speculative problem of responsible government, long keenly canvassed in Toronto, and the peculiar conditions and methods of local politics, lay as dangerous obstacles in his path. The manners and methods of the politicians of Upper Canada drew him even in his despatches into vivid criticism. After a month's observation, he sent Russell a long and very able description of the prevailing disorders. In spite of a general loyalty the people

had been fretted into vexations and petty divisions, and for the most part felt deep-rooted animosity towards the executive authorities. Indeed, apart from the party bias of the government, its inefficiency and uncertainty had destroyed all public confidence in it. Under the executive government, the authority of the legislative council had been exercised by a very few individuals, representing a mere clique in the capital, frequently opposed both to the government and to the Assembly, and considered by the people hostile to their interests. In the lower chamber, the loss of public influence by the ministry had introduced absolute legislative chaos, and even the control over expenditure, and the examination of accounts, were of the loosest and most irregular character.<sup>1</sup> In a private letter he allowed himself a freedom of expression which renders his description the *locus classicus* for political conditions before the Union:—"The state of things here is far worse than I had expected. The country is split into factions animated with the most deadly hatred to each other. The people have got into the way of talking so much of *separation*,

<sup>1</sup> The Right Hon. C. P. Thomson to Lord John Russell 15 December 1839.

that they begin to believe in it. The Constitutional party is as bad or worse than the other, in spite of all their professions of loyalty. The finances are more deranged than we believed even in England. The deficit, £75,000 a year, more than equal to the income. All public works suspended. Emigration going on fast *from* the province. Every man's property worth only half what it was. When I look to the state of government, and to the departmental administration of the province, instead of being surprised at the condition in which I find it, I am only astonished it has been endured so long. I know that, much as I dislike Yankee institutions and rule, I would not have fought against them, which thousands of these poor fellows, whom the Compact call rebels, did, if it were only to keep up such a Government as they got. . . . Then the Assembly is such a House! Split into half a dozen parties. The Government having *none—and no one man* to depend on! Think of a house in which half the members hold places, yet in which the Government does not command a single vote; in which the place-men generally vote against the Executive; and where there is no one to defend the Government when attacked, or

to state the opinion and views of the Governor." <sup>1</sup>

With the eye of a political strategist, Poulett Thomson prepared his alternative system, a curious kind of despotism, based, however, simply on his own powers of influencing opinion in the House. It was plain to him that the previous governments had wantonly neglected public opinion.<sup>2</sup> It was also plain that the populace had regarded these governments as consisting not of the governor with his ministers under him, but of the Family Compact clique in place of the governor.<sup>3</sup> The system which he proposed to substitute expressed very fully his working theory. Responsible government in the sweeping sense of that term employed by the reforming party he resisted, holding that, whether against his ministers, or the electors, he must be personally responsible for all his administrative acts. At the same time he assured parliament that "he had received her Majesty's commands to administer the government of these provinces in accordance with the well-understood wishes and interests of the people, and to pay to their feelings,

<sup>1</sup> Poulett Scrope, pp. 148-9.

<sup>2</sup> The Right Hon. C. P. Thomson to Lord John Russell, 15 December, 1839.

<sup>3</sup> *Ibid.*

as expressed through their representatives, the deference that is justly due to them.”<sup>1</sup> To secure this end, he called public attention to the despatch from Russell, definitely announcing the change of tenure of all save judicial and purely ministerial places, thereby making it clear that no man would be retained in office longer than he seemed acceptable to the governor and the community. Then he set to work to build up, out of moderate men drawn from all groups, a party of compromise and good sense to support him and his ministry; and finally, he claimed for himself the central authority without any modifying conditions. Concerning the ultimate seat of that authority he never hesitated. Whatever power he had came from the Home Ministry as representing the Crown, and to them alone he acknowledged responsibility. For the rest, he had to carry on the Queen’s government; that is, to govern Canada so that peace and prosperity might remain unshaken; and as a first condition he had to defer to the wishes of the people. But it cannot be too strongly re-asserted that he refused to surrender one iota of his responsibility, and that the ideal which he set for himself was a combination of governor and prime-minister. The efficiency

<sup>1</sup> Poulett Scrope, p. 163.

of his system was to depend on the honestly benevolent intentions which the governor-general cherished towards the people, and on the fidelity of both the ministry and the parliamentary majority established and secured through belief in those intentions.

The new system met with an astounding success. The scheme of Union was laid before both Houses. On the thirteenth of December the Council, which had hitherto been the chief obstacle, approved of the scheme by fourteen votes to eight, the minority consisting of Toronto 'die-hards' with the Bishop, recalcitrant as usual, at their head. Ten days later, the governor-general was able to assure Russell that the Lower House had, after some strenuous debates and divisions, assented also; the only change from his own outline being an amendment that "such part of the civil list as did not relate to the salaries of the judges, and the governor, and the administration of justice, which are made permanent, should be granted for the lifetime of the Queen, or for a period of not less than ten years."<sup>1</sup> On one point, not without its influence in embittering opinion among the French, Parlia-

<sup>1</sup> *Correspondence relative to the Reunion of Upper and Lower Canada* (23rd March, 1840), p. 20.

ment and Governor were agreed, that while the debates in the Union parliament might be conducted in either English or French, in the publication of all records of the Legislature the English language only should be adopted.<sup>1</sup>

Swept on by this great initial success, Poulett Thomson determined if possible to settle the Clergy Reserve trouble out of hand. As has been shown above, this ecclesiastical difficulty affected the whole life of the community; and its settlement would mean peace, such as Upper Canada had not known for a generation. The pacificator, however, had to face two groups of irreconcilables, the Bishop of Toronto with his extremist following, and the secularizing party resolute to have done with any form of subsidy to religion. As he himself confessed, he had little hope of succeeding in the Assembly, but he trusted to his new popularity, then at its spring tide, and he won. Before the end of January the question had been settled on a compromise, by a majority of 23 to 20 in the Assembly, and of 14 to 4 in the Council. It was even more satisfactory to know that out of 22 members of Assembly who were communicants of the Church of England, only 8

<sup>1</sup> *Ibid.* p. 33.

voted in favour of the *status quo*. There was but one set-back. Legal opinion in England decided that the local assembly had not powers to change the original act of 1791; and in the Imperial legislation which this check made necessary, other influences crept in, and the governor-general bitterly complained that the monstrous proportion allotted to the Church of England, and the miserable proportion set apart for other churches, rendered the Act only less an evil than if the question had been left unsettled.<sup>1</sup> Still, the settlement retained existing reserves for religious purposes, ended the creation of fresh reserves, divided past sales of land between the Churches of England and of Scotland, and arranged for the distribution of the proceeds of future sales roughly in proportion to the numbers and importance of all the churches in Canada. It was not an ideal arrangement, but quiet men were anxious to clear the obstacle from the way, and through such men Poulett Thomson worked his will. It is the most striking testimony to the governor's power of management that, as a politician stated in 1846, three-quarters of the people believed the arrangement unjust and partial, and acquiesced only because their political head desired it. But

<sup>1</sup> Sydenham to Russell, 13 January, 1841.

the end was not yet, and the uneasy ambition of the Bishop of Toronto was in a few years to bring on his head just retribution for the strife his policy continued to create. Nothing now remained but to close this, the last parliament of Upper Canada under the old régime, and the governor, who never suffered from lack of self-appreciative optimism, wrote home in triumph: "Never was such unanimity. When the speaker read my speech in the Commons, after the prorogation, they gave me three cheers, in which even the ultras joined."<sup>1</sup> It was perhaps the last remnant of this pardonable exultation which swept him over the 360 miles between Toronto and Montreal in thirty-six hours, breaking all records for long-distance sleighing in the province.

The primary duty of the governor had now been accomplished, for he had persuaded both local governments to accept an Imperial Act of Union, and it might seem natural to pass over the intervening months, until Union had been officially proclaimed, and the first Union parliament had been elected and had met. But the *interregnum* from February, 1840, to February, 1841, must not be ignored. In these twelve short months he turned

<sup>1</sup> Poulett Scrope, p. 164.

once again to the problem of Lower Canada, hurried on a short visit to Nova Scotia and New Brunswick to settle constitutional difficulties there, returned in a kind of triumphal procession through the English-speaking district of Lower Canada known as the Eastern Townships,<sup>1</sup> and spent the autumn in a tour through the Western part of the newly united colony. It was only fitting that a grateful Queen and Ministry should bestow on him a peerage ; henceforward he must appear as Baron Sydenham of Sydenham and Toronto.

But apart from these mere physical activities, he was preparing for the culmination of his work in the new parliament. It must be remembered not only that he distrusted the intelligence and initiative of colonial ministers too much to dream of giving place to them, but that his theory of his own position—the benevolent despot, secured in his supremacy through popular management—forced on him an elaborate programme of useful administration. He must face the new Parliament with a good record, and definite promises. The failure of the home ministry to include the local government clauses, which formed a fundamental

<sup>1</sup> Poulett Scrope, p. 183. "I have done nothing for two days, but pass under triumphal arches, and receive addresses of thanks and praise."

part of the Union Bill, made such efforts even more necessary than before. It had been plain to Durham and Charles Buller, as well as to Sydenham, that, if an Act of Union were to pass, it could only be made operative by joining to it an entirely new system of local government. Accordingly, when opposition forced Russell to omit the essential clauses from his Act of Union, Sydenham penned one of his most vigorous despatches in reply. "Owing to this (rejection), duties the most unfit to be discharged by the general legislature are thrown upon it; powers equally dangerous to the subject and to the Crown are assumed by the Assembly. The people receive no training in those habits of self-government which are indispensable to enable them rightly to exercise the power of choosing representatives in parliament. No field is open for the gratification of ambition in a narrow circle, and no opportunity given for testing the talents or integrity of those who are candidates for popular favour. The people acquire no habits of self-dependence for the attainment of their own local objects. Whatever uneasiness they may feel—whatever little improvement in their respective neighbourhoods may appear to be neglected, afford grounds for complaint against the executive. All

is charged upon the Government, and a host of discontented spirits are ever ready to excite these feelings. On the other hand, whilst the Government is thus brought directly in contact with the people, it has neither any officer in its own confidence, in the different parts of these extended provinces, from whom it can seek information, nor is there any recognized body, enjoying the public confidence, with whom it can communicate, either to determine what are the real wants and wishes of the locality, or through whom it may afford explanation." <sup>1</sup>

Nothing could be done to remedy the evil in Upper Canada, until the new parliament had met, but the temporary dictatorship still remained in French Canada, and at once Sydenham set to work to create all that he wanted there, recognizing shrewdly that what had been granted in the Lower Province to the French must prove a powerful argument for a similar grant to Upper Canada, when the time should come for action. About the same time, he established by ordinance a popular system of registry offices, to simplify the difficulties introduced into land transfers by the French law—"all

<sup>1</sup> *Correspondence relative to the Affairs of Canada (1841)*: The Right Hon. C. P. Thomson to Lord John Russell, 16 September, 1840.

the old French law of before the Revolution, *Hypothèques tacites et occultes*, Dowers' and Minors' rights, *Actes par devant notaires*, and all the horrible processes by which the unsuspecting are sure to be deluded, and the most wary are often taken in."<sup>1</sup>

Curiously enough, although his love of good government drove him to amend conditions among the French, Sydenham's relations with that people seem to have grown steadily worse. He had made advances to the foremost French politician, La Fontaine, offering him the solicitor-generalship of Lower Canada; but La Fontaine, who never had any enthusiasm for British Whig statesmanship,<sup>2</sup> regarded the offer as a bribe to draw him away from his countrymen and their national deal, and declined it, thereby increasing the tension. Thus, as the time for the election drew near, the French were still further hardening their hearts against the governor-general of United Canada, and Sydenham, his patience now exhausted, could but exclaim in baffled anger, "As for the French, nothing but time will do anything with them. They hate British rule—British connection—improvements of

<sup>1</sup> Poulett Scrope, p. 198.

<sup>2</sup> Baldwin Correspondence: La Fontaine to Baldwin, 26 July, 1845, "You know that I do not like the Whigs."

all kinds, whether in their laws or their roads; so they will sulk, and will try, that is, their leaders, to do all the mischief they can."<sup>1</sup>

Meantime he had prepared two other politic strokes before he called Parliament: the regulation of immigration, and a project for raising a British loan in aid of Canadian public works. Immigration, more especially now that the current had set once more towards Canada, was one of the essential facts in the life of the colony and yet the evils attendant on it were still as obvious as the gains. Most of the defects so vividly portrayed by Durham and his commissioners still persisted—unsuitable immigrants, over-crowded ships, disease which spread from ship to land and overcrowded the local hospitals, wretched and poverty-stricken masses lingering impotently at Quebec, and a straggling line of westbound settlers who obtained work and land with difficulty and after many sorrows.<sup>2</sup> Sydenham had none of Gibbon Wakefield's doctrinaire enthusiasm on the subject; and, as he said, the inducements to parishes and landlords to send out their surplus population were already

<sup>1</sup> Poulett Scrope, p. 181.

<sup>2</sup> See a report from the agent for emigration at Toronto, made to Sydenham, 6 January, 1841.

sufficiently strong. But much could and must be done by way of remedy. It was his plan to regulate more strictly the conditions on board emigrant ships, and to humanize the process of travelling. Government agents must safeguard the rights of ignorant settlers; relief, medical and otherwise, should be in readiness for the destitute and afflicted when they arrived; sales of land were to be simplified and made easier; and a system of public works might enable the local authorities to solve two problems at one time, by giving the poorer settler steady employment, and by completing the great tasks, only half performed in days when money and labour alike were wanting.<sup>1</sup> The final achievement of these objects Sydenham reserved until he should meet parliament, but he had laid his plans, and had primed the home authorities with facts long before that date.

In the same way he had foreseen the need of Canada for Imperial assistance, both in her public works, and in her finance. Assistance in the former of these matters was peculiarly important. Colonists, more especially in the Upper Province, had undertaken the development of Canadian natural resources, but poverty had called a halt

<sup>1</sup> Sydenham to Russell, 26 January, 1841.

before the development was complete, or, by preventing necessary additions and improvements, had rendered useless what had already been done. Conspicuous among such imperfect works were the canals; and Sydenham realized the strange dilemma into which provincial enterprise seemed doomed to run. The province, he told Russell, was sinking under the weight of engagements which it could only meet by fresh outlay, whilst that outlay the condition of its credit preventing it from making.<sup>1</sup> He was therefore prepared to come before the United Parliament with a proposal, backed by the British Ministry, for a great loan of £1,500,000 to be negotiated by the home government, and to be utilized, partly in redeeming the credit of the province, and partly in completing its public works. "It will therefore be absolutely necessary that Her Majesty's government should enable the governor of the province of Canada to afford this relief when the Union is completed, and the financial statement takes place; and I know of no better means than those originally proposed—of guaranteeing a loan which would remove a considerable charge arising from the high rate of interest payable by the province on the debt already contracted, or

<sup>1</sup> Sydenham to Russell, 22 February, 1841.

which it would have to pay for raising fresh loans which may be required hereafter for great local improvements.”<sup>1</sup>

There remained now the last and greatest of Sydenham's labours before his stewardship could be honourably accounted for and surrendered, the summoning, meeting, and managing, of a parliament representative of that Canada, English and French, which he had restored and irritated. His reputation must depend the more on this political adventure, because he had already determined that 1841 should be his last year in Canada—he would not stay, he said, though they made him Duke of Canada and Prince of Regiopolis. And indeed the Parliament of 1841, in all its circumstances, still remains one of the salient points in modern Canadian history.

The Union came into force on the tenth of February, but long before that time all the diverse political interests in Canada had organized themselves for the fray. Sydenham himself naturally occupied the foremost place. He was acting now, not merely as governor-general, but as the prime minister of a new cabinet, and as a party manager,

<sup>1</sup> The Right Hon. C. P. Thomson to Lord John Russell, 27 June, 1840.

whose main duty it was to secure parliamentary support for his men and his measures by the maintenance of a sound central group. By the beginning of the year he thought he had evidence for believing that, in Upper Canada, a great majority of the members would be men who had at heart the welfare of the province, and the British connection, and who desired to make the Act of Union operate to the advantage of the country.<sup>1</sup> But even in Upper Canada there were doubtful elements. The Family Compact men, few as they might be in number, were unlikely to leave their enemy, the governor-general, in peace; nor were all the Reformers prepared to acquiesce in Sydenham's very restrained and limited interpretation of responsible government. Late in 1840, and early in 1841, the Upper Canadian progressives had organized their strength; and additional significance was given to their action by their communications with Lower Canada.<sup>2</sup> There, indeed, was the crux of the experiment. The French Canadians, already organized in sullen opposition, had just received what they counted a fresh insult. But Sydenham may be allowed to

<sup>1</sup> Sydenham to Russell, 26 February, 1841.

<sup>2</sup> Merritt, *Life of the Hon. W. H. Merritt, M.P.* See under the years 1840 and 1841.

explain his own action. "There were," he wrote to Russell in March, 1841, "attached to the cities, both of Montreal and Quebec, very extensive suburbs, inhabited generally by a poor population, unconnected with the mercantile interests to which these cities owe their importance. Had these cities been brought within the electoral limits, the number of their population would have enabled them to return one, if not both, of the members for each city. But such a result would have been directly at variance with the grounds on which increased representation was given by Parliament to these cities. On referring to the discussions which took place in both houses when the Union Bill was before them, I find that members on all sides laid great stress on the necessity of securing ample representation to the mercantile interests of Canada. . . . Feeling myself, therefore, bound in duty to carry out the views of the British parliament in this matter, *I was compelled in fixing the limits of Quebec and Montreal to transfer to the county a large portion of the suburbs of each.*"<sup>1</sup> Whatever Sydenham's intentions may have been, the actual result of his action was to secure for his party four seats in the very heart of the enemy's country;

<sup>1</sup> Sydenham to Russell, 6 March, 1841. The italics are my own.

and the French Canadians, naturally embittered, resented the governor's action as a piece of gerry mandering, which had practically disfranchised many French voters. Already, in 1840, under the active leadership of Neilson of Quebec, a British supporter of French claims, an anti-union movement had been started.<sup>1</sup> In July of the same year La Fontaine visited Toronto, to canvass, said scandal, for the speaker's chair in the united assembly; and in any case he was able to assure his compatriots that they had sympathizers among the British in the West. The Tory paper in Sydenham's new capital, Kingston, in a review and forecast of the situation, settled on this Anglo-French co-operation as one of the serious possibilities of the future;<sup>2</sup> and Sydenham as he watched developments in the Lower Province, found himself growing unwontedly pessimistic. "In Lower Canada," he wrote, "the elections will be bad. The French Canadians have forgotten nothing and learnt nothing by the Rebellion, and the suspension of the constitution, and are more unfit for representative government

<sup>1</sup> Poulett Scrope, p. 205.

<sup>2</sup> *The Kingston Chronicle and Gazette*, 12 February, 1841. "A powerful struggle will be made at the next election to secure the return of representatives, who will coincide with the views of the French party in the Lower Province."

than they were in 1791. In most of the French counties, members, actuated by the old spirit of the Assembly, and without any principle except that of inveterate hostility to British rule and British connection, will be returned without a possibility of opposition.”<sup>1</sup>

The elections began on the 8th of March, and the date on which parliament was to meet was postponed, first from April 8th to May 26th, and then, in consequence of the continued lateness of the season,<sup>2</sup> from May 26th to June 14th. The result of the elections, known early in April, gave matter for serious thought to many, Sydenham himself not excluded. Absolute precision is difficult, but Sydenham’s biographer has tabulated the groups as follows :

Government Members	-	-	-	-	-	24
French Members	-	-	-	-	-	20
Moderate Reformers	-	-	-	-	-	20
Ultra Reformers	-	-	-	-	-	5
Compact Party	-	-	-	-	-	7
Doubtful	-	-	-	-	-	3
Special Return	-	-	-	-	-	1
Double Return	-	-	-	-	-	1
						84

<sup>1</sup> Sydenham to Russell, 26 February, 1841.    <sup>2</sup> *Ibid.*, 1 June, 1841.

<sup>3</sup> Poulett Scrope, p. 217. As the Canadian portion of the biography was the work of Sydenham’s secretary, Murdoch, it carries with it considerable authority. Murdoch was, indeed, one of the most competent of the men round Sydenham.

In the confusion of groups, Sydenham still trusted to the centre—a party almost precisely similar to that which in 1867 was called Liberal-Conservative. This centre he hoped to create out of moderate Conservatives who had enlarged their earlier views, and moderate Reformers who anxiously desired to see Sydenham's proposed improvements carried out.<sup>1</sup> A shrewd observer, himself a member, and appreciatively critical of Sydenham's work, counted at least five parties in the new parliament. Three of these groups came from Upper Canada—the Conservatives under Sir Allan MacNab; the Ministerialists, that is the Reformers and moderate Conservatives, under the Attorney-General Draper, and the Secretary Harrison, and the ultra-reformers who looked to Robert Baldwin for guidance. From Lower Canada came the French nationalists, with some British supporters, under Morin, Neilson, and Aylwin, and the defenders of the Union policy, chiefly British, but with a few conservative French allies. "The division lists of the session 1841," writes the same observer, "cannot fail to strike anyone acquainted with the state of parties, as extraordinary. Mr. Baldwin on several occasions voted with considerable major-

<sup>1</sup> Sydenham to Russell, 26 June, 1841.

ities in opposition to the Government, while as frequently he was in insignificant minorities. There was a decided tendency towards a coalition with the Reformers of French origin, on the part of Sir Allan MacNab and the Upper Canada Conservatives. The Ministerial strength lay in the support which it received from the British party of Lower Canada, and from the majority of the Upper Canada Reformers.”<sup>1</sup> Well might Sydenham speak of the delusive nature of the party nicknames borrowed by his legislators from England.

Whatever were the characteristic faults of the parliament in 1841, sloth was not one of them. All through the summer it worked with feverish energy. Writing to his brother at the end of August, Sydenham boasted—“The five great works I aimed at have been got through—the establishment of a board of works with ample powers; the admission of aliens; a new system of county courts; the regulation of the public lands ceded by the Crown under the Union Act; and lastly the District Council Bill. I think you will admit this to be pretty good work for one session, especially when superadded to half a dozen minor measures, as well

<sup>1</sup> Hincks, *Lecture on the Political History of Canada, 1840-1855*, pp. 22-23.

as the fact of having set up a government, brought together two sets of people, who hated each other cordially, and silenced all the threatened attacks upon the Union, which were expected to be so formidable. . . . What do you think of this, you miserable people in England, who spend two years upon a single measure ? ”<sup>1</sup>

But the chief significance of the session lies in the persistent warfare waged between Sydenham and the advocates of a more extended system of autonomy. The result, as will be shewn was indecisive, but, under the circumstances a drawn battle was equivalent to defeat for the governor-general.

Sydenham had never before flung himself so completely into the fight. “I actually breathe, eat, drink, and sleep nothing but government and politics,” was his own description of life in Kingston. He had accomplished with little resistance from others all that his opening speech had promised. His ministry owned him as their actively directing head. His power of managing individuals in spite of themselves passed into a jest. Playing with men’s vanity, tampering with their interests, their passions and their prejudices, placing himself in a position of familiarity with those from whom

<sup>1</sup> Poulett Scrope, p. 243.

he might at once obtain assistance and information—such, according to an eccentric writer of the day, were the secrets of Sydenham's success.<sup>1</sup> Few men ever played the part of benevolent despot more admirably, and his achievements were the more creditable because he could count on no allegiance except that which he induced by his persuasive arts, and by the proofs he had given of a sincere desire to promote Canadian prosperity.

Nevertheless, throughout the summer months, there occurred a series of sharp encounters with a half-organized party of reform; and the end of the session, while it saw Sydenham successful, saw also his adversaries as eager as ever, and much more learned than they had been in the ways of political opposition and agitation. The opposition leaders massed their whole strength on one fundamental point—the claim to possess as fully as their fellow-citizens in Great Britain did, the cabinet and party system of government. In other words, if any group, or coalition of groups, should succeed in establishing an ascendancy in the popular assembly, that ascendancy must receive acknowledgment by the creation of a cabinet, and the appointment of

<sup>1</sup> Richardson, in his curious characterization of the man in *Eight Years in Canada*.

a prime minister, approved by the parliamentary majority and responsible to them; and Sydenham's ingenious device of an eclectic ministry responsible to him alone was denounced as unconstitutional. The first encounter came, two days before the session started, and Robert Baldwin of Toronto was the leader of the revolt. In February, 1840, Sydenham had invited Robert Baldwin to be his Solicitor-General in the Upper Province. Baldwin, although his powers were not those of a politician of the first rank, was perhaps the soundest constitutionalist in Western Canada. He had been from the first a reformer, but he had never encouraged the wild ideas of the rebels of 1837. Sir F. B. Head had called him to his councils in 1836, as a man "highly respected for his moral character, moderate in his politics and possessing the esteem and confidence of all parties,"<sup>1</sup> and only Head's impracticability had driven him from public service. There is not a letter or official note from his pen, which does not bear the stamp of unusual conscientiousness, and a very earnest desire to serve his country. So little was he a self-seeker, that he earned the lasting ill-will of his eldest son by passing a bill abolishing primogeniture, and thus

<sup>1</sup> Sir F. B. Head to Lord Glenelg, February, 1836.

ending any hopes that existed of founding a great colonial family. The Earl of Elgin, who saw much of him after 1847, regarded him not merely as a great public servant, but as one who was worth "two regiments to the British connection," and perhaps the most truly conservative statesman in the province.<sup>1</sup> In his quiet, determined way, he had made up his mind that responsible government, in the sense condemned by both Sydenham and Russell, must be secured for Canada, and Sydenham's benevolent plans did not disguise from him the insidious attempt to limit what he counted the legitimate constitutional liberty of the colony. It cannot justly be objected that his acceptance of office misled the governor-general, either in 1840 or in 1841. "I distinctly avow," he wrote publicly in 1840, "that, in accepting office, I consider myself to have given a public pledge that I have a reasonably well-grounded confidence that the government of my country is to be carried on in accordance with the principles of Responsible Government which I have ever held. . . . I have not come into office by means of any coalition with the Attorney-General,<sup>2</sup> or with any others now in

<sup>1</sup> The references to Baldwin in the Elgin-Grey Correspondence are, without exception, most cordial, and usually complimentary.

<sup>2</sup> The Hon. W. H. Draper, a moderate Conservative.

the public service, but have done so under the governor-general, and expressly from my confidence in him."<sup>1</sup> In the same way, when Sydenham chose him for the Solicitor-Generalship of Upper Canada in the Union Ministry, Baldwin, who had no belief in Sydenham's cabinet of all the talents, wrote bluntly to say that he "had an entire want of political confidence in all of his colleagues except Mr. Dunn, Mr. Harrison, and Mr. Daly."<sup>2</sup> In view of his later action, his critics charged him with error in thus accepting an office which placed him in an impossible position; but Baldwin's ready answer was: "The head of the government, the heads of departments in both provinces, and the country itself, were in a position almost anomalous. That of the head of the government was one of great difficulty and embarrassment. While he (Baldwin) felt bound to protect himself against misapprehensions as to his views and opinions, he also felt bound to avoid, as far as possible, throwing any difficulties in the way of the governor-general. At the time he was called to a seat in the Executive Council, he was already one of those public servants, the political character

<sup>1</sup> Quoted in Hincks, *Lecture on the Political History of Canada*, p. 19.

<sup>2</sup> *Ibid.* pp. 18-19.

newly applied to whose office made it necessary for them to hold seats in that Council. Had he, on being called to take that seat, refused to accept it, he must of course have left office altogether, or have been open to the imputation of objecting to an arrangement for the conduct of public affairs which had always met with his most decided approbation."<sup>1</sup> At worst, the Solicitor-General can only be blamed for letting his abnormally sensitive conscience lead him into political casuistry, the logic of which might not appear so cogent to the governor as to himself, when the crisis should come. How sensitive that conscience was, may be gathered from the fact that his acceptance of office in 1841 was accompanied with an avowal of want of confidence, made openly to those colleagues with whom he disagreed. It was further illustrated when he made a difficulty with Sydenham over taking the Oath of Supremacy, which, in a country, many of whose inhabitants were Roman Catholics protected in their religion by treaty rights, declared that no foreign prince, person, prelate, state or potentate hath or ought to have any jurisdiction,

<sup>1</sup> Baldwin's own explanation, furnished to a volume *The Irishman in Canada*. He was peculiarly fond of memoranda or declarations, written in the third person.

power, superiority, pre-eminence of authority, ecclesiastical or spiritual within this realm." <sup>1</sup>

The crisis came, as Baldwin expected it to come, when parliament met. Already, as has been seen, the French Canadians had organized their forces and formed the most compact group in the Assembly, while the little band of determined reformers from Upper Canada made up in decision and principle what they lacked in numbers. Hincks, who was one of the latter group, says that, before parliament met, the two sections consulted together concerning the government, and although La Fontaine had lost his election through a display of physical force on the other side, Baldwin was able to lead the combined groups into action. On June 12th, he wrote to Sydenham stating that the United Reform Party represented the political views of the vast majority of Canadians, that four ministers—Sullivan, Ogden, Draper, and Day—were hostile to popular sympathies and ideals, and that he thought the accession of Lower Canada Reformers absolutely essential to a sound popular administration. It was a perfectly consistent, if somewhat unhappily executed, attempt to secure

<sup>1</sup> Sydenham to Russell, 28 May, 1841. Sydenham dispensed with the oath on the advice of his legal officials.

the absolute responsibility of the Executive Council to the representatives of the people; and a week later, in the Assembly, when no longer in office, he defended his action. He believed that when the election had determined of what materials the House of Assembly was to be composed, it then became his duty to inform the head of the government that the administration did not possess the confidence of the House of Assembly, and to tender to the representative of his sovereign the resignation of the office which he held, having first, as he was bound to do, offered his advice to his Excellency that the administration of the country should be reconstructed.<sup>1</sup>

It was the directest possible challenge to Sydenham's system. Baldwin's claim was that, once the representatives of the people had made known the people's will, it was the duty of the ministry to reflect that will in their programme and actions, or to resign. As for the governor-general, he must obviously adjust whatever theories he might have, to a situation where colonial ministers were content to hold office only where they had the confidence of the people.

The action of the governor-general was charac-

<sup>1</sup> *The Mirror of Parliament* (published in Kingston), 23 June, 1841.

teristically summary. His answer to Baldwin reproved him for a "proposal in the highest degree unconstitutional, as dictating to the crown who are the particular individuals whom it should include in the ministry"; intimated the extreme displeasure of his Excellency, and assumed the letter to be equivalent to resignation.<sup>1</sup> To the home government he spoke of the episode with anger and some contempt: "Acting upon some principle of conduct which I can reconcile neither with honour nor common sense, he strove to bring about this union (between Upper and Lower Canadian reformers), and at last, having as he thought effected it, coolly proposed to me, on the day before Parliament was to meet, to break up the Government altogether, dismiss several of his colleagues, and replace them by men whom I believe he had not known for 24 hours—but who are most of them thoroughly well known in Lower Canada as the principal opponents of any measure for the improvement of the province."<sup>2</sup>

The crisis once passed, Sydenham hoped, and not without justification, that Baldwin would carry few supporters over to the opposition, and

<sup>1</sup> Sydenham to Baldwin, 13 June, 1841.

<sup>2</sup> *Ibid.*, 23 June, 1841.

that the Assembly would settle quietly down to enact the measures so bountifully set out in the opening speech. The first day of Assembly saw the party of responsible government make a smothered effort to state their views in the debate on the election of a speaker. On June 18th, an elaborate debate, nominally on the address, really on the fundamental point, found the attorney-general stating the case for the government, and Baldwin and Hincks pushing the logic of responsible government to its natural conclusion. Baldwin once more grappled with the problem of the responsibility of the members of council, and the advice they should offer to the governor-general. He admitted freely that unless the representative of the sovereign should acquiesce in the measures so recommended, there would be no means by which that advice could be made practically useful; but this consideration did not for a moment relieve a member of the council from the fulfilment of an imperative duty. If his advice were accepted, well and good; if not, his course would be to tender his resignation.<sup>1</sup>

<sup>1</sup> *The Mirror of Parliament*, reporting Baldwin's speech of 18th June. I have chosen to give Baldwin's own language in all its awkwardness and stiffness.

The government came triumphantly out of the ordeal, and all amendments, whether affecting the Union, or responsible government, were defeated by majorities, usually of two to one. "I have got the large majority of the House ready to support me upon any question that can arise," Sydenham wrote at the end of June; "and, what is better, thoroughly convinced that their constituents, so far as the whole of Upper Canada and the British part of Lower Canada are concerned, will never forgive them if they do not."<sup>1</sup>

But the enemy was not so easily routed. There had been much violence at the recent elections; and, among others, La Fontaine had a most just complaint to make, for disorder, and, as he thought, government trickery had ousted him from a safe seat at Terrebonne. Unfortunately the protests were lodged too late, and a furious struggle sprang up, as to whether the legal period should, in the cases under consideration, be extended, or whether, as the government contended, an inquiry and amendments affecting only the future should suffice. It was ominous for the cause of limited responsibility, that the government had to own defeat in the Lower House, and saved itself only

<sup>1</sup> Poulett Serope, p. 233.

by the veto of the Legislative Council. Nor was that the end. A mosaic work of opposition, old Tories, French Canadians, British anti-unionists, and Upper Canada Reformers, was gradually formed, and at any moment some chance issue might lure over a few from the centre to wreck the administration. Most of the greater measures passed through the ordeal safely, including a bill reforming the common schools and another establishing a Board of Works. The critical moment of the latter part of the session, however, came with the introduction of a bill to establish District Councils in Upper Canada, to complete the work already done in Lower Canada. The forces in opposition rallied to the attack, Conservatives because the bill would increase the popular element in government, Radicals because the fourth clause enacted that the governor of the province might appoint, under the Great Seal of the province, fit and proper persons to hold during his pleasure the office of Warden of the various districts;<sup>1</sup> and, as Sydenham himself hinted, there were those who regretted the loss to members of Assembly of a great opportunity for jobbery. One motion passed by the chairman's casting vote;

<sup>1</sup> District Municipal Council Act (1841), Cl. IV.

and nothing, in the governor-general's judgment, saved the bill but the circumstance of his having already established such councils in Lower Canada.<sup>1</sup>

There was one more attack in force before the session ended. On September 3rd, Baldwin, seconded by a French Canadian, moved "that the most important as well as the most undoubted of the political rights of the people of the province, is that of having a provincial parliament for the protection of their liberties, for the exercise of a constitutional influence over the executive departments of the government, and for legislation upon all matters, which do not on the ground of absolute necessity constitutionally belong to the jurisdiction of the Imperial parliament, as the paramount authority of the Empire."<sup>2</sup> The issue was stated moderately but quite directly, and there are critics of Sydenham who hold that his answer—for it was his voice that spoke—surrendered the whole position. That answer took the form of resolutions, moved by the most moderate reformer in the Assembly, S. B. Harrison :

(i) That the head of the provincial executive

<sup>1</sup> Sydenham to Russell, 28 August, 1841.

<sup>2</sup> *Journals of the House of Assembly*, 3 September, 1841.

government of the province, being within the limits of his government the representative of the Sovereign, is not constitutionally responsible to any other than the authority of the Empire.

(ii) That the representative of the Sovereign, for the proper conduct and efficient disposal of public business, is necessarily obliged to make use of the advice and assistance of subordinate officers in the administration of his government.

(iii) That in order to preserve the harmony between the different branches of the Provincial Parliament which is essential to the happy conduct of public affairs, the principal of such subordinate officers, advisers of the representative of the Sovereign, and constituting as such the provincial administration under him . . . ought always to be men possessed of the public confidence of the people, thus affording a guarantee that the well-understood wishes and interests of the people, which our gracious Sovereign has declared shall be the rule of the Provincial Government, will on all occasions be faithfully represented and advocated.

(iv) That the house has the constitutional right of holding such advisers politically responsible for every act of the Provincial Government of a local

character sanctioned by such government while such advisers continue in office." <sup>1</sup>

Of Sydenham's own doctrine of colonial government the outlines are unmistakable. A governor-general existed, responsible for his actions solely to the imperial authority. Under that government the people had full liberty to elect their representatives, through whom their desires could be made known. It was the duty of the governor-general to consult, on every possible detail, the popular will. Sydenham therefore held it essential that the governor-general in Canada should be one trained in the Imperial Parliament to interpret and to guide popular expression of opinion; and he believed that in such parliamentary diplomacy the governor-general would have to make many minor surrenders. But he never recoiled from a position, which was also that of Durham, that, as the proclamation of Union asserted, the grant of local autonomy was subject to certain limitations, and that these limitations no action of the Provincial Legislature could affect. Nor did he admit that his own responsibility to the Crown could be modified by the existence of a responsibility on the

<sup>1</sup> I have used as my chief authority here the reports in *The Quebec Gazette*, more especially the issue of Friday, 10 September, 1841.

part of his ministers to the Canadian people. Moreover, his own imperious temper and sense of superior enlightenment made him act in the very spirit of his doctrine with a resolution which few imperial servants of his time could have surpassed. It may be then that the final resolutions, and especially the last of them, were marked by a gentler mode of expression than before, but they were actually a reaffirmation of Sydenham's early views, and were quite consistent with the initial despatch of the colonial secretary.

The end was now near. Sydenham had already applied for and received permission, first to leave Canada, should his health require that step, and then, to resign. He had delayed to act on this permission, until he should see the end of the session, and the accomplishment of his ambitions. But, on September 4th, a fall from horseback inflicted injuries which grew more complicated through his generally enfeebled condition, and he died on Sunday, September 19th. On the preceding day, one of the most useful and notable sessions in the history of the Canadian Parliament came to an end.

Both by his errors, and by his acts of statesmanship, Sydenham contributed more than any other

man, except Elgin, to establish that autonomy in Canada which his theories rejected. Before self-government could flourish in the colony, there must be some solid material progress, and two years of incessant legislation and administrative innovation, all of it suggested by Sydenham, had turned the tide of Canadian fortunes. It was necessary, too, that some larger field than a trivial provincial assembly with its local jobs should be provided for the new adventure in self-government; and Sydenham not only engineered a difficult Act of Union past all preliminary obstacles, but, of his own initiative, gave Canada the local institutions through which alone the country could grow into disciplined self-dependence.

But even his errors aided Canadian development. Acting for a government in whose counsels there was no hesitation, Sydenham expounded in word and practice a perfectly self-consistent theory of colonial government. It was he who, by the virility of his thought and action, forced those who demanded responsible government to test and think over again their own position. The criticism which Elgin passed on him in 1847 is final: "I never cease to marvel what study of human nature, or of history, led him to the conclusion

that it would be possible to concede to a pushing and enterprising people, unencumbered by an aristocracy, and dwelling in the immediate vicinity of the United States, such constitutional privileges as were conferred on Canada at the time of Union, and yet restrict in practice their powers of self-government as he proposed." <sup>1</sup> Yet he had raised the question, for both sides, to a higher level, and his adversaries owed something of their triumph, when it came, to the man who had taught them a more spacious view of politics.

But it may be urged that he roused the French, insulted them, excluded them, and almost precipitated a new French rising. Undoubtedly he was an enemy to French claims, but, at the time, most of these claims were inadmissible. The French had brought the existing system of local government to a standstill. Few of those who took part in the Rebellion had any reasonable or adequate conception of a reformed constitution. As a people they had set themselves to obstruct the statesmen who came to assist them, and to oppose a Union which was doubtless imperfect as an instrument of government, but which was a necessary stage in the construction of a

<sup>1</sup> Elgin-Grey Correspondence : Elgin to Grey, 26 April, 1847.

better system. Here again Sydenham aimed at carrying out a perfectly clear and consistent programme, the political blending of the French with the British colonists. Unfortunately that programme was impossible. It had been constructed by men who did not understand the racial problem, and who, even if they had understood it, would not have accepted the modern solution. Yet French nationalism, between 1839 and 1841, had certain negative lessons still to learn. As, in Upper Canada, Robert Baldwin discovered from his opposition to the governor-general the methods and limits of parliamentary opposition, so La Fontaine, the worthiest representative of French Canada, began in these years to substitute constitutional co-operation with the reformers of the West, for the old sullen negative nationalism which had failed so utterly in 1837, as the most suitable means for maintaining the rights of his people.

## CHAPTER IV.

### THE GOVERNORS-GENERAL : SIR CHARLES BAGOT.

SIR CHARLES BAGOT, the second governor-general of United Canada, contrasted strangely with his predecessor in character and political methods. He was a man of the Regency, and of Canning's set. Since 1814 he had occupied positions of considerable importance in the diplomatic world, not because of transcendent parts, but because of his connections. He had been ambassador at Washington, St. Petersburg, and the Hague; and in the United States, where, to the end, his friends remembered him with real affection, he had rendered service permanently beneficial both to Britain and to America by negotiating the Rush-Bagot treaty, which established the neutralization of the great lakes. In Europe, he had been known to fame mainly as the recipient of George Canning's rhyming despatch; and for the rest, he allowed the great minister to make him, as he had made all

his other agents, a pawn in the game where he alone was player. In his correspondence he stands out as an old-fashioned, worldly, cultured, and unbusiness-like diplomatist, worthy perhaps of a satiric but kindly portraiture by Thackeray—a genuine citizen of Vanity Fair. Apart from his correspondence, his friendships, and his American achievements, he might have passed through life, deserving nothing more than some few references in memoirs of the earlier nineteenth century. But by one freak of fortune he found himself transported to Canada in 1842, and, by another, he became one of the foremost figures in the history of Canadian constitutional development. There have been few better examples of the curious good-fortune which has attended on the growth of British greatness than the story of Bagot's short career in Canada. When a very eminent personage demanded from the existing government some explanation of their selection of Bagot, Stanley, who was then Secretary of State for the Colonies, pointed, not to administrative qualifications, but to his diplomatic services in the United States. Relations with the American Republic do not here concern us, but it may be remembered that the situation in 1841 and 1842, just before the Ash-

burton Treaty, was full of peril; and Bagot was sent to Canada as a person not displeasing to the Americans, and a diplomatist of conciliatory temper. But his work was to be concerned with domestic, not international, diplomacy.

Three factors must be carefully studied in the year of political turmoil which followed: the Imperial government, the Canadian political community, and the new governor-general.

During this and the following governor-generalship, the predominant influence at the Colonial Office was Lord Stanley, almost the most distinguished of the younger statesmen of the day. Peel's judicial and scientific mind usually controlled those of his subordinates; but even Peel found it hard to check the brilliant individualism of his colonial secretary; and this most interesting of all the great failures in English politics exercised an influence in Canadian affairs, such as not even Lord John Russell attempted. Judged from his colonial despatches, Stanley seems to have found it very hard to understand that there could be another side to any question on which he had made up his mind. His party had consented to a modification of the old oligarchic rule in Canada; but they were intent upon limiting the scope of the

change, and upon conducting all their operations in a very conservative spirit. Stanley's instructions to Bagot had been drawn up in no ungenerous fashion. Bagot was to know no distinctions of national origin or religious creed, and in so far as it might be consistent with his duty to his Sovereign, he was to consult the wishes of the mass of the community.<sup>1</sup> Their happiness it was his main duty to secure. In ecclesiastical matters, Stanley, who had changed his party rather than consent to weaken the Anglican Church in Ireland, was willing to acknowledge "that the habits and opinions of the people of Canada were, in the main, averse from the absolute predominance of any single church."<sup>2</sup> But the theory inspiring the instructions was one which denied to the colonists any but the most partial responsibility and independence, and which regarded their party divisions as factious and at times treasonable. This disbelief in the reality of Canadian parties was, however, discounted, and yet at the same time rendered more insulting to the reformers, because the colonial secretary regarded the fragments of old Family Compact Toryism as still the best guarantee in Canada for the British connection. "Although

<sup>1</sup> Stanley to Bagot, 8 October, 1841.

<sup>2</sup> *Ibid.*

I am far from wishing to re-establish the old Family Compact of Upper Canada," he wrote, at a later date, "if you come into difficulties, that is the class of men to fall back upon, rather than the ultra-liberal party."<sup>1</sup> Confidence in political adventurers and the disaffected French seemed to him a kind of madness. In addition to this attitude towards existing parties, Stanley held stiffly to every constitutional expedient which asserted the supremacy of the Imperial government. The Union had, by fixing a Civil List, taken the power of the purse within certain limits from Canadian hands, and this Civil List Stanley regarded as quite essential to the maintenance of British authority.<sup>2</sup> In fact, any discussion of the subject seemed to him the "reopening of a chapter which has already led to such serious consequences, and in the prosecution of which I contemplate seriously the prospect of the dismemberment of the Empire."<sup>3</sup> Holding views so resolute, he could not, like Russell, trust his representative on the spot; and, from the first, the troubles of the new governor-general were multiplied by Stanley's determina-

<sup>1</sup> Bagot Correspondence: Stanley to Bagot, 17 May, 1842. The term *Bagot Correspondence* is used to denote the letters to and from Bagot, other than despatches, in the possession of the Canadian Archives.

<sup>2</sup> Stanley to Bagot, 8 October, 1841.

<sup>3</sup> *Ibid.*

tion to make the views of the Colonial Office prevail in Canada. "I very much doubt," wrote Murdoch, Sydenham's former secretary, "how far Lord Stanley is really alive to the true state of Canada, and to the necessity of governing through the assembly."<sup>1</sup>

Local influences provide the second factor in the situation. As has been seen, the Canadian political community was demanding both responsible government, and the admission of the French to a share in office. Sydenham had exhibited the most wonderful skill in working an anomalous system of government, and he had found himself on the brink of failure. His Council, which Bagot had inherited, "might be said to represent the Reform or popular party of Upper Canada, and the moderate Conservatives of both provinces, to the exclusion of the French and the ultra-conservatives of both provinces,"<sup>2</sup> but the compromise represented less a popular demand for moderation, than Sydenham's own individual idea of what a Canadian Council should be. There had been uneasiness in adjusting the opinions of individual members; there was a steady decline in the willingness of the Assembly

<sup>1</sup> Bagot Correspondence: Murdoch to Bagot, 18 October, 1842.

<sup>2</sup> Bagot to Stanley, 26 September, 1842.

and the country to support them; and a determined constitutional opposition found additional strength through the support of the French party, whom the governor had alienated not simply as a political division but as a race. In a sense, there was no imminent danger, as there had been in 1837, for Sydenham's sound administration had given the country peace and prosperity. English money and immigrants were flowing in; the woods were ringing with the axes of settlers too busy in clearing the ground to trouble much with politics; the lines of communication were being improved and transportation simplified; and, thanks to Ashburton, the war-cloud to the south had vanished over the horizon. Yet the politicians held the central position—everything depended on them; and the crisis for Bagot would arise, first, when he should be called on to fill certain places in the Executive Council, and then, when Parliament met. It is often assumed that public opinion was seriously divided on the question of the responsibility of the ministry to the Assembly, and of the extent of the concessions to be made to the French; and that the opposition to reform was almost equal in the numbers of its supporters to the progressive party. But this is to over-estimate the forces of

reaction. The Family Compact men had fallen on evil days. Strachan with his church party, and MacNab with his tail of Tory irreconcilables, had really very little substantial backing; and honest Tory gentlemen, like J. S. Cartwright, who openly advocated an aristocratic administration, were unlikely to attract the crowd. The work of Sydenham had contributed much to the political education of Canada; popular opinion was now firmer and more self-consistent, and that opinion went directly contrary to the views of Stanley and his supporters. One may find evidence of this in the views of moderates on either side.

Harrison, who represented the moderate reforming party in Sydenham's ministry, held that responsible government, in some form or other, was essential, and that French nationalism must also receive concessions. "Looking at the present position of parties," he wrote to Bagot in July, "it may, I think, be safely laid down that, to obtain a working majority in the House of Assembly, it is absolutely necessary that the government should be able to carry with it the bulk of the French-Canadian members. . . . There is no disguising the fact that the French members possess the power of the country; and he who directs that

power, backed by the most efficient means of controlling it, is in a situation to govern the province best.”<sup>1</sup> It was his opinion that Bagot should anticipate the coming crisis by calling in Baldwin and the French, before events forced that step on him.

On the Conservative side, a moderate man like W. H. Draper, the attorney-general for Upper Canada in Sydenham's ministry, argued in favour of a policy almost identical. While his views tended to oscillate, now to this side, now to that, their general direction was clear. He felt that the ideal condition was one of union between the parties of Western Canada, which would “render the position of the government safer in its dealings with the French-Canadians.” But no such union was possible, and Draper, with that honest opportunism which best expressed his mind and capacity, assured Bagot that action in the very teeth of his instructions was the only possible course. “One thing I do not doubt at all,” he wrote in July 1842, “and that is that, with the present House of Assembly, you cannot get on without the French, while it is necessary for me at the same time to declare frankly that I cannot sit at the council-

<sup>1</sup> Bagot Correspondence : Harrison to Bagot, 11 July, 1842

board with Mr. Baldwin." <sup>1</sup> In other words, since Draper admitted that the opposition leaders must receive office, and at the same time declared the impossibility of his holding office with them, he was consenting to Cabinet government, not in the restricted form permitted in Lord John Russell's despatches, but after the regular British fashion.

Outside the sphere of party politics moderate opinion took precisely the same stand. Murdoch had been Sydenham's right-hand man, and was still the fairest critic of Canadian politics. That he distrusted Stanley's methods is apparent in his letters to Bagot; and it was his suggestion that the Imperial position should be modified, and that some concession should be made to French national feeling. "No half measures," he told Bagot, "can now be safely resorted to. After the Rebellion, the government had the option, either of crushing the French and anglicizing the province, or of pardoning them and making them friends. And as the latter policy was adopted, it must be carried out to its legitimate consequences." <sup>2</sup>

<sup>1</sup> Bagot Correspondence: W. H. Draper to Bagot, 18 May, and 16 July, 1842.

<sup>2</sup> Bagot Correspondence: Murdoch to Bagot, 3 September, 1842.

The situation in Canada during the spring and summer of 1842 stood thus. A governor-general, entirely new to the work of domestic administration, and to the province which had fallen to his lot, faced a curious dilemma. The British cabinet, the minister responsible for the colonies, and all those in Canada who claimed to be the peculiar friends of the British connection, bade him govern for, but not by the people, and exclude from office almost all the French-Canadians, on the ground that they were devotedly French in sympathies. Another group, at times aggressive, and very little accustomed to the orthodox methods of parliamentary opposition, bade him venture and trust; and warned him that no half measures would satisfy the claims of constitutional liberty and nationality.

The administration of Bagot occupied a single year, and its more important episodes were crowded into a few weeks in the autumn of 1842. Yet there have been few years of equal significance in the history of Canadian political development. There were intervals in which Bagot had time to reveal to Canada his genius for making friends; and the foundation of a provincial university in Toronto deeply interested one who had something of

Canning's wit and literary inclinations. But politics usually claimed all his attention. The Union of the Provinces, and the Imperial supremacy, had to be defended against their assailants; the vacant places in the Executive Council had to be filled, as nearly as was possible in harmony with the wishes of the community; and whatever the character of that council might be, it would have to face the test of criticism from an Assembly, which had already striven not unsuccessfully with Sydenham.

In his attempt to answer these various problems, Bagot was at his worst in finance. He had not the requisite business training, and entirely lacked Sydenham's knowledge, boldness, and precision. In the correspondence over the mode in which the province should dispose of the British loan of £1,500,000, Stanley's views show a clearness and force, lacking in those of Bagot; and in the one really unfortunate episode of the year, his want of financial skill drew on the governor-general's head the remonstrances of both Stanley and the Treasury authorities. To escape financial difficulties in Canada, Bagot had anticipated the loan, by drawing on British funds for £100,000, and the Treasury did not spare him. "He ought," wrote the Chancellor of the Exchequer, "to have con-

sidered those (difficulties) which must arise here from the presentation of large drafts at the Treasury, for which Parliament had made no provision ; and for which, as Parliament was not sitting, no regular provision could be made. The situation to which the Treasury is reduced is this : either to protest the bills for want of funds, or to accept the bills, and find within thirty days the means of paying them." <sup>1</sup> This incident furnished to Stanley fresh proof, if any were needed, of Bagot's inexperience. An anxious and mistrustful temper appears in all his despatches to Bagot ; but, in fact, with little justification. He never learned how completely the governor for whom he trembled was his master in the art of governing a half-autonomous colony.

As early as March, Bagot had begun to feel that the views of the Cabinet in Britain were impracticable : and that even the Civil List might not be so easily defended as Stanley imagined. " I know well by what a slender thread the adhesion of the colony will hang whenever we consent to leave the matter entirely in its own hands. . . . But the present supply is not sufficient for its purposes. We must always be dependent on the Legislature for provision to meet its excess ; and I cannot but

<sup>1</sup> Goulburn to Stanley, 16 September, 1842.

think that the sooner the Legislature succeeds, if they are to succeed, in carrying the point, the more generous they may possibly be in the use of their victory.”<sup>1</sup> Bagot was already defining the policy which was to be peculiarly his own. He had a singularly clear eye for facts, even when they contradicted his preconceived ideas; and, being a man of the world, he saw that compromise with the opposition was as natural in Canada as in Britain. But in answer to his despatches, proposing such a compromise, Stanley, with his dogmatic omniscience, and eloquent certainty, had nothing but regrets to express, and difficulties to suggest. England, he thought, had dealt generously with Canada in the terms of the Act of Union, and sound statesmanship lay in resolute defence of that measure. And, since there always seems to be in such imperialists a sense of political pathos—the *lacrymæ rerum politicarum*—he began to have pessimistic views of the permanence of the connection: “I am very far from underrating the value to Great Britain of her extensive and rapidly improving North American possessions, but I cannot conceal from myself the fact that they are maintained to her at no light cost, and at no

<sup>1</sup> Bagot Correspondence: Bagot to Stanley, 26 March, 1842.

trifling risk. To all this she willingly submits, so long as the bonds of union between herself and her colonies are strengthened by mutual harmony, good will, and confidence ; and it would be indeed painful to me to contemplate the possibility that embarrassments, arising from uncalled for and unfounded jealousies on the part of Canada, might lead the people of England to entertain a doubt how far the balance of advantages preponderated in favour of the continuance of the present relations." <sup>1</sup> The Civil List raised the fundamental question, but it was a simple issue, and it lay still far in the future. The constitution of the ministry, however, and its relation to the coming parliament, could be neither evaded nor delayed.

Bagot's instructions gave him a certain scope, for he was permitted to avail himself of the advice and services of the ablest men, without reference to the distinction of local party. In making use of this liberty, Bagot had to consider chiefly the need of finding a majority in the Lower House—happily he could postpone their meeting till September. Of the probable tone of that Assembly the estimates varied, but Murdoch, who knew the situation as well as any man, calculated that while

<sup>1</sup> Stanley to Bagot, 27 May, 1842.

the government party would number thirty, the French, with their British Radical friends, would be thirty-six strong, the old Conservatives eight, and some ten or so would "wait on providence or rather on patronage."<sup>1</sup> In Sydenham's last days, the government majority, which he had so subtly, and by means so machiavellian, got together, had vanished. Reformers, not all of them so scrupulous as Baldwin, were ready to ruin a government which kept them from a complete triumph. Sir Allan MacNab with his old die-hards, fulminating against all enemies of the British tradition, was still willing to make an unholy alliance with the French, if only he could checkmate a governor-general who did not seem to appreciate his past services to Britain. And the French themselves, alienated and insulted by Sydenham, sat gloomily alone, restless over the Union, seemingly on the threshold of some fresh racial conflict. Everything was uncertain, save the coming government defeat.<sup>2</sup>

At the very outset, Bagot had this question of French Canada thrust upon him. From the moment of his arrival his council advised the

<sup>1</sup> Bagot Correspondence: Stanley to Bagot, describing an interview with Murdoch, 1 September, 1842.

<sup>2</sup> See Bagot's admirable analysis of French conditions in his public and confidential despatches, 26 September, 1842.

admission of the French Canadians to a share in power. He refused, for Stanley had very carefully instructed him on that subject. The Colonial Secretary had spoken of the wisdom of forgetting old divisions, but he never permitted himself to forget that the French leaders—La Fontaine, Viger, Girouard—had all been, in some fashion or other, involved in the troubles of 1837. He believed that there still existed in Lower Canada a gloomy, rebellious, French Canadian party, which no responsible British statesman could afford to recognize. Sober-minded Canadian statesmen told him that it was useless to attempt to detach from the party individuals—*les Vendus* their compatriots called them. He answered that he would like to multiply such *Vendus*; and he hoped for a day when the anglicising of the Lower Province should have been completed. It was his intention to break down all forces tending in the opposite direction. He was conscious of a repulsion, equally strong, in his feelings towards Baldwin, and the Reform party. Whether it came by French racial hate, or Upper Canadian republicanism, which was the name he gave to all views of a reforming colour, the ruin of the Empire would follow hard on concession to agitation. In his heart, he trusted only

the old Tories, and not all his disgust at MacNab's interested advances could alter his conviction that one party alone cared for Britain—the former Family Compact men. When he bade Bagot disregard party divisions in his choice of ministers, he was unconsciously limiting Bagot's choice to a very little circle, all of them most unmistakably displeasing to the populace, whose wishes he professed to be willing to consult. He claimed to be a man of principle—mistaking the clearness of doctrinaire ignorance for the certainty of honest knowledge.

Happily the governor-general of Canada was not in this sense a man of principle. He observed, took counsel, and began to shape his own policy. It is not easy to describe that policy in a sentence, or even to make it absolutely clear. He had come out to Canada, forewarned against Baldwin and the school of constitutionalists associated with him; and the warning made him reluctant to consent to their ideas. He had been advised to draw his councillors from all directions, and his naturally moderate spirit approved a policy of judicious selection. But the noteworthy feature in the line of action which he ultimately followed was that he allowed his diplomatic instincts to overbalance the advice imposed on him by the British ministry.

In selecting individuals for his councils, he almost unconsciously followed the wishes of Baldwin and his party, until, at the end, he found himself in the hands of resolute advocates of responsible government, and did nothing to withstand their doctrine. But this is to anticipate events, and to simplify what was actually a process involved in some confusion. He filled two vacant places—one with the most brilliant of reforming financiers, Francis Hincks, whose merits he saw at once; the other, after a gentlemanly refusal from Cartwright, with Sherwood, a sound but comparatively moderate Conservative from Upper Canada. In an admirable letter to Stanley at the beginning of the summer, he outlined his policy. Stanley, ever fearful of rash experiments, warned him that a combination of black and white does not necessarily produce grey. To this he answered: "My hope is that, circumstanced as I am, I possibly may be able to do this, that is, to take from all sides the best and fittest men for the public service. . . . The attempt to produce such a grey, whether it succeed or not, must, I think, after all that has passed, and at this particular crisis in which I find myself here, be the safest line."<sup>1</sup> Stanley, then, limited his

<sup>1</sup> Bagot Correspondence : Bagot to Stanley, 12 June, 1842.

choice of men, and in the event of a crisis, was prepared that he should risk a defeat and the violent imposition of an alien ministry, on the chance that such a reverse might provoke a loyalist uprising to defend the British connection. Baldwin dreamed of a consistently Radical cabinet. Mac-Nab, with his eyes shut to the consequences, seems to have considered a leap in the dark—a coalition between his men and the French Canadians. Bagot, as opportunist as the Tories, but opportunist for the sake of peace, and some kind of constitutional progress, laid aside lofty ideals, and said, as his most faithful advisers also said, that the future lay with *judicious selection*, no party being barred except where their conduct should have made recognition of them impossible to a self-respecting governor.

It is difficult to name all the influences which operated on Bagot's mind. He corresponded largely and usefully with Draper, the soundest of his conservative advisers. His own innate courtesy led him to end the social ostracism of the French, and taught him their good qualities. Being quick-witted and observant, his political instincts began almost unconsciously to force a new programme upon him. Before August, he had conciliated moderate reforming opinion through Hincks; he

had proved to the French, by legal appointments, which met with a stiff and forced acquiescence in Stanley, that at least he was not their enemy. He had begun to question the certainty of Stanley's wisdom on the Civil List, and various other subjects. Then, between July 28th and September 26th, the date of two sets of despatches, which, if despatches ever deserve the term, must be called works of genius, he completed his plan, brought it to the test of practice, and challenged the home government to acquiesce, or recall him. With his ministry constituted as it was in July, he had to face the certainty of a vote of no confidence as soon as parliament met. Were he to do nothing, some unholy alliance of groups would defeat the government. In that case, his ministers, pledged as they were to constitutionalism by the resolutions of September, 1841, had warned him beforehand, that they would resign in a body. All hold over the French would be lost, and responsible government, whether he and Stanley willed it or not, would be established in its most obnoxious form. To fill the vacant places, or to reconstruct the ministry, the field of choice was very small, even if men of every connection were included. "Out of the 84 members of the House of

Assembly," he told Stanley, "not above 30, as far as I can judge, are at all qualified for office, by the common advantages of intelligence and education, and of these, ten at least are not in a position to accept it."<sup>1</sup> In the case of the French he seemed to have reached an absolute deadlock. He found offers to individual Frenchmen useless, for he did not gain the party, and he ruined the men whom he honoured. The Assembly was to meet on the 8th of September, and as that date drew near, the excitement rose. It was a crisis with many possibilities both for England and for Canada.

As certainly as Stanley, with all the wisdom of Peel's cabinet behind him, was wrong, and fatally so, Bagot's conduct between September 10th and September 14th was precisely right. In a correspondence with Peel, just before the crisis, Stanley sought to get his great leader to take his view. Even Peel's genius proved incompetent to settle a problem of local politics, three thousand miles away from the scene of action. The wisdom of his answer lay, not in its suggestions, which were useless to Bagot, but in its hint "that much must be left to the judgment and discretion of those who have to act at a great distance from the supreme

<sup>1</sup> Bagot to Stanley : 26 September, 1842—confidential.

authority.”<sup>1</sup> Stanley himself, from first to last, was for allowing Bagot to face defeat, although he always thought it possible that stubborn resistance to what he counted treason would rally a secure majority to Bagot and the Crown. Time and again after assuring Bagot that he and the ministry acquiesced, which, to do them justice, they did like men, he harked back to the idea of allowing events to prove that the government was indeed powerless, before it made a definitive surrender. Long before Parliament met, the situation had been discussed in all its bearings; and the only doubt that remained was concerning which out of three or four foreshadowed catastrophes would end the existence of the government. The ministers themselves had their negative programme ready; for, having consented to the constitutional resolutions of September, 1841, they forewarned Bagot that if they were left in a minority, or in a very small majority, they should feel themselves compelled to resign, and they added that, if Bagot did not accept their recommendation to admit the French Canadians, they would insist upon his accepting their resignation.<sup>2</sup>

<sup>1</sup> Peel to Stanley, 28 August, 1842.

<sup>2</sup> Bagot to Stanley, 26 September, 1842—confidential.

When the Assembly met, events moved very rapidly. On the opening day, Neilson brought forward the exciting question of amnesty; and the air was filled with rumours and schemes, of which the most ominous for government was the project of coalition between Conservatives and French Canadians. The time had come for action—if anything could really be done. To understand the boldness of Bagot's tactics, it must be remembered that they went "in the teeth of an almost universal feeling at home . . . certainly in opposition to Lord Durham's recorded sentiments, and as certainly to Lord Sydenham's avowed practice"—to say nothing of Stanley's own wishes. La Fontaine was definitely approached on the tenth, and, seemingly, Bagot was not quite prepared for the greatness of his claims—"four places in the Council, with the admission of Mr. Baldwin into it."<sup>1</sup> But he had no alternative, for on the 12th he received a plain statement from his cabinet that, if he failed, they were not prepared to carry on the government.<sup>2</sup> To his dismay, the surrender, if one may so term it, which he signed next day, was not accepted, since Baldwin could not coun-

<sup>1</sup> Bagot Correspondence : Bagot to Stanley, 28 July, 1842.

<sup>2</sup> Bagot Correspondence : Bagot to Stanley, 13 September, 1842.

tenance the pensioning of the ministers, Ogden and Davidson, who had been compulsorily retired, and, although MacNab was at hand with the offer of sixteen Conservative stalwarts, the plan was useless, and, in view of MacNab's general conduct at this time, irritating. When Bagot wrote that night to Stanley it was as a despairing man, for the attack had begun at 3 o'clock, Baldwin leading off with an address, as usual pledging the House to responsible government, and there was every chance that he would defeat the ministry. At this point Bagot took the strange and daring plan of allowing Draper to read his letter to La Fontaine in the House, that the Lower Canadians might "learn how abundantly large an offer their leaders have rejected, and the honest spirit in which that offer was made."<sup>1</sup> His unconventionality won the day, by convincing the House that the governor-general was in earnest. Successive adjournments staved off the debate on the address; and by September 16th, terms had been settled. La Fontaine, Small, Aylwin, Baldwin, and Girouard if he cared to take office, were to enter, Draper, Davidson, Ogden and Sherwood passing out. Unfortunately, since neither Ogden nor Sherwood happened to be pre-

<sup>1</sup> Bagot Correspondence: Bagot to Stanley, 13 September, 1842.

sent, Bagot had to accept their resignations on his own initiative, and without previous consultation with them. Not even that dexterous correspondent could quite disguise the awkwardness of his position when he wrote to tell both men that they had ceased to be his ministers.<sup>1</sup> So the crisis ended.

The address was carried by fifty-five votes to five, the malcontents being MacNab, foiled once more in his ambitions; Moffat and Cartwright, representing inflexible Toryism; Neilson, whose position as a recognized opponent of the Union tied his hands, and Johnstone, a disappointed place man. Peace ruled in the Assembly, and the battle passed to the province, the newspapers, and most ominous of all for the governor, to the cabinet and public in Britain. A storm of abuse, criticism, and regrets broke over Bagot's devoted head. The opposition press in Canada called him "a radical, a puppet, an old woman, an apostate, a renegade descendant of old Colonel Bagot who fell at Naseby fighting for his King."<sup>2</sup> MacNab, in the House, led a bitterly personal opposition. At least one

<sup>1</sup> Bagot Correspondence: letters to Sherwood 16 September, and to Ogden 19 September. Dismissal is far too blunt a term in which to describe the transaction.

<sup>2</sup> Bagot Correspondence: Bagot to Stanley, 28 October, 1842.

cabinet meeting in England was called specially to consider the incident, and for some months Stanley tempered assurances that he and the government would support their representative, with caustic expressions of regret. The necessity of the change, he reiterated, had not been fully proven. The French members and Baldwin were doubtful characters. If the worst must be accepted, and a ministry constructed, containing both Baldwin and the French, then Bagot had better obtain from the new cabinet some assurance of "their intention of standing by the provisions of the Act of Union, including the Civil List, and every other debatable question." Then, fearing lest the very citadel of responsibility and control should be surrendered, he set forth his theory of government in an elaborate letter which revealed distinct distrust of his correspondent's power of resistance. "Your position is different from that of the Crown in England. The Crown acts avowedly and exclusively on the advice of its ministers, and has no political opinions of its own. You act in concert with your Executive Council, but the ultimate decision rests with yourself, and you are recognised, not only as having an opinion, but as supreme and irresponsible, except to the Home government, for

your acts in your executive capacity. Practically you are (influenced) by the advice you receive, and by motives of prudence, in not running counter to the advice of those who command a majority in the Legislature; but you cannot throw on them the onus of your actions in the same sense that the Crown can in this country.”<sup>1</sup>

Yet, so far as Canada was concerned, Bagot had reason to feel satisfied. Threatened with half a dozen hostile combinations, he had forestalled them all, and found the Assembly filled with friends, not enemies. He had approached a sullen French nation—and thereafter the French party formed as solid an accession to Canadian political stability as they had once been dangerous to Imperial peace; and their union with the moderate reformers in government, while it gave them all they asked, enabled the governor to exercise a natural restraint on them, should they again be tempted to nationalist excesses. He had not explicitly surrendered to any sweeping doctrine of responsible government. There was peace at last. The Assembly which passed over thirty acts, reaffirmed the rights of the royal prerogative, and

<sup>1</sup> Bagot Correspondence: Stanley to Bagot, 3 November and 3 December, 1842.

was dismissed in the most amiable temper with itself, and the governor-general.

One may discern, however, a curious contradiction between the superficial consequences of the crisis, as described by Bagot, and the fundamental changes the beginnings of which he was able to trace in the months which followed. On the face of it, Bagot's policy of frank expediency had saved Stanley and his party from a crushing defeat and a humiliating surrender to extreme views. So far, he had assisted the cause of conservatism. But the disaster and the humiliation would have come, not from the grant of responsible government, but from the misuse of it to which a victory, won against a more resolute governor, might have tempted Baldwin and La Fontaine, and from the false position in which the imperial government would have stood, towards the men who had challenged imperial authority and won. It is interesting to follow the process by which Bagot came to see all that lay in his action. Yielding to Canadian autonomy, he went on to new surrenders. He had already warned Stanley that the agitation over the Civil List would certainly reawaken; to the end he seems to have been considering the advisability of a complete surrender

on that point. When he wrote communicating to the minister the Assembly's acknowledgment of the royal prerogative, in recognizing the right of the Crown to name the capital, he pointed out that, prerogative or no prerogative, the possessor of the purse had the final voice. He rebuked his new minister, Baldwin, for tacking on question-begging constitutional phrases to a legal opinion, but he told Stanley, quite frankly, that, "whether the doctrine of responsible government is openly acknowledged, or is only tacitly acquiesced in, *virtually it exists.*"<sup>1</sup> During the remainder of his tenure of office, partly because of his own ill-health, but partly also, I think, from conviction, he gave his ministers the most perfect freedom of action. And, although he did not gain the point, he was willing to make sweeping concessions in answer to the call for an amnesty for the rebels of 1837. He recognized the force of trusting, in a self-governing community, even those who had once striven against the British rule with arms—the final proof in any man that he has come to understand the secrets, at once of Empire, and of constitutional government.

There is little more to tell of Bagot's rule, for

<sup>1</sup> Bagot Correspondence : Bagot to Stanley, 28 October, 1842.

the last months of his life were spent in a struggle to overcome extreme bodily sickness in the interest of public duty ; and Stanley himself, in the name of the Cabinet, expressed his admiration for the gallantry of his stand.

To the end, he held himself justified in his political actions, and if there were moments when he questioned whether Stanley would see things in a reasonable light, he possessed the perfect confidence of his Canadian ministers, who did not neglect his injunction to them to defend his memory.<sup>1</sup>

Nevertheless the irritation of the Colonial Secretary was neither unnatural nor unjustifiable. He confidently expected that separation from England would be the immediate consequence of a surrender to the reform party in Canada ; and he believed that Bagot had made that surrender. In the latter opinion he was correct. There are times when the party of reaction sees more clearly than their opponents the scope and consequences of innovation, however blind they may be to the developments which by their parallel advance check the obvious dangers ; and Sir Charles Metcalfe, whom Stanley sent to Canada to stay the flowing tide, has furnished the most accurate negative criticism of

<sup>1</sup> Hincks, *Reminiscences of his Public Life*, p. 89.

the Bagot incident: "The result of the struggle naturally increased the conviction that Responsible Government was effectually established, new Councillors were forced on the governor-general. . . . The Council was no longer selected by the governor. It was thrust on him by the Assembly of the people. Some of the new members of the Council had entered it with extreme notions of the supremacy of the Council over the governor; and the illness of Sir Charles Bagot, after this change, threw the current business of administration almost entirely into their hands, which tended much to confirm these notions."<sup>1</sup> It fell to the lot of this critic to attempt to correct Bagot's mistakes.

<sup>1</sup> Kaye, *Papers and Correspondence of Lord Metcalfe*, p. 416.

## CHAPTER V.

### THE GOVERNORS-GENERAL: LORD METCALFE.

A SURRENDER of the official Imperial position so unexpected and so contrary to the intentions of the Colonial Office, as that which Bagot had made, provoked a natural reaction. Bagot's successor was one of those men of principle who are continually revealing the flaws and limitations implicit in their principles by earnest over-insistence on them. It is unfortunate that Sir Charles Metcalfe should appear in Canadian history as the man whose errors almost precipitated another rebellion, for among his predecessors and successors few have equalled him, none has outstripped him, in public virtue or experience. He had earned, throughout thirty-seven years in India, a reputation for efficiency in every kind of administrative work. As a lad of little more than twenty he had negotiated with Ranjit Singh the treaty which, for a generation, kept Sikhs and British at peace. In the

residency at Hyderabad he had fought, in the face of the governor-general's displeasure, a hard but ultimately successful battle for incorrupt administration. After Bentinck had resigned, Metcalfe had been appointed acting governor-general, and he might have risen even higher, had not the courageous act, by which he freed the press in India from its earlier disabilities, set the East India Company authorities against him. He was something more than what Macaulay called him—"the ablest civil servant I ever knew in India"; his faculty for recommending himself to Anglo-Indian society on its lighter side, and the princely generosity which bound his friends to him by a curious union of reverence and affection, combined with his genius for administration to make him an unusual and outstanding figure in that generation of the company officials in India. Led by the sense of duty which ever dominated him, he had passed from retirement in England to reconcile the warring elements in Jamaica to each other; and his success there had been as great as in India. In English politics, in which he had naturally played little part, he identified himself with the more liberal wing of the Whigs, although his long absence from the centre of affairs, and the inclination natural to

an administrator, to think of liberalism rather as a thing of deeds and acts than of opinion, gave whatever radicalism he may have professed a bureaucratic character. He described himself not inaptly to a friend thus: "A man who is for the abolition of the corn laws, Vote by Ballot, Extension of the Suffrage, Amelioration of the Poor-laws for the benefit of the poor, equal rights to all sects of Christians in matters of religion, and equal rights to all men in civil matters . . . ; and (who) at the same time, is totally disqualified to be a demagogue—shrinks like a sensitive plant from public meetings; and cannot bear to be drawn from close retirement, except by what comes in the shape of real or fancied duty to his country."<sup>1</sup> Outside of the greater figures of the time, he was one of the first citizens of the Empire, and Bagot, as he thought of possible successors, only dismissed the suggestion of Metcalfe's appointment because it seemed too good news to be true. Nevertheless Sir Charles Metcalfe had one great initial disadvantage for work in Canada. Distinguished as were his virtues, a very little discernment in the home government might have discovered the obstacles which must meet an absolutely efficient,

<sup>1</sup> Kaye, *Life of Lord Metcalfe*, revised edition, ii. p. 313.

liberal administrator in a country where democracy, the only possible principle of government for Canada, was still in its crude and repulsive stage. The delimitation of the front between Imperial control and Canadian self-government required a subtler and more flexible mind than Metcalfe's, and a longer practice than his in the ways of popular assemblies. Between March, 1843, when he assumed office, and the end of 1845, when he returned to die in England, Metcalfe's entire energy was spent in grappling with the problem of holding the balance level between local autonomy and British supremacy. His real contribution to the question was, in a sense, the confusion and failure with which his career ended; for his serious practical logic reduced to an absurdity, as nothing else could have done, the position stated so firmly by Russell in 1839.

Sir Charles Metcalfe came to Canada at a moment when responsible government in its most extended interpretation seemed to have triumphed. In Upper and Lower Canada the reforming party had accepted Bagot's action as the concession of their principle, and the two chief ministers, Baldwin and La Fontaine, were men resolute to endure no diminution of their share of responsibility. Bagot's

illness had given additional strength to their authority, and Gibbon Wakefield, who was then a member of Assembly, believed that Baldwin had already taken too great a share of responsibility to be willing to occupy a secondary place under an energetic governor.<sup>1</sup> Indeed an unwillingness to allow the governor-general his former unlimited initiative becomes henceforth a mark of the leaders of the Reformers, and La Fontaine, who had resented Sydenham's activity as much as his anti-nationalist policy, protested against the suggestion that Charles Buller should be sent to Canada, because he "apprehended that Buller would be disposed to take an active part himself in our politics."<sup>2</sup> There seemed to be no obstacle in the way of a complete victory for reforming principles. The French remained as solidly as ever a unit, and under La Fontaine they were certain to continue to place their solidarity at the disposal of the Upper Canada reformers. The latter, *ultras* and moderates alike, were too adequately represented, in all their shades and aspects, in the cabinet, to be willing to shake its power; and

<sup>1</sup> *A View of Sir Charles Metcalfe's Government of Canada*, by a member of the Provincial Parliament, p. 29.

<sup>2</sup> Baldwin Correspondence: La Fontaine to Baldwin, 26 July, 1845.

the sympathetic co-operation between Irishmen in Canada, and those who at that time in Ireland were beginning another great democratic agitation, made the stream of Hibernian immigration a means of reinforcing the Canadian progressives. One of the best evidences of the growth of Reform was the persistent agitation of the Civil List question. Following up their action under Bagot, the reformers demanded the concession of a completer control than they seemed then to possess over their own finances, and a more economical administration of them. The inspector-general, in a report characterized by all his admirable clearness, stated the issue thus : " It is impossible for any government to support a Civil List to which objections are raised, and with justice, by the people at large ; first, on the ground that its establishment was a violation of their constitutional rights ; second, that the services provided for are more than ought to be placed on the permanent Civil List ; third, on the ground that the salaries provided are higher than the province can afford to pay with a due regard to the public interests, and more especially to the maintenance of the public credit." <sup>1</sup>

<sup>1</sup> *Parliamentary Paper concerning the Canadian Civil List* (1 April, 1844), p. 5.

Metcalfe, then, found in Canada a ministry not far from being unanimous, supported by a union of French and British reformers; and he ought to have realized how deeply the extended view of self-government had affected the minds of all, so that only by a serious struggle could Sydenham's position of 1839 be recovered. But Metcalfe was an Anglo-Indian, trained in the school of politics most directly opposed to the democratic ways of North America. He was entirely new to Canadian conditions; and one may watch him studying them conscientiously, but making just those mistakes, which a clever examination candidate would perpetrate, were he to be asked of a sudden to turn his studies to practical account. The very robustness of his sense of duty led him naturally to the two most contentious questions in the field—those which concerned the responsibility of the colonial executive government, and the place of party in dictating to the governor-general his policy and the use to be made of his patronage.

His study of Sydenham's despatches revealed to him the contradiction between that statesman's resolute proclamation of Russell's doctrine, and the course of practical surrender which his actions seemed to have followed in 1841. "In adopting

the very form and practice of the Home Government, by which the principal ministers of the Crown form a Cabinet, acknowledged by the nation as the executive administration, and themselves acknowledging responsibility to Parliament, he rendered it inevitable that the council here should obtain and ascribe to themselves, in at least some degree, the character of a cabinet of ministers.”<sup>1</sup>

In a later despatch, Metcalfe attempted to demonstrate the inapplicability of such a form of government to a colony: “a system of government which, however suitable it may be in an independent state, or in a country where it is qualified by the presence of a Sovereign and a powerful aristocracy, and by many circumstances in correspondence with which it has grown up and been gradually formed, does not appear to be well adapted for a colony, or for a country in which those qualifying circumstances do not exist, and in which there has not been that gradual progress, which tends to smooth away the difficulties, otherwise sure to follow the confounding of the legislative and executive powers, and the inconsistency of the practice with the theory of the Constitution.”<sup>2</sup>

<sup>1</sup> Metcalfe to Stanley, 5 August, 1843.

<sup>2</sup> Metcalfe to Stanley, 13 May, 1845.

To his mind, what Durham had advocated was infinitely sounder—"that all officers of the government except the governor and his secretary should be responsible to the united Legislature; and that the governor should carry on his government by heads of departments, in whom the United Legislature repose confidence. . . . The general responsibility of heads of departments, acting under the orders of the Governor, each distinctly in his own department, might exist without the destruction of the former authority of her Majesty's Government."<sup>1</sup> So set was he in his opposition to cabinet government on British lines in Canada, that he prophesied separation as the obvious consequence of concession. It was natural that one so distrustful of cabinet machinery in a colony should altogether fail to see the place of party. It must always be remembered that party, in Canada, had few of those sanctions of manners, tradition, and national service, which had given Burke his soundest arguments, when he wrote the apologetic of the eighteenth century Whigs. Personal and sometimes corrupt interests, petty ideas, ignoble quarrels, a flavour of pretentiousness which came from the misapplication of British terms, and a

<sup>1</sup> Metcalfe to Stanley, 5 August, 1843.

lack of political good-manners—in such guise did party present itself to the British politician on his arrival in British North America. Metcalfe, from his previous experience, had come to identify party divisions with factiousness, a political evil which the efficient governor must seek to extirpate. His triumph in Jamaica had secured the death of party through the benevolent despotism of the governor, and there can be no doubt that he hoped in Canada to perform a precisely similar task. “The course which I intend to pursue with regard to all parties,” he wrote to Stanley in April, 1843, “is to treat all alike, and to make no distinctions, as far as depends on my personal conduct.” But since parties did exist, and were unlikely to cease to exist, the governor-general’s distaste for party in theory merely forced him to become in practice the unconscious leader of the Canadian conservatives, who, under men like MacNab and the leaders of the Orange Lodges, differed only from other parties in the loudness of their loyalist professions, and the paucity of their supporters among the people. Metcalfe complained that at times the whole colony must be regarded as a party opposed to her Majesty’s Government.<sup>1</sup> He might have

<sup>1</sup> Metcalfe to Stanley, 13 May, 1845.



# MICROCOPY RESOLUTION TEST CHART

(ANSI and ISO TEST CHART No. 2)



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seen that what he deplored proceeded naturally from the identification of himself with the smallest and least representative group of party politicians in the colony.

The radical opposition between the governor and the coalition which his executive council represented led naturally to the crisis of November 26th, 1843. For months the feeling of mutual alienation had been growing. On several occasions, more notably in the appointment to the speakership of the legislative council, and in one to a vacant clerkship of the peace, the governor's use of patronage had caused offence to his ministers; and, towards the end of November, the entire Cabinet, with the exception of Daly, whose nickname "the perpetual secretary" betokened that he was either above party feeling or beneath it, handed in their resignations. The motives of their action became, as will be shown, the subject of violent controversy; but the statement of Sir Charles Metcalfe seems in itself the fairest and most probable account of what took place. "On Friday, Mr. La Fontaine and Mr. Baldwin came to the Government House, and after some irrelevant matters of business, and preliminary remarks as to the course of their proceedings, demanded of

the Governor-general that he should agree to make no appointment, and no offer of an appointment, without previously taking the advice of the Council; that the lists of candidates should in every instance be laid before the Council; that they should recommend any others at discretion; and that the Governor-general in deciding, after taking their advice, shall not make any appointment prejudicial to their influence." <sup>1</sup>

At a slightly later date the ministers attributed their resignation to a serious difference between themselves and the governor-general on the theory of responsible government. To that statement Metcalfe took serious exception, but he admitted that "in the course of the conversations which both on Friday and Saturday followed the explicit demand made by the Council regarding the patronage of the Crown, that demand being based on the construction put by some of the gentlemen on the meaning of responsible government, different opinions were elicited on the abstract theory of that still undefined question as applicable to a colony." <sup>2</sup> There can be no doubt that the *casus belli* was an absolute assertion of the right of the council to control patronage, but it is, at the same time,

<sup>1</sup> Kaye, *Life of Lord Metcalfe*, ii. pp. 367-8.

<sup>2</sup> *Ibid.* ii. p. 369.

perfectly clear that in the opinion of the ministers the disposal of patronage formed part of the system of responsible government, and that they were quite explicit to Metcalfe in their statements on that point.

The incident, striking enough in itself, gave occasion for an extraordinary outburst of pamphletting ; and the reckless or incompetent statements of men on either side make it necessary to dispel one or two illusions created by the partizan excitement of the time. On the side of the council, Hincks, the inspector-general, then and afterwards contended that the incident was only an occasion and a pretext ; that Stanley had sent Metcalfe out to wreck the system of responsible government, so far conceded by Sydenham and Bagot ; and that the episode of 1843 was part of a deeper plot to check the growth of Canadian freedom.<sup>1</sup> Apart from the absurdities contained in Hincks' statement of the case, the only answer which need be made to the charge is that, if Stanley could have descended to such ignoble plotting, Metcalfe was the last man in the world to act as his dishonoured instrument. On the other side, Gibbon Wakefield believed that

<sup>1</sup> See Hincks, *Lecture on the Political History of Canada* ; and Dent, *The Last Forty Years*. The latter work was written under the influence of Sir Francis Hincks, whose comments on it are contained in the interleaved copy in the possession of the Canadian archives.

the council chose the occasion to escape from a defeat otherwise inevitable, in the hope that a renewed agitation for responsible government might reinstate them in public favour. As Metcalfe gave the suggestion some authority by accepting it provisionally in a despatch,<sup>1</sup> the details of Wakefield's charge may be given. The ministry, he held, had been steadily weakening. Two bills, advocated by them, had been abandoned owing to the opposition of their followers. The French solidarity had begun to break up, and La Fontaine had found in Viger a rival in the affections of his adherents. The ministers, intoxicated by the possession of a little brief authority, had offended the sense of the House by their arrogance; and the debates concerning the change of the seat of government from Kingston to Montreal had been a cause of stumbling to many. With their authority weakened in the House, doubtful in the country, and more than doubtful with the governor-general, the resignation of the ministers, in Wakefield's view of the case, "upon a ground which was sure to obtain for them much popular sympathy, was about the most politic of their ministerial acts."<sup>2</sup>

<sup>1</sup> Metcalfe to Stanley, 26 December, 1843.

<sup>2</sup> *A Letter on the Ministerial Crisis, by the old Montreal Correspondent of the Colonial Gazette, Kingston, 1843.*

But the ministry possessed and continued to possess a great parliamentary majority; and a dissolution could not in any way have improved their position. Besides this, the alienation of the councillors from the governor-general had developed far more deeply than was generally supposed; indeed it is difficult to see how common action between the opposing interests could have continued with any real benefit to the public. On May 23rd, that is six months before the resignation, Captain Higginson, the Governor's civil secretary, had an interview with La Fontaine, to ascertain his views on the appointment of a provincial aide-de-camp, and on general topics. The accuracy of Higginson's *précis* of the conversation was challenged by La Fontaine, but its terms seem moderate and probable, and do not misrepresent the actual position of the Executive Council in 1843—a determined opposition to the governor-general's attempt to destroy government by party: "Mr. La Fontaine said, 'Your attempts to carry on the government on principles of conciliation must fail. Responsible government has been conceded, and when we lose our majority we are prepared to retire; to strengthen us we must have the entire confidence of the Governor-general exhibited most

unequivocally—and also his patronage—to be bestowed exclusively on our political adherents. We feel that His Excellency has kept aloof from us. The opposition pronounce that his sentiments are with them. There must be some acts of his, some public declaration in favour of responsible government, and of confidence in the Cabinet, to convince them of their error. This has been studiously avoided.’”<sup>1</sup> The truth is that the ministry felt the want of confidence, which, on the governor’s own confession, existed in his mind towards them. Believing, too, as all of them did more or less, in party, they must already have learned the views of Metcalfe on that subject, and they suspected him of taking counsel with the conservatives, whom Metcalfe declared to be the only true friends to Britain in Canada. Matters of patronage Metcalfe had determined, as far as possible, to free from party dictation; and so he and his ministers naturally fell out on the most obvious issue which their mutual differences could have raised. There was nothing disingenuous in the popular party claiming that the patronage question stood in this case for the broader issue. Indeed Metcalfe’s own statement that “he objected to the

<sup>1</sup> Quoted from Ryerson, *Story of my Life*, pp. 332-3.

exclusive distribution of patronage with party views and maintained the principle that office ought, in every instance, to be given to the man best qualified to render efficient service to the State" was actually a challenge to the predominance of the party-cabinet system, which no constitutionalist could have allowed to pass in silence. Egerton Ryerson, to whom in this instance the maxim about the cobbler sticking to his last is applicable, erected a ridiculous defence for Metcalfe, holding that "according to British practice, the councillors ought to have resigned on what Metcalfe had done, and not on what he would not promise to do. If the Crown intended to do just as they desired the governor-general to do, still the promise ought not to be given, nor ought it to have been asked. The moment a man promises to do a thing he ceases to be as free as he was before he made the promise."<sup>1</sup> The actual struggle lay between two schools directly opposed in their interpretation of responsible government; and since Sir Charles Metcalfe definitely and avowedly set himself against cabinet government, the party system, and the place of party in allocating patronage, the ministers were not free to allow him to

<sup>1</sup> Ryerson, *op. cit.* p. 323.

appoint men at his own discretion. For the sake of a theory of government for which many of them had already sacrificed much, they were bound to defend what their opponents called the discreditable cause of party patronage.

The line of action which the members of council followed had already been sketched out by Robert Baldwin in his encounter with Sydenham. In the debate of June 18th, 1841, Baldwin had admitted that should the representative of the Crown be unwilling to accept the advice offered to him by his council, it would be impossible by any direct means to force that advice upon him. But he also held that this did not relieve the members of council for a moment from the fulfilment of an imperative duty. "If their advice," he said, "were accepted—well and good. If not, their course would be to tender their resignations."<sup>1</sup>

This indeed was battle *à outrance* between two conflicting theories of government. Russell, Sydenham, and Metcalfe, had refused to admit self-government beyond a certain limit, and Metcalfe, in accepting the situation created by the resignation of his ministers, was battling very directly for his view. On the other side, Baldwin and the

<sup>1</sup> See above, p. 116.

colonial politicians had claimed autonomy as far as it might be granted within the empire. By resigning their offices, they called on their opponents to make the alternative system work. For two years Metcalfe occupied himself with the task they set him.

It is not necessary to enter into all the details of those years. The relevant facts group themselves round three centres of interest—the painful efforts put forth by Metcalfe to build up a new council, the general election through which he sought to find a party for his ministers, and the attitude of the colony towards the new ministers, and of both toward the representative of the Crown on the eve of his departure for England in 1845.

The struggle to reconstruct the ministry was peculiarly distressing, and ended in a very qualified success. Daly, Metcalfe's one remaining councillor, carried no weight in the country. Baldwin and his group could not be approached; and Harrison, the most moderate of the reformers, had previously resigned over the question of the removal of the seat of government from Kingston. In Lower Canada, Metcalfe found himself almost as much the object of French hatred as Sydenham had been, and it was with great difficulty that he

secured Viger to represent the French Canadians in his council—at the expense of Viger's influence among his compatriots.<sup>1</sup> By the end of 1843, Metcalfe had secured the services of three men, “Viger representing the French party, and Mr. Daly and Mr. Draper representing in some degree as to each both the British and moderate Reform parties.”<sup>2</sup> Officious supporters, of whom Egerton Ryerson was chief, did their best to introduce to the governor competent outsiders, and Draper used his reputation for moderation in the effort to secure suitable candidates. Even after the election of 1844 was over, Draper, and Caron, the Speaker in the Upper House, actually attempted an intrigue with La Fontaine; and although the episode brought little credit to any of the parties concerned, La Fontaine at least recognized how much was involved in acceptance or rejection of the proposals of government—when he said: “If under the system of accepting office at any price, there are persons, who, for a personal and momentary advantage, do not fear to break the only bond which constitutes our strength, ~~union~~ among ourselves, I do not wish to be, and I never will be, of the

<sup>1</sup> Viger was defeated in the election of 1844.

<sup>2</sup> Kaye, *Papers and Correspondence of Lord Metcalfe*, p. 426.

number.”<sup>1</sup> Eventually a patchwork ministry was constructed, but its pitiable weakness proved how difficult it was to create a council, except along orthodox British party lines. It was a *reductio ad absurdum* of the eclectic principle of cabinet building.

The reconstruction of the council involved a dissolution of Parliament. The late councillors had a steady and decisive majority in the existing Assembly; and the governor-general found it necessary to face the risk of an appeal to the country. The fate of Lower Canada he could imagine beforehand; nothing but accident could prevent the return of an overwhelming majority against his men. Even among the western British settlers an unprejudiced observer reported early in 1844 that more than nine-tenths of the western voters were supporters of the late Executive Council.<sup>2</sup> Montreal, which, thanks to Sydenham's marœuvres, counted among the British seats, returned an opponent of the new Ministers at a bye-election in April, 1844, although the govern-

<sup>1</sup> See, for the whole intrigue, *Correspondence between the Hon. W. H. Draper and the Hon. R. E. Caron; and between the Honbles. L. H. La Fontaine and A. N. Morin*, Montreal, 1846.

<sup>2</sup> The Rev. John Ryerson to Egerton Ryerson, February, 1844. in *The Story of my Life*.

ment party explained away the defeat by stories of Irish violence. But Metcalfe's extraordinary persistence, and his belief that the battle was really one for the continuance of the British connection, gave him and his supporters renewed vigour, and, even to-day, the election of November, 1844, is remembered as one of the fiercest in the history of the colony. Politics in Canada still recognized force as one of the natural, if not quite legitimate, elements in the situation, and it was eminently characteristic of local conditions that, early in his term of office, Metcalfe should have reported that meetings had been held near Kingston at which large numbers of persons attended armed with bludgeons, and, in some cases, with firearms.<sup>1</sup> Montreal, with all its possibilities of conflict, and with its reputation for disorder to maintain, led the way in election riots. In April, 1844, according to the loyalists, the reformers had won through the use of Irish labourers brought in from the Lachine canal. However that may be, the military had been called in, and at least one death had resulted from the confused rioting of the day.<sup>2</sup> In November, the loyalists in their turn organized

<sup>1</sup> Metcalfe to Stanley, 23 December, 1843.

<sup>2</sup> *Montreal Gazette*, 23 April, 1844.

a counter demonstration, and the success of the loyal party was not altogether disconnected with physical force.<sup>1</sup> From the west came similar stories of violence and trickery. In the West Riding of Halton, the Tories were said to have delayed voting, which seemed to be setting against them, by various stratagems, including the swearing in of old grey-headed men as of 21 years of age, and among the accusations made by the defeated candidate was one that certain deputy returning officers had allowed seven women to vote for the sitting member.<sup>2</sup> On the whole the election went in favour of the governor-general, although Metcalfe took too favourable a view of the situation when he reported the avowed supporters of government as 46, as against 28 avowed adversaries. At best his majority could not rise above six. Yet even so, the decision of the country still seems astonishing. There was the unflinching Tory element at the centre ; and the British members from Lower Canada. Ryerson had used his great influence among the Methodists, and, since the cry was one of loyalty to the Crown, many waverers

<sup>1</sup> *Montreal Daily Witness*, 7 March, 1896, containing reminiscences by Dr. William Kingsford.

<sup>2</sup> Young, *Early History of Galt and Dumfries*, p. 193.

may have voted on patriotic grounds for the government candidates. Metcalfe's reputation, too, counted for him, for he had already become known as more than generous, and one of his successors estimated that he spent £6,000 a year in excess of his official income. "It must be admitted," he himself wrote to Stanley, "that this majority has been elected by the loyalty of the majority of the people of Upper Canada, and of those of the Eastern townships in Lower Canada."<sup>1</sup>

The government, and presumably also the governor-general, were accused of having secured their victory by doubtful tactics, and Elgin reported in 1847 that his Assembly, which was that of the 1844 election, had had much discredit thrown on it on the ground that the late governor-general had interfered unduly in the elections.<sup>2</sup> Neither side had been perfectly scrupulous in its methods of warfare, and it is not necessary to blame Metcalfe for the misguided zeal and cunning of his Ministers and his country supporters. Be that as it may, the governor-general had won a hard-fought victory—Pyrrhic as it proved.

Throughout this political warfare, Metcalfe had

<sup>1</sup> Metcalfe to Stanley, 23 November, 1844.

<sup>2</sup> Elgin-Grey Correspondence: Elgin to Grey, 9 December, 1847.

been sustained by the strong support of the home government. The cabinet announced itself ready to give him every possible support in maintaining the authority of the Queen, and of her representative, against unreasonable and exorbitant pretensions.<sup>1</sup> In the debate on the troubles, which Roebuck introduced on May 30th, 1844, all the leading men on either side, Stanley, Peel, Russell, and Buller, warmly supported the governor, Russell and Buller being as strong in their reprobation of the demands of the council as Stanley himself.<sup>2</sup> And the chorus of approval culminated in the letters from Peel and Stanley, which announced the conferring of a peerage on Metcalfe "as a public mark of her Majesty's cordial approbation of the judgment, ability, and fidelity, with which he had discharged the important trust confided to him by her Majesty."<sup>3</sup> In a sense the honours and praise were not altogether out of place. Metcalfe had been sent out to conduct the administration of Canada on what we now regard as an impossible system; and unlike his immediate predecessors he had conceded not one point to the other side. In spite of all that his enemies could say, his

<sup>1</sup> Stanley to Metcalfe, 18 May, 1844.

<sup>2</sup> *Hansard*, 30 May, 1844.

<sup>3</sup> *Kaye, Life of Lord Metcalfe*, ii. pp. 405-9.

personal honour and dignity remained untarnished. The nicknames and cruel taunts flung at him, in the earlier months, apparently by his own ministers, recoil now on their heads, as the petty insults of unmannerly politicians; indeed, the accusations which they made of simplicity and honesty, simply reinforce the impression of quixotic high-mindedness, which was not the least noble feature in Metcalfe's character. His generosity had been unaffected by his difficulties; and there are few finer things in the history of British administration than the sense of duty exhibited throughout 1845 by Lord Metcalfe, when, dying of cancer in the cheek, almost blind, and altogether unable to write his despatches, he still clung to his post "to secure the preservation of this colony and the supremacy of the mother country." It is easy to separate the man from the official, and to praise the former as one of the noblest of early Victorian administrators.

But even before Lord Metcalfe's departure at the end of 1845, the inadequacy of his system stood revealed. He had indeed a majority in the Assembly, but a small and doubtful majority; and since its members had been elected rather to support Metcalfe than to co-operate with his ill-assorted

ministry, difficulties very soon revealed themselves. There were causes of dissension, chief among them the University question in Upper Canada, which threatened to wreck the government party. But the most ominous sign of coming defeat was the incompatibility of temper which rapidly developed between loyal ministers and loyal Assembly. "It is remarkable," Metcalfe wrote in May, 1845, "that none of the Executive Council, although all are estimable and respectable, exercise any great influence over the party which supports the government. Mr. Draper is universally admitted to be the most talented man in either House of the Legislature, and his presence in the Legislative Assembly was deemed to be so essential, that he resigned his seat in the Upper House, sacrificing his own opinions in order that he might take the lead in the Assembly; nevertheless he is not popular with the party that supports the government, nor with any other, and I do not know that, strictly speaking, he can be said to have a single follower. The same may be remarked of every other member of the Executive Council; and although I have much reason to be satisfied with them, and have no expectation of finding others who would serve her Majesty better, still I do not

perceive that any of them individually have brought much support to the government." <sup>1</sup>

That is the confession of a man who has attempted the impossible, and who is being forced reluctantly to witness his own defeat. The ministry which he had created lacked the authority which can come only from the best political talent of a people acting in sympathy with the opinions of that people. He had, with great difficulty, found a House of Assembly willing by a narrow majority to support him, but personal support is not in itself a political programme, and the fallacy of his calculations appeared when work in detail had to be accomplished. He had reprobated a party, and he found in a party—narrower in practice even than that which he had displaced—the only possible foundation for his authority. He had come to Canada to complete the reconciliation of opposing races within the colony, and, when he left, the French seemed once more about to retreat into their old position of invincible hostility to all things British. The governor-generalship of Lord Metcalfe is almost the clearest illustration in the nineteenth century of the weakness of the doctrinaire in practical politics. Unfortunately, the

<sup>1</sup> Metcalfe to Stanley, 13 May, 1845.

doctrine which Metcalfe had strenuously enforced was backed by the highest of imperial authorities, and sanctioned by monarchy itself. In less than ten years after the Rebellion, the renovated theory of colonial autonomy had produced a new dilemma. It remained with Metcalfe's successor to decide whether Britain preferred a second rebellion and probable separation to a radical change of system.

## CHAPTER VI.

### THE GOVERNORS-GENERAL: LORD ELGIN.

THE year which intervened between Metcalfe's departure and the arrival of Lord Elgin at the beginning of 1847, may be disregarded in this inquiry. Earl Cathcart, who held office in the interval, was chosen because relations with the United States at that time were serious enough to make it desirable to combine the civil and the military headship in Canada in one person. In domestic politics the governor-general was a negligible quantity, as his successor confessed: "Lord Cathcart, not very unreasonably perhaps, has allowed everything that required thought to lie over for me."<sup>1</sup>

But the arrival of Elgin changed the whole aspect of affairs, and introduced the most im-

<sup>1</sup> Elgin-Grey Correspondence: Elgin to Grey, 24 February, 1847. It would be wrong to call Cathcart the "acting governor-general"; yet apart from military matters that term describes his position in civil matters not inadequately.

portant modification that was made in Canadian government between 1791 and the year of Confederation. Since 1839, governors-general who took their instructions from Britain, and who seldom allowed the Canadian point of view to have more than an indirect influence on their administration, had introduced the most unhappy complications into politics. Both they and the home government were now reduced to the gloomiest speculations concerning the permanence of the British connection. In place of the academic or official view of colonial dependence which had hitherto dominated Canadian administration, Elgin came to substitute a policy which frankly accepted the Canadian position, and which as frankly trusted to a loyalty dependent for none of its sanctions upon external coercion or encouragement. With 1846, Great Britain entered on an era of which the predominating principle was *laissez faire*, and within twelve months of the concession of that principle in commerce, Elgin applied it with even more astonishing results in the region of colonial Parliamentary institutions.

The Canadian episode in Elgin's career furnishes the most perfect and permanently useful service rendered by him to the Empire. Although he

gathered laurels in China and India, and earned a notable place among diplomatists, nothing that he did is so representative of the whole man, so valuable, and so completely rounded and finished, as the seven years of his work in Canada. Elsewhere he accomplished tasks, which others had done, or might have done as well. But in the history of the self-governing dominions of Britain, his name is almost the first of those who assisted in creating an Empire, the secret of whose strength was to be local autonomy.

He belonged to the most distinguished group of nineteenth century politicians, for with Gladstone, Canning, Dalhousie, Herbert, and others, he served his apprenticeship under Sir Robert Peel. All of that younger generation reflected the sobriety, the love of hard fact, the sound but progressive conservatism, and the high administrative faculty of their great master. It was an epoch when changes were inevitable; but the soundest minds tended, in spite of a powerful party tradition, to view the work in front of them in a non-partizan spirit. Gladstone himself, for long, seemed fated to repeat the party-breaking record of Peel; and three great proconsuls of the group, Dalhousie, Canning, and Elgin, found in imperial administration a more

congenial task than Westminster could offer them. Elgin occupies a mediate position between the administrative careers of Dalhousie and Canning, and the parliamentary and constitutional labours of Gladstone. He was that strange being, a constitutionalist proconsul; and his chief work in administration lay in so altering the relation of his office to Canadian popular government, as to take from the governor-generalship much of its initiative, and to make a great surrender to popular opinion. Between his arrival in Montreal at the end of January, 1847, and the writing of his last official despatch on December 18th, 1854, he had established on sure foundations the system of democratic government in Canada.

Never was man better fitted for his work. He came, a Scotsman, to a colony one-third Scottish, and the name of Bruce was itself soporific to the opposition of a perfervid section of the reformers. His wife was the daughter of Lord Durham, whom Canadians regarded as the beginner of a new age of Canadian constitutionalism. He had been appointed by a Whig Government, and Earl Grey, the new Colonial Secretary, was already learned in liberal theory, both in politics and economics, and understood that Britons, abroad as at home,

must have liberty to misgovern themselves. Elgin's personal qualities were precisely those best fitted to control a self-governing community. Not only was he saved from extreme views by his caution and sense of humour, but he had, to an extraordinary degree, the power of seeing both sides, — more especially the other side, of any question. In Canada too, as later in China and India, he exhibited qualities of humanity which some might term quixotic;<sup>1</sup> and, as will be illustrated very fully below, his gifts of tact and *bonhomie* made him a singularly persuasive force in international affairs, and secured for Britain at least one clear diplomatic victory over America.

Following on a succession of short-lived and troubled governorships, under which, while the principle of government had remained constant, nothing else had done so, Elgin had practically to begin Durham's work afresh, and build with much regard for the foundations laid since 1841. The alternatives before him were a grant of really responsible government, or a rebellion, with annexation to the United States as its probable end. The

<sup>1</sup> Walrond, *Letters and Journals of Lord Elgin*, p. 424. "During a public service of twenty-five years I have always sided with the weaker party."

new Governor saw very clearly the dangers of his predecessor's policy. "The distinction," he wrote at a later date, "between Lord Metcalfe's policy and mine is twofold. In the first place he profoundly distrusted the whole Liberal party in the province—that great party which, excepting at extraordinary conjunctures, has always carried with it the mass of the constituencies. He believed its designs to be revolutionary, just as the Tory party in Eng<sup>l</sup> and believed those of the Whigs and Reformers to be in 1832. And, secondly, he imagined that when circumstances forced the party upon him, he could check these revolutionary tendencies by manifesting his distrust of them, more especially in the matter of the distribution of patronage, thereby relieving them in a great measure from that responsibility, which is in all free countries the most effectual security against the abuse of power, and tempting them to endeavour to combine the rôle of popular tribunes with the prestige of ministers of the crown." <sup>1</sup>

The danger of a crisis was the greater because, as has been shown, Metcalfe's anti-democratic policy had been more than the expression of a personal

<sup>1</sup> Elgin-Grey Correspondence: Elgin to Grey on Grey's *Colonial Policy*, 8 October, 1852.

mood. It was the policy of the British government. After Metcalfe's departure, and Stanley's resignation of the Colonial office, Gladstone, then for a few months Colonial Secretary, assured Cathcart that "the favour of his Sovereign and the acknowledgment of his country, have marked (Metcalfe's) administration as one which, under the peculiar circumstances of the task he had to perform, *may justly be regarded as a model for his successors.*"<sup>1</sup>

In truth, the British Colonial office was not only wrong in its working theory, but ignorant of the boiling tumult of Canadian opinion in those days; ignorant of the steadily increasing vehemence of the demand for true home rule, and of the possibility that French nationalism, Irish nationalism, and American aggression, might unite in a great upheaval, and the political tragedy find its consummation in another Declaration of Independence.

But Elgin was allowed little leisure for general reflections; the concrete details of the actual situation absorbed all his energies. Since Metcalfe's resignation, matters had not improved. There was still an uncertain majority in the House of Assembly, although, in the eyes of probably a

<sup>1</sup> Gladstone to Cathcart, 3 February, 1846. The italics are my own.

majority of voters, the disorders of the late election had discredited the whole Assembly. But the ministry had gone on from weakness to further weakness. Draper, who did his best to preserve the political decencies, had been forced to ask Cathcart to assist him in removing certain of his colleagues. Viger had been a complete failure as President of the Council, and performed none of the duties of his department except that of signing his name to reports prepared by others. Daly was of little use to him; and, as for the solicitor-general for Upper Canada, Sherwood, "his repeated absence on important divisions, his lukewarm support, and occasional (almost) opposition, his habit of speaking of the Members of your Excellency's Government and of the policy pursued by them, his more than suspected intrigues to effect the removal of some members of the council, have altogether destroyed all confidence in him."<sup>1</sup> Draper himself had seemingly grown tired of the dust and heat of the struggle, and, soon after Elgin's assumption of authority, resigned his premiership for a legal position as honourable and more peaceful.

<sup>1</sup> W. H. Draper to the Earl Cathcart, in Pope, *Life of Sir John Macdonald*, i. pp. 43-4.

Elgin, then, found a distracted ministry, a doubtful Assembly, and an irritated country. His ministers he thought lacking in pluck, and far too willing to appeal to selfish and sordid motives in possible supporters.<sup>1</sup> He was irritated by what seemed to him the petty and inconsistent divisions of Canadian party life: "In a community like this, where there is little, if anything, of public principle to divide men, political parties will shape themselves under the influence of circumstances, and of a great variety of affections and antipathies, national, sectarian, and personal. . . . It is not even pretended that the divisions of party represent corresponding divisions of sentiment on questions which occupy the public mind, such as voluntaryism, Free Trade, etc., etc. Responsible Government is the one subject on which this coincidence is alleged to exist."<sup>2</sup> The French problem he found peculiarly difficult. Metcalfe's policy had had results disconcerting to the British authorities. Banishing, as he thought, sectarianism or racial views, he had yet practically shut out French statesmen from office so successfully, that, when Elgin, acting through Colonel Taché,

<sup>1</sup> Elgin-Grey Correspondence: Elgin to Grey, 24 February, 1847.

<sup>2</sup> Elgin-Grey Correspondence: Elgin to Grey, 26 April, 1847.

attempted to approach them, he found in none of them any disposition to enter into alliance with the existing ministry.<sup>1</sup> Elgin, who was willing enough to give fair play to every political section, could not but see the obvious fault of French Canadian nationalism. "They seem incapable of comprehending that the principles of constitutional government must be applied against them, as well as for them," he wrote to Grey. "Whenever there appears to be a chance of things taking this turn they revive the ancient cry of nationality, and insist on their right to have a share in the administration, not because the party with which they have chosen to connect themselves is in the ascendant, but because they represent a people of distinct origin."<sup>2</sup> Most serious of all, because it hampered his initiative, he found every party except that in office suspicious of the governor's authority, and newspapers like Hincks' *Pilot* grumbling over Imperial interference.

One sweeping remedy, he had, within a few months of his arrival, laid aside as impossible. Lord John Russell and Grey had discussed with

<sup>1</sup> Elgin-Grey Correspondence: Elgin to Grey, enclosing a note from Col. Taché, 27 February, 1847.

<sup>2</sup> *Ibid.*: Elgin to Grey, 28 June, 1847.

him the possibility of raising Canadian politics out of their pettiness by a federal union of all the British North American colonies. But as early as May 1847, Elgin had come to doubt whether the free and independent legislatures of the colonies would be willing to delegate any of their authority to please a British ministry.<sup>1</sup> It was necessary then to fall back on the unromantic alternative of modifying the constitution of the ministry; and here French solidarity had made his task difficult. Yet the amazing thing in Elgin was the speed, the ease, and the accuracy, with which he saw what none of his predecessors had seen—the need to concede, and the harmlessness of conceding, responsible government in Baldwin's sense of the term. Within two months of his accession to power, he declared, "I am determined to do nothing which will put it out of my power to act with the opposite party, if it is forced upon me by the representatives of the people."<sup>2</sup> Two months later, sick of the struggles by which his ministers were trying to gain here and there some trivial vote to keep them in office, he recurred to the same idea as not merely harmless but sound. That ministers

<sup>1</sup> Elgin-Grey Correspondence : Grey to Elgin, 7 May, 1847.

<sup>2</sup> *Ibid.* : Elgin to Grey, 27 March, 1847.

and opposition should occasionally change places struck him not merely as constitutional, but as the most conservative convention in the constitution; and in answer to the older school to whom a change of ministers at the dictation of a majority in the Assembly meant the degradation of the governor-generalship, he hoped "to establish a moral influence in the province, which will go far to compensate for the loss of power consequent on the surrender of patronage to an executive responsible to the local parliament."<sup>1</sup>

To give his ministers a last fair chance of holding on to office, he dissolved parliament at the end of 1847, recognizing that, in the event of a victory, their credit would be immensely increased. The struggle of December 1847, to January 1848, was decisive. While the French constituencies maintained their former position, even in Upper Canada the discredited ministry found few supporters. The only element in the situation which disturbed Elgin was the news that Papineau, the arch-rebel of 1837, had come back to public life with a flourish of agitating declarations; and that the French people had not condemned with sufficient decisiveness his seditious utterances. Yet he need have

<sup>1</sup> Elgin-Grey Correspondence: Elgin to Grey, 13 July, 1847.

had no qualms. *La Revue Canadienne* in reviewing the situation certainly refused to condemn Papineau's extravagances, but its conclusion took the ground from under the agitator's feet, for it declared that "cette modération de nos chefs politiques a puissamment contribué à placer notre parti dans la position avantageuse qu'il occupe maintenant."<sup>1</sup> Now Papineau was incapable of political moderation.

The fate of the ministry was quickly settled. Their candidate for the speakership of the Lower House was defeated by 54 votes to 19; a vote of no confidence was carried by 54 to 20; on March 23rd parliament was prorogued and a new administration, the first truly popular ministry in the history of Canada, accepted office, and the country, satisfied at last, was promised "various measures for developing the resources of the province, and promoting the social well-being of its inhabitants."<sup>2</sup>

The change was the more decisive because it was made with the approval of the Whig government in England. "I can have no doubt," Grey wrote to Elgin on February 22nd, "that you must accept

<sup>1</sup> *La Revue Canadienne*, 21 December, 1847.

<sup>2</sup> The speech of the governor-general in proroguing Parliament, 1848.

such a council as the newly elected parliament will support, and that however unwise as relates to the real interests of Canada their measures may be, they must be acquiesced in, until it shall pretty clearly appear that public opinion will support a resistance to them. There is no middle course between this line of policy, and that which involves in the last resort an appeal to parliament to overrule the wishes of the Canadians, and this I agree with Gladstone and Stanley in thinking impracticable.”<sup>1</sup> The only precaution he bade Elgin take was to register his dissent carefully in cases of disagreement. Having conceded the essential, it mattered little that Grey could not quite rid himself of doubts as to the consequences of his previous daring. The concession had come most opportunely, for Elgin, who feared greatly the disturbing influences of European revolutionism, Irish discontent, and American democracy in its cruder forms, believed that, had the change not taken place, “we should by this hour (November 30th, 1848) either have been ignominiously expelled from Canada, or our relations with the United States would have been in a most precarious condition.”

<sup>1</sup> Elgin-Grey Correspondence : Grey to Elgin, 22 February, 1848.

It is not necessary to follow Elgin through all the details of more than seven busy years. It will suffice to watch him at work on the three great allied problems which combined to form the constitutional question in Canada ; the character of the government to be conceded to, and worked along with. the colonists; the recognition to be given to French nationalist feeling; and the nature of the connection between Britain and Canada which would exist after concessions had been made on these points. The significance of his policy is the greater, because the example of Canada was certain, *mutatis mutandis*, to be followed by the other greater colonies. Elgin's solution of the question of responsible government was so natural and easy that the reader of his despatches forgets how completely his task had baffled all his predecessors, and that several generations of colonial secretaries had refused to admit what in his hands seemed a self-evident truth. At the outset Elgin's own mind had not been free from serious doubt. He had come to Canada with a traditional suspicion of the French Canadians and the progressives of Upper Canada ; yet within a year, since the country so willed it, he had accepted a cabinet, composed entirely of these two sections. On his

way to the formation of that cabinet he not only brushed aside old suspicions, but he refused to surrender to the seductions of the eclectic principle, which allowed his predecessors to evade the force of popular opinion by selecting representatives of all shades of that opinion. He saw the danger of allowing responsible government to remain a party cry, and he removed "that most delicate and debatable subject" from party politics by conceding the whole position. The defects of the Canadian party system never found a severer critic than Elgin, but he saw that by party Canada would be ruled, and he could not, as Metcalfe had done, deceive himself into thinking he had abolished it by governing in accordance with the least popular party in the state. With the candour and the discriminating judgment which so distinguished all his doings in Canada, he admitted that, notwithstanding the high ground Lord Metcalfe had taken against party patronage, the ministers favoured by that governor-general had "used patronage for party purposes with quite as little scruple as his first council."<sup>1</sup>

Since the first general election had proved beyond a doubt that Canadians desired a pro-

<sup>1</sup> Elgin-Grey Correspondence : Elgin to Grey, 17 March, 1848.

gressive ministry, he made the change with perfect success, and remained a consistent guide and friend to his new ministers.

There was something dramatic in the contrast between the possibilities of trouble in the year when the concession was made, and the peace which actually ensued. It was the year of revolution, and the men whom he called to his assistance were "persons denounced very lately by the Secretary of State to the Governor-General as impracticable and disloyal";<sup>1</sup> but before the year was out he was able to boast that when so many thrones were tottering and the allegiance of so many people was waxing faint, there is less political disaffection in Canada than there ever had been before. From 1848 until the year of his recall, he remained in complete accord with his liberal administration, and never was constitutional monarch more intimately and usefully connected with his ministers than was Elgin, first with Baldwin and La Fontaine, and then with Hincks and Morin.

Elgin gave a rarer example of what fidelity to colonial constitutionalism meant. In these years of liberal success, "Old Toryism" faced a new strain, and faced it badly. The party had sup-

<sup>1</sup> Elgin-Grey Correspondence: Elgin to Grey, 5 February, 1848.

ported the empire, when that empire meant their supremacy. They had befriended the representative of the Crown, when they had all the places and profits. When the British connection took a liberal colour, when the governor-general acted constitutionally towards the undoubtedly progressive tone of popular opinion, some of the tories became annexationists. Many of them, as will be shown later, encouraged a dastardly assault on the person of their official head; and all of them, supported by gentlemen of Her Majesty's army, treated the representative of the Crown with the most obvious discourtesy.<sup>1</sup> Nevertheless, when opinion changed, and when a coalition attacked and unseated the Progressive ministry of 1848-1854, Elgin, without a moment's hesitation, turned to the men who had insulted him. "To the great astonishment of the public, as well as to his own," wrote Laurence Oliphant, who was then on Elgin's staff, "Sir Allan MacNab, who had been one of his bitterest opponents ever since the Montreal events, was sent for to form a ministry—Lord Elgin by this act satisfactorily disproving the charges of

<sup>1</sup> Elgin refers (11 June, 1849) to "military men, most of whom, I regret to say, consider my ministers and myself little better than rebels."

having either personal or political partialities in the selection of his ministers." <sup>1</sup>

But the first great constitutional governor-general of Canada had to interpret constitutionalism as something more than mere obedience to public dictation with regard to his councillors. He had to educate these councillors, and the public, into the niceties of British constitutional manners; and he had to create a new vocation for the governor-general, and to exchange dictation for rational influence. He had to teach his ministers moderation in their measures, and, indirectly, to show the opposition how to avoid crude and extreme methods in their fight for office. When his high political courage, in consenting to a bill very obnoxious to the opposition, forced them into violence, he kept his temper and his head, and the opposition leaders learned, not from punishment, but from quiet contempt, to express dissent in modes other than those of arson and sticks and stones. For seven years, by methods so restrained as to be hardly perceptible even in his private letters to Grey, he guided the first experimental cabinets into smooth water, and when he resigned, he left behind him politicians

<sup>1</sup> *Episodes in a Life of Adventure*, p. 57.

trained by his efforts to govern Canada according to British usage.

At the same time his influence on the British Cabinet was as quiet and certain. He was still responsible to the British Crown and Cabinet, and a weaker man would have forgotten the problems which the new Canadian constitutionalism was bound to create at the centre of authority. Two instances will illustrate the point, and Elgin's clear perception of his duty. They are both taken from the episode of the Rebellion Losses Bill, and the Montreal riots of 1849. The Bill which caused the trouble had been introduced to complete a scheme of compensation for all those who had suffered loss in the late Rebellion, whether French or English, and had been passed by majorities in both houses; but while there seemed no valid reason for disallowing it, Elgin suspected trouble—indeed, at first, he viewed the measure with personal disapproval.<sup>1</sup> He might have refused permission to bring in the bill; but the practical consequences of such a refusal were too serious to

<sup>1</sup> The obvious point, made by the Tories in Canada, and by Gladstone in England, was that the new scheme of compensation was certain to recompense many who had actually been in arms in the Rebellion, although their guilt might not be provable in a court of law. See Gladstone in *Hansard*, 14 June, 1849.

be accepted. "Only imagine," he wrote, "how difficult it would have been to discover a justification for my conduct, if at a moment when America was boiling over with bandits and desperadoes, and when the leaders of every faction in the Union, with the view of securing the Irish vote for the presidential election, were vying with each other in abuse of England, and subscribing funds for the Irish Republican Union, I had brought on such a crisis in Canada by refusing to allow my administration to bring in a bill to carry out the recommendation of Lord Metcalfe's commissioners." <sup>1</sup> He might have dissolved Parliament, but, as he rightly pointed out, "it would be rather a strong measure to have recourse to dissolution because a Parliament, elected one year ago under the auspices of the present opposition, passed by a majority of more than two to one a measure introduced by the Government." There remained only the possibility of reserving the bill for approval or rejection at home. A weaker man would have taken this easy and fatal way of evading responsibility; but Elgin rose to the height of his vocation, when he explained his reason for acting on his own

<sup>1</sup> Elgin to Grey, concerning Grey's *Colonial Policy*, 8 October, 1852. Metcalfe's policy in the matter had really forced Elgin's hand.

initiative. "I should only throw upon her Majesty's Government, or (as it would appear to the popular eye here) on Her Majesty herself, a responsibility which rests, and ought I think to rest, on my own shoulders."<sup>1</sup> He gave his assent to the bill, suffered personal violence at the hands of the Montreal crowd and the opposition, but, since he stood firm, he triumphed, and saved both the dignity of the Crown and the friendship of the French for his government.

The other instance of his skill in combining Canadian autonomy with British supremacy is less important, but, in a way, more extraordinary in its subtlety. As a servant of the Crown, he had to furnish despatches, which were liable to be published as parliamentary papers, and so to be perused by Canadian politicians. Elgin had therefore to reckon with two publics—the British Parliament, which desired information, and the Canadian Parliament, which desired to maintain its dignity and freedom. Before the Montreal outrage, and when it was extremely desirable to leave matters as vague as possible, Elgin simply refrained from giving details to the Colonial Office. "I could not have made my official communication to

<sup>1</sup> Elgin-Grey Correspondence : Elgin to Grey, 14 March, 1849.

you in reference to this Bill, which you could have laid before Parliament, without stating or implying an irrevocable decision on this point. To this circumstance you must ascribe the fact that you have not heard from me officially.”<sup>1</sup> With even greater shrewdness, at a later date, he made Grey expunge, in his book on Colonial Policy, details of the outrage which followed the passing of the Act ; for, said he, “ I am strongly of opinion that nothing but evil can result from the publication, at this period, of a detailed and circumstantial statement of the disgraceful proceedings which took place after the Bill passed. . . . *The surest way to arrest a process of conversion is to dwell on the errors of the past, and to place in a broad light the contrast between present sentiments and those of an earlier date.*”<sup>2</sup> In constitutional affairs manners make, not merely the statesman, but the possibility of government ; and Elgin’s highest quality as a constitutionalist was, not so much his understanding of the machinery of government, as his knowledge of the constitutional temper, and the need within it of humanity and common-sense.

<sup>1</sup> Elgin-Grey Correspondence : Elgin to Grey, 12 April, 1849.

<sup>2</sup> Elgin’s letter of 8 October, 1852, criticizing Grey’s book. The italics are my own.

Great as was Elgin's achievement in rectifying Canadian constitutional practice, his solution of the nationalist difficulty in Lower Canada was possibly a greater triumph of statesmanship; for the present *modus vivendi*, which still shows no signs of breaking down, dates from the years of Elgin's governorship. The decade which included his rule in Canada was pre-eminently the epoch of nationalism. Italy, Germany, and Hungary, with Mazzini as their prophet, were all struggling for the acknowledgment of their national claims, and within the British Islands themselves, the Irish nationalists furnished, in Davis and the writers of *The Nation*, disciples and apostles of the new gospel. It is always dangerous to trace European influences across the Atlantic; but there is little doubt that as the French rebellion of 1837 owed something to Europe, so the arch-rebel Papineau's paper, *L'Avenir*, echoed in an empty blustering fashion, the cries of the nationalist revolution of 1848.<sup>1</sup>

Elgin found on his arrival that British administration had thrown every element in French-Canadian politics into headlong opposition to itself. How dangerous the situation was, one may infer from

<sup>1</sup> Elgin kept very closely in touch with the sentiments of the Canadian press, French and English. See his letters *passim*.

the disquieting rumours of the ambitions of the American Union, and from the passions and memories of injustice which floods of unkempt and wretched Irish immigrants were bringing with them to their new homes in America. In Elgin's second year of office, 1848, he had to face the possibility of a rising under the old leaders of 1837. His solution of the difficulty proceeded *pari passu* with his constitutional work. In the latter he had seen that he must remove the disquieting subject of "responsible government" from the party programme of the progressives, and the politic surrender of 1847 had gained his end. Towards French nationalism he acted in the same spirit. As has already been seen, he was conscious of the political shortcomings of the French. Yet there was nothing penal in his attitude towards them, and he saw, with a clearness to which Durham never attained, how idle all talk of anglicizing French Canada must be. "I for one," he said, "am deeply convinced of the impolicy of all such attempts to denationalize the French. Generally speaking, they produce the opposite effect from that intended, causing the flame of national prejudice and animosity to burn more fiercely."<sup>1</sup>

<sup>1</sup> Elgin-Grey Correspondence : Elgin to Grey, 4 May, 1848.

But how could the pathological phase of nationalism be ended? His first Tory advisers suggested the old trick of making converts, but the practice had long since been found useless. His next speculation was whether the French could be made to take sides as Liberals or Tories, apart altogether from nationalist considerations. But the political solidarity of the French had been a kind of trades-unionism, claiming to guard French interests against an actual menace to their very existence as a nation within the empire; and they were certain to act only with Baldwin and his friends, the one party which had regarded them as other than traitors or suspects, or at best tools.

No complete solution of the problem was possible; but when Elgin surrendered to the progressives, he was making concessions also to the French—by admitting them to a recognized place within the constitution, and doing so without reservation. The joint ministry of La Fontaine and Baldwin was, in a sense, the most satisfactory answer that could be made to the difficulty. From the moment of its creation Elgin and Canada were safe. He remained doubtful during part of 1848, for Papineau had been elected by acclamation to the Parliament which held its first session that year; and he “had

searched in vain . . . through the French organs of public opinion for a frank and decided expression of hostility to the anti-British sentiments propounded in Papineau's address."<sup>1</sup> He did not at first understand that La Fontaine, not Papineau, was the French leader, and that the latter represented only himself and a few *Rouges* of violent but unsubstantial revolutionary opinions. Nevertheless, he gave his French ministers his confidence, and he applied his singular powers of winning men to appeasing French discontent. As early as May, 1848, he saw how the land lay—that French Canada was fundamentally conservative, and that discontent was mainly a consequence of sheer stupidity and error on the part of England. "Who will venture to say," he asked, "that the last hand which waves the British flag on American ground may not be that of a French Canadian?"<sup>2</sup>

His final settlement of the question came in 1849, and the introduction of that Rebellion Losses Bill which has been already mentioned. The measure was, in the main, an act of justice to French sufferers from the disturbances created by the Rebellion; for they had naturally shared but slightly

<sup>1</sup> Elgin-Grey Correspondence : Elgin to Grey, 7 January, 1848.

<sup>2</sup> *Ibid.* : Elgin to Grey, 4 May, 1848.

in earlier and partial schemes of compensation ; and the opposition to the bill was directed quite frankly against the French inhabitants of Canada as traitors, who deserved, not recompense, but punishment. Now there were many cases of real hardship, like that of the inhabitants of St. Benoit, a village which Sir John Colborne had pledged himself to protect when he occupied it for military purposes, but which, in his absence, the loyalist volunteers had set on fire and destroyed. The inhabitants might be disloyal, but in the eyes of an equal justice a wrong had been done, and must be righted. The idea of the bill was not new—it was not Elgin's bill ; and if his predecessors had been right, then the French politicians were justified in claiming that the system of compensation already initiated must be followed till all legitimate claims had been met.

It would be disingenuous to deny that Elgin calculated on the pacific influence which his support of the bill would exert in Lower Canada. “ I was aware of two facts,” he told Grey in 1852 : “ Firstly, that M. La Fontaine would be unable to retain the support of his countrymen if he failed to introduce a measure of this description ; and secondly, that my refusal would be taken by him and his friends

as a proof that they had not my confidence." But his chief concern was to hold the balance level, to redress an actual grievance, and to repress the fury of Canadian Tories whose unrestrained action would have flung Canada into a new and complicated struggle of races and parties. "I am firmly convinced," he told Grey in June, speaking of American election movements at this time, "that the only thing which prevented an invasion of Canada was the political contentment prevailing among the French Canadians and Irish Catholics"; and that political contentment was the result of Elgin's action in supporting his ministers. A happy chance, utilized to the full by Elgin's cautious wisdom, had enabled him to do the French what they counted a considerable service; and the rage and disorder of the opposition only played the more surely into the hands of the governor-general, and established, beyond any risk of alteration, French loyalty to him personally.<sup>1</sup>

From that day, with trivial intervals or incidents of misunderstanding, the British and the French in Canada have played the political game together. It was in the La Fontaine-Baldwin ministry that

<sup>1</sup> See an interesting reference in a letter to Sir Charles Wood, written from India. Walrond, *op. cit.* pp. 419-20.

the joint action, within the Canadian parties, of the two races had its real beginning; and while the traditions and idiosyncrasies of Quebec were too ingrained and fundamental to admit of modification beyond a certain point, Canadian parliamentary life was henceforth based on the free co-operation of French and English, in a party system which tried to forget the distinction of race. From this time, too, Elgin began to discern the conservative genius of the French people, and to prophesy that, when Baldwin's moderate reforming influence should have been withdrawn, the French would naturally incline to unite with the moderate Conservatives—the combination on which, in actual fact, John A. Macdonald based his long control of power in Canada.

The nationalist question is so intermingled with the constitutional that it is not always easy to separate the two issues. The same qualities which settled the latter difficulty ended also French grievances—saving common-sense which did not refuse to do the obvious thing; *bonhomie* which understood that a well-mannered people may be wooed from its isolation by a little humouring; a mind resolute to administer to every British subject equal rights; and an austere refusal to let an

arrogant and narrow-minded minority claim to itself a kind of oligarchic glory at the expense of citizens who did not belong to the Anglo-Saxon stock.

There is a third aspect of Elgin's work in Canada of wider scope than either of those already mentioned, and one in which his claims to distinction have been almost forgotten—his contribution to the working theory of the British Empire. Elgin was one of those earlier sane imperialists whose achievements it is very easy to forget. It is not too much to say that, when Elgin came to Canada, the future of the British colonial empire was at best gloomy. Politicians at home had placed in front of themselves an awkward dilemma. According to the stiffer Tories, the colonies must be held in with a firm hand—how firm, Stanley had illustrated in his administration of Canada. Yet Tory stiffness produced colonial discontent, and colonial discontent bred very natural doubts at home as to the possibility of holding the colonies by the old methods. On the other hand, there were those, like Cobden, who, while they believed with the Tories that colonial home-rule was certain to result in colonial independence, were nevertheless too loyal to their doctrine of political liberty to resist colonial claims. They looked to an immediate but

peaceful dissolution of the empire. It seemed never to strike anyone but a few radicals, like Durham and Buller, that Britons still held British sentiments, even across the seas, and that they desired to combine a continuance of the British connection with the retention of all those popular rights in government which they had possessed at home. A Canadian governor-general, then, had to deal with British Cabinets which alternated between foolish rigour and foolish slackness, and with politicians who reflected little on the responsibilities of empire, when they flung before careless British audiences irresponsible discussions on colonial independence—as if it were an academic subject and not a critical issue.

Elgin had imperial difficulties, all his own, to make his task more complicated. Not only were there French and Irish nationalists ready for agitation, but the United States lay across the southern border; and annexation to that mighty and flourishing republic seemed to many the natural euthanasia of British rule in North America. Peel's sweeping reforms in the tariff had rekindled annexationist talk; for while Lord Stanley's bill of 1843 had attracted all the produce of the west to the St. Lawrence by its grant of preference to the

colony, "Peel's bill of 1846 drives the whole of the produce down the New York channels of communication . . . ruining at once mill-owners, forwarders and merchants."<sup>1</sup> And every petty and personal disappointment, every error in colonial office administration, raised a new group to cry down the British system, and to call for a peaceful junction with the United States.

Elgin had not been long in Canada before he saw one important fact—that the real annexationist feeling had commercial, not political roots. Without diminishing the seriousness of the situation, the discovery made it more susceptible of rational treatment. A colony suffering a severe set-back in trade found the precise remedy it looked for in transference of its allegiance. "The remedy offered them," wrote Elgin, "is perfectly definite and intelligible. They are invited to form part of a community which is neither suffering nor free-trading . . . a community, the members of which have been within the last few weeks pouring into their multifarious places of worship, to thank God that they are exempt from the ills which affect other men, from those more especially which affect their despised neighbours the inhabitants of North

<sup>1</sup> Elgin-Grey Correspondence : Elgin to Grey, 16 November, 1848.

America, who have remained faithful to the country which planted them." <sup>1</sup> With free-trade in the ascendant, and, to the maturest minds of the time, unanswerably sound in theory, Elgin had to dismiss schemes of British preference from his mind ; and, towards the end of his rule, when American policy was irritating Canada, he had even to restrict the scope within which Canadian retaliation might be practised. There could be no imperial Zollverein. But he saw that a measure of reciprocity might give the Canadians all the economic benefits they sought, and yet leave to them the allegiance and the government which, in their hearts, they preferred. The annexationist clamour fell and rose, mounting highest in Montreal, and reaching a crisis in the year of the Rebellion Losses disturbance ; but Elgin, while sometimes he grew despondent, always kept his head, and never ceased to hope for the reciprocity which would at once bring back prosperity and still the disloyal murderers. Once or twice, when the annexationists were at their worst, and when his Tory opponents chose support of that disloyal movement as the means of insulting their governor, he took stern measures for repressing an unnatural evil. " We intend,"

<sup>1</sup> Walrond, p. 105.

he wrote in November, 1849, after an annexation meeting at which servants of the State had been present, "to dismiss the militia officers and magistrates who have taken part in these affairs, and to deprive the two Queen's Counsels of their silk gowns." But he relied mainly on the positive side of his policy, and few statesmen have given Canada a more substantial boon than did Elgin when, just before his recall, he went to Washington on that mission which Laurence Oliphant has made classic by his description, and concluded by far the most favourable commercial treaty ever negotiated by Britain with the United States.

There is perhaps a tendency to underestimate the work of his predecessors and assistants in preparing the way, but no one can doubt that it was Elgin's persistence in urging the treaty on the home Cabinet, and his wonderful diplomatic gifts, which ultimately won the day. Oliphant, certainly, had no doubt as to his chief's share in the matter. "He is the most thorough diplomat possible—never loses sight for a moment of his object, and while he is chaffing Yankees, and slapping them on the back, he is systematically pursuing that object";<sup>1</sup> and again, "There was concluded in

<sup>1</sup> Mrs. Oliphant, *Life of Laurence Oliphant*, i. p. 120.

exactly a fortnight a treaty, to negotiate which had taxed the inventive genius of the Foreign Office, and all the conventional methods of diplomacy, for the previous seven years." <sup>1</sup>

It was a long, slow process by which Elgin restored the tone of Canadian loyalty. Frenchmen who had dreamed of renouncing allegiance he won by his obvious fairness, and the recognition accorded by him to their leaders. He took the heart out of Irish disaffection by his popular methods and love of liberty. Tory dissentients fell slowly in to heel, as they found their governor no lath painted to look like iron, but very steel. To desponding Montreal merchants his reciprocity treaty yielded naturally all they had expected from a more drastic change. It is true that, owing to untoward circumstances, the treaty lasted only for the limited period prescribed by Elgin; but it tided over an awkward interval of disaffection and disappointment.

He did more, however, than cure definite phases of Canadian disaffection; his influence through Earl Grey told powerfully for a fuller and more optimistic conception of empire. With all its virtues, the bureaucracy of the Colonial Office did not understand the government of colonies such

<sup>1</sup> L. Oliphant, *Episodes in a Life of Adventure*, p. 56.

as Canada ; and where colonial secretaries had the ability and will, they had not knowledge sufficient to lead them into paths at once democratic and imperial. Even Grey relapsed on occasion from the optimism which empire demands of its statesmen. It was not simply that he emphasized the wrong points—military and diplomatic issues, which in Canada were minor and even negligible matters ; but at times he seemed prepared to believe that the days of the connection were numbered.<sup>1</sup>

In 1848 he had impaled himself on the horns of one of those dilemmas which present themselves so frequently to absentee governments and secretaries of state—either reciprocity and an Americanized colony, or a new rebellion as the consequence of a refusal in Britain to consent to a reciprocity treaty.<sup>2</sup> In 1849, "looking at these indications of the state of feeling in Canada, and at the equally significant indications as to the feeling of the House of Commons respecting the value of our colonies," he had begun to despair of their retention.<sup>3</sup> But there were greater sinners than those of the Colonial Office. While Elgin

<sup>1</sup> For Grey's mature position, see below, in Chapter VII.

<sup>2</sup> Elgin-Grey Correspondence : Grey to Elgin, 27 July, 1848.

<sup>3</sup> *Ibid.* : Grey to Elgin, 20 July, 1849.

was painfully removing all the causes of trouble in Canada, and proving without argument, but in deeds, that the British connection represented normal conditions for both England and Canada, politicians insisted on making foolish speeches. At last, an offence by the Prime Minister himself drove Elgin into a passion unusual in so equable a mind, and which, happily, he expressed in the best of all his letters. "I have never been able to comprehend why, elastic as our constitutional system is, we should not be able, now more especially when we have ceased to control the trade of our colonies, to render the links which bind them to the British Crown at least as lasting as those which unite the component parts of the Union. . . . You must renounce the habit of telling the colonies that the colonial is a provisional existence. . . . Is the Queen of England to be the sovereign of an empire, growing, expanding, strengthening itself from age to age, striking its roots deep into fresh earth and drawing new supplies of vitality from virgin soils? Or is she to be for all essential purposes of might and power monarch of Great Britain and Ireland merely, her place and that of her land in the world's history determined by the productiveness of 12,000 square miles of a coal

formation which is being rapidly exhausted, and the duration of the social and political organization over which she presides dependent on the annual expatriation, with a view to its eventual alienization, of the surplus swarm of her born subjects ? ”<sup>1</sup>

That is the final question of imperialism ; and Elgin had earned the right not only to put it to the home government with emphasis, but also to answer it in an affirmative and constructive sense.

The argument forbids any mention of the less public episodes in Elgin's Canadian adventure ; his whimsical capacity for getting on with men, French, British, and American ; the sly humour of his correspondence with his official chief ; the searching comments made by him on men and manners in America ; the charm of such social and diplomatic incidents as Laurence Oliphant has related in his letters and his *Episodes in a Life of Adventure*. But it may be permitted to sum up his qualities as governor, and to connect his work with the general movement towards self-government which had been proceeding so rapidly since 1839.

He was too human, easy, unclassical, and, on

<sup>1</sup> The letter, which may be found in Walrond's *Life of Lord Elgin*, pp. 115-20, ought to be read from its first word to its last.

the other hand, too little touched with Byronic or revolutionary feeling, even to suggest the age of Pitt, Napoleon, Canning; he was too sensible, too orthodox, too firmly based on fact and on the past, to have any affinity with our own transitional politics. Like Peel, although in a less degree, he had at once a firm body of opinions, a keen eye for new facts, and a sure, slow capacity for bringing the new material to bear on old opinion.

He was able, as few have been, to set the personal equation aside in his political plans, holding the balance between friends and foes with almost uncanny fairness, and astonishing his petty enemies by his moderation. His mind could regard not merely Canada but also Britain, as it reflected on future policy; and, in his letters, he sometimes seems the one man in the empire at the time who understood the true relation of colonial autonomy to British supremacy. Not even his most foolish eulogist will attribute anything romantic to his character. There was nothing of Disraeli's "glitter of dubious gems" about the honest phrases in which he bade Russell think imperially. Unlike Mazzini, it was his business to destroy false nationalism, not to exalt that which is true, and

for that cool business the glow and fervour of prophecy were not required. We like to see our leaders standing rampant, and with sulphurous, or at least thundery, backgrounds. But Elgin's ironic Scottish humour forbade any pose, and it was his business to keep the cannon quiet, and to draw the lightning harmless to the ground. The most heroic thing he did in Canada was to refrain from entering Montreal at a time when his entrance must have meant insult, resistance, and bloodshed, and he bore quietly the taunts of cowardice which his enemies flung at his head.

He was far too clear-sighted to think that statesmanship consists in decisions between very definitely stated alternatives of right and wrong. "My choice," he wrote in characteristic words, "was not between a clearly right and clearly wrong course—*how easy is it to deal with such cases, and how rare are they in life*—but between several difficulties. I think I chose the least."<sup>1</sup> His kindly, shrewd, and honest countenance looks at us from his portraits with no appeal of sentiment or pathos. He asked of men that which they find it most difficult to give—moderation, common-sense, a willingness to look at both sides, and to

<sup>1</sup> Elgin-Grey Correspondence : Elgin to Grey, 7 October, 1849.

subordinate their egoisms to a wider good ; and he was content to do without their worship.

It is now possible to summarize the movement towards autonomy so far as it was affected by the governors-general of the transition period.

The characteristic note in the earlier stages had been the domination of the governor-general's mind by a clear-cut theory—that of Lord John Russell. That theory was in itself consistent, and of a piece with the rest of the constitution ; and its merits stood out more clearly because Canadian progressives had an unfortunate faculty for setting themselves in the wrong—making party really appear as faction, investing self-government with something of the menace of independence, and treating the responsibility they sought in the most irresponsible way. The British theory, too, as guaranteeing a definitely British predominance in Canada, brought into rather lurid relief the mistaken fervour of French-Canadian nationalism.

Yet Sydenham, who never consciously, or at least openly, surrendered one detail of the system entrusted to him by Russell, found events too much for him ; and that which conquered Sydenham's resolution made short work of any resistance Bagot may have dreamed of offering. Metcalfe was wrong

in suspecting a conscious intention in Sydenham's later measures, but he was absolutely right when he wrote, "Lord Sydenham, whether intending it or not, did concede Responsible Government practically, by the arrangements which he adopted, although the full extent of the concession was not so glaringly manifested during his administration as in that of his successor."<sup>1</sup>

Canadian conditions were, in fact, evolving for themselves a new system—Home Rule with its limits and conditions left as vague as possible—and that new system contradicted the very postulates of Russell's doctrine. It was only when the system of Russell became incarnate in a governor, Lord Metcalfe, and when the opposing facts also took personal form in the La Fontaine-Baldwin ministry, that both in Canada and Britain men came to see that two contradictory policies faced each other, and that one or other alternative must be chosen. To Elgin fell the honour not merely of seeing the need to choose the Canadian alternative, but also of recognizing the conditions under which the new plan would bring a deeper loyalty, and a more lasting union with Britain, as well as political content to Canada.

<sup>1</sup> Kaye, *Papers and Correspondence of Lord Metcalfe*, p. 414.

## CHAPTER VII.

### BRITISH OPINION AND CANADIAN AUTONOMY.

WHILE these great modifications were being made in the form and spirit of Canadian provincial government, corresponding changes were taking place in British opinion. In the present chapter, it is proposed to examine these as they operated during the first two decades of the Victorian era. But an examination of early Victorian imperialism demands, as a first condition, the dismissal of such prejudices and misjudgments as are implicit in recent terms like "Little-Englander" and "Imperialist." It is, indeed, one of the objects of this chapter to show how little modern party cries correspond to the ideas prevalent from 1840 to 1860, and to exhibit as the central movement in imperial matters the gradual development of a doctrine for the colonies, and more especially for Canada, not dissimilar to that which dominated the economic theory of the day under the title of *laissez faire*.

It is important to limit the scope of the inquiry, for the problem of Canadian autonomy was strictly practical and very pressing. There is little need to exhibit the otiose or irresponsible opinions of men or groups of men, which had no direct influence on events. Little, for example, need be said of the views of the British populace. No doubt Joseph Hume expressed views in which he had many sympathizers throughout the country; but his constituents were too ill-informed on Canadian politics to make their opinions worthy of study; and their heated debates, carried on in mutual improvement societies, had even less influence in controlling the actions of government than had the speeches of their leader in Parliament.<sup>1</sup> After the sensational beginning of the reign in Canada, public opinion directed its attention to Canadian affairs only when fresh sensations offered themselves, and usually exhibited an indifference which was not without its advantages to the authorities. "People here are beginning to forget Canada, which is the best thing they can do," wrote Grey

<sup>1</sup> In Fenwick (Scotland), the Improvement of Knowledge Society discussed Canadian affairs on 1 January, 1839, when James Taylor proposed the sentiment, "The speedy success of the Canadian struggle for emancipation from British thralldom." The toast, according to the minute book, was enthusiastically honoured.

to Elgin after the Rebellion Losses troubles had fallen quiet.

The British press, too, need claim little attention. On the confession of those mainly concerned, it was wonderfully ignorant and misleading on Canadian subjects. Elgin, who was not indifferent to newspaper criticism, complained bitterly of the unfairness and haphazard methods of the British papers, neglecting, as they did, the real issues, and emphasizing irritating but unimportant troubles. "The English press," he wrote, after an important viceregal visit to Boston in 1851, "wholly ignores our proceedings both at Boston and Montreal, and yet one would think it was worth while to get the Queen of England as much cheered in New England as she can be in any part of Old England."<sup>1</sup> Grey in turn had to complain, not merely of indifference, but of misrepresentation, and that too in a crisis in Canadian politics, the Rebellion Losses agitation; "I am misrepresented in *The Times* in a manner which I fear may do much mischief in Canada. I am reported as having said that the connexion between Canada and this country was drawing rapidly to a close. This is

<sup>1</sup> Elgin-Grey Correspondence: Elgin to Grey, 1 November, 1851.

the very opposite of what I really said." <sup>1</sup> How irresponsible and inconsistent a great newspaper could be may be gathered from the treatment by *The Times* of the Annexationist movement in 1849. Professing at first a calm resignation, it refused for the country "the sterile honour of maintaining a reluctant colony in galling subjection"; yet, shortly afterwards, it took the high imperial line of argument and predicted that "the destined future of Canada and the disposition of her people" would prevent "an unfortunate an ending to the connection." <sup>2</sup> The fact is that in all political questions demanding expert knowledge, newspaper opinion is practically worthless; except in cases where the services of some specialist are called in, and there the expert exercises influence, not through his articles, but because, elsewhere, he has made good his claims to be heard. Canadian problems owed nothing of their solution to the British press.

Another factor, irresponsible and indirect, yet closer to the scene of political action than the press, was assumed in those years to have a great

<sup>1</sup> Elgin-Grey Correspondence: Grey to Elgin, 11 May, 1849.

<sup>2</sup> Allin and Jones, *Annexation, Preferential Trade, and Reciprocity*, Chap. IX.

influence on events—the permanent element in the Colonial Office, and more especially the permanent under-secretary, James Stephen. Charles Buller's pamphlet on *Responsible Government for the Colonies* formulates the charge against the permanent men in a famous satiric passage. Buller had been speaking of the incessant change of ministers in the Colonial Office—ten secretaries of state in little more than so many years. "Perplexed with the vast variety of subjects presented to him—alike appalled by the important and unimportant matters forced on his attention—every Secretary of State is obliged at the outset to rely on the aid of some better informed member of his office. His Parliamentary Under-Secretary is generally as new to the business as himself: and even if they had not been brought in together, the tenure of office by the Under-Secretary having on the average been quite as short as that of the Secretary of State, he has never during the period of his official career obtained sufficient information to make him independent of the aid on which he must have been thrown at the outset. Thus we find both these marked and responsible functionaries dependent on the advice and guidance of another; and that other person must of course be one of the permanent

members of the office. . . . That mother-country which has been narrowed from the British Isles into the Parliament, from the Parliament into the executive government, from the executive government into the Colonial Office, is not to be sought in the apartments of the Secretary of State, or his Parliamentary Under-Secretary. Where you are to look for it, it is impossible to say. In some back-room—whether in the attic, or in what storey we know not—you will find all the mother-country which really exercises supremacy, and really maintains connexion with the vast and widely-scattered colonies of Britain.”<sup>1</sup>

The directness and strength of the influence which men like Sir Henry Taylor and Sir James Stephen exercised, both on opinion and events, may be inferred from Taylor's confessions with regard to the slave question in the West Indies, and the extent to which even Peel himself had to depend for information, and occasionally for direction, on the permanent men.<sup>2</sup> It seems clear, too, that up till the year when Lord John Russell took over the Colonial Office, Stephen had a great

<sup>1</sup> *Responsible Government for the Colonies*, London, 1840. See the extract made by Wakefield in his *View of the Art of Colonization*, p. 279.

<sup>2</sup> *The Autobiography of Sir Henry Taylor*, *passim*.

say in Canadian affairs, especially under Glenelg's regime. "As to his views upon other Colonial questions," says Taylor, "they were perhaps more liberal than those of most of his chiefs; and at one important conjuncture he miscalculated the effect of a liberal confidence placed in a Canadian Assembly, and threw more power into their hands than he intended them to possess."<sup>1</sup> On the assumption that he was responsible for Glenelg's benevolent view of Canadian local rights, one might attribute something of Lord John Russell's over-logical and casuistical declarations concerning responsible government to Buller's "Mr. Mother-country." But it is absurd to suppose that Russell's independent mind operated long under any sub-secretarial influence; more especially since the rapid succession of startling events in Canada made his daring and unconventional statesmanship a fitter means of government than the plodding methods of the bureaucrat. After 1841, Stanley and Stephen were too little sympathetic towards each other's methods and ideas, and Gladstone too strongly fortified in his own opinions, for Stephen's influence to creep in; while the Whig government which entered as he left the Colonial Office, had,

<sup>1</sup> *Ibid.* ii. pp. 302-3.

in Grey, a Secretary of State too learned in the affairs of his department to reflect the last influences of his retiring under-secretary. Whatever, then, Mr. Over-Secretary Stephen did to dominate Lord Glenelg, and to initiate the concession of responsible government to Canada, his influence must speedily have sunk to a very secondary position, and the independent and conscious intentions of the responsible ministers held complete sway. It is interesting to note that, according to his son, he seems to have come to share "the opinions prevalent among the liberal party that the colonies would soon be detached from the mother-country."<sup>1</sup>

The actual starting-point of the development of British opinion with regard to Canadian institutions is perfectly definite. It dates from the co-operation and mutual influence of a little group of experts in colonial matters, of whom Charles Buller and Gibbon Wakefield were the moving spirits, and the Earl of Durham the illustrious mouthpiece. The end of the Rebellion furnished the occasion for their propaganda.

The situation was one peculiarly susceptible to

<sup>1</sup> Leslie Stephen, *Life of Sir James Fitzjames Stephen*, p. 49. "On the appointment of a Governor-general of Canada, shortly before his resignation of office, he observes in a diary, that it is not unlikely to be the last that will ever be made."

the treatment likely to be proposed by these radical and unconventional spirits. It was difficult to describe the constitutional position of Canada without establishing a contradiction in terms, and neither abstract and logical minds like that of Cornwall Lewis, nor bureaucratic intelligences like Stephen's, could do more than intensify the difficulty and emphasize it. The *deus ex machina* must appear and solve the preliminary or theoretic difficulties by overriding them. There are some who describe the pioneers of Canadian self-government as philosophic radicals; but they were really not of that school. It was through the absence of any philosophy or rigid logic that they succeeded.

Foremost in the group came Edward Gibbon Wakefield, one of those erratic but creative spirits whose errors are often as profitable to all (save themselves) as their sober acts. It is not here necessary to enter on the details of his emigration system; in that he was, after all, a pioneer in the south and east rather than in the west. But in the stirring years of colonial development, in which Canada, Australia, and New Zealand took their modern form, Wakefield was a leader in constitutional as well as in economic matters, and Canada was favoured not only with his opinions, but with

his presence. In the *Art of Colonization* he entered into some detail on these matters. There was a certain breezy informality about his views, which carried him directly to the heart of the matter. He understood, as few of his contemporaries did, that in all discussions concerning the "connexion," the final argument was sentimental rather than constitutional; and he accepted without further argument the incapacity of Englishmen for being other than English in the politics of their colony. "There would still be hostile parties in a colony," he wrote as he planned reforms, "yes, parties instead of factions: for every colony would have its 'ins' and 'outs,' and would be governed as we are—as every free community must be in the present state of the human mind—by the emulation and rivalries, the bidding against each other for public favour, of the party in power and the party in opposition. Government by party, with all its passions and corruptions, is the price that a free country pays for freedom. But the colonies would be free communities: their internal differences, their very blunders, and their methods of correcting them, would be all their own; and the colonists who possessed capacity for public business would govern in turns far better on the whole than

it would be possible for any other set of beings on earth to govern that particular community." <sup>1</sup> He was, then, for a most entire and whole-hearted control by colonists, and especially Canadians, of their own affairs. But when he came to define what these affairs included, he had limits to suggest, and although he was aware of the dangers implicit in such a limitation, he was very emphatic on the need of imperial control in diplomacy and war, and more especially in the administration of land.<sup>2</sup> How practical and sincere were his views on the supremacy of the home government, he proved by supporting, in person and with his pen, Sir Charles Metcalfe in his struggle to limit the claims of local autonomy.

Powerful and suggestive as Wakefield's mind was, he had, nevertheless, to own a master in colonial theory; for the most distinguished, and by far the clearest, view of the whole matter is contained in Charles Buller's *Responsible Government for the Colonies*, which he published anonymously in 1840. Buller was indeed the ablest of the whole group, and his early death was one of the greatest losses which English politics sustained in the nineteenth

<sup>1</sup> Wakefield, *Art of Colonization*, p. 317.

<sup>2</sup> *Ibid.* pp. 312-3.

century—"an intelligent, clear, honest, most kindly vivacious creature; the genialist Radical I have ever met,"<sup>1</sup> said Carlyle. The ease of his writing and his gift for light satire must not be permitted to obscure the consistency and penetration of his views. Even if Durham contributed more to his Report than seems probable, the view there propounded of the scope of Responsible Government is not nearly so cogent as that of the later pamphlet. Buller, like the other members of his group, believed in the acknowledgment of a supremacy, vested in the mother country, and expressed in control of foreign affairs, inter-colonial affairs, land, trade, immigration, and the like; but outside the few occasions on which these matters called for imperial interference, he was for absolute non-interference, and protested that "that constant reference to the authorities in England, which some persons call responsibility to the mother country, is by no means necessary to insure the maintenance of a beneficial colonial connexion."<sup>2</sup> His originality indeed is best tested by the vigour and truth of his criticisms of the existing administration. First of all representation had been given without

<sup>1</sup> Froude, *Early Life of Carlyle*, ii. p. 446.

<sup>2</sup> *Responsible Government for the Colonies*, p. 65.

executive responsibility. Then for practical purposes the colonists were allowed to make many of their own laws, without the liberty to choose those who would administer them. Then a colonial party, self-styled the party of the connexion, or the loyal party, monopolized office. To Buller the idea of combining a popular representation with an unpopular executive seemed the height of constitutional folly; and, like Wakefield, he understood, as perhaps not five others in England did, the place of party government and popular dictation in colonial constitutional development. "The whole direction of affairs," he said, "and the whole patronage of the Executive practically are at present in the hands of a colonial party. Now when *this is the case, it can be of no importance to the mother country in the ordinary course of things, which of these local parties possesses the powers and emoluments of office.*"<sup>1</sup> Unlike the majority of his contemporaries, he believed in assuming the colonists to be inspired with love for their mother country, common sense, and a regard for their own welfare; and it seemed obvious that men so disposed were infinitely better qualified than the Colonial Office to manage their own affairs. Nothing but evil

<sup>1</sup> *Responsible Government for the Colonies*, p. 37.

could result "from the attempt to conduct the internal affairs of the colonies in accordance with the public opinion, not of those colonies themselves, but of the mother country."<sup>1</sup> It may seem a work of supererogation to complete the sketch of this group with an examination of the opinions expressed in Lord Durham's Report; yet that Report is so fundamental a document in the development of British imperial opinion that time must be found to dispel one or two popular illusions.<sup>2</sup> It is a mistake to hold that Durham advocated the fullest concession of local autonomy to Canada. Sir Francis Hincks, a protagonist of Responsible Government, once quoted from the Report sentences which seemed to justify all his claims: "The crown must submit to the necessary consequences of representative institutions, and if it has to carry on the government in union with a representative body, it must consent to carry it on by means of those in whom that representative body has confidence"; and again, "I admit that the system which I propose would in fact place the internal government of the colony in the hands of the

<sup>1</sup> *Responsible Government for the Colonies*, p. 98.

<sup>2</sup> I am inclined to accept John Stuart Mill's account of the authorship—"written by Charles Buller, partly under the influence of Wakefield."

colonists themselves, and that we should thus leave to them the execution of the laws of which we have long entrusted the making solely to them."<sup>1</sup> Public opinion in Canada also put this extreme interpretation on the language of the Report.

Yet, as a first modification, it was Lord Metcalfe's confident opinion that the responsibility of ministers to the Assembly for which Durham pled, was not that of a united Cabinet, but rather of departmental heads in individual isolation,<sup>2</sup> and certainly one sentence in the Report can hardly be interpreted otherwise: "This (the change) would induce responsibility for every act of the Government, and, as a natural consequence, it would necessitate *the substitution of a system of administration by means of competent heads of departments, for the present rude machinery of an executive council.*"<sup>3</sup>

In the second place, while Durham did indeed speak of making the colonial executive responsible to a colonial Assembly, he discriminated between the internal government of the colony and its

<sup>1</sup> Quoted by Hincks in *A Lecture on the Political History of Canada*, p. 9.

<sup>2</sup> Kaye, *Papers and Correspondence of Lord Metcalfe*, pp. 414-15.

<sup>3</sup> *Lord Durham's Report* (Lucas), ii. p. 280.

imperial aspect.<sup>1</sup> In practice he modified his gift of home rule, by placing, like Wakefield and Buller, many things beyond the scope of colonial responsibility, for example, "the constitution of the form of government, the regulation of foreign relations, and of trade with the mother country, the other British colonies, and foreign nations, and the disposal of the public lands."<sup>2</sup> There is too remarkable a consensus of opinion on this point within the group to leave any doubt as to the intention of Durham and his assistants; that an extensive region should be left subject to strictly imperial supervision. Durham's career ended before his actions could furnish a practical test of his theories, but Buller, like Wakefield, gave a plain statement of what he meant by supporting Metcalfe against his council, at a time when the colonial Assembly seemed to be infringing on imperial rights. "No man," said Buller, of the Metcalfe affair, "could seriously think of saying that in the appointment of every subordinate officer in every county in Canada, the opinion of the Executive Council was to be taken."<sup>3</sup>

<sup>1</sup> See an admirable discussion of the point in Lucas's edition of the *Report*, i. p. 146 and ii. p. 281.

<sup>2</sup> *Ibid.* ii. p. 282.

<sup>3</sup> A speech by Charles Buller in *Hansard*, 30 May, 1844.

To pass from controversy to certainty, there was one aspect of the Report which made it the most notable deliverance of its authors, and which set that group apart from every other political section in Britain, whether Radical, Whig, or Tory—I mean its robust and unhesitating imperialism. How deeply pessimism concerning the Empire had pervaded all minds at that time, it will be the duty of this chapter to prove, but, in the Report at least, there is no doubt of its authors' desire, "to perpetuate and strengthen the connexion between this Empire and the North American Colonies, which would then form one of the brightest ornaments in your Majesty's Imperial Crown." This confident imperial note, then, was the most striking contribution of the Durham Radicals to colonial development; and the originality and unexpectedness of their confidence gains impressiveness when contrasted with general contemporary opinion.

They contributed, too, in another and less simple fashion, to the constitutional question. Nowhere so clearly as in their writings are both sides of the theoretic contradiction—British supremacy and Canadian autonomy—so boldly stated, and, in spite of the contradiction, so confidently accepted. They would trust implicitly to the sense and feel-

ings, however crude, of the colony: they would surrender the entire control of domestic affairs: they would sanction, as at home, party with all its faults, popular control of the executive, and apparently the decisive influence of that executive in advising the governor in internal affairs. Yet, in the great imperial federation of which they dreamed, they never doubted the right of the mother country to act with overmastering authority in certain crises. That right, and the unquenchable affection of exiles for the land whence they came, constituted for them "the connexion."

These were the views which came to dominate political opinion in Britain, for Molesworth was right when he declared that to Buller and Wakefield, more than to any other persons, was the country indebted for sound views on colonial policy. The interest of the present inquiry lies in tracing the development of these views into something unlike, and distinctly bolder than, anything which these rash and unconventional thinkers had planned.

Whatever might be the shortcomings of the Radical group, the daring of their trust in the colonists stands out in high relief against a background of conservative restriction and distrust. It was natural for the Tories to think of colonies as

they did. Under the leadership of North and George III. they had experienced what might well seem to them the natural consequences of the old constitutional system of colonial administration. After 1782 they were disinclined to experiment in Assemblies as free as those of Massachusetts and Connecticut had been. The reaction caused by the French Revolution deepened their distrust of popular institutions, and the war of 1812 quickened their hatred of the United States—the zone of political no less than military danger for Canada. The conquests which they made had given them a second colonial empire, and they had administered that empire with financial generosity and constitutional parsimony, hoping against hope that a fabric so unexpected and difficult as colonial empire might after all disappoint their fears by remaining true to Britain. Developing in spite of themselves, and with the times, they had still learned little and forgotten little. So it was that Sir George Arthur, a Tory governor *in partibus infidelium*, was driven into panic by Durham's frank criticisms, and expounded to Normanby, his Whig chief, fears not altogether baseless: "The bait of responsible government has been eagerly taken, and its poison is working most mischievously. . . .

The measure recommended by such high authority is the worst evil that has yet befallen Upper Canada":<sup>1</sup> and again, "since the Earl of Durham's Report was published, the reform party, as I have already stated, have come out in greater force—not in favour of the Union, nor of the other measures contemplated by the Bill, that has been sent out to this country, but for the daring object so strenuously advocated by Mackenzie, familiarly denominated responsible government."<sup>2</sup>

The distrust and timidity of Arthur's despatches are shared in by practically the entire Tory party in its dealings with Canada, after the Rebellion. The Duke of Wellington opposed the Union of the provinces, because, among other consequences, "the union into one Legislature of the discontented spirits heretofore existing in two separate Legislatures will not diminish, but will tend to augment, the difficulties attending the administration of the government; particularly under the circumstances of the encouragement given to expect the establishment in the united province of a local responsible administration of government"<sup>3</sup> He

<sup>1</sup> Arthur to Normanby, 21 August, 1839.

<sup>2</sup> *Ibid.* 16 October, 1839.

<sup>3</sup> Protest of the Duke of Wellington against the Third Reading of a bill, etc., 13 July, 1840.

was greatly excited when the news of Bagot's concessions arrived. Arbuthnot describes his chief's mood as one of anger and indignation. "What a fool the man must have been," he kept exclaiming, "to act as he has done! and what stuff and nonsense he has written! and what a bother he makes about his policy and his measures, when there are no measures but rolling himself and his country in the mire."<sup>1</sup>

During these years, and until late in 1845, Lord Stanley presided at the Colonial Office. Naturally of an arrogant and unyielding temper, and with something of the convert's fanatic devotion to the political creed of his adoption, he administered Canada avowedly on the lines of Lord John Russell's despatch to Poulett Thomson, but with all the emphasis on the limitations prescribed in that despatch, and in a spirit singularly irritating. His conduct towards Bagot exhibited a consistent distrust of Canadian self-government; and the fundamental defects of his advice to Bagot's successor cannot be better exhibited than in the letter warning Metcalfe of "the extreme risk which would attend any disruption of the present Conservative party of Canada. Their own steadiness

<sup>1</sup> Parker, *Life of Sir Robert Peel*, iii. pp. 382-3.

and your own firmness and discretion have gone far towards consolidating them as a party and securing a stable administration of the colony."<sup>1</sup> In spite of the warnings of Durham and Buller, Stanley was aiming at restoring all the ancient landmarks—an unpopular executive, a small privileged party "of the connexion," and a colony quickly and surely passing from the control of Britain. Even after Stanley's resignation, and the accession of an avowed Peelite and free-trader, Gladstone, to his office, the change in commercial theory did not at first effect any change in the Colonial Office interpretation of the Canadian constitution. No doubt Gladstone recommended Cathcart to ascertain the deliberate sense of the Canadian community at large, and pay respect to the House of Assembly as the organ of that sense, but he committed himself and the new governor-general to a strong support of Metcalfe's system, and put him on his guard against "dishonourable abstract declarations on the subject of what has been termed responsible government."<sup>2</sup>

It would be tedious to follow the subject into every detail of Canadian administration; but all

<sup>1</sup> Stanley to Metcalfe, 18 June, 1845.

<sup>2</sup> Gladstone to Cathcart, 3 February, 1846.

existing evidence tends to prove that the representative men of the British Tory party opposed the new interpretation of Canadian rights at every crisis in the period. In the Rebellion Losses debate in 1849, Gladstone, taking in this matter a view more restricted than that of his leader Peel, held that Elgin should have referred to the Home Government at the very first moment, and before public opinion had been appealed to in the colony.<sup>1</sup> The fall of the Whig ministry in 1851 was followed by the first of three brief Derby administrations: and the Earl of Derby proved himself to be more wedded than he had been as Lord Stanley to the old restrictive system. The Clergy Reserve dispute was nearing its end, but Derby and Sir John Pakington, his colonial secretary, intervened to introduce one last delay, and to give the Bishop of Toronto his last gleam of hope. The appointment of Pakington, which, according to Taylor, was treated with very general ridicule, was in itself significant: even an ignorant and retrograde politician was adequate for his task when that task was obstruction. After the short-lived Derby administration was over, Pakington continued his defence of Anglican rights in Canada, and although

<sup>1</sup> Gladstone's speech in *Hansard*. 14 June, 1849.

Canadian opinion had declared itself overwhelmingly on the other side, he refused to admit that "the argument of self-government was so paramount that it ought to over-rule the sacred dedication of this property."

So far nothing unexpected has been revealed in the early Victorian colonial policy of the Tories. The party naturally and logically opposed all forms of democratic control; they stood for the strict subordination of the outlying regions to the centre in the administration of dependencies; they were, as they had always and everywhere been, the party of the Church, and of church endowment. But it is surprising to find that the party of Wellington and of British supremacy varied their doctrine of central authority with very pessimistic prophecies concerning the connection between mother country and colonies.

Stanley has already been exhibited, during the Bagot and Metcalfe incidents, as a prophet of pessimism; and at the same period, Peel seems to have shared in the views of his Colonial Secretary. "Let us keep Nova Scotia and New Brunswick," he said, "but the connection with the Canadas *against their wills*, nay without the cordial cooperation of the predominant party in Canada, is

a very onerous one. The sooner we have a distinct understanding on that head the better. The advantage of commercial intercourse is all on the side of the colony, or at least is not in favour of the mother country. Why should we go on fighting not our own battle (I speak now of a civil battle) but theirs—in a minority in the Legislature, the progress of the contest widening daily old differences and begetting new ones! But above all, if the people are not cordially with us, why should we contract the tremendous obligation of having to defend, on a *point of honour*, their territory against American aggression? ”<sup>1</sup>

Ten years later, Tory pessimists still talked of separation. Lord John Manners, in an oration which showed as much rhetorical effort as it did little sense and information, was prepared for disaster over no more tragic an issue than the Clergy Reserves. Concession to local demands on that point for him involved something not far from disruption of the Empire. “Far better than this, if you really believe it to be necessary to acknowledge the virtual independence of Canada, recall your Governor-General, call back your army, call home your fleet, and let Canada, if she be so

<sup>1</sup> Parker, *Life of Sir Robert Peel*, iii. p. 389.

minded, establish her independence and cast her character as a colony, or seek refuge in the extended arms of the United States." <sup>1</sup> perhaps it is not fair to confront a man with such perorations.

The most remarkable confession of Tory doubt still remains to be told. It is not usually noticed that Disraeli's famous phrase "these wretched colonies will all be independent too in a few years, and are a mill-stone round our necks," <sup>2</sup> was used in connection with Canadian fishery troubles, and belongs to this same region of imperial pessimism. There is, however, another less notorious but perfectly explicit piece of evidence betraying the fears which at this time disturbed the equanimity of the founder of modern imperialism. He had been speaking of the attempts of liberalism to effect the disintegration of the Empire; but the speech, which contained his counter-scheme of imperial consolidation, was itself an evidence of doubt deeper than that harboured by his opponents. "When those subtle views were adopted by the country, under the plausible plea of granting self-

<sup>1</sup> *Hazard*, 4 March, 1853.

<sup>2</sup> *Memoirs of an Ex-Minister*, i. p. 344: Disraeli to Malmesbury, 13 August, 1852

government to the Colonies, *I confess that I myself thought that the tie was broken.* Not that I for one object to self-government. I cannot conceive how our distant colonies can have their affairs administered except by self-government. But self-government, in my opinion, when it is conceded, ought to have been conceded as part of a great policy of Imperial consolidation.”<sup>1</sup> Disraeli was speaking of the views on colonial government, which he had held, apparently at the time when Grey and Elgin introduced their new system. That system had since been developed under Gladstone’s supervision; and, in 1872, the date of Disraeli’s speech, it presented not fewer, but more decided signs of colonial independence. Yet the statesman who accused the Whigs and Liberals of planning the disruption of the Empire, never attempted, when in office, to stay the decline of imperial unity by any practical scheme of federation, and must be counted either singularly indifferent to the interests of the empire, or sceptical as to its future. A few years later, when the Imperial Titles Bill was under discussion, Disraeli again revealed a curious disbelief in, or misunderstanding of, the character of the self-governing colonies. He had been

<sup>1</sup> *The Speeches of the Earl of Beaconsfield*, ii. p. 530.

challenged to defend his differentiation of the royal title in India from that authorized in the rest of the British Empire. It would have been easy to confess that an imperial dignity, appropriate to the East, would have been singularly out of place in communities more democratic than Britain herself. But he chose to argue from the unsubstantiality of separate colonial existence, and the natural inclination of prosperous colonists to make for England, the moment their fortunes had been made. "The condition of colonial society," he said, "is of a fluctuating character. . . . There is no similarity between the circumstances of our colonial fellow-subjects and those of our fellow-subjects in India. Our colonists are English; they come and go, they are careful to make fortunes, to invest their money in England; their interests are immense, ramified, complicated, and they have constant opportunities of improving and enjoying the relations which exist between themselves and their countrymen in the metropolis. Their relations to their Sovereign are ample, they satisfy them. The colonists are proud of those relations, they are interested in the titles of the Queen, they look forward to return when they

leave England, they do return—in short they are Englishmen.”<sup>1</sup>

It seems fair to argue from these instances that Disraeli, with all his imagination and insight, did not, even in 1876, understand the constitutional and social self-sufficiency of the greater colonies or the nature of the bond which held them fast to the mother country. His consummate rhetorical skill persuaded the nation to be imperial, while he himself doubted the very possibility of permanence in an empire organized on the only lines—those of strict autonomy—which the colonists were willing to sanction.

So the party of the earlier British Empire distrusts the foundations laid by Durham and his group for a new structure; and behind all their proclamations of authority, there were ill-concealed fears of another declaration or succession of declarations of independence.

It is now time to turn to the central body of imperial opinion—that which used Durham's views as the foundation of a new working theory of colonial development. Its chief exponents were the Whigs of the more liberal school, who counted

<sup>1</sup> *Hansard*, 9 March, 1876. The whole speech is an admirable example of Disraeli's gift of irresponsible paradox.

Lord John Russell their representative and leader.

It was only at the end of a period dominated by other interests that Lord John Russell was able to turn his attention to colonies, and more particularly to Canada. Even in 1839, the leader of the House of Commons, and the politician on whom, after all, the fate of the Whig party depended, had many other claims on his attention. He was no theorist at general on the subject, and his interest in Canada was largely the product of events, not of his own will. But he came at a decisive moment in Canadian history; his tenure of the Colonial Office coincided with the period in which Durham's Report exercised its greatest influence, and Russell, who had the politician's faculty for flinging himself with all his force into the issue dominating the present, inaugurated what proved to be a new regime in colonial administration.

In attributing so decisive a part to Russell's work at the Colonial Office, one need not estimate very highly his powers of initiative or imagination. It was Lord John Russell's lot, here as in Parliamentary Reform, to read with honest eyes the defects of the existing system, to initiate a great and useful change, and then to predicate finality

of an act, which was really only the beginning of greater changes. But in Canadian politics as in British, he must be credited with being better than his words, and with doing nothing to hinder a movement which he only partially understood.

His ideas have in part been criticized in relation to Lord Sydenham's governor-generalship: in a sense, Sydenham was simply the Russell system incarnate. But it is well to examine these ideas as a whole. Russell was a Durhamite "with a difference." Like Durham he planned a generous measure of self-government, but he was a stricter constitutional thinker than Durham. He reduced to a far finer point the difficulty which Durham only slightly felt, about the seat of ultimate authority and responsibility; and his instructions to Sydenham left no doubt as to the constitutional superior in Canada. With infinitely shrewder practical insight than his prompter, he refused to simplify the problem of executive responsibility, by making the council subject to the Assembly in purely domestic matters, and to the Crown and its representative in external matters. "Supposing," he said, "that you could lay down this broad principle, and say that all external matters

should be subject to the home government, and all internal matters should be governed according to the majority of the Assembly, could you carry that principle into effect? I say, we cannot abandon the responsibility which is cast upon us as Ministers of the Executive of this great Empire."<sup>1</sup> Ultimately the surrender had to be made, but it was well that Russell should have refused to consent to what was really a fallacy in Durham's reasoning. In consequence of this position, the Whig leader regarded Bagot's surrender as one, difficult perhaps to avoid, but unfortunate in its results, and he was an unflinching supporter of Metcalfe. He further declared that he thought Metcalfe's council had an exaggerated view of their power, and that to yield to them would involve dangers to the connection.<sup>2</sup> The novelty involved in his policy lay, however, outside this point of constitutional logic: it was a matter of practice, not of theory. Not only did he support Sydenham in those practical reforms in which the new political life of Canada began, but in spite of his theory he really granted all save the form of full responsibility. So completely had he, and his agent Sydenham, undermined their own imperial

<sup>1</sup> *Hansard*, 3 June, 1839.

<sup>2</sup> *Ibid.* 30 May, 1844.



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position, that when Peel's ministry fell in 1846 it was one of the first acts of Lord John Russell, now prime minister, to consent to the demolition of his own old theories. If he may not dispute with Grey the credit of having conceded genuine responsibility to Canada, at least he did not exercise his authority to forbid the grant.

It seems to me, indeed, that Russell definitely modified his position between 1841 and 1847. At the earlier date he had been a stout upholder of the supremacy of Britain in Canada, for he believed in the connection, and the connection depended on the retention of British supremacy. In the debate of January 16th, 1838, he argued thus for the Empire: "On the preservation of our colonies depends the continuance of our commercial marine; and our commercial marine mainly depends on our naval power; and on our naval power mainly depends the strength and supremacy of our arms."<sup>1</sup> It is worthy of note that Charles Buller took occasion to challenge this description of the pillars of empire—it seemed a poor theory to him to make the empire a stalking-horse for the commerce and interests of the mother country. But as events taught Russell surely that the casuistry of 183

<sup>1</sup> *Hansard*, 16 January, 1838.

was false, and that Responsible Government was both a deeper and a broader thing than he had counted it, and yet inevitable, he accepted the more radical position. At the same time, he either came to lay less stress on the unity of Empire, or he was forced to acknowledge that, since Home Rule must be granted, and since with Home Rule separation seemed natural, Britain had better practise resignation in view of a possible disruption. The best known expression of this phase in Russell's thought is his speech on Colonial Administration in 1850: "I anticipate, indeed, with others that some of the colonies may so grow in population and wealth that they may say, 'Our strength is sufficient to enable us to be independent of England. The link is now become onerous to us; the time is come when we think we can, in amity and alliance with England, maintain our independence.' I do not think that that time is yet approaching. But let us make them as far as possible fit to govern themselves . . . let them increase in wealth and population; and whatever may happen, we of this great empire shall have the consolation of saying that we have contributed to the happiness of the world."<sup>1</sup> It is possible to

<sup>1</sup> Walpole, *Life of Lord John Russell*, pp. 339-40.

argue that because Russell admitted that the time for separation was not yet approaching he was therefore an optimist. But the evidence leans rather to the less glorious side. It was this speech which kindled Elgin into a passion and made him bid Grey renounce for himself and his leader the habit of telling the colonies that the colonial is a provisional existence. The same speech, too, excited tortured complaints from Robert Baldwin, the man whom Sydenham and Russell had once counted half a traitor. "I never saw him so much moved," wrote Elgin, to whom Baldwin had frankly said about a recent meeting. "My audience was disposed to regard a prediction of this nature proceeding from a Prime Minister, less as a speculative abstraction than as one of that class of prophecies which work their own fulfilment."<sup>1</sup> The speech was not an accidental or occasional flash of rhetoric. The mind of the Whig leader, acquiescing now in the completeness of Canadian local powers, and reading with disquiet the signs of the times in the form of Canadian turbulence, seems to have turned to speculate on the least harmful form which separation might take. Of this there is direct evidence in a private letter from Grey to Elgin: "Lord

<sup>1</sup> Elgin-Grey Correspondence : Elgin to Grey, 23 March, 1850.

John in a letter I had from him yesterday, expresses a good deal of anxiety as to the prospects of Canada, and reverts to the old idea of forming a federal union of all the British provinces, in order to give them something more to think of than their mere local squabbles; <sup>1</sup> and he says that if to effect this a separation of the two Canadas were necessary he should see no objection to it. His wish in forming such a union would be to bring about such a state of things, that, *if you should lose our North American provinces, they might be likely to become an independent state, instead of being merged in the Union.*" <sup>2</sup>

Russell moved then at this period through a most interesting development of views. His initial position was a blend of firm imperialism and generous liberal concession, the latter more especially inspired by Durham. As his genuine sympathies with liberty and democracy operated on his political views, these steadily changed in the direction of a more complete surrender to Canadian demands. But, since, in spite of his sympathies, he still remained logical, and since he had believed the connection to depend on

<sup>1</sup> The reference is to the Rebellion Losses Act riots.

<sup>2</sup> Elgin-Grey Correspondence : Grey to Elgin, 8 August, 1849.

the governor-general's supremacy, the modification of that supremacy involved the weakening of his hopes of empire. If the change seem somewhat to his discredit, his best defence lies in the fact that Peel, who made a very similar modification of his mind on Canadian politics, was also contemplating in these years a similar separation. "The utility of our connexion with Canada," he said in 1844, "must depend upon its being continued with perfect goodwill by the majority of the population. It would be infinitely better that that connexion should be discontinued, rather than that it should be continued by force and against the general feeling and conviction of the people."<sup>1</sup> Indeed Russell seems to have been accompanied on his dolorous journey by all the Peelites and not a few of the Whigs. "There begins to prevail in the House of Commons," wrote Grey to Elgin in 1849, "and I am sorry to say in the highest quarters, an opinion (which I believe to be utterly erroneous) that we have no interest in preserving our colonies and ought therefore to make no sacrifice for that purpose. Peel, Graham, and Gladstone, if they do not avow this opinion as openly as Cobden and his friends, yet betray very clearly that they

<sup>1</sup> *Hansard*, 30 May, 1844.

entertain it, nor do I find some members of the Cabinet free from it." <sup>1</sup>

Meanwhile, the direction of colonial affairs had fallen to the writer of the letter just quoted: from the formation of the Russell ministry in 1846 until its fall, Earl Grey was the dominant force in British colonial policy. Unlike Russell, Grey was not so much a politician interested in the great parliamentary game, as an expert who had devoted most of his attention to colonial and economic subjects. Consciously or unconsciously, he had imbibed many of Wakefield's ideas, and in that period of triumphant free trade, he came to office resolute to administer the colonies on free-trade principles. It said much for the fixity and consistency of his ideas of colonial administration that, unlike Russell, Buller, and others, he had not been misled by the Metcalfe incident. "The truth is," he said of Metcalfe, "he did not comprehend responsible government at all, nor from his Indian experience is this wonderful." <sup>2</sup>

The most comprehensive description of the Grey regime is that it practised *laissez faire* principles in colonial administration as they never had been

<sup>1</sup> Elgin-Grey Correspondence: Grey to Elgin, 18 May, 1849.

<sup>2</sup> *Ibid.*: Grey to Elgin, 5 April, 1849.

practised before. Under him Canada first enjoyed the advantages or disadvantages of free trade, and escaped from the shackles of the Navigation Laws. Grey and Elgin co-operated to bring the Clergy Reserve troubles to an end, although the Whigs fell before the final steps could be taken. Grey secured imperial sanction for changes in the Union Act of 1840, granting the French new privileges for their language, and the colony free control of its own finances. But all these were subordinate in importance to the attitude of the new minister towards the whole question of Canadian autonomy and its relation to the Imperial Parliament. That attitude may be examined in relation to the responsibility of the Canadian executive, the powers of the Imperial Parliament, the occasions on which these powers might be fitly used, and the bearing of all the innovations on the position of Canada within the British Empire.

Grey's policy with regard to Responsible Government was simple. As Canadians viewed the term, and within the very modest limits set to it by them, he surrendered the whole position. So much has already been said on this point in connection with Elgin, that it need not be further elaborated. Yet, since there might linger a suspicion that the

policy was that rather of the governor than of the minister, Grey's position may be given in a despatch written to Sir John Harvey in Nova Scotia, before Elgin went to Canada.

"The object," wrote Grey, "with which I recommend to you this course is that of making it apparent that any transfer, which may take place, of political power from the hands of one party to those of another is the result, not of an act of yours, but of the wishes of the people themselves, as shown by the difficulty experienced by the retiring party in carrying on the government of the Province according to the forms of the Constitution. To this I attach great importance; I have therefore to instruct you to abstain from changing your Executive Council until it shall become perfectly clear that they are unable with such fair support from yourself as they have a right to expect, to carry on the government of the province satisfactorily, and command the confidence of the Legislature. . . . In giving all fair and proper support to your Council for the time being, you will carefully avoid any acts which can possibly be supposed to imply the slightest personal objection to their opponents, and also refuse to assent to any measures which may be

proposed to you by your Council, which may appear to you to involve an improper exercise of the authority of the Crown for party rather than for public objects. In exercising however the power of refusing to sanction measures which may be submitted to you by your Council, you must recollect that this power of opposing a check upon extreme measures, proposed by the party for the time in the Government, depends entirely for its efficacy upon its being used sparingly and with the greatest possible discretion. A refusal to accept advice tendered to you by your Council is a legitimate ground for its members to tender to you their resignation—a course they would doubtless adopt, should they feel that the subject on which a difference had arisen between you and themselves was one upon which public opinion would be in their favour. Should it prove to be so, concession to their views must sooner or later become inevitable, since it cannot be too distinctly acknowledged that it is neither possible nor desirable to carry on the government of any of the British Provinces in North America, in opposition to the opinion of the inhabitants.”<sup>1</sup>

In strict accordance with this plan, Grey gave

<sup>1</sup> Earl Grey to Sir John Harvey, 3 November, 1846.

Elgin the most loyal support in introducing responsible government into Canada, and, in a note written not long after Papineau had once more awakened the political echoes with a distinctly disloyal address, he expressed his willingness to include even the old rebel in the ministerial arrangement, should that be insisted on by the leaders of a party which could command a majority.<sup>1</sup>

Complete as was the concession made by Grey to local claims, it would, nevertheless, be a grave error to think that he left no space for the assertion of imperial authority. No doubt it was part of his system to reduce to a minimum the occasions on which interference should be necessary, but that such occasions might occur, and demand sudden and powerful action from Britain, he ever held. Even in matters of a character purely domestic, he believed, with Lord John Russell, that intervention might be necessary, and he desired to prevent danger not by minimizing the powers of the imperial authority, but by exercising them with great discretion.<sup>2</sup> It was perhaps with this conservation of central power in view that

<sup>1</sup> Elgin-Grey Correspondence: Grey to Elgin, 22 February, 1848.

<sup>2</sup> Grey, *Colonial Policy*, i. p. 75.

he was willing to transfer to the British treasury the responsibility of paying the salary of the governor-general, provided the colonists would take over some part of the expenses and difficulties of Canadian defence. But the extent to which he was prepared to exalt the supremacy is best illustrated in the control of imperial commerce. A great change had just been made in the economic system of Britain. Free trade was then to its adherents not an arguable position, but a kind of gospel; and men like Grey, who had something of the propagandist about them, were inclined to compel others to come in. Now, unfortunately for Canada, free trade appeared there first rather as foe than as friend. As has already been seen, the measures of 1846 overturned the arrangement made by Stanley in 1843, whereby a preference given to Canadian flour had stimulated a great activity in the milling and allied industries; and the removal of the restrictions imposed by the Navigation Acts did not take place till 1849. At the same time the United States, the natural market for Canadian products, showed little inclination to listen to talk of reciprocity; and the Canadians, seemingly deprived of pre-existing advantages by Peel's action, talked of retaliation as a means of

bettering their position, at least in relation to the United States. Grey, however, was an absolute believer in the magic powers of free trade. "When we rejected all considerations of what is called reciprocity," he wrote to Elgin, "and boldly got rid of our protective duties without inquiring whether other nations would meet us or not, the effect was immediately seen in the increase of our exports, and the prosperity of our manufactures."<sup>1</sup> Canada, then, in his opinion could retaliate most effectively, not by setting up a tariff against the United States, but by opening her ports more freely than before. He had a vision, comparable although in contrast, to that of believers in an imperial tariff, of an empire with its separate parts bound to each other by a general freedom of trade. Besides all this, he had a firm trust that the evils which other nations less free than Britain might for a time inflict on her trade by their prohibitions, would shortly end, since all would be convinced by the example of Britain and would follow it. Under these circumstances he set imperial policy against local prejudice, and wrote to his governor-general: "I do trust you will be able to prevent the attempt to enter upon that silliest of all silly policies, the

<sup>1</sup> Elgin-Grey Correspondence : Grey to Elgin, 5 December, 1850.

meeting of commercial restrictions by counter-restrictions ; *indeed it is a matter to be very seriously considered, whether we can avoid disallowing any act of this kind which may be passed.*"<sup>1</sup>

In spite, then, of the present thoroughness of Grey's conversion to the Canadian position with regard to Home Rule, there was for him still an empire operating through the Houses at Westminster and the Crown ministers, and striking in possibly on rare occasions, but, when necessary, with a heavy hand. To such a man, too, belief in the permanence of empire was natural. There are fewer waverings on the point in Grey's writings than in those of any of his contemporaries, Durham, Buller, and Elgin alone excepted. He had, indeed, as his private correspondence shows, moments of gloom. Under the strain of the Montreal riots, and the insults to Elgin in 1849, he wrote: "I confess that looking at these indications of the state of feeling there, and at the equally significant indications to the feelings in the House of Commons, respecting the value of our colonies, I begin almost to despair of our long retaining those in North America ; while I am persuaded that to both parties a hasty separation will be a very serious

<sup>1</sup> Elgin-Grey Correspondence : Grey to Elgin, 25 October, 1849.

evil.”<sup>1</sup> Elgin’s robust faith, and perfect knowledge, however, set him right. Indeed, in tracing the growth of Grey’s colonial policy, it is impossible for anyone to mistake the evidences of Elgin’s influence; and the chapter on Canada in his *Colonial Policy* owes almost more to Elgin than it does to the avowed author. His final position may be stated thus. The empire was to the advantage of England, for, apart from other reasons, her place among the nations depended on the colonies, and the act of separation would also be one of degradation. The empire was an unspeakable benefit to the colonies: “To us,” he once wrote in a moment of doubt, “except the loss of prestige (no slight one I admit) the loss of Canada would be the loss of little but a source of heavy expense and great anxiety, while to the Canadians, the loss of our protection, and of our moderating influence to restrain the excesses of their own factions, would be one of the greatest that can be conceived.”<sup>2</sup> But, apart from these lower loss and gain calculations, to Grey the British Empire was a potent instrument, essential to the peace and soundness of the world, and he expected the

<sup>1</sup> Elgin-Grey Correspondence: Grey to Elgin, 20 July, 1849.

<sup>2</sup> *Ibid.*: Grey to Elgin, 22 March, 1848.

provinces to which he had conceded British rights, to rally to uphold British standards through a united and loyal imperial federation. Those were still days when Britain counted herself, and not without justification, a means of grace to the less fortunate remainder of mankind. "The authority of the British Crown is at this moment the most powerful instrument, under Providence, of maintaining peace and order in many extensive regions of the earth, and thereby assists in diffusing among millions of the human race, the blessings of Christianity and civilization. Supposing it were clear (which I am far from admitting) that a reduction of our national expenditure (otherwise impracticable) to the extent of a few hundred thousands a year, could be effected by withdrawing our authority and protection from our numerous Colonies, would we be justified, for the sake of such a saving, in taking this step, and thus abandoning the duty which seems to have been cast upon us?"<sup>1</sup>

Such, then, was the imperial policy of Britain under the man who carried it farthest forward before the great renaissance at the end of Queen Victoria's reign. To Grey, Canada was all that it had meant to Durham—a province peopled by

<sup>1</sup> Grey, *Colonial Policy*, i. pp. 13-14.

subjects of the Queen, and one destined by providence to have a great future—a fundamental part of the Empire, and one without which the imperial whole must be something meaner and less glorious. Like Durham he planned for it a constitution on the most generous lines, and conferred great gifts upon it. And, in exchange, he claimed a loyalty proportionate to the generosity of the Crown, and a propriety of political behaviour worthy of citizens of so great a state. In the last resort he held that in abnormal crises, or in response to great and beneficial policies, Canadians must forget their provincial outlook, or, if they could not, at least accept the ruling of an imperial parliament and a crown more enlightened and authoritative on these matters than a colonial ministry or people could be. Having conceded all the rights essential to a free existence, he mentioned duties, and called the sum of these duties Empire.

The concluding stage in the evolution of mid-Victorian opinion concerning Canada, which must now be described, differs essentially from the earlier stages, although, as it seems to me, the chief factor in the development is still Durham and his group. It is the period of separatism.

One thing has appeared very prominently in the

foregoing argument—the prevalence of a fear, or even a fixed belief, that the connection between Britain and Canada must soon cease. Excluding, for the present, the entire group of extreme radicals, there was hardly a statesman of the earlier years of Victoria, who had not confessed that Canada must soon leave England, or be left. Many instances have been already cited. Among the Tories, Stanley thought that Bagot had already begun the process of separation, and that Metcalfe's failure would involve the end of the connection. Peel, ever judicial, gave his verdict in favour of separation, should Canadians persist in resenting imperial action. As Lord John Russell's view of autonomy expanded, his hopes for continued British supremacy contracted; and, on the evidence of a letter from Grey quoted above, Russell was not alone among the Whigs in his opinion, nor Peel among his immediate followers. The reckless and partizan use of the term Little-Englander has largely concealed the fact that apart from Durham, whose faith was not called upon to bear the test of experience, and Buller, Grey, and Elgin, who had special grounds for their confidence, all the responsible politicians of the years between 1840 and 1860 moved steadily towards a "Little England" position.

The reasons for that movement are worthy of examination.

So far as the Tories were concerned, the change, already traced in detail, was not unnatural. In the eighteenth century, the colonies, possessed of just that responsible government for which Canadian reformers were clamouring, had with one accord left the Empire. The earlier nineteenth century had witnessed in the British American colonies a steadily increasing demand for the liberties, formerly possessed by the New England states. Representative assemblies had been granted; then a modified form of responsibility of the executive to these assemblies; then the complete surrender of executive to legislature. Attempts had been made to gain some countervailing powers by bargain; but, in Canada, the civil list had now been surrendered to local control, the endowment of the Church of England was practically at an end, patronage was in the hands of the provincial ministry, and all the exceptions which the central authority had claimed as essential to its continued existence followed in the wake of the lost executive supremacy. Neither Whigs nor Tories quite understood how an Empire was possible, in which there was no definite federating principle; or, if there

were, where the federating principle existed only to be neutralized as, one by one, the restrictions imposed by it were felt by the colonists to be annoying to their sense of freedom. Empire on these terms seemed to mean simply a capacity in the mother country for indefinite surrender. The accomplishment of the purpose proclaimed by Durham, Russell, and Grey, would, to a Tory even less peremptory than the Duke of Wellington, mean the end of the connection; and as they felt, so they spoke and acted. They were separatists, not of good-will, but from necessity and the nature of things.

Among the Whigs, an even more important process was at work. By 1850 the disintegration of the Whig party was already far advanced. Finality in reform had already been found impossible, and Russell and the advanced men were slowly drawing ahead of conservatives like Melbourne and Palmerston. After 1846, the liberalizing power of Peel's steady scientific intelligence was at work, transforming the ideas of his allies, as he had formerly shattered those of his old friends, and, of Peel's followers, Gladstone at least seemed to be looking in the same direction as his master—towards administrative liberalism. The

Whig creed and programme were in the melting pot. Now, what made the final product not Whig, but Liberal, was on the whole the increasing influence of the parliamentary Radicals; and in colonial matters the Radicals, who told on the revived and quickened Whig party, were pronouncedly in favour of separation. It is too often assumed that the imperial creed of Durham and Buller was shared in by their fellow Radicals. That is a grave mistake. One may trace a descent towards separatism from Molesworth to Roebuck and Brougham. In Molesworth, the tendency was comparatively slight. No doubt in 1837, under the stress of the news of rebellion, he had proclaimed the end of the British dominion in America as his sincere desire.<sup>1</sup> But he believed in a colonial empire, if England would only guarantee good government. "The emancipation of colonies," he said, in a cooler mood, "must be a question of time and a question, in each case, of special expediency . . . a question which would seldom or never arise between a colony and its mother country if all colonies were well governed"; and he explained his language about Canada on grounds of bad government. "I hope that the people of

<sup>1</sup> Molesworth in *Hansard*, 22 December, 1837.

that country (Lower Canada) will either recover the constitution which we have violated, or become wholly independent of us." <sup>1</sup> It is not necessary to quote Hume's confused but well-intentioned wanderings—views sharing with those of the people whom Hume represented, their crude philanthropy and imperfect clearness. But Roebuck marked a definite stage in advance; for, while he was willing to keep "the connexion," where it could be kept with honour, he seems to have regarded separation as inevitable—"come it must," he said—and the best hopes were that the separation might take place in amity and that a British North American federation might counterbalance the Union to the south.<sup>2</sup> Grote's placid and facile radicalism accepted the growing breach with Canada as the most desirable thing which could happen both to the mother country and the colony; and Brougham directed all his eccentric and ill-ordered energy and eloquence, not only to denounce the Whig leadership but to proclaim the necessity of the new Canadian republic. "Not only do I consider the possession of Canada as worth no breach of the Constitution . . . but in a national view I really hold those colonies

<sup>1</sup> Molesworth in *Hansard*, 6 March, 1838.

<sup>2</sup> Roebuck before the House of Commons, 22 January, 1838.

be worth nothing. I am well assured that we shall find them very little worth the cost they have entailed on us, in men, in money, and in injuries to our trade; nay, that their separation will be even now a positive gain, so it be effected on friendly terms, and succeeded by an amicable intercourse."<sup>1</sup>

Separation was indubitably a dogma of philosophic radicalism; and yet it was not so much the influence of this metaphysical and doctrinaire belief which moved Whig opinion. It was rather the plain business-like and matter-of-fact radicalism of the economist statesmen, led by Bright and Cobden. Of the two forces represented by Peel and by Cobden, which completed the formation of a modern Liberal party, the latter was on the whole the stronger; and Bright and Cobden took the views of their Radical predecessors, and out of airy and ineffectual longings created solid political facts. "I cannot disguise from myself," wrote Grey to Elgin in 1850, "that opinion in this country is tending more and more to the rejection of any burden whatever, on account of our colonies"; and the reason for the tendency was certainly the purely economic views to which

<sup>1</sup> Brougham in *Hansard*, 18 January, 1838.

Cobden was accustoming Britain, and the cogency of the arguments by which he was driving amateur politicians from their earlier indefensible positions. That trade was all-important, and that the operations of trade disregarded the irrelevant facts of nationality and race; that no one community could interfere in the social and political life of another without disaster to both; that the defence of colonies was not only dangerous to peace and provoking suspicious neighbours, but needless expense to the mother country; in short that *laissez-faire* was the dominating principle in politics, and that *laissez-faire* shattered the earlier claims of imperial supremacy and colonial dependency. These were the views introduced by Cobden and Bright into a newly awakened and imperfectly educated England; and they played just havoc with earlier political ideas, as Darwin's evolution did with pre-existing theological orthodoxy.<sup>1</sup>

It was hardly wonderful then that the Whigs moved steadily onward until they almost acquiesced in the idea of imperial disruption; and, since Peel

<sup>1</sup> See, for a very complete statement of Bright's views on the point, his speech on *Canadian Fortifications*, 23 March, 1865. Cobden's colonial policy is scattered broadcast through his speeches.

had left his party moved almost wholly by Cobden's economic propaganda, it was not unnatural that the Peelites should share the views of their Whig allies. It is indeed possible to find some cold consolation in Gladstone's Chester speech in 1855, when he predicted that if only the colonies were left freedom of judgment, it would be hard to say when the day of separation might come.<sup>1</sup> Grey had already suspected Gladstone of pessimism on the point, and we now know that as an imperialist Gladstone's course from 1855 had a downward tendency. He could not resist the arguments of his Radical friends and teachers.

Almost all the important relevant facts and events which concerned the connection after 1846 assisted these party movements towards belief in separation.

Grey, whose confidence in the beneficial result of free trade challenged that of Cobden himself, believed that with Protection there vanished an awkward energy of the connection between Canada and Britain.<sup>2</sup> But Grey was unmistakably doctrinaire on the point. Elgin warned him, again and again, of "the uneasy feeling which the free-

<sup>1</sup> Morley, *Life of Gladstone*, i. p. 269.

<sup>2</sup> See the preliminary chapter in his *Colonial Policy*.

trade policy of the mother country . . . has tended to produce in the colonial mind,"<sup>1</sup> and that easiness passed gradually over to Britain. It would be to trespass unduly beyond the limits prescribed in this essay to deal with the introduction of the Canadian tariff in 1858 and 1859, yet the statements of Galt who introduced the budget in the latter year strike the reader not only as they must have struck the British reader through with a sense that the connection was practically at an end. "The government of Canada cannot, through those feelings of deference which they owe to the Imperial authorities, in any measure waive or diminish the right of the people of Canada to decide for themselves both as to the mode and extent to which taxation shall be imposed. . . . The Imperial government are not responsible for the debts and engagements of Canada. They do not maintain its judicial, educational, or military service. They contribute nothing to the internal government of the country; and the Provincial Legislature, acting through a ministry directly responsible to it, has to make provision for all these wants. They must necessarily claim and exercise the widest latitude, as to the nature, and

<sup>1</sup> Elgin-Grey Correspondence: Elgin to Grey, 6 December, 1848.

the extent of the burdens, to be placed upon the industry of the people.”<sup>1</sup> There was almost everything to be said in favour of this enlightened selfishness; and yet a growing coolness on the part of British legislators was, under the circumstances, very comprehensible. It was all the more so, because the innovations in Canada influenced British diplomacy in its relations with the United States; and between 1854, the date of Elgin’s Reciprocity Treaty, and 1867, British statesmen learned some of the curious ramifications of their original gift of autonomy to Canada. In diplomacy as in economic relations, their appreciation of the value of the connection did not increase.

Parallel with this disruptive tendency in the new economic policy, another in military matters began to make itself felt. As Canada received her successive grants of liberties, and ever new liberties, the imperial authorities began to consider the advisability of withdrawing imperial troops by degrees, and of leaving Canada to meet the ordinary demands of her own defence. Grey and Elgin had corresponded largely on the point; and the result had been a very general reduction of British troops

<sup>1</sup> See Galt, *Canada from 1849 to 1859*, and his memorandum of 25 October, 1859.

in Canada, the assumption being that Canada would look to her own protection. To discover the character of the change thus introduced, and its bearing on imperial politics, it again became necessary to travel beyond the limit set, and examine its results between 1860 and 1867. In these years the military situation developed and alarming possibilities for Canada. The organization of the Canadian tariff excited much ill-feeling in the United States, for it seemed an infringement of the arrangements made by Elgin in 1854.<sup>1</sup> Then followed the *Trent* episode, the destruction created by the *Alabama*, the question of policy both of England and of Canada in the matter, no matter how informally, in the war. In addition, the Irish-American section of the population, which had furnished its share, both of rank and file, and of leaders, to the war, was in those years bitterly hostile to the British Empire, and plotting incessantly some secret stroke which should weaken Britain through Canada. The gravest danger threatening British peace and supremacy at that time lay, not in Europe, but along the Canadian

<sup>1</sup> See a despatch from Lord Lyons respecting the Reciprocity Treaty, Washington, 28 February, 1862: enclosing a copy of the report of the committee of the House of Representatives on the Reciprocity Treaty.

frontier, nor would it be fair to say that Britain alone, not Canada, had helped to provoke the threatened American attack. Under these circumstances, partly because of the expense, but partly also through factiousness and provincial shortsightedness, the Canadian assembly rejected a scheme for providing an adequate militia, and left a situation quite impossible from the military point of view. Instantly a storm of criticism broke over the heads of the colonies, so bitter and unqualified that there are those who believe that to this day the mutual relations of Britain and Canada have never quite recovered their old sincerity.<sup>1</sup> A member of the Canadian parliament, who was travelling at the time in England, found the country in arms against his province: "You have no idea of the feeling that exists here about the Militia Bill, and the defences of Canada generally. No one will believe that there is not a want of loyalty among the Canadians, and whenever I try to defend Canada, the answer is always the same, that 'the English look for actions not assertions'; many hard and unjust things are now said about the country, all of which add strength to the Goldwin Smith party, which, after

<sup>1</sup> See Dent, *The Last Forty Years*, ii. p. 426.

all, is not a very small one; and the Derbyites make no secret of what they would do if they were in power,—let Canada take her chance. Even Earl Grey was prepared, at that crisis, to submit to the British and Canadian parliaments a clear issue, calling on the latter to afford adequate support to the British forces left in British North America, or to permit the last of them to leave a country heedless of its own safety.<sup>2</sup> From that time forth, more especially after Lee, Jackson, Grant, and Sherman had revealed the military possibilities of the American Republic, even military men began to accept the strategic arguments against the retention of Canada as unanswerable, and joined the ranks of those who called for separation. Richard Cartwright, who had opportunities for testing British opinion, more especially among military officers, found a universal agreement that Canada was indefensible, and that separation had better take place, before rather than after war.<sup>3</sup> So John Bright and the leaders of the British army had at last found a point of diplomacy and strategy on which they might agree.

<sup>1</sup> Fope, *Life of Sir John Macdonald*, i. p. 242.

<sup>2</sup> Earl Grey, in *Hansard*, 18 July, 1862.

<sup>3</sup> Sir Richard Cartwright, *Reminiscences*, p. 55.

A considerable portion of authoritative British opinion has now been traversed; and beneath all its contradictions and varieties a deep general tendency has been discovered. That tendency made for the separation of Canada from England and the Empire. It is strange to see how resolutely writers have evaded the conclusion, and yet, if the views discussed above have been fairly stated, only four men of note and authority, Durham, Buller, Elgin, and Grey remained unaffected by the growing pessimism of the time, and of these, the last seemed at the end to find it difficult to maintain the confidence of 1853 under the trials of 1862. Britain was, in fact, undergoing a great secular change of policy. She had been driven, step by step, from the old position of supremacy and authority. As in commerce the security of protection had been abandoned for the still doubtful advantages of free trade, so, in the colonies, the former cast-iron system of imperial control had been abandoned for one of *laissez-faire* and self-government. It would have been impossible for British statesmen to follow any other course than that which they actually chose. Self-government, and self-government to the last detail and corollary of the argument they must perforce concede. But

in the stress of their imperial necessities, it was not strange that they should discern all the signs of disruption, rather than the gleams of hope, and men like Disraeli who claimed at a later date that they had never despaired of the Empire, did so at the expense of their sincerity, and could do so only because the false remedies they prescribed were happily incapable of application. Little Englandism, if that unfortunate term may be used to describe an essential and inevitable phase of imperial expansion, was the creed of all but one or two of the most capable and daring statesmen of the mid-Victorian age.

Strangely enough, while they had exhausted their materials for their argument so far as these lay in Britain, they had all failed to regard the one really important factor in the situation—the inclination of the Canadian people. For the connection of Britain with Canada depended less on what the ministers of the Crown thought of Canada than on what the Canadians thought of their mother country.

## CHAPTER VIII.

### THE CONSEQUENCES OF CANADIAN AUTONOMY.

A CHANGE so informally achieved, and yet so decisive, as the completion of a system of self-government in Canada could not but have far-reaching and unexpected secondary consequences. It is the object of this chapter to trace the more important of these as they appeared in the institutions and public life of Canada, and in the modification of Canadian sentiment towards Great Britain.

The most obvious and natural effect of Elgin's concessions was a revolution in the programmes of the provincial parties, and in their relations to each other and to government. It may be remembered that all the governors of the period agreed in reprobating the factiousness and pettiness of Canadian party politics. Even Elgin had been unable to see very much rationality in their methods. There was, he held little of public principle to divide

men, apart from the fundamental question of responsible government.<sup>1</sup> But it is possible to underestimate the reality and importance of the party system as it existed down to 1847. To have admitted that men differed on the principle of responsible government, was to have admitted that party strife had some justification; and all the other details—affections and antipathies, national, sectarian, and personal—were the circumstances natural to party life as that life has everywhere come into existence. Burke himself sought a higher ground for the grouping of men into parties than that of family connection, and common friendships and enmities. No doubt the squabbles and pettiness of early Canadian party life contrasted meanly with the glories of the eighteenth century Whigs, and the struggles of Fox and Burke. But a nation must begin somewhere, and the trivial divisions received a kind of consecration when they centred round the discussion of colonial self-government. After all, so long as autonomy was only partially conceded, and so long as men were compelled to take opposite sides on that subject, it was foolish to deny that there were Canadian parties, and that their differences were of some importance.

<sup>1</sup> Elgin-Grey Correspondence : Elgin to Grey, 26 April, 1847.

Moreover, before 1847 there were other good reasons for the existence of two distinct parties. It was true, as Sydenham had said, that the British party names were not quite appropriate to the parties in Canada who had adopted them. Yet there were some links between British and Canadian parties. The British and the Canadian Tories had, in 1840, many views in common. In a time of change both stood for a pronounced distrust of democracy; both regarded the creation of responsible government in Canada as disastrous to the connection; both were the defenders of Church and State. On the other hand, it was not unnatural, as Elgin came to see, to compare the party led by Baldwin and La Fontaine with the Reformers in England who looked to Lord John Russell as their true leader. Until the political traditions, which most of the recent immigrants had brought with them from Britain, had disappeared or been transformed into a new Canadian tradition, and so long as certain grave constitutional defects which cried for remedy remained unaltered, Canadian Tories and Reformers must exist, and government, as Metcalfe discovered, was impossible, unless it recognized in these provincial divisions the motive power of local administration.

But between 1847 and 1854 the foundations these earlier parties had been, not so much undermined, as entirely removed. "The continuance of agitation on these intensely exciting questions," wrote Elgin in his latest despatch from Canada, "was greatly to be deprecated, and their settlement, on terms which command the general acquiescence of those who are most deeply interested, can hardly fail to be attended with results in a high degree beneficial."<sup>1</sup> Elgin had removed the reason for existence of both parties by settling the issues which divided them. At the same time the growth of a political life different from that of Britain, had, year by year, made the British names more inappropriate. John A. Macdonald, the leader of those who had once called themselves Tories, was confessing the change when he wrote in 1860, "While I have always been a member of what is called the Conservative party, I could never have been called a Tory, although there is no man who more respects what is called old-fogey Toryism than I do, so long as it is based upon principle." The fierce battles over constitutional theory

<sup>1</sup> He was reporting (18 December, 1854) the passing of acts dealing with the Clergy Reserves, and Seigniorial Tenure.

<sup>2</sup> Pope, *Life of Sir John Macdonald*, i. p. 151.

which a series of British governors and governments had so long deprecated, had at last been eliminated by the natural development of Canadian political life.

The same natural development provided a substitute for the older party system. Elgin, as has been seen, belonged to the group of Peelites, who, during the lifetime of their leader and long after it, endeavoured to solve the new administrative problems of the nineteenth century without too strict an adherence to party programmes and lines of division. Curiously enough, he was the chief agent in stimulating a similar political movement in Canada. There was, however, this difference, that while in Peel's case, and still more in that of his followers, the British party tradition proved overwhelmingly powerful, in Canada, where tradition was weaker, and the need for sound administration far more vital, the movement became dominant in the form of Liberal-conservatism. In other words, in place of small violently antagonistic parties, moderate men inclined to come together to carry out a broad, non-controversial, national programme.

There are few more remarkable developments in Canada between 1840 and 1867 than this tendency

towards government by a single party. It was Sydenham's shrewd insight into the Canadian political situation, even more than his desire for a single party rule, which led him to govern Canada by a coalition of moderate men. His only mistake lay in trying to force on the province what should have come by nature. The Baldwin-La Fontaine compromise, which really dominated Canadian politics from 1841 to 1867, was a partial experiment in government by an alliance of groups; and when the great excise questions, Responsible Government and Church of England Establishment, had been settled, and the end of the experiment seemed simply to be the carrying on of the Queen's government, Liberal-conservatism entered gradually into possession. When Baldwin and La Fontaine made way for Hincks and Morin in 1854, the change was recognized as a step towards the re-union of the moderates. For, in the face of George Brown, and his advocacy of a more provocative radical programme, Francis Hincks declared for some kind of coalition: "I regret to say there have been indications given by a section of the party to which I belong, that it will be difficult indeed, unless they change their policy to preserve the Union. I will tell these persons (the anti-state church reformers of Upper Canada

that if the Union is not preserved by them, as a necessary consequence, other combinations must be formed by which the Union may be preserved. *I am ready to give my cordial support to any combination of parties by which the Union shall be maintained.*"<sup>1</sup> Three years later, the party of moderate reform which had co-operated with Elgin in creating a system of truly responsible government, and which had done so much to restore Canadian political equanimity, fell before a factious combination of hostile groups. But the succeeding administration, nominally Conservative, was actually Liberal-Conservative, and it remained in power chiefly because Francis Hincks, who had led the Reformers, desired his followers to assist it, as Peel and his immediate disciples kept the British Whigs in office after 1846. Robert Baldwin had been the leader of opposition during Sydenham's rule, and before it; indeed, he may be called the organizer of party division in the days before the grant of responsible government. Yet when the opponents of the compact of 1854 quoted his precedent of party division against Hincks' principle of union, Baldwin disowned his would-be supporters: "However disinclined myself to adven-

<sup>1</sup> *Life and Speeches of the Hon. George Brown*, pp. 47-48.

ture upon such combinations, they are unquestionably, in my opinion, under certain circumstances not only justifiable, but expedient, and even necessary. The government of the country must be carried on. It ought to be carried on with vigour. If that can be done in no other way than by mutual concessions and a coalition of parties, they become necessary."<sup>1</sup> In consequence, the autumn of 1854 witnessed the remarkable spectacle of a Conservative government, headed by Sir Allan MacNab, carrying a bill to end the Clergy Reserve troubles, in alliance with Francis Hincks and their late opponents. The chief dissentients were the extreme radicals who were now nicknamed the Clear-Grits.<sup>2</sup>

After 1854, and for ten years, the political history of Canada is a *reductio ad absurdum* of the older party system. Government succeeded government, only to fall a prey to its own lack of a sufficient majority, and the unprincipled use of its various opponents of casual combinations

<sup>1</sup> Baldwin to Hincks, 22 September, 1854: in Hincks, *Lecture on the Political History of Canada*, pp. 80-81.

<sup>2</sup> The Clear-Grits are thus described in *The Globe*, 8 October, 1854: "disappointed ministerialists, ultra English radicals, republicans, annexationists. . . . As a party on their own footing, they are powerless except to do mischief." Brown had not yet transferred his allegiance.

alliances. Apart from a little group of Radicals, British and French, who advocated reforms with an absence of moderation which made them impossible as ministers of state, there were not sufficient differences to justify two parties, and hardly sufficient programme even for one. The old Tories disappeared from power with their leader, Sir Allan MacNab, in 1856. The Baldwin-Hincks reformers had distributed themselves through all the parties—Canadian Peelites they may be called. The great majority of the representatives of the French followed moderate counsels, and were usually sought as allies by whatever government held office. The broader principles of party warfare were proclaimed only by the Clear-Grits of Upper Canada and the *Rouges* of Lower Canada. The latter group was distinct enough in its views to be impossible as allies for any but like-minded extremists: "Le parti rouge," says *La Minerve*, "s'est formé à Montreal sous les auspices de M. Papineau. En haine des institutions anglaises, de notre constitution déclarée vicieuse, et surtout du gouvernement responsable regardé comme une duperie, avec des idées d'innovation en religion et en politique, accompagnées d'une haine profonde pour le clergé, et avec l'intention

Lecture on the

October, 1850:  
Republicans and  
fighting, they are  
yet transferred

bien formelle, et bien prononcée d'annexer le Canada aux États-Unis." <sup>1</sup>

As for the original Clear-Grits, their distinguishing features were the advocacy of reforming in so extreme a form as to make them useless for practical purposes, an anti-clerical or extreme Protestant outlook in religion, and a moral superiority, partly real, but more largely the Pharisaism so inevitably connected with all forms of radical propaganda. They proved their futility in 1863 when George Brown and A. A. Dorion formed their two-days' administration, and extinguished the credit of their parties, and themselves as politicians capable of existence apart from moderate allies. Until Canadian politics could have its scope enlarged, and the issues at stake made more vital, and therefore more controversial, it was obvious that the grant of responsible government had rendered the existing party system useless.

The significant moment in this period of Canadian history came in 1864, when all the responsible politicians in the country, and more especially the two great personal enemies, John A. Macdonald and George Brown, came together to carry out a scheme of confederation, which was too great

<sup>1</sup> Quoted from Dent, *The Last Forty Years*, ii. p. 190.

be the object of petty party strife, and which required the support of all parties to make it successful. Both political parties, as George Brown confessed, had tried to govern the country, and each in turn had failed from lack of steady adequate support. A general election was unlikely to effect any improvement in the situation, and the one hope seemed to lie in a frank combination between opponents to solve the constitutional difficulties which threatened to ruin the province. "After much discussion on both sides," ran the official declaration, "it was found that a compromise might probably be had in the adoption either of the federal principle for the British North American provinces, as the larger question, or for Canada alone, with provisions for the admission of the Maritime Provinces and the North-Western Territory, when they should express the desire": and to secure the most perfect unanimity the ministers, Sir E. P. Taché and Mr. Macdonald, "thereon stated that, after the prorogation, they would be prepared to place three seats in the Cabinet at the disposal of Mr. Brown."<sup>1</sup>

It is not within the scope of this essay to discuss

<sup>1</sup> Ministerial explanations read to the House of Assembly, by the Hon. John A. Macdonald, on Wednesday, 22 June, 1864.

developments after Confederation, yet it is an interesting speculation whether, up to a date as recent, the grant of responsible government would not continue to make a two-party system on a British basis unnatural to Canada. Between 1841 and 1867, the destruction of the dual system, and the creation of government by coalition, were certainly the dominant facts in Canadian politics, and both were the products of the gift of autonomy. Since 1867, it is possible to contend that, while the sets of politicians offer themselves as alternative governments to the electors, their differentiation has reference rather to the holding of office than to a real distinction in programme. Alike in the imperial policy, and domestic progress, the inclination has been towards compromise, and each side inclines, or is forced, to steal the programme of the other. Responsible government was the issue which arrayed men in parties, neither of which could quite accept a compromise with the other. It remains to be seen whether questions of freer trade, imperial organization, and provincial rights, will once more create parties with somewhat deeper in their differences than mere rival claims to hold office.

If the creation of a Liberal-Conservative p

was a direct result of the grant of autonomy, so also was the policy which led to Confederation. It is no part of the present volume to trace the growth of the idea of Confederation, or to determine who the actual fathers of Confederation were. The connection between Autonomy and Confederation in the province of Canada was that the former made the latter inevitable.

Earlier chapters have dealt with the French Canadian problem, and the difficulty of combining French *nationalité* with the Anglo-Saxon elements of the West. In one sense, Elgin's regime saw nationalism lose all its awkward features. Papi-neau's return to public life in 1848, and the revolutionary stir of that year had left Lower Canada untouched, save in the negligible section represented by the *Rouges*. The inclusion of La Fontaine and his friends in the ministry had proved the *bona fides* of the governor, and the French, being, as Elgin said, "quiet sort of people," stood fast by their friend. "Candour compels me to state," he wrote after a year of annexationist agitation, "that the conduct of the Anglo-Saxon portion of our M.P.s contrasts most unfavourably with that of the Gallican. . . . The French have been rescued from the false position into which they

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have been driven, and in which they must perform, have remained, so long as they believed that was the object of the British government, avowed by Lord Sydenham and others, to break them down, and to ensure to the British race, not by trusting to the natural course of events, but by dint of management and state craft, predominance in the province." <sup>1</sup>

But while French nationalism had assumed a perfectly normal phase, the operations of autonomy after 1847 made steadily towards the creation of a new nationalist difficulty. That difficulty had two phases.

In the first place, while the Union of Upper and Lower Canada had been based on the assumption that from it a single nationality with common ideals and objects would emerge, experience proved that both the French and the British sections remained aggressively true to their own way and the independence bred by self-government only quickened the sense of racial distinction. Now there were questions, such as that of the Clergy Reserves, which chiefly concerned the British section; and others, like the settlement of the seigniorial tenure, of purely French-Canadian

<sup>1</sup> Elgin-Grey Correspondence: Elgin to Grey, 2 August, 1850.

character. Others again, chief among them the problem of separate schools, in Lower Canada for Protestants, in Upper Canada for Catholics, seemed to set the two sections in direct opposition. Under the circumstances, a series of conventions was created to meet a situation very involved and dangerous. The happy accident of the dual leadership of La Fontaine and Baldwin furnished a precedent for successive ministries, each of which took its name from a similar partnership of French and English. Further, although the principle never received official sanction, it became usual to expect that, in questions affecting the French, a majority from Lower Canada should be obtained, and in English matters, one from Upper Canada. It was also the custom to expect a government to prove its stability by maintaining a majority from both Upper and Lower Canada. Nothing, for example, so strengthened Elgin's hands in the Rebellion Losses fight as the fact that the majority which passed the bill was one in both sections of the Assembly. Yet nearly all cabinet ministers, and all the governors-general, strongly opposed the acknowledgment of "the double majority" as an accepted constitutional principle. "I have told Colonel Taché," wrote Head, in 1856, "that I

expect the government formed by him to disavow the principle of a double majority";<sup>1</sup> and Baldwin, and, after him, John A. Macdonald, refused to countenance the practice. Unfortunately, while the idea was a constitutional anomaly threatening all manner of complications to the government of Canada, there were occasions when it had to receive a partial sanction from use. When the Tories were sustained by a majority of 4 in 1856, the government suffered reconstruction because there had been a minority of votes from Upper Canada. As the new Tory leader explained, "I did not, and do not think that the double majority system should be adopted as a rule. I feel that so long as we are one province and one Parliament, the fact of a measure being carried by a working majority is sufficient evidence that the Government of the day is in power to conduct the affairs of the country. But I could not disguise from myself that it (the recent vote) was not a vote on a measure, but a distinct vote of confidence, or want of confidence, and there having been a vote against us from Upper Canada, expressing a want of confidence in the government, I felt that it was a sufficient indication that the measures of the government

<sup>1</sup> Head to the Secretary of State for the Colonies, 26 May, 1856.

would be met with the opposition of those honorable gentlemen who had by their solemn vote withdrawn their confidence from the government.”<sup>1</sup> The practice continued in this state of discredit varied by occasional forced use, until a government—that of J. S. Macdonald and Sicotte—which had definitely made the double majority one of the planks in its platform, found that its principal measure, the Separate Schools Act of R. W. Scott, had to be carried by a French majority, although the matter was one of deep concern to Upper Canada. It was becoming obvious that local interests must receive some securer protection than could be afforded by what was after all an evasion of constitutional practice.

Meanwhile complications were arising from another movement, the agitation for a revision of parliamentary representation. The twelfth section of the Union Act had enacted that “the parts of the said Province which now constitute the Provinces of Upper and Lower Canada respectively, shall be represented by an equal number of representatives.” At the time of Union the balance of population had inclined decisively towards

<sup>1</sup> Statement of the Hon. John A. Macdonald in the Assembly, 26 May, 1856.

Lower Canada ; indeed that part of the province might fairly claim to have a constitutional guarantee. But between 1830 and 1860 the balance had altered. In Lower Canada a population which in 1831 had been 511,922, had increased by 1844 to almost 700,000 ; while in Upper Canada the numbers had increased from 334,681 to well over 700,000 in 1848 ;<sup>1</sup> and each year saw the west increase in comparison with the east, until George Brown, speaking no doubt with foreknowledge rather than scientific ends in view, estimated that in 1857 Upper Canada possessed a population of over 1,400,000, as against a bare 1,100,000 in Lower Canada.<sup>2</sup> These changes produced a most interesting complication. The representation after 1840 stood guaranteed by a solemn act—the more solemn because it had been the result of a bargain between Sydenham and the provincial authorities in Upper and Lower Canada. It had the appearance rather of a treaty than of an ordinary Act of Parliament. On the other hand, since self-government had been secured, and since self-government seemed to involve the principle of representation in proportion

<sup>1</sup> See *Appendix to the First Report of the Board of Registration and Statistics*, Montreal, 1849.

<sup>2</sup> *Life of the Hon. George Brown*, p. 263. This is undoubtedly an overestimate—prophetic rather than truthful.

to the numbers of the population, it was, according to the Upper Canadian politicians, absurd to give to 1,100,000 the same representation as to 1,400,000. So George Brown, speaking from his place in Parliament, and using, at the same time, his extraordinary and unequalled influence as editor of *The Globe*, flung himself into the fray, seeking, as his motion of 1857 ran, "that the representation of the people in Parliament should be based upon population, without regard to a separating line between Upper and Lower Canada."<sup>1</sup> His thesis was too cogent, and appealed too powerfully to all classes of the Upper Canada community, to be anything but irresistible. Even Macdonald, whose political existence depended on his alliance with the French, knew that his rival had made many converts among the British Conservatives. "It is an open question," he wrote of representation by population, in 1861, "and you know two of my colleagues voted in its favour."<sup>2</sup>

Yet nothing was better calculated to rouse into wild agitation the quiescent feeling of French nationalism. The attempt of Durham and his successors to end, by natural operation, the separate

<sup>1</sup> *Life and Speeches of the Hon. George Brown*, p. 267.

<sup>2</sup> *Pope, Life of Sir John Macdonald*, p. 234.

existence of French nationality was now renewed with far greater vigour, and with all the weight of a normal constitutional reform. George Brown was hateful to the French electors because of his Protestant and anti-clerical agitation; he was even more odious as the statesman who threatened, in the name of Canadian autonomy, the existence of old French tradition, custom, and race.

It was in answer to this twofold difficulty that Canadian statesmen definitely thought of federation. There were many roads leading to the event—the desire of Britain for a more compact and defensible colony; the movement in the maritime provinces for a local federation; the dream, or vague aspiration, cherished by a large number of Canadians, of a vaster dominion, and one free from petty local divisions and strifes. But it was the dream or imperial ideal which forced Canadian statesmen into action; it was simply the desire, on the one hand, to give to the progressive movement the increased weight it claimed as due to its numbers; and on the other, to safeguard the ancient ways and rights of the French community. From this point of view, it was George Brown, the man who preached representation by population in season and out of season, who actually foreshadowed

Canadian statesmen to have resort to a measure, the details of which he himself did not at first approve; and the argument used to drive the point home was not imperial, but a bitter criticism of existing conditions. After the great Reform convention of 1859, Brown moved in Parliament "that the existing legislative union between Upper and Lower Canada has failed to realize the anticipations of its promoters: has resulted in a heavy debt, burdensome taxation, great political abuses, and universal dissatisfaction; and it is the matured conviction of this Assembly, from the antagonisms developed through difference of origin, local interests, and other causes, that the union in its present form can be no longer continued with advantage to the people."<sup>1</sup> In 1864 a distracted province found itself at the end of its resources. Its futile efforts at the game of political party had resulted in the defeat of four ministries within three years; its attempt to balance majorities in Upper and Lower Canada had hopelessly broken down; and the moment in which the stronger British west obtained the increased representation it sought, the French feeling for nationality would probably once more produce rebellion.

<sup>1</sup> *Life and Speeches of the Hon. George Brown*, p. 72.

So Confederation came—to satisfy George B. Esq. because in the Dominion Assembly his province would receive adequate representation—to satisfy, on the other hand, a loyal Frenchman like J. B. Cauchon, because, as he said, “La confédération des deux Canadas, ou de toutes les provinces nous donnant une constitution locale, qui sauvegarderait cependant, les privilèges, les droits acquis et les institutions des minorités, nous offrirait certainement une mesure de protection, comme Catholiques et comme Français, autrement grande que l’actuelle, puisque de minorité nous deviendrons, à toujours, la majorité nationale et la majorité religieuse.”<sup>1</sup> That was the second, perhaps the greatest of all the results of self-government.

Before passing to inquire into the influence of autonomy on Canadian loyalty, it may prove interesting to note the political manners and methods of the statesmen who worked the system in its earlier stages. In passing judgment, however, we must bear in mind the newness of the country, the novelty of the experiment; the fact that a democratic constitution far more daring

<sup>1</sup> Cauchon, *L'Union des provinces de l'Amérique Britannique Nord*, p. 45.

Britain allowed herself at home, was being tested ; and the severity of the struggle for existence, which left Canadians little time and money to devote to disinterested service of their country. In view of all these facts, and in spite of some ugly defects, the verdict must be on the whole favourable to the colony.

Of direct malversation, or actual sordid dishonesty, there was, thanks probably to a vigorous opposition, far less than might have been expected. The *cause célèbre* was that of Francis Hincks, premier from 1851 to 1854, who was accused, among other things, of having profited through buying shares in concerns with which government had dealings—a fault not unknown in Britain ; of having induced government to improve the facilities of regions in which he had holdings, and generally of having used his position as minister to make great private gains. A most minute inquiry cleared him on all scores, but the committee of the Legislative Council, without entering further into the questions, mentioned as points worthy of consideration by Parliament, “ whether it is beneficial to the due administration of the affairs of this country for its ministers to purchase lands sold at public competition, and Municipal Debentures, also

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offered in open market or otherwise; whether the public interests require an expression of the opinion of the Two Houses of Parliament in that respect and whether it would be advisable to increase the salaries of the Members of the Executive Council to such a figure, as would relieve them from the necessity of engaging in private dealings, to enable them to support their families and maintain the dignity of their position, without resorting to any kind of business transactions while in the service of the crown." <sup>1</sup> Canada was passing through a ordeal, which, sooner or later, Britain too must face. Her answer, in this case, to the dilemma between service of the community and self-aggrandisement was not unworthy of the mother country.

Still, in spite of the acquittal of Hincks, there were cases of complicated corruption, and a multitude of little squalid sins. Men like Sir Allan MacNab, who had been bred in a system of preferments and petty political gains, found it difficult to avoid small jobbery. "He has such an infernal lot of hangers on to provide for," wrote one minister to another, concerning the gallant knight, "that he finds it difficult to do the

<sup>1</sup> *Report from the Select Committee of the Legislative Council*, p. xiv. Quebec, 1855.

needful for them all." <sup>1</sup> It is clear, too, that when John A. Macdonald succeeded MacNab as Tory leader, purity did not increase. It was no doubt easy for George Brown to criticize Macdonald's methods from a position of untempted rectitude, and no doubt also Brown had personal reasons for criticism; but he was speaking well within the truth, when he attacked the Tory government of 1858, not only for grave corruption in the late general election, but for other weightier offences. It was elicited, he said, by the Public Accounts Committee that £500,000 of provincial debentures had been sold in England by government at 99½, when the quotation of the Stock Exchange was 105 @ 107, by which the province was wronged to the extent of £50,000. It was elicited that a member of Parliament, supporting the government, sold to the government £20,000 of Hamilton debentures at 97½ which were worth only 80 in the market. . . . It was elicited that large sums were habitually drawn from the public chest, and lent to railway companies, or spent on services for which no previous sanction of Parliament had been obtained. <sup>2</sup> It is, perhaps, the gravest charge

<sup>1</sup> Pope, *Life of Sir John Macdonald*, p. 149.

<sup>2</sup> *Life and Speeches of the Hon. George Brown*, p. 271.

against Macdonald that, at the entrance of Canada into the region of modern finance and speculation he never understood that incorrupt administration was the greatest gift a man could give to the future of his country.

In a young and not yet civilized community it was natural that the early days of self-government should witness some corruption among the voters, the more so because, at election times "there were no less than four days, the nomination, two days of polling, and declaration day, on all of which, by a sort of unwritten law, the candidates in many constituencies were compelled to keep open houses for their supporters," while direct money bribes were often resorted to, especially on the second day's polling in a close contest.<sup>1</sup>

Apart from jobbery and frank corruption, Canadian politicians condescended at times to ignoble trickery, and to evasions of the truth which came perilously near breaches of honor. The most notorious breach of the constitutional decencies was the celebrated episode nicknamed the "Double Shuffle." Whatever apologists may say, John A. Macdonald sinned in the very fundamentals of political fair-play. He had already

<sup>1</sup> Sir Richard Cartwright, *Reminiscences*, pp. 20-21.

led George Brown into a trap by forcing government into his hands. When Brown, too late to save his reputation, discovered the sheer futility of his attempt to make and keep together a government, and when it once more fell to the Conservatives to take office, Macdonald saved himself and his colleagues the trouble of standing for re-election by a most shameful constitutional quibble. According to a recent act, if a member of Legislative Council or Assembly "shall resign his office, and within one month after his resignation, accept any other of the said offices (enumerated above), he shall not vacate his seat in the said Assembly or Council."<sup>1</sup> It was a simple, and a disgraceful thing, for the ministers, once more in power, to accept offices other than those which they had held before resignation, and then, at once, to pass on to the reacceptance of the old appropriate positions. They saved their seats at the expense of their honour. In spite of Macdonald's availability, there was too much of the village Machiavelli about his political tactics to please the educated and honest judgment.

It was very natural too that, in these early struggles towards independence and national self-

<sup>1</sup> The Independence of Parliament Act—20 Victoria, c. 22.

consciousness, the crudities inseparable from colonial existence should be painfully apparent. In Canada at least, vice could not boast it had lost half its evil by losing all its business. According to Sir Richard Cartwright, prolonged absence from domestic associations led to a considerable amount of dissipation among members of parliament. The minister who dominated Canadian politics for so many years before and after Confederation set an unfortunate example to his flock; and many of the dissenters read as though they drew their heat, if not their light, from material rather than intellectual sources. Apart from offences against social order and the decalogue, there can be no doubt that something of the early ferocity of party spirit still continued, and the disgrace of the Montreal riots which followed Elgin's sanction of the rebellion. Losses bill was rendered tenfold more disgraceful by the participation in them of gentlemen and politicians of position. Half the success of democratic institutions lies in the capacity of legislators for some public dignity, and a chivalrous good nature towards each other. It is perhaps too high a standard to set for the first colonial Assembly which had exercised

powers of self-government since 1776. After all, there were great stretches of honesty and high purpose to counterbalance the squalid jobs and tricks. If Macdonald sinned in one direction, Alexander Mackenzie had already begun his course of almost too austere rectitude in another. Opposition kept a keen eye on governmental misdoings, and George Brown, impulsive, imprudent, often lacking in sane statesmanship, and, once or twice, in nice honour, still raised himself, the readers of his newspaper, and the Assembly which he often led in morals, if not in politics, to a plane not far below that of the imperial Parliament. But the highest level of feeling and statesmanship reached by Canadian politicians before 1867 was attained in those days of difficulty in 1864, when the whole future of Canada was at stake, and when none but Canadians could guide their country into safety. There were many obstacles in the way of united action between the leaders on both sides; the attempt to create a federal constitution was no light task even for statesmen of genius; and the adaptation of means to end, of public utilities to local jealousies, demanded temper, honesty, breadth of view. George Brown, who with all his impracticability and lack of restraint, behaved with

notable public spirit at this time, spoke for the community when he said, "The whole feeling in my mind is one of joy and thankfulness that we were found men of position and influence in Canada who, at a moment of serious crisis, had nerve and patriotism enough to cast aside political partyship, to banish personal considerations, and to work for the accomplishment of a measure so fraught with advantage to their common country."<sup>1</sup> The debate from which these words are taken in the Canadian statesmen excelled themselves, and it is not too much to say that whether in attack or defence, the speakers exhibited a capacity and a public spirit not unworthy of the imperial Parliament at its best.<sup>2</sup>

It would, however, be a mistake to exhibit the Canadian Assembly of early Victorian days as characterized for long by so sublime and Miltonic a spirit as is suggested by the Confederation debate. After all, they were mainly provincial lawyers and shrewd uncultured business men who guided the destinies of Canada, guilty of many lapses from dignity in their public behaviour, and exhibiting

<sup>1</sup> *Life and Speeches of the Hon. George Brown*, p. 299.

<sup>2</sup> See the volume containing the Parliamentary Debates on Confederation, in 1865.

not infrequently a democratic vulgarity learned from the neighbouring republic. That was a less elevated, but altogether living and real picture of the Canadian politician, which Sir John Macdonald's biographer gave of his hero, and the great opposition leader, as they returned, while on an imperial mission, from a day at the Derby: "Coming home, we had lots of fun: even George Brown, a covenanting old chap, caught its spirit. I bought him a pea-shooter and a bag of peas, and the old fellow actually took aim at people on the tops of busses, and shot lots of peas on the way home."<sup>1</sup>

It now becomes necessary to answer the question which, for twenty years, English politicians had been putting to those who argued in favour of Canadian self-government. Given a system of local government, really autonomous, what will become of the connection with Great Britain? So far as the issue is one purely constitutional and legal, it may be answered very shortly. Responsible government in Canada seriously diminished the formal bonds which united that province to the mother country. For long the pessimists in Britain had been proclaiming that the diminution of the governor-general's authority and

<sup>1</sup> Pope, *Life of Sir John Macdonald*, i. p. 283.

responsibility would end the connection. the retirement of Lord Elgin, that diminution taken place. It is a revelation of constitutional change to pass from the full, interesting, and considered despatches and letters of Sydenham, Head, and Elgin, to the perfunctory reports of Head and Monck. Elgin had contended that a government might hope to establish a moral influence, which would compensate for the loss of power, consequent on the surrender of patronage to an executive responsible to the local parliament; <sup>1</sup> but it is not certain that either Head or Monck possessed this indirect control. In 1858 Sir Edmund Head acted with great apparent independence, when he refused to allow George Brown and his new administration the privilege of a dissolution; and the columns of *The Globe* resounded with denunciations which recalled the days of Metcalfe and Tyrone. But, even if Head were independent, it was not with an authority useful to the dignity of his position; and the whole affair has a suspicious resemblance to one of John A. Macdonald's tactics. The voice is Macdonald's voice, if the hands are the hands of Head. Under Monck, the most conspicuous assertion of independence was the g

<sup>1</sup> Elgin-Grey Correspondence : Elgin to Grey, 13 July, 1847

nor's selection of J. S. Macdonald to lead the ministry of 1862, instead of Foley, the more natural alternative for premier. Nevertheless Monck's despatches, concerned as they are with diplomatic and military details, present a striking contrast to those of Sydenham and Elgin, who proved how active was the part they played in the life of the community by the vividness of their sketches of Canadian politics and society. So sparing, indeed, was Monck in his information, that Newcastle had to reprove him, in 1863, for sending so little news that the Colonial Office could have furnished no information on Canada to the Houses of Parliament had they called for papers.<sup>1</sup> During the confederation negotiations, the governor made an admirable referee, or impartial centre, round whom the diverse interests might group themselves: but no one could say that events were shaped or changed by his action. The warmest language used concerning Her Majesty's representative in Canada may be found in the speech of Macdonald in the confederation debate: "We place no restriction on Her Majesty's prerogative in the selection of her representative. The Sovereign has unrestricted freedom of choice. Whether in making

<sup>1</sup> The Secretary of State for the Colonies to Monck, 10 July, 1863.

her selection she may send us one of her family, a Royal Prince, as a Viceroy to rule or one of the great statesmen of England to represent her, we know not. . . . But we may be permitted to hope that when the union takes place and we become the great country which North America is certain to be, it will be an object worthy the ambition of the statesmen of England to be charged with presiding over our destinies." <sup>1</sup>

Apart from the viceregal operations of the governor, the direct action of the Crown was called for by the province in one notable and unfortunate incident, the choice of a new capital. Torn asunder by the strife of French and English, Canada was unable, or at least unwilling, to commit herself to the choice of a definitive capital. Montreal had been rendered impossible by the turbulence of its mobs. So the Queen's personal initiative was invited. But the awkwardness of the step was revealed in 1858, when a division in the House practically flung her decision contemptuously aside—happily only for the moment—informally. George Brown was absolutely right when he said: "I yield to no man for a

<sup>1</sup> *Confederation Debates* (1865), p. 34.

moment in loyalty to the Crown of England, and in humble respect and admiration of Her Majesty. But what has this purely Canadian question to do with loyalty? It is a most dangerous and ungracious thing to couple the name of Her Majesty with an affair so entirely local, and one as to which the sectional feelings of the people are so excited."<sup>1</sup> It had become apparent, long before 1867, that while the loyalty of the province to the Sovereign, and the personal influence of her representative were bonds of union, real, if hard to describe in set terms, the headship over the Canadian people was assumed to be official, ornamental, and symbolical, rather than utilitarian.

In other directions, the formal and legal elements of the connection were loosening—more especially in the departments of commerce and defence.<sup>2</sup> The careers of men like Buchanan and Galt, through whom the Canadian tariff received a complete revision, illustrate how little the former links to Britain were allowed to remain in trade relations. There was a day when, as Chatham himself would have contended, the regulation of trade was an indefeasible right of the Crown. That contention

<sup>1</sup> *Life and Speeches of the Hon. George Brown*, p. 272.

<sup>2</sup> See the previous chapter, pp. 283-290.

received a rude check not only in the elaboration of a Canadian tariff in 1859, but in the statement made by the minister of finance: "It is therefore the duty of the present government distinctly to affirm the right of the Canadian Legislature to adjust the taxation of the province in the way they judge best, even if it should incur the disapproval of the Imperial ministry. Her Majesty cannot be advised to disallow such a measure unless her advisers are prepared to assume the administration of the affairs of the colony, in the absence of the views of the inhabitants."<sup>1</sup> Early, the adverse vote on the militia proposition in 1862, which so exercised opinion in Britain, was but another result of the spirit of self-government operating naturally in the province. It was not that Canadians desired consciously to check the military plans of the empire. It was only that the grant of autonomy had permitted provincial rather than imperial counsels to prevail, and that a new laxity, or even slipshodness, had begun to appear in Canadian military affairs, weakening the formal military connection between Britain

<sup>1</sup> See the most important statement by Galt, dated 25 October 1859, and contained in *Sessional Papers of the Canadian Parliament*, vol. xviii., No. 4.

Canada. Canadian defence, from being part of imperial policy, had become a detail in the strife of domestic politics. "There can be no doubt," Monck reported, "that the proposed militia arrangements were of a magnitude far beyond anything which had, up to that time, been proposed, and this circumstance caused many members, especially from Lower Canada, to vote against it; but I think there was also, on the part of a portion of the general supporters of government, an intention to intimate by their vote the withdrawal of their confidence from the administration."<sup>1</sup>

Even before 1867, then, it had become apparent that the imperial system administered on Home Rule principles was something entirely different from a federation like that of the United States, with carefully defined State and Federal rights. All the presumption, in the new British state, was in favour of the so-called dependency, and the British Tories were correct, when they prophesied a steady retrogression in the legal rights possessed by the mother country. But the element which they had ignored was that of opinion. Public feeling rather than constitutional law was to be the new foundation of empire. How did the

<sup>1</sup> Monck to Newcastle, 28 July, 1863.

development of Canadian political independence affect public sentiment towards Britain ?

The new regime began under gloomy auspices. In 1849 Lord Elgin gave the most decisive proof of his allegiance to Canadian autonomy ; and in 1849 a violent agitation for annexation to the United States began.<sup>1</sup> Many forces assisted in the creation of the movement, and many groups of the most diverse elements, combined to constitute the party of annexation. There was real commercial distress, in part the result of the commercial revolution in Britain, and Montreal especially felt the strain acutely. " Properly," wrote Elgin to Grey in 1849,<sup>2</sup> " in most of our Canadian towns, and more especially in the Capital, the value of property has fallen 50 per cent. in value within the last three years. Three-fourths of the commercial houses are bankrupt. Owing to free trade a large portion of the exportable produce of Canada is obliged to seek a market in the States. It pays a duty of 20 per cent. on the frontier. If free navigation, and reciprocal trade with the Union were not secured for us, the worst, I fear, will come."

<sup>1</sup> See, on the Annexation movement, Allin and Jones, *Annexation, Preferential Trade, and Reciprocity*, a useful summary of Canadian opinion in 1849 and 1850.

<sup>2</sup> Elgin-Grey Correspondence : Elgin to Grey, 23 April, 1849.

and at no distant day." Now, for that distress there seemed to be one natural remedy. Across the border were prosperity and markets. A change in allegiance would open the doors, and bring trade and wealth flowing into the bankrupt province. Consequently many of the notable names among the Montreal business men may be found attached to annexation proclamations.

Again, in spite of the great change in French opinion wrought by Elgin's acceptance of French ministers, there was a little band of French extremists, the *Rouges*, entirely disaffected towards England. At their head, at first, was Papineau. Papineau's predilections, according to one who knew him well, were avowedly democratic and republican,<sup>1</sup> and his years in Europe, at the time when revolution was in the air, had not served to moderate his opinions. The election address with which he once more entered public life, at the end of 1847, betrays everywhere hatred of the British government, a decided inclination for things American, and a strong dash of European revolutionary sentiment, revealed in declamations over *patriotes* and *opresseurs*.<sup>2</sup> Round him gathered a little band

<sup>1</sup> Christie, *History of Lower Canada*, iv. p. 539.

<sup>2</sup> See *La Revue Canadienne*, 21 December, 1847.

of anti-clericals and ultra-radicals, as drawn to the United States as they were repelled by Britain. Even after Papineau had reduced himself to public insignificance, the group remained active, and in 1865 Cartier, the true representative of French-Canadian feeling, spoke of the *Le Canadien* of Montreal as an advocate, not of confederation, but of annexation.<sup>1</sup>

After the years of famine in Ireland, there was more than a possibility that, in Canada, as in the United States, the main body of Irish immigrants would be hostile to Britain, and Elgin watched with anxious eyes for symptoms of a rising sympathy with that in Ireland, and fostered by Irish-American hatred of England. Throughout the province the Irish community was large and often organized. In 1866 D'Arcy M'Gee counted thirty counties in which the Irish-Catholic votes ranged from a tenth to a fifth of the whole constituency.<sup>2</sup> Now with

<sup>1</sup> *Confederation Debates*, p. 56. In answer to Cartier, "the Hon. Mr. Dorion said that was not the case. The honorable gentleman had misquoted what had passed there (i.e. at the *Institut*). The Hon. Mr. Cartier said he was right. If resolutions were not passed, sentiments were expressed to that effect. Then the organ of the *Institut L'Ordre* he thought—had set forth that the interests of Lower Canada would be better secured by annexation to the United States than by entering into a Confederation with the British American Provinces."

<sup>2</sup> *The Irish Position in British, and in Republican North America*, a lecture, p. 13.

in 1866, M'Gee spoke with boldness of the loyalty of his countrymen, it is undoubtedly true that, in 1848 and 1849, there were hostile spirits, and an army of Irish patriots across the border, only too willing to precipitate hostilities.

For the rest, there were Americans in the province who still thought their former country the perfect state, and who did not hesitate to use British liberty to promote republican ends; there were radicals and grumblers of half a hundred shades and colours, who connected their sufferings with the errors of British rule, and who spoke loosely of annexation as a kind of general remedy for all their public ills. For it cannot be too distinctly asserted that, from that day to this, there has always been a section of discontented triflers to whom annexation, a word often on their lips, means nothing more than their fashion of damning a government too strong for them to assail by rational processes.

The annexation cry found echoes throughout the province, both in the press and on the platform, and it continued to reassert its existence long after the outburst of 1849 had ended. Cartwright declares that, even after 1856, he discovered in Western Ontario a sentiment both strong and

widespread in favour of union with the States. But the actual movement, which seemed to have a real threat implicit in it to a head in 1849, and found its chief support within the city of Montreal. "You find city," wrote Elgin in September, 1849, "the anti-British specimens of each class of which the community consists. The Montreal French are the most Yankeeified French in the province; the British, though furiously anti-Gallican, are with some exceptions the least loyal; and the mercantile men the most zealous annexationists which Canada furnishes."<sup>1</sup>

Two circumstances, apparently unconnected with annexationism, intensified that movement: the *laissez faire* attitude of British politicians towards their colonies, and the behaviour of the demagogic Tory party in Canada. Of the first enough has already been said; but it is interesting to note that *The Independent*, which was the organ of the annexationists, justified its views by referring to "English statesmen and writers of eminence," and that the Second Annexation Manifesto quoted largely from British papers.<sup>2</sup> The second

<sup>1</sup> Elgin-Grey Correspondence: Elgin to Grey, 3 September, 1849.

<sup>2</sup> Allin and Jones, *op. cit.* pp. 91 and 164.

demands some examination. The Tories had been from the first the party of the connection, and had been recognized as such in Britain. But the loss of their supremacy had put too severe a strain on their loyalty, and it has already been seen that when Elgin, obeying constitutional usage, recognized the French as citizens, equally entitled to office with the Tories, and passed the Rebellion Losses Bill in accordance with La Fontaine's wishes, the Tory sense of decency gave way. Many of them, not content with abusing the governor-general, and petitioning for his recall, actually declared themselves in favour of independence, or joined the ranks of the annexation party. In an extraordinary issue of the *Montreal Gazette*, a recognized Tory journal, the editor, after speaking of Elgin as the last governor of Canada, proclaimed that "the end has begun. Anglo-Saxons! You must live for the future. Your blood and race will now be supreme, if true to yourselves. You will be English at the expense of not being British."<sup>1</sup> But other journals and politicians were not content with the half-way house of independence, and the majority of those who signed the first annexation manifesto belonged to the Tory party.<sup>2</sup> John A.

<sup>1</sup> *Montreal Gazette*, 25 April, 1849.    <sup>2</sup> Allin and Jones, *op. cit.* p. 115.

Macdonald, who was shrewd and cool enough to refuse to sign the manifesto, and that "our fellows lost their heads"; but he was not to be allowed to claim credit for having advised the formation of another organization, the British American League, as a safety-valve for Tory feelings. Unfortunately for his accuracy, the League was formed in the spring of 1849; it held its first convention in July; and the manifesto did not appear till late autumn. Still, it is true that the meetings of the League provided some occupation for minds which, in their irritable condition, might have done more foolish things, and Mr. F. MacDonal described the feelings of the warring his fellow-leaguers when he said at Kingston, "I maintain that there is not an individual in the Assembly, at this moment, prepared to vote for annexation, although some may be suspected of having leanings that way."<sup>2</sup> It was a violent and passing fit of petulance which for the moment obscured Tory loyalty. When it had ended, Elgin acted not only with prudence but with great insight, in pressing for a reciprocal treaty with the United States, the British Am

<sup>1</sup> Pope, *Life of Sir John Macdonald*, i. p. 71.

<sup>2</sup> *Convention of the British American League*, 1849, p. li.

League and the Annexation Manifesto vanished into the limbo of broken causes and political indiscretions.

The truth was that every great respectable section of the Canadian people was almost wholly sound in its allegiance. Regarded even racially, it is hard to find any important group which was not substantially loyal. The Celtic and Gallic sections of the populace might have been expected to furnish recruits for annexation ; and disaffection undoubtedly existed among the Canadian Irish. Yet Elgin was much more troubled over possible Irish disaffection in 1848 than he was in 1849 ; the Orange societies round Toronto seem to have refused to follow their fellow Tories into an alliance with annexationists ; and, as has been already seen, D'Arcy M'Gee was able, in 1866, to speak of the Irish community as wholly loyal.

The great mass of the French-Canadians stood by the governor and Britain. Whatever influence the French priesthood possessed was exerted on the side of the connection ; from Durham to Monck there is unanimity concerning the consistent loyalty of the Catholic Church in Canada. Apart from the church, the French-Canadians, when once their just rights had been conceded,

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furnished a stable, conservative, and loyal population of citizens. Doubtless they had their points of divergence from the ideals of the Anglo-American west. It was they who ensured the defeat of the militia proposals of 1862, and there were not sufficient *Rouges* to raise a cry of national independence or annexation. But the national leaders, Laurier and Cartier, were absolutely true to the British empire, and journalists like Cauchon flung their influence on the same side, even if they hid their feelings. "jours qui doivent nécessairement venir, qu'il ne le voulions ou que nous ne le voulions pas," said Cauchon, wit, of independence.<sup>1</sup>

Of the English and Scottish elements in the population it is hardly necessary to say that their loyalty had increased rather than diminished since they had crossed the Atlantic; but at least one instance of Highland loyalty may be given. It was when Elgin had been insulted, and when the annexation cause was at its height. Loyal addresses had begun to pour in, but there was one which still ring with a certain martial loyalty, which Elgin answered with genuine emotion. The Highlanders of Glengarry county, after as

<sup>1</sup> Joseph Cauchon, *L'Union des provinces de l'Amérique Britannique du Nord*, p. 51.

their governor of their personal allegiance to him, passed to more general sentiments: "Our highest aspirations for Canada are that she may continue to flourish under the kindly protection of the British flag, enjoying the full privilege of that constitution, under which the parent land has risen to so lofty an eminence; with this, United Canada has nothing to covet in other lands; with less than this, no true Briton would rest satisfied."<sup>1</sup>

As all the distinctive elements in the population remained true to Britain, so too did all the statesmen of eminence. It would be easy to prove the fact by a political census of Upper and Lower Canada; but let three representative men stand for those groups which they led—Robert Baldwin for the constitutional reformers, George Brown for the Clear-Grits and progressives, John A. Macdonald for the conservatives. Robert Baldwin was the man whom Elgin counted worth two regiments to the connection, and who had expressed dismay at Lord John Russell's treason to the Empire. When the annexation troubles came on, he made it perfectly clear to one of his followers, who had trifled with annexation, that he must change his views, or remain outside the Baldwin connection.

<sup>1</sup> *Further Papers relative to the Affairs of Canada* (7 June, 1849), p. 25.

"I felt it right to write to Mr. Perry, expressing my decided opinions in respect of the annexation question, and that I could look upon those who are in favour of the continuance of the connection with the mother country as poor friends; those who are against it as poor opponents. . . . I believe that our party is hostile to annexation. I am at all events bound to it myself, and if I and my party differ upon it is necessary we should part company. It is a question upon which a compromise is possible.

Loyalty so strong as this seems natural to a Whig like Baldwin, but one associates agitation and radicalism with other views. The progressive, he is not engaged in decrying his own state, exhibits a philosophic indifference to all national prejudice—he is a cosmopolitan whose citizenship begins away from home. There were those among the Canadian Radicals who were as bad friends to Britain as they were good friends to the United States, but the Clear-Grit party up to confederation was true to Britain, largely because their leader after 1850, was George Brown, and because Brown was the loyalest Scot in Canada. Brown was in a sense the most remarkable figure of the time.

<sup>1</sup> Quoted from Dent, *The Last Forty Years*, ii. pp. 181-2.

his province. Fierce in his opinions, a vehement speaker, an agitator whose best qualities unfitted him for the steadier work of government, he committed just those mistakes which make the true agitator's public life something of a tragedy, or at least a disappointment. But Brown's work was done out of office. His passionate advocacy of the policy of Abraham Lincoln and the abolition of slavery kept relations with the United States calm through a diplomatic crisis. He it was who made confederation not possible, but necessary, by his agitation for a sounder representation. His work as opposition leader, and as the greatest editor known to Canadian journalism, saved Canadian politics from becoming the nest of jobs and corruption which—with all allowance for his good qualities—John A. Macdonald would have made them. Never before, and certainly never since his day, has any Canadian influenced the community as Brown did through *The Globe*. "There were probably many thousand voters in Ontario," says Cartwright,<sup>1</sup> "especially among the Scotch settlers, who hardly read anything except their *Globe* and their Bible, and whose whole political creed was practically dictated to them

<sup>1</sup> Sir Richard Cartwright, *Reminiscences*, pp. 9-10.

by the former." Now that influence was exerted from first to last, in favour of Britain. In his maiden speech in parliament Brown protested against a reduction of the governor's salary, and on the highest ground: "The appointment of that high authority is the only power which Great Britain still retains. Frankly and generously she has once by one surrendered all the rights which were once held necessary to the condition of a colony—the patronage of the Crown, the right over the public domain, the civil list, the customs, the post office have all been relinquished . . . she guards our coasts, she maintains our troops, she builds our forts, she spends hundreds of thousands among us yearly; and yet the paltry payment to her representative is made a topic of grumbling and popular agitation."<sup>1</sup> In the same spirit he fought annexation, and killed it, among his followers and, when confederation came, he helped to make the new dominion not only Canadian, but British. In that age when British faith in the Empire was on the wane, it was not English statesmanship which tried to inspire Canadian loyalty, but the loyalty of men like Brown which called to England to be of better heart. "I am much concerne

<sup>1</sup> *Life and Speeches of the Hon. George Brown*, p. 50.

to observe," he wrote to Macdonald in 1864, "that there is a manifest desire in almost every quarter that ere long, the British American colonies should shift for themselves, and in some quarters, evident regret that we did not declare at once for independence. I am very sorry to observe this, but it arises, I hope, from the fear of invasion of Canada by the United States, and will soon pass away with the cause that excites it."<sup>1</sup>

Of Sir John Macdonald's loyalty it would be a work of supererogation to speak. His first political address proclaimed the need in Canada of a permanent connection with the mother country,<sup>2</sup> and his most famous utterance declared his intention of dying a British subject. But Macdonald's patriotism struck a note all its own, and one due mainly to the influence of Canadian autonomy working on a susceptible imagination. He was British, but always from the standpoint of Canada. He had no desire to exalt the Empire through the diminution of Canadian rights. For the old British Tory, British supremacy had necessarily involved colonial dependence; for Macdonald, the Canadian Conservative, the glory of the Empire lay in the

<sup>1</sup> Written from England. Pope, *Life of Sir John Macdonald*, ii. p. 274.

<sup>2</sup> *Ibid.* p. 32.

fullest autonomous development of each part. "The colonies," he said in one of his highest flights, "are now in a transition stage. Gradually a different colonial system is being developed—and it will become, year by year, less a case of dependence on our part, and of over-ruling protection on the part of the Mother Country, and more a case of healthy and cordial alliance. Instead of looking upon us as a merely dependent colony, England will have in us a friendly nation—a subordinate but still a powerful people—to stand by her in North America in peace or in war. The people of Australia will be such another subordinate nation. And England will have this advantage, if her colonies progress under the new colonial system, as I believe they will, that though at war with all the rest of the world, she will be able to look to the subordinate nations in alliance with her, and owning allegiance to the same Sovereign, who will assist in enabling her again to meet the whole world in arms, as she has done before."

These words serve as a fitting close to the argument and story of Canadian autonomy. A review of the years in which it attained its full strength

<sup>1</sup> *Confederation Debates*, p. 44.

gives the student of history but a poor impression of political foresight. British and Canadian Tories had predicted dissolution of the Empire, should self-government be granted, and they described the probable stages of dissolution. But all the events they had predicted had happened, and the Empire still stood, and stood more firmly united than before. British progressives had advocated the grant, while they had denied that autonomy need mean more than a very limited and circumscribed independence. But the floods had spread and overwhelmed their trivial limitations, and the Liberals found themselves triumphant in spite of their fears, and the restrictions which these fears had recommended. Canadian history from 1839 to 1867 furnishes certain simple and direct political lessons : that communities of the British stock can be governed only according to the strictest principles of autonomy ; that autonomy, once granted, may not be limited, guided, or recalled ; that, in the grant, all distinctions between internal and imperial, domestic and diplomatic, civil authority and military authority, made to save the face of British supremacy, will speedily disappear ; and that, up to the present time, the measure of local independence has also been the measure of local loyalty

to the mother country. It may well be that, traditions grow shadowy, as the old stock is imperceptibly changed into a new nationality, and among men of the new nationality, the pride being British is no longer a natural incident of life, the autonomy of the future may prove disruptive, not cohesive. Nothing, however, is as futile as prophecy, unless it be pessimism. The precedents of three-quarters of a century do not lend themselves to support counsels of despair. The Canadian community has, after its own fashion, stood by the mother country in war; it may be that, in the future, the attempt to seek peace and ensue it will prove a more lasting, as it must certainly be a loftier, reason for continued union.

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