

THE CANADIAN CABINET - 1848 - 1858

- A STUDY IN DUALITY -

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by  
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ABSTRACT

The 'federal' character of the Union of Upper and Lower Canada made it unavoidable that the French Canadians be given representation in the Executive Council. The years between 1841 and 1848 were a period when various experiments were made to determine the basis and extent of French Canadian representation in the Executive Council. The determination of the French Canadians to obtain influential position in the administration as a means to preserve their identity and the eagerness of the Canada West Reformers to enlist the French support for their movement for responsible government resulted in a tacit acceptance of a double cabinet and a double majority scheme.

After the granting of responsibility in 1848 a 'double cabinet' was formed under Lafontaine and Baldwin in which every attempt was made to balance the strength and influence of the two sections. The differences in the needs and aims of the two sections of the province made cabinet cohesion difficult and resulted in sectional responsibility.

The difficulty of maintaining a majority in Canada West for that section of the cabinet brought about the combination of various political groups. The strength of the French Canadian party in power compelled the Tory-Conservative group to submit to the political duality.

The cabinet became an instrument to maintain the political duality. The attempt of the radicals to form an alternate government failed because their programme had been hostile to the existing political duality.

Thus by 1858 the cabinet had adjusted itself to the 'federal' character of the legislative Union of the two provinces.

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## INTRODUCTION

### THE UNION AND THE BEGINNING OF POLITICAL DUALITY

Lord Durham's emphasis on a legislative rather than on a federal union of the two Canada and his recommendation of responsible government, outwardly changed the nature of the political conflict that existed previously to 1841. The primary aim of the legislative union was to assimilate the French section of the population to the British population.<sup>1</sup> Together with responsible government, this was to be the guarantee for the continued British connection. The imperial government accepted the idea of a legislative union but rejected responsible government as incompatible with the British connection.

The attempt to work a legislative union over two distinct racial and cultural groups, with the aim of assimilating one to the other and the reluctance to grant responsible government strongly influenced the evolution of cabinet government in Canada after 1841.

Lord Sydenham, who was sent to implement the above policy of the imperial government, established most of the elementary conventions necessary for a cabinet system of government. A committee of the Executive Council was established under a President to co-ordinate the functions of various departments.<sup>2</sup> He established that all departmental heads should be

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1. Sir C.P. Lucas, Lord Durham's Report, (Oxford, 1912), vol. 2, pp. 289, 307.

2. W. Halliday, Evolution of the Presidency of the Queen's Privy Council for Canada, (A paper at Public Archives, Ottawa), p.2.

Executive Councillors and that they should be either in the Assembly or the Legislative Council.<sup>3</sup> The Union Act placed the control of revenue in the Assembly with the restriction that only members of the Executive Council could introduce money bills.<sup>4</sup> Besides, the governor himself acted as the prime minister, bringing<sup>a</sup> certain amount of cohesion into the Executive Council.

The Union gave equal representation to the two former provinces in the Assembly and Sydenham established the practice of double ministries in the Council. There were two Attorneys General, two Solicitors General and two Provincial Secretaries in his Council. Outside the council there were two ministers of Finance.<sup>5</sup> Thus the federal element in the legislature and the executive dates from the Union itself and from the first administration formed under the Union.

Sydenham, however, never yielded any responsibility to his ministers. It was a 'ministerial' rather than a cabinet government. Nevertheless Russell instructed Sydenham, to -

"..... call to your counsels and to employ in the public service those persons who, by their position and character have obtained the general

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3. C.S. Burchill, The Evolution of the Canadian Cabinet from the Executive Council with Special Reference to Upper Canada, 1930. (An unpublished thesis, Queens University, Kingston, 1930), p. 80.
  4. Ibid., p. 54.
  5. J.O. Coté, Political Appointments and Elections in the Province of Canada, From 1841 to 1867. (Ottawa, 1866), pp. 3 - 10.

confidence and esteem of the inhabitants of the province."<sup>6</sup>

This implied that both sections of the population had to be given representation in the Council. Accordingly the Governor-General offered a seat in the council to Lafontaine.<sup>7</sup> He was aware of the fact that an all British administration could never be strong.

The French were bitterly opposed to the Union as well as its terms and the way it was imposed on them. The motives for the Union were sufficiently clear that it was impossible for the French to join the ministry, at least not until they could be convinced that they could obtain what they required under the Union, in spite of its intended purpose. This was the role of the Reformer of Canada West, especially Hincks and Baldwin during the early years of the Union.

"Lord Durham ascribes to you national objects; if he is right, Union would be ruin to you; if he is wrong and that you are really desirous of liberal institutions and economical government union would in my opinion give you all you could desire...."<sup>8</sup>

"On the union question you should not mind Lord Durham's motives but the effects of the scheme... I wish we could convince you that a really responsible Executive Council would accomplish all what we want."<sup>9</sup>

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6. W.P.M. Kennedy, Documents of the Canadian Constitution, 1759-1915 (Toronto, 1918), p. 518, Lord John Russell to Poulett Thomson, Sept., 7, 1839.

7. G.P. Scrope, Charles Lord Sydenham (London, 1843), p. 179.

8. Lafontaine Papers (Public Archives of Canada), Hincks to Lafontaine, Aug. 18, 1839.

9. Ibid., Apl. 30, 1839.



Hincks attempt was to form a united party with the French in order to force the issue of responsible government on the Imperial government, therefore he had to win the confidence of the French for the Reform party of Canada West.

"Above all things do not lose confidence in the sincerity of your brother Reformers in Upper Canada, we will not deceive you."<sup>10</sup>

A great deal of persuasion had to be used to convince the French that union was essential for constitutional government.<sup>11</sup> Lafontaine and his colleagues accepted the Union as a necessary evil. They were afraid that the alternative to a union might be the return of a Special Council in Lower Canada.<sup>12</sup>

A change of government in England replaced Russell with Stanley as the Colonial Secretary. His instructions to the new governor, Bagot advocated a policy of 'divide and rule'. He instructed Bagot to "multiply the vendeuse", "to play the game of divide et impera" and to admit the French into the council "as a people" not "as a party".<sup>13</sup>

This was an admission of the fact that the "all-British Ministry" of

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10. Lafontaine Papers (P.A.C.), Hincks to Lafontaine, June 17, 1840.
  11. Ibid., Sept. 9, 1839.
  12. Sir Francis Hincks, Reminiscences, (Montreal, 1884), pp. 53-54.
  13. Bagot Papers (Public Archives of Canada) Stanley to Bagot, Oct. 3, 1842. Cited by V. Jensen, Lafontaine and the Canadian Union (Unpublished thesis, University of Toronto, 1942), pp. 74-75.

Sydenham could not be worked. S.B. Harrison - the Provincial Secretary - wrote to Bagot:-

"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>14</sup>

The truth of this statement was not doubted by Bagot and on the lines indicated by Stanley, Duval and Chervier were offered seats in the council. The failure of this attempt to strengthen the administration was followed by a threat of the existing Executive Council to resign, unless the French were given seats in the council.<sup>15</sup> This forced Bagot to yield to the terms of Lafontaine. Three offices had to be vacated for the French and a seat for Baldwin, whose admission was insisted on by the French.<sup>16</sup> The negotiations and the events involved in this reconstruction of the council were of considerable significance. The Tories as well as the Governor were convinced that no administration was strong, without the inclusion of French representatives. Further the Governor had to accept the French as representatives of a party or a united group and to recognize the leadership of Lafontaine. It was also the first concrete expression of the acceptance of the Union by the French. Moreover the inclusion of Baldwin in the council, - a result of French insistence rather than an admission of any strength of responsible government movement in Canada west, - laid the foundation of the concept of double leadership in the ministry. The council

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14. Ibid, v. 2, p. 412-427, Harrison to Bagot July 11, 1842. Cited by V. Jensen, op. cit., p. 88.

15. Burchill, op. cit., p. 86.

16. Hincks, Reminiscences p. 87.

was gradually filled with their respective supporters. Aylwin and Morin under Lafontaine's leadership formed the French section of the ministry while Hincks, Sullivan and Killaly tended to follow Baldwin's leadership. When in September 1843 the two sections decided to resign, only Daly was left in the council.<sup>17</sup>

Although the first Lafontaine - Baldwin ministry presented no complete homogeneity, even on a sectional basis, or implied any grant of responsibility, the council was beginning to think in terms of a cabinet. Out of the six new ministers five were asked, for the first time, to seek re-election.<sup>18</sup> In his first confidential despatch Metcalfe wrote to Stanley:

"The council are now spoken of by themselves and others generally as 'the ministry' the 'Administrator' the 'Cabinet' the 'Government' and so forth. They regard themselves as a responsible ministry, and expect that the policy and conduct of the Governor shall be subservient to their views and party purposes."<sup>19</sup>

Bago's illness had kept him away from most of the council meetings. This made the meetings less formal and more cabinet-like. Instead of the governor or the President of the Executive Council, who deputised for the Governor, the party leaders took an important role in the deliberations. This strengthened the double leadership in the ministry.

Metcalfe's endeavour was to weaken the responsible government movement,

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17. J. O. G. Côté, Political Appointments and Elections in the Province of Canada, p. 24.

18. Burchill, op. cit., p. 86.

19. Metcalfe to Stanley, Ap. 4. 1843, cited by V. Jensen, op. cit., p. 105.

which was now strengthening as a result of the alliance between the French and Baldwin's party. He realized that the main reason for this alliance was Baldwin's promise of justice to the French and his readiness to fight for the French cause. Therefore, in order to break their alliance, Metcalfe abandoned the assimilation policy.

"If the French Canadians are to be ruled to their satisfaction, and who would desire to rule them otherwise, every attempt to metamorphose them systematically must be abandoned, and the attainment of that object whether to be accomplished or not must be left to time and the expected increase and predominance of the English over the French population. The desired result cannot be produced by measures which rouse an indignant spirit against it."<sup>20</sup>

He began to make concessions to the French in order to win the support of the French people and weaken Lafontaine's position in Canada East.<sup>21</sup>

Failing to win any considerable support from the French, he tried to split the unity of the French party. D.B. Viger, -- an old supporter of L.J. Papineau, and a rebel leader himself, was jealous of Lafontaine's position. He accepted office together with D.B. Papineau. They were branded as "Les Vendeuse" and lost their popularity among the French population. This was the fear that kept most French Canadians from accepting office.

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20. C.O. 537 (P.A.C.) vol. 142, 257-68. Metcalfe to Stanley May 10th 1843. Cited by W.G. Ormsby, Canadian Union. The Emergence of the Federal Concept. (Unpublished thesis. Carleton University, 1959), p.196.

21. Metcalfe out-maneuvred the Lafontaine party by allowing the ministry to move an address to the Throne requesting the removal of restrictions on the use of French Language. He yielded to the demand for an amnesty for Papineau and two other French Canadians. He also favoured the removal of the seat of Government to Montreal. Ormsby. Pp. 146, 197.

Although Lafontaine by 1844 accepted responsible government as a desirable goal,<sup>22</sup> it proved to be only a very weak bond between the Canada West Reformers and the French. The 1844 elections weakened the Reformers of Canada West. This intensified the already existing criticism of the French that Lafontaine was sacrificing too much for Baldwin's theories of responsible government.<sup>23</sup>

Lafontaine wrote to Baldwin,

"Our friends, even the best disposed place little reliance upon the reformers of Upper Canada with the exception of a few, when you know as well as myself... they (Reformers of Canada West) cannot expect that Lower Canadians will continue to injure their own interests by fighting for their cause, which they have so shamefully abandoned."<sup>24</sup>

Lafontaine had to face the disappointment of Quebec leaders like Caron and Aylwin,<sup>25</sup> who were anxious to negotiate with the Tories for places in the council. They put the blame for their exclusion from office on Lafontaine. On September 23rd 1845 Lafontaine informed Baldwin that there was a feeling of distrust of Canada West Reformers, on the part of his French followers.

"unless Baldwin is in power they are to abandon Upper Canada Reformers for all times... such feeling getting stronger in Quebec."<sup>26</sup>

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22. Baldwin Papers (Public Reference Library, Toronto), Lafontaine to Baldwin, Feb. 15, 1844.

23. R.S. Longley, Sir Francis Hincks, (Toronto 1943), p. 182.

24. Baldwin Papers (P.R.L.T.), Lafontaine to Baldwin, Sept. 27, 1845.

25. Aylwin was of Irish-Welsh origin and was in close association with the French.

26. Baldwin Papers (P.R.L.T.), Lafontaine to Baldwin, Sept. 30, 1845.

Lafontaine had perfect trust in Baldwin but could not depend on the rest of the Reform party. Even Hincks was not dependable especially after he accepted office under Bagot, in spite of opposition from Baldwin and Lafontaine. The weakening of the Reformers in the election of 1844, was a set back for the alliance. Canada West Reformers obtained only thirteen seats. The responsible government movement was losing ground in Canada West, and the cry for office strengthening in Canada East. Caron, Morin and Aylwin were too eager for offices and co-operated with the Tories whose policy on the Union and responsible government was by no means favourable to the French. There was no union between the cause of responsible government and the cause of French nationality.

Lafontaine had no faith in Metcalfe and would not take any position under him. However, he presented no insurmountable opposition to anyone of his colleagues negotiating with the Tories, provided that the terms of the French were granted. The Draper - Caron Correspondence provides the classic proof of the French preoccupation with the struggle to obtain the immediate aims of preserving their identity. Responsible government was still a distant hope for the French.

Draper approached Caron in the summer of 1845 and suggested that three offices in the council might be filled by French Canadians.<sup>27</sup> He also expressed his desire to include Lafontaine in the council were it not for the personal differences between Lafontaine and the Governor-General.

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27. 1. Presidency of the Executive Council.  
 ll. Solicitor Generalship for Canada East.  
 lll. Assistant Secretaryship for Canada East.

Caron was in favour of the idea and informed Lafontaine that "what was offered is indeed little, but it might be a beginning of something better".<sup>28</sup> He further stated that Draper,

"...after having strongly insisted upon the advantages that would result to the public in general and particularly to the French part of the population by having in the council of the country persons knowing the wants of all, and able to provide for them...."<sup>29</sup>

Lafontaine found that the above view of Draper and Caron's approval of it implied a principle;

"...from the tenor of your letter although not stated in express terms that you are of the opinion that in the circumstances of the country the majority of each province should govern respectively in the sense .....  
.... that Upper Canada should be represented in the Administration of the day by men possessing the confidence of the political party in that section of the province which was the majority in the House of Assembly and that it should be the same for Lower Canada."<sup>30</sup>

Thus was born the concept of a double Cabinet supported by the respective majorities in the two sections of the province. It was Lafontaine's creation, though he tried to attribute the idea to <sup>the</sup> Draper-Caron conversation. Neither Draper nor Caron ever thought of a systematic plan to reconstruct the council. As Lafontaine himself pointed out, Draper was

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28. Hincks, Reminiscences, R.E. Caron to Lafontaine, Sept. 7, 1845, p. 148.

29. Ibid.

30. Hincks, Reminiscences, Lafontaine to Caron, Sept. 10, 1845, p. 150.

merely interested in patching up the administration, by discarding the now unpopular D.B. Viger and D.B. Papineau, in favour of more prominent French Canadian politicians.<sup>31</sup> Lafontaine's conclusion was, since the Canada West section of the administration was formed on the principle of the majority party representing in the Executive Council, that "... Lower Canada should have what is granted to Upper Canada - nothing more but also nothing less."<sup>32</sup>

This was the basic principle in Lafontaine's double majority scheme. In practice this would mean nullification of, not only the motives of the Union but, also its form. The united legislature would in effect become a double legislature with repercussions on the executive. No party could develop strictly on political principles embracing both sections of the province.

Not once did Lafontaine mention responsible government in his letter. The only political principle emphasised was the right of the majority in each section to form its own ministry. Duality, irrespective of party politics, was their immediate aim. The ideal of the Canada West Reformers of a united Reform party fighting for responsible government had only a remote hope. Any success of unity and degree of co-operation between the parties of Lafontaine and Baldwin depended on how much the Tories were willing to yield. In fact there was no Liberal or Reform party among the

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31. Ibid., p. 152.

32. Ibid., p. 153.



French Canadians. The term 'Liberals' was used merely to distinguish them from the Tories of British origin and a handful of radicals who still believed in the 1837 tradition.

Caron in communicating the views of Lafontaine on the reconstruction of the council explained the corollaries of a "double cabinet" system.

"It has been assumed as a principle that the direction of affairs should be in the hands of the two prevailing parties in each section of the province; that the Administration ought no more to govern Lower Canada by means of a majority obtained in Upper Canada than it ought to govern the majority of Upper Canada by means of the aid that Lower Canada should give to it, and that no Administration whatever ought to last any longer than it shall be sustained by a majority in each of the sections of the province respectively"<sup>33</sup>

This implied sectional responsibility in the cabinet, with sectional legislation as the necessary consequence. Theoretically, it stipulated that any important measure introduced by either section of the cabinet had to obtain majorities in both sections of the legislature. This necessitated a very high degree of agreement in both the cabinet and the Assembly. One section of the cabinet could not undertake to support a measure brought by the other section, even if its operation was limited to that particular section alone, unless the former could <sup>be</sup> assured of a majority in their own section. An unfavourable vote in one section of the legislature, on a measure introduced by the other section would theoretically involve <sup>the</sup> resignation of the former.

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33. Hincks, Reminiscences. Caron to Draper, Sept. 17, 1845, p. 154.

The implications of these stipulations were of great significance owing to the existing racial and cultural differences between the two sections of the province. The ultimate practical effects would be, firstly, that most legislation would take a sectional character and<sup>a</sup>/clash of sectional interests would make agreement extremely difficult. Secondly, sectional responsibility would involve sectional resignations and reconstructions in the cabinet. The cabinet resigning as a whole would be a rare occurrence because of the difficulty of defeating the administration in both sections of the Assembly on a single measure. On the other hand, the stronger section of the administration could use their strength to bargain with the other section.

The nature of the problems facing the two sections of the population and deep rooted differences between them would make such a scheme extremely impracticable. Any attempt to strictly adhere to the system would mean complete deadlock. Yet the most remarkable feature in the history of the period after 1848 until Confederation was not that the double majority scheme failed but that it worked with little departure from the conditions laid down by Lafontaine and Caron.

Caron's letter to Draper further emphasised that according to the scheme Canada East should obtain an equal number of seats in the council as Canada West and that the minority in Canada East should be given "a reasonable share in the direction of affairs."<sup>34</sup> Thus even the numerical composition of the ministry was to be fixed on a sectional basis.

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34. Ibid. pp. 154-155.

Finally Caron assured Draper,

"...that this is the opinion of all those with whom I have spoken, and being so you will either find no individual disposed to lend himself to the arrangement you have in view (that of replacing the two members who should retire), or if you should find anyone ... he would be of no use to you."<sup>35</sup>

This was a warning that the French would have 'all or nothing'. Draper's reply was

"... while individually I am ready to make any effort to attain an end I consider so desirable.... I have to secure much cooperation, as well as to enter into much consultation, with those with, as well as those under whom I am acting....."<sup>36</sup>

The most important result of this correspondence was that the double majority scheme obtained ~~sufficient~~ publicity and came to be regarded as almost a 'sine qua non' for French cooperation for any administration. Lafontaine shrewdly made use of the correspondence to, publicly lay down their terms. On April 7th 1846 Lafontaine read the entire correspondence in the Assembly and initiated a heated debate on the subject.<sup>37</sup>

Metcalf's departure on November 26th, 1845 removed the main obstacle that prevented Lafontaine's taking an active part in the negotiations.<sup>38</sup>

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35. Ibid, pp 155-156. The two members to be replaced were D.B. Viger and D.B. Papineau.
36. Ibid, p 156. Draper to Caron Oct. 16<sup>th</sup>, 1845.
37. Hincks, Reminiscences, pp 147 - 168.
38. Ibid, p. 158.

This strengthened his position as the leader of the French population. He emphasised on the unity of the French as the essential condition for achieving their constitutional rights, <sup>and</sup> / he condemned any attempt to accept offices as individuals. This would "...break the only bond which constitutes our strength, viz, union among ourselves...."<sup>39</sup>

It is significant to note the reaction of the Canada West Reformers to the double majority scheme. Theoretically, the scheme was unacceptable to all Reformers, but none openly attacked the French for demanding it. Baldwin, apologetically, and in the hope/<sup>that</sup> at least Lafontaine would not misunderstand him, pointed out to the latter that the scheme would be ~~not only harmful~~ to the whole province, but ~~it would be~~ particularly injurious to the interests of the French Canadians themselves.

"It will perpetuate distinctions, invite animosities, sever the bonds of political sympathy and sap the foundations of political morality."<sup>40</sup>

He warned Lafontaine that the Tories would abandon the French when the latter's power of enforcing the stipulations were spent. Then they would resort to the same policy they pursued in carrying out the Union in 1841. Baldwin repeated that responsible government could be the only guarantee for the French rights.<sup>41</sup> In October 1845 Baldwin wrote to Lafontaine

".... I fully concede that assuming the principle of a double cabinet to be

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39. Ibid., p 153.

40. Baldwin Papers, (P.R.L.T.), Baldwin to Lafontaine, (1845-no date and month).

41. Ibid.

supported by a double majority you have put the matter upon the only footing upon which the foundation of such, as I conceive it, anomalous political machine could be accomplished with any regard whatever even to the forms of responsible government."

He maintained ~~that~~ the principle "to be inadmissible and wholly impracticable." However,

"I can well understand that in the practical work of legislation a certain deference should be paid to the majorities from the respective sections of the province in respect to such measures as are solely applicable to either, and that such measures should not be forced upon them against the decided opinion of a considerable majority of representatives from such a section. But this is my view, if it is, an entirely different principle from that of having a Double Cabinet, and the one half dependent for its existence on the confidence of the Representatives of Lower Canada and others in the confidence of the Representatives from Upper Canada...." <sup>42</sup>

Baldwin maintained that the Tories had no desire to rule by the majorities from both sections of the province. Instead, they were only trying to reinforce their ~~weakened~~ <sup>43</sup> majority. More than once Lafontaine had mentioned that the movement for responsible government ~~was~~ weak and the Reformers themselves were losing their strength. Baldwin expressed his great faith in the triumph of sound principles. In spite of discouraging

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42. Lafontaine Papers (P.A.C.) Baldwin to Lafontaine Oct. 16, 1845.

43. Ibid.

the results of the election/Reform movement had been so far successful.<sup>44</sup>

These letters of Baldwin provide sufficient proof of the failure of the Canada West Reformers to win the support of the French for a united Reform party. Baldwin while emphasising on the danger of the double majority scheme admitted that, at least in practice, a similar arrangement was unavoidable. Hincks was less concerned about the principles involved. He always put expediency before principle. The double majority scheme, he believed, would break the Draper administration by splitting the Canada East Tories from the Canada West Tories. It was worth giving it a trial, at least to teach a lesson to the Quebec leaders.<sup>45</sup>

The Examiner declared that the scheme was

"....a nullification of the Union.....  
 .....  
 If this scheme were to be carried out  
 why continue the name of the Union?  
 Why have two wrangling majorities with  
 separate interests in one house"<sup>46</sup>

Thus, at the beginning it seemed that <sup>the</sup> double majority scheme was going to be a major obstacle to a close union between the Canada West Reformers and the French Canadians. At least Draper had expressed his desire to concede the terms of the French. If the French were included in the council the Tories would be strengthened, and the prospects for the Reform party and responsible government would not be encouraging. However, the Tories and the new Governor General Lord Elgin were not ready

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44. Ibid.

45. Baldwin Papers, (P.R.L.T.), Hincks to Baldwin, Mar. 29, 1847.

46. The Examiner (P.A.C. Microfilm), Apl. 22, 1846.

to accept the scheme.

Lord Elgin realized that a strong administration was possible only with French support. Therefore, he attempted to break the "unnatural alliance"<sup>47</sup> between Baldwin and Lafontaine by inviting the French Canadians to accept office on "reasonable and fair terms".<sup>48</sup> A confidential memorandum inviting the French to accept office was first sent to Morin who refused to accept office unless the majority party in Canada East was admitted to office.<sup>49</sup> This was the basis of the double majority scheme. One important aim of Lord Elgin in addressing the memorandum to Morin rather than to Lafontaine was to exploit certain differences that existed between the two French leaders.<sup>50</sup> Lord Elgin immediately passed on the memorandum to Taché who after consulting the French leaders informed/<sup>him</sup> that they were not willing to join the existing Tory ministry.<sup>51</sup> A final attempt was made by Cayley, the Inspector General, in the existing council, who virtually offered the double majority terms to Caron. Three places in the council should be filled by the French,

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47. Sir A.G. Doughty, The Elgin-Grey Papers, (Ottawa, 1937), vol.1, 13. Elgin to Grey, Feb. 24<sup>th</sup>, 1847.
48. Ibid., p. 19, Confidential Memorandum, from Elgin to Morin Feb. 23<sup>rd</sup>, 1847.
49. Ibid., pp. 21, 24 Secret Memorandum, - Morin to Elgin, Feb. 27, 1847.
50. Baldwin Papers, (P.R.L.T.) Hincks to Baldwin, Aug. 16 1846.
51. Elgin-Grey Papers, vol. 1, 24. Elgin to Grey Mar. 27, 1847.

balanced by three councillors from Canada West, and the seventh place should be filled by a representative of British minority in Canada East. Caron insisted on the dismissal of Daly who had been representing Canada East without a break since 1841.<sup>52</sup> This last condition was unacceptable to Lord Elgin.<sup>52</sup> The presence of Daly was incompatible with the double majority principle of placing the whole section of the council for Canada East at the discretion of the French. Lord Elgin was anxious to follow the British constitutional practice.

"It is above all necessary to inculcate the belief..... that the British government and its representative place entire confidence in the loyalty of all parties in the Province..... and that they seek it by means that are strictly constitutional."<sup>53</sup>

However, he was aware of the difficulties arising out of sectional tendencies in Canadian politics. He regretted the lack of unifying political parties which resulted in the French section forming a powerful opposition bloc to any party that excluded it from the ministry.<sup>54</sup> He admitted that no strong government could be formed without French support.<sup>55</sup> The failure to split the French in order to avoid the granting of double majority left the governor and the Tories with the only alternative of being satisfied with 'renegades' like D.B. Papineau. Meanwhile, the Canada West Reformers had given their tacit approval to the scheme, at first to embarrass the Tories, but later in order to get the French closer into their camp. Lafontaine

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52. Ibid., pp. 41-43, Caron to Grey, p. 1847

53. Ibid., pp. 39-40, Elgin to Grey, May 18th, 1847.

54. Ibid., p. 20, Elgin to Grey, Mar. 27, 1847

55. Ibid., p. 46, Elgin to Grey, Ap. 26, 1847.



by 1847 had become an uncompromising, and domineering leader of the French Canadians. He had no desire to join with the Tories and used his influence to <sup>prevent</sup> his followers from joining them. While his distrust of the Tories and the Imperial government increased, he began to rely more on responsible government as the means for regaining French Canadian rights.

As the cause of the French and that of responsible government came closer together after 1846 the double majority scheme became an essential part of the alliance.

"When first made Lafontaine's double majority scheme seemed a serious danger to the continued union of the Upper Canada Reform party and the French Canadians. By the spring of 1847 it had become its chief defence."<sup>56</sup>

Lord Elgin desired unified political parties with strict principles in order to avoid sectarian politics. However, nothing short of the creation of a party embracing all members of British origin in the united Assembly, could have prevented the emergence of dualism.

The grant of responsible government in March, 1848 helped to crystallize the idea of double majority rather than to abandon it. The Lafontaine - Baldwin ministry, in its composition and operation followed the double cabinet and double majority concepts. The corollaries of the double majority principle were applied wherever possible. The double premier-ship and balancing of numerical as well as administrative strength of the two sections in the cabinet were followed as a rule. Legislation and cabinet responsibility as a rule remained sectional. The major cabinet

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56. George E. Wilson, The Life of Robert Baldwin (Toronto, 1933), p. 224.

reconstructions until the Brown-Dorion Ministry of 1858 were on a sectional basis. The French Canadians could remain undefeated in the Assembly while the Canada West section of the cabinet had to be reinforced with Clear Grits in 1851, and Tories in 1854. In 1858 the Conservatives completely took over the Canada West section of the partnership. In order to obtain the support of the French section, the party principles of their counterparts had to be either abandoned, modified or soft pedalled. No opposition party in Canada West could hope to come to power on principles unacceptable to the French Canadian party. The Brown-Dorion cabinet which was the only attempt by the opposition to form an administration on different principles (though not unmodified) could live only for a few hours).

The period between 1841 and 1848 saw the establishment of precedents and acceptance of rules for a dual cabinet system. The following chapters are an attempt to examine the extent to which the cabinets in the decade that followed reflected the inherent duality in the Canadian society, in relation to the developments that took place since the Union of Upper and Lower Canada.

CHAPTER I

"THE DOUBLE CABINET"

By the end of 1847 the essential principles of Responsible Government for Canada had been accepted by the Imperial Government. Of these the most fundamental to Cabinet Government was the principle

"...that any transfer which may take place of political power from the hands of one party in the Province to those of another is the result not of an act of yours Governor's, but of the wishes of the peoples themselves...."

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The overwhelming victory of the Reformers of Canada West and Canada East at the elections of January 1848 made it clear that the Governor General would entrust them with the task of forming a new administration. The Daly-Sherwood Ministry, however, was reluctant to interpret the electoral defeat to mean an automatic resignation. The Reformers themselves were not without doubts as to the course of action that the Governor General would follow, though they had been silently preparing themselves to accept office.

"I heard that the Governor General had declined to make appointments under present circumstances. This I have some reason to believe to be actually the case."<sup>2</sup>

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1. W.P.M. Kennedy, Documents of the Canadian Constitution (Toronto, 1918), p. 572. Earl Grey to Sir John Harvey, Nov. 3, 1846. Submitted to Lord Elgin.  
Sir A.G. Doughty - Elgin Grey Papers, 1846 - 1852, vol. 1, 123.  
Elgin to Grey, Feb. 5, 1848.
  2. Baldwin Papers (P.R.I.T.), Lafontaine to Baldwin, Jan. 25, 1848.

Lord Elgin expected the resignation of the ministry in a body immediately after the elections, and expressed a desire to call Lafontaine and Baldwin to form a new administration.<sup>3</sup> But the Ministry insisted on meeting the House and went through a defeat on the election of a Speaker and also on the vote on the Address on the 3rd. of March 1848, before resigning on the following day.<sup>4</sup>

The fluidity of party allegiance during this time, made an exact estimation of party strength in the assembly, extremely difficult. The Toronto Globe could count fifty-seven Reformers from both sections of the Province, giving all the "loose fish" to the ministry.<sup>5</sup> This difficulty had made the election of a Speaker a test of strength.<sup>6</sup> Sir Alan MacNab, the ministerial candidate, was defeated by 19 to 54. Later, the vote on the Address, which, was considered as amounting to a vote of no confidence,<sup>7</sup> made practically no change in the division. (20 to 54).

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3. Sir A.G. Doughty, Elgin - Grey Papers, 1846--1852, vol. 1, 118.

4. Ibid., p.135, Elgin to Grey. Mar. 17, 1848.

5. Toronto Globe, Jan. 25, 1848.

6. Col. Prince, seconding Sir Alan MacNab's name reminded/that the British practice of electing a Speaker on non-political grounds, and that it should not be a test of strength. Baldwin refused to accept the British Practice since in Canada the Speaker should be bilingual. Toronto Globe, Mar. 1., 1848.

7. "According to the British system of Executive Government there is no defeat which a ministry can sustain more fatal than that of having their reply to the speech altered by their opponents....." it is equivalent to a vote of want of confidence!  
Globe, May 21, 1850.

However, the Reformers did not form a well knit party. It was nothing but an alliance between two distinct groups. Lafontaine expressed his doubts as to who might be called in by the Governor General. Baldwin, in his belief that normal British constitutional practice would be followed by the Governor General, expected that the leader of the majority group in the assembly would to be called in.

"You seem to doubt who will be sent for. I have no doubt on this subject, perhaps, it is because I have no doubt who ought to be sent for."<sup>8</sup>

This was a definite admission of the distinct identity of the two groups in the Reform party. The division was on the basis of Canada East and Canada West. They agreed ~~only~~ on responsible government. Beyond that there was no common political platform. The Canada East section of the Reformers formed the single majority group in the assembly and therefore, had the right to lead the new administration. On January 16th Lafontaine informed Baldwin that, whether the Governor called Morin or himself they would need Baldwin very much, and a secret code was arranged by which Baldwin would be summoned to Montreal to decide on the details of a new administration.<sup>9</sup>

Lord Elgin informed Earl Grey that he sent for Lafontaine and Baldwin,<sup>10</sup> but it was actually Lafontaine whom he consulted first.

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8. Lafontaine Papers: (P.A.C.), Baldwin to Lafontaine Jan. 25, 1848.
  9. Baldwin Papers: (P.R.L.T.), Lafontaine to Baldwin, Jan. 16, 1848.
  10. Elgin - Grey Papers vol. 1, 135. Elgin to Grey, Mar. 17, 1848.

Lafontaine immediately conferred with Baldwin and then consultation took place among the three.<sup>11</sup> The double premiership was recognized by the Governor and the two leaders. However, the leading part in the formation of the ministry was played by Lafontaine. He requested Baldwin to suggest the personnel for the new ministry.<sup>12</sup> Baldwin named twenty-four from both sections (including two from the Upper House), besides other possible names from Canada East. This was an indication of the looseness of party allegiance and a need to satisfy the various sectional interests. Previously, the formation of the Executive Council was the responsibility of the Governor. As a rule the councillors were summoned as individuals rather than as a group of representatives of a political party.

Lafontaine and Baldwin were for the first time faced with the problem of forming a cabinet which was to assume complete responsibility for all Provincial matters. They were bound to recognize and give expression to all sectional prejudices and interests in the Province.

"They dwelt much on difficulties arising out of pretensions advanced in various quarters which gave me the opportunity to advise them not to attach too much importance to such

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11. Hincks, Reminiscences, p. 188.

12. Baldwin Papers, (P.R.L.T.), Lafontaine to Baldwin, Feb. 2, 1848.

considerations and to bring together a council, strong in administrative talent and to take their stand on the wisdom of their policy."<sup>13</sup>

The two leaders were not blind to the wisdom of this advice, but, but their hands were tied by the existing 'federal' character of the Union. Apparently, the only change they made in their original arrangement was to include R.B. Sullivan in the Cabinet.<sup>14</sup>

According to the stipulations made in the Draper-Caron correspondence, which were tacitly accepted by the leaders on both sides, the cabinet had to be formed on a federal basis. Lafontaine was determined to adhere to all the stipulations made in the above correspondence in order, at least to ensure equal power and influence in the cabinet. The cabinet was the ultimate centre of power under parliamentary government. The aim of preserving the French identity could be achieved only by asserting sufficient power and influence at the executive level. Responsible government was only a means for "la survivance" of the French community. Equality in representation at the legislative level had to be extended to the executive level too. The 'double-cabinet' idea of 1845

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13. Elgin-Grey Papers; vol. 1, 135, Elgin to Grey Mar. 17, 1848.

14. R.B. Sullivan - a cousin of Robert Baldwin, was a member of the Executive Council from 1836 - 1844. In the latter year he resigned with the rest of the Lafontaine-Baldwin ministry. Lord Elgin, Lafontaine, Baldwin and Hincks were very anxious to give him a place in the Cabinet because of his long administrative experience. He refused, but later accepted office on condition that his acceptance of Office would not hinder his expected promotion to the Bench.

had to be given complete expression. The new cabinet, therefore, broadly presented a duality, with the distinct sections corresponding to the former divisions, Lower Canada and Upper Canada.<sup>15</sup>

Lord Elgin's advice contained the core of the problem that faced the Cabinet under Lafontaine and Baldwin. It was not only the claims of various sections of the community for places in the cabinet that determined its character, but also the question, how far could the members take their stand on "wisdom of their measures and policy"? How far could the cabinet as a body rise above the fears, prejudices and interests that divided the community as a whole? Not only were there deep rooted differences between the French and the British sections of the population, there were also deep rooted antipathies and distrust. The result was that the cabinet found it extremely difficult to follow either aspect of Lord Elgin's advice. Cabinet making became a federal arrangement. Besides, it was a single legislative authority over both Canada East and Canada West. It was the combination of these two features that made it possible for the more united section, the French, in the assembly and in the cabinet to occupy a bargaining position.

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15. These divisions will be referred to as Canada East and Canada West.



In spite of Baldwin's attempt to recognize Lafontaine as the head and the premier of the new administration,<sup>16</sup> the double premiership was inevitable. This outward duality was modified in actual working of the Cabinet system because of Lafontaine's larger and more united following and his domineering personality.

The seats in the Cabinet were divided equally between Canada East and Canada West.

CANADA EAST

1.	LAFONTAINE	-	Attorney General
2.	R.E. CARON	-	Speaker of Legislative Council.
3.	L.M. VIGER	-	Receiver General
4.	E.P. TACHÉ	-	Chief Commissioner of Public Works.
5.	J. LESLIE	-	President of Executive Council.
6.	T.C. AYLWIN	-	Solicitor General.

CANADA WEST

1.	ROBERT BALDWIN	-	Attorney General.
2.	F. HINCKS	-	Provincial Secretary.
3.	R.B. SULLIVAN	-	Inspector General.
4.	J.H. PRICE	-	Commissioner of Crown Lands
5.	M. CAMERON	-	Asst. Commissioner of Public Works
6.	W.H. BLAKE	-	Solicitor General.

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16. Baldwin always used to refer to the ministry as Lafontaine's ministry. - Baldwin Papers (P.R.L.T.), Baldwin to Lafontaine. Jan. 24, 1848.

According to the Caron - Draper correspondence, the "minority in  
 should  
 Lower Canada, /be given a reasonable share in the direction of affairs  
 and represented in the Council in ~~in~~equitable manner".<sup>17</sup> Thus out of the  
 six ministries from Canada East two were given to the English speaking  
 minorities. James Leslie, a Presbyterian of Scottish origin was to  
 represent the Protestant interests, especially of Montreal. Aylwin, of  
 Irish-Welsh origin, represented the Irish population in Canada East.  
 His resignation in April 1848 brought L.T. Drummond into the Cabinet.  
 Drummond was a Roman Catholic of Irish origin and like Aylwin was  
 closely associated with the French. The allocation of these two seats  
 was not based on the numerical strength of the two minorities, but  
 mainly for the purpose of obtaining the support and confidence of these  
 sections of the population.<sup>18</sup>

There is no evidence, except an incidental analysis made by Lord  
 Elgin,<sup>19</sup> to show that the Canada West section of the ministry was  
 formed on a particular sectional basis. Baldwin, Hincks, Blake and  
 Sullivan were of Irish origin. Price and Cameron were English and

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17. Lafontaine Papers (P.A.C.), Caron to Draper Sept. 17, 1848.

18. Hincks, Reminiscences. p. 275, Joseph Cauchon to Hincks, Nov. 8, 1851  
 Cauchon reminded Hincks that purely on a population basis the  
 minorities would not have got two seats in the cabinet. James Leslie  
 and Aylwin were very closely associated with the French cause.  
 Leslie opposed the Union in 1841 and Aylwin with Caron took a leading  
 part in the various negotiations between the Tories and the French,  
 before 1848, for places for the French in the council.

19. Elgin - Grey Papers, vol. 1, 161, Elgin to Grey, May 10, 1848.

Scottish respectively. This distribution was accidental and was not continued later. With regards to Canada East section the pattern was continued, the two minorities finding representation either in the cabinet itself or outside.

There was<sup>a</sup> considerable disagreement and lack of clarity as to the distinction between the cabinet and the ministry. Lafontaine seems to have favoured the inclusion of as many important offices as possible in the Cabinet.<sup>20</sup> Hincks, for reasons of economy, and Baldwin, in his attempt to follow the British system, preferred a smaller cabinet. Baldwin explained to Lafontaine that "the cabinet is composed of the more eminent portion of the administration", and that the administration or the ministry includes cabinet offices and the executive posts outside the cabinet.<sup>21</sup>

The duality that existed in certain offices under the previous Tory Governments were perpetuated. The two leaders assumed the most important offices in the administration.

"By the time responsible government had been granted the offices of Attorneys General for Canada East and Canada West had been the centres where Parliamentary strategy were planned and major administrative decisions were reached. It was no accident, then, that found the two Premiers most frequently operating from these two offices."<sup>22</sup>

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20. Hincks, Reminiscences, p 266, Hincks letter to Cauchon, Nov. 3, 1851.

21. Lafontaine Papers, (P.A.C.), Baldwin to Lafontaine, Apl. 8, 1848.

22. J.E. Hodgetts, Pioneer Public Service, (Toronto, 1955), p. 273.

It is not surprising that the Lafontaine-Baldwin ministry refused to follow the British Cabinet convention of keeping the Crown's law officers outside the cabinet, when J.H. Boulton suggested it.<sup>23</sup>

The ~~Solicitor Generalship~~<sup>was</sup> an equally important office because of the two systems of law that existed in the two sections of the Province. The former practice of having two Solicitors General was perpetuated. The question arose as to the place in the cabinet. Aylwin demanded a seat in the cabinet, on grounds that he was given such privileges under Bagot's administration.<sup>24</sup> This made some privileges for Canada West essential, and Blake was given a seat in the cabinet to maintain the balance. When Aylwin left the ministry in April and his successor appointed in August 1848, the two seats in the cabinet were abolished.<sup>25</sup> This reduced the cabinet to ten seats with five on each section.

Lafontaine was very anxious to make the speakership of the Legislative Council and the presidency of the Executive Council, political and cabinet offices.<sup>26</sup> The Legislative Council was considered an important branch of the constitution. A majority of its members, at this time, were Tory nominees. Thus it was found necessary to have a closer control over that body as a means to strengthen the administration. This

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23. The Globe, (P.R.L.T.), May 30, 1850.

24. R.S. Longley, Sir Francis Hincks, (Toronto, 1943), p.280.

25. Ibid.

26. Hincks, Reminiscences, p.266, Hincks to Cauchon, Nov. 3, 1851.

argument had been used by Draper in 1847, when he suggested to Lord Elgin that the speakership of the Legislative Council should be in the Executive Council, and made political. This was a part of Draper's strategy to strengthen the administration and show the French that any desire on the part of the administration to give representation to the French was not dictated by the need of their support to strengthen the administration, but to give them a just and reasonable place.<sup>27</sup>

Lafontaine was anxious to see the administration strengthened by every possible means, and, therefore, followed the precedent of the previous administrations.

These two and the remaining offices were carefully distributed between the two sections of the cabinet so that one section would not obtain an overwhelming influence in the country. Hincks in 1851 reminded Cauchon:

"What I desire to impress on you is that although for the sake of economy I would consent as I did during the last two years to see five out of the nine principal offices filled by Lower Canadians, I consider that Lower Canada has no right to complain if it be deemed advisable, in order to strengthen the Government, that a fifth member should be taken from Upper Canada."<sup>28</sup>

Of the nine offices the most influential, besides the Attorney Generalship were the Presidency of the Executive Council and Provincial Secretaryship, owing to the special duties conferred on them from time to time.<sup>29</sup>

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27. Elgin - Grey Papers, vol. 1, 16. Confidential memorandum, Draper to Elgin. Feb. 10, 1847.

28. Hincks, Reminiscences, p.267. Hincks to Cauchon, Nov. 3, 1851.

29. Hodgetts, Pioneer Public Service, p.273.

These two offices, more often than not, were kept on either section of the cabinet. When R.B. Sullivan resigned from Provincial Secretaryship James Leslie (Canada East) was promoted to that office and the Presidency of the Executive Council was filled by Merritt from Canada West.

Patronage assumed great importance during this time. A change of ministry resulted in a large number of changes in administrative officials.<sup>30</sup>

The Crown Lands Department, Public Works, Customs, and Post Office were regarded as very lucrative. There is evidence to suggest that attempts were made to share the spoils as equally as possible. Commissioners of the Crown Lands and Public Works, and the Inspector Generalship and Receiver Generalship were as a rule, with short periods of exceptions, kept on either side of the cabinet. Cauchon in 1851, remarked that even the Tory Government in its worst days never kept the Commissionership and Assistant Commissionership on the same section of the cabinet.<sup>31</sup>

The Cabinet, therefore, was a duality, with every possible attempt made to balance the two sections, which composed it. Hincks pretended not to understand why the French insisted on equal representation for Canada East and Canada West.

"No one, I presume, in the present day imagines for a moment that the policy of a Government is influenced by a majority vote in the Cabinet, for whose acts each minister is held responsible."<sup>32</sup>

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30. J.B. Brebner - Patronage and Parliamentary Government, Canadian Historical Association Reports, 1938. pp.22-31.

31. Hincks, Reminiscences; p.262, Cauchon to Hincks, Oct. 30, 1851.

32. Ibid., p.267, Hincks to Cauchon, Nov. 3, 1851.

The French insisted on equal representation in order to use their influence on the decisions of the Cabinet. "It was not desired to see them there except in order to be stayed up by their powerful influence."<sup>33</sup> This was the climax of the application of Lafontaine's principle of "equality, nothing more, nothing less", as far as the cabinet was concerned.

The cabinet conventions were still undefined. Even in England collective responsibility and cabinet cohesion were imperfectly adhered to. Yet they were regarded as highly desirable and essential for the proper functioning of parliamentary institutions.<sup>34</sup> The desire to follow English precedents and conventions was always present in Canada. Baldwin often referred to English practices. The French, however, did not show any enthusiasm about British conventions. While Papineau had an open contempt for British institutions, the rest of the French had very little understanding of them. According to Lord Elgin the French

".....adopt at second hand the political dogmas of the English Liberals and assert them when ever it is convenient to do so, with becoming force. But they are unwilling to admit - I might almost say they seem incapable of comprehending that the principles of constitutional Government must be applied against them as well as for them....."<sup>35</sup>

The cabinet as a whole was incapable of adhering to most English

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33. Ibid, p.275. Cauchon to Hincks, Nov. 8, 1851.

34. Sir Ivor Jennings, Cabinet Government, (Cambridge, 1956), pp.15, 85, 267, 278.

35. Elgin-Grey Papers vol. 1, 52. Elgin to Grey, June 28, 1847.

practices because of its duality. Responsibility tended to be sectional and often individual rather than collective. Paradoxically the closest adherence to any idea of collective responsibility was on the part of the Canada East section of the cabinet. James Leslie, the only representative of British interests on the side of Canada East, after the exclusion of the Solicitors General from the Cabinet, played no significant role in the Cabinet. He identified himself closely with the French Canadians. What the Hincks-Cauchon correspondence clearly revealed was the fact that the distinction between French and British origin was always kept alive. The broad division of Canada East and Canada West was forgotten very often. For all practical purposes the distinction was between the French and British Canadians,<sup>36</sup> Cauchon preferred to consider even Drummond who had very close bonds with the French, as a representative of distinct 'British Canadian' interests.

"It has been said - Mr. Drummond is a French Canadian. He is one by alliance and his affections and feelings. I confess nothing of this, and I am pleased to see him in the Administration; but I should like to see him in it as representing what he was taken to represent in 1848, when he was appointed Solicitor General, the British origin..... Mr. Drummond would be precisely in the same position with all those of British origin who are with the French Canadians in heart and feeling, and whose political principles are theirs. You know that it has been my constant policy to avoid distinctions of origin, and to combat with all my power against national prejudices; but I cannot forget that there is a public susceptibility on this point which must be respected for fears of a greater evil."<sup>37</sup>

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36. This term was used in this correspondence to include almost all non-French population in Canada. Those of English, Scottish, Welsh and Irish origin.

37. Hincks, Reminiscences, p. 263.



Because of the solid backing of the French Canadian members in the assembly, the French section of the cabinet could minimize any influence that the minority representative could assert in the cabinet. Cauchon considered the British Canadian representative from Canada East, in the cabinet, as a means <sup>of</sup> ~~avoiding~~ accusations of their exclusion from the cabinet.<sup>38</sup> Thus for all practical purposes the Canada East section of the cabinet meant the French Canadians. The close unity that <sup>they</sup> exhibited in their aims and aspirations resulted in greater stability in that section of the cabinet, whereas the Canada West section was from the beginning divided within itself.

The explanation for this difference in stability, in the two sections of the cabinet, lies, in the social and economic differences between them. In Canada East the society was strongly established and conservative, and what they expected to achieve through responsible government was equality and guarantee for their national identity. Lafontaine was the symbol of their aspirations. Since early 1840s, there was no great change in political opinion in Canada East. The strength of the Reformers under Lafontaine remained almost the same. On the contrary, in Canada West the 1847-48 Election indicated a distinct change in political opinion. It was not merely a vote for responsible government but also for large scale reform, which the Reform group stood for. Thus the formation of the Great Ministry was regarded as the dawn of an era of reform. Reform opinion in Canada West was sufficiently represented in the Cabinet. Except Baldwin, who was for gradual reforms, the

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38. Ibid., p. 268.

rest were for radical reforms. There was a clash of opinion on this section of the cabinet, which explains its instability. Further, while Lafontaine could exercise a strong hold over his colleagues, Baldwin was not a strong party leader. Thus the Canada East section of the Cabinet was in a bargaining position in the administration of affairs of the Province.

Granting of responsible government removed most of the obstacles to legislation.

"While you continue my advisers, you shall enjoy my unreserved confidence; and 'en revanche' you shall be responsible for all acts of Government."<sup>39</sup>

However, legislation was a much more difficult task than forming an administration. Lafontaine declared in 1851 that "the danger today is the facility with which we may legislate."<sup>40</sup>

The first session of the Assembly of 1848 was prorogued by the Governor General after one month - (June 12, 1848), in order to give the ministry sufficient time to plan their programme. The rest of 1848 sessions were spent without any controversial issues coming before the administration.

The 1849 session started with a significant note. For the first time in Canadian history, the Throne Speech was read in English and French and the Governor announced the repeal of the prohibition in the

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39. Kennedy: Documents of the Canadian constitution, p 589  
Lord Elgin to Mr. Cumming Bruce, Sept. 1852.

40. Elgin-Grey Papers, vol. 3, 904. Lafontaine's speech Oct. 5, 1851.  
~~Reported by The Pilot.~~

Act of Union against the use of French as an official language.<sup>41</sup>

This was another measure for the removal of inequalities imposed on the French under the Union Act.

"I quite agree with you as to the unpolicy of the attempt to civilize the French Canadians by measures which are obnoxious to them and therefore, though I confess I am sorry to alter the Union Act as regards the language I shall almost immediately yield to their wishes by bringing in a Bill to effect the desired change."<sup>42</sup>

Lord Elgin was convinced of the failure of the Anglicization policy and was ready to grant the demands of the French.

"I am very anxious on this point. Lafontaine is constantly speaking to me about it. I believe these provisions to be most unpolitic and calculated to produce the very opposite effects from those intended."<sup>43</sup>

The final abandonment of Anglicization was a victory, for which Lafontaine was ~~fighting.~~ ~~fought.~~ It was also a victory over Papineau. Lord Elgin realized the necessity of strengthening Lafontaine against Papineau. The latter was the enemy of the Union, of the British connection and of British institutions. Thus the Governor was reluctant to thwart the demands of Lafontaine.

During the 1849 session the greatest uproar in Canada was created by the Rebellion Losses Bill. Lafontaine and his colleagues were anxious to obtain the same treatment for Canada West with regard to the payment of rebellion losses. The French were aware of the opposition it would

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41. Elgin-Grey Papers vol. 1, 287, Elgin to Grey, Jan. 18, 1849.

42. Elgin-Grey Papers, vol. 1, 165. Grey to Elgin, June 1, 1848.

43. Ibid., p 183. Elgin to Grey, June 15, 1848.

create in Canada West and even doubted whether the Governor General would assent to an introduction of such a bill.<sup>44</sup> On February 7 1849, Lafontaine introduced seven resolutions for the payment of rebellion losses.<sup>45</sup> The resolutions were seconded by Baldwin in order to show cabinet unanimity. Quite apart from the justice of the measure it was of immense political significance.

"Lafontaine feels very strongly on the subject and I really think if he were thwarted he would resign and throw the whole government into confusion. He is engaged at present in a death struggle on the French territory with Papineau, and he cannot afford to loose the credit which obtaining this act of oblivion would confer on him."<sup>46</sup>

However, it was not so much a death struggle for Lafontaine against Papineau, because Papineau's position in Canada East was revealed by the vote on the amendment he introduced on the Throne Speech on January 24, 1849. He was supported by only three and of the three only one was French Canadian.<sup>47</sup> The death struggle was for the ministry. A refusal to support the payment of rebellion losses on the part of the Canada West section of the ministry would mean a break up of the ministry, while supporting it on its merits would mean loss of support in Canada West for the administration. Even if the principle of the bill was acceptable, there were details on which the Canada West ministers were

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44. Elgin-Grey Papers, vol. 3, 1047. Elgin to Grey, Oct. 8, 1850.

45. Journals of the Legislative Assembly, 1849, Feb. 27, p. 108-109.

46. Elgin-Grey Papers, vol. 1, 227, Elgin to Grey, Aug. 24, 1849.

47. Christie, La Terriere and Prince. Journals of the Legislative Assembly 1849, p. 24.

in disagreement. J.H. Boulton,<sup>48</sup> in January 1850 reminded Baldwin that the original bill proposed by Lafontaine was utterly indefensible and, it had been if ~~that was~~ allowed to come before the Assembly the ministry would have been defeated and its majority reduced. The objection was to the fifth resolution, which stipulated that even those convicted of high treason and sent to Bermuda should be paid indemnities.<sup>49</sup> Baldwin was convinced of the consequences of such a measure but was highly doubtful whether Lafontaine could be persuaded to alter the resolution. On his request Boulton and Drummond accompanied Baldwin to Lafontaine's house. Yet,--

"He was averse to the chief proposition as it would exclude Dr. Nelson and others named in the Ordinance of Banishment to Bermuda, and said that he was quite willing to retire but, would not sacrifice his friends."<sup>50</sup>

According to the same source the only alternative was to induce Dr. Nelson to agree to a settlement, to exclude those banished to Bermuda. Dr. Nelson was convinced of the argument and influenced Lafontaine to agree to an amendment in the original resolution. Boulton stated that if it were not for this amendment the Canada West Reformers would have opposed the measure.<sup>51</sup> This evidence is supported by Lord Elgin's views, expressed before the resolutions were introduced. He informed Earl Grey that

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48. J.H. Boulton was formerly a Tory, but supported the administration of Lafontaine and Baldwin during this time.

49. Journals of the Legislative Assembly, p. 109, Feb. 27, 1849.

50. Baldwin Papers. (P.R.L.T.), J.H. Boulton to Baldwin, Jan. 23, 1850.

51. Ibid.

Lafontaine intended to include the convicted rebels like Dr. Nelson and W.L. MacKenzie, especially the former because of his rivalry with Papineau.<sup>52</sup> The Montreal Gazette further confirmed the accusation against Lafontaine for trying to pay convicted rebels.<sup>53</sup>

The life of the ministry was dependent on the support of the French. This made it easy for Lafontaine to use the threat of resignation. Lord Elgin re-affirmed his views on the Rebellion Losses Bill three years after,

"The measure itself was brought officially under my notice in 1848, in the midst of excitement endangered by the French and Irish revolutionary movements - it was during these convulsions that I was first asked by Lafontaine whether I would sanction the introduction by him of a bill to carry out the recommendations of Lord Metcalfe's commissioners, with respect to Losses sustained by the inhabitants of Lower Canada during the Rebellion. Now when this application was made to me I was aware of two facts - Firstly that Mr. Lafontaine 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 to grant the required permission would be taken by him and his friends that, that they had not my confidence. In a word my refusal would in all probability have broken up an administration which had been imposed upon me a few months before by a majority of 3 to 1."<sup>54</sup>

was  
The Papineau faction/accusing the French section of the cabinet of being dominated by the Canada West section. The acceptance of Boulton's resolution was pointed out as a defeat for the French Ministers.<sup>55</sup> The

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52. Elgin-Grey Papers, vol. 1, 227, Elgin to Grey, Aug. 24, 1848.  
 53. Ibid., vol. 1, 340 (Enclosure).  
 54. Elgin-Grey Papers, vol. 3, 1047, Elgin to Grey, Oct. 8, 1850.  
 55. Ibid., vol. 1, pp. 342-344, L'Avenir, Feb. 24, Mar. 3, 10, 1849.



Orangists on the other hand accused the Canada West ministers of submitting to French demands.<sup>56</sup> These views were no doubt expressions of party hostility. Yet there were more trustworthy sources expressing great disagreement in the Ministry.

"Depend upon it, there was not one of the Upper Canadian Ministry in favour of paying rebels. It is true they did not speak out against it as fiercely as their opponents - but how could they! They could only have flung strength into the hands of Papineau and raised a conflagration which no true friend of the country would have desired to see. Depend upon it they acted right throughout."<sup>57</sup>

Although George Brown defended the justice of the bill in the Globe,<sup>58</sup> he had no love for the bill itself.<sup>59</sup> When the Clergy Reserves issue was raised later Brown censored the Canada West Ministry for introducing Rebellion Losses Bill, before the French pledged for a Clergy Reserves the settlement.<sup>60</sup> The most rational opinion on the matter was expressed by Young, the Speaker of the Legislative Assembly of Nova Scotia.

"The opposition to the indemnity bill is less excusable because it is notorious that the leaders were willing to go as far as even farther, to have gained the French in previous sessions.

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56. Elgin-Grey Papers. vol. 1, 340 (Enclosure), Montreal Gazette
57. William Kirby Papers - George Brown to Kirby, July 12, 1848, Cited by J.M.S. Careless, Brown of the Globe (Toronto, 1959), pp. 88-89.
58. The Globe. Feb. 21, 1849. cited by Careless, Brown of the Globe p.88
59. J.C. Dent, The Last Forty Years (Toronto, 1881), vol. 2, 234-35.
60. U.S. 42 (S.A.S.), 508, p. 294.

He maintained that the "British part of the Cabinet" foresaw the difficulty when they took office, and they regarded the measure as a political necessity and were happy to avoid it, if possible.<sup>60</sup>

An immediate consequence of the passing of the Rebellion Losses Bill was the change of the seat of government. The French section of the ministry itself, was divided on the question, whether to transfer the capital from Montreal or not. Lafontaine and even Viger, both from Montreal, strongly urged the use of the military to break all rebellious elements and retain the seat of government in Montreal.<sup>62</sup> Caron, who was from Quebec was in favour of a transfer to Quebec. The Canada West section of the cabinet insisted on Toronto or Kingston as the new seat. Neither section of the cabinet could have obtained sufficient votes in the Assembly, for a permanent seat; so they were forced to combine to alternate the capital between Quebec and Toronto.<sup>63</sup> The difficulty arose as to the first move from Montreal.

"The French members of the administration declared that, they cannot keep their section of the party together unless Quebec is the point to which the first move is made. They are willing to go to Toronto for 4 years at the close of the present Parliament."<sup>64</sup>

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60. C.O. 42/558, (P.A.C.), Young to Elgin, June, 19, 1849. Rebellion Losses Bill was passed by 47 to 18 votes in the Assembly. The division in Canada West was 17 to 14. Journals of the Assembly Mar., 9, 1849, p. 162. Legislative Council Division was 20 to 14. Dent, op. cit., 153.
62. Elgin-Grey Papers, vol.2, 523, Elgin to Gret, Oct., 19, 1849.
63. The Globe, Feb., 6, 1850.
64. Elgin-Grey Papers, vol.2, 454, Elgin to Grey, Aug., 27, 1849.



Lord Elgin himself saw the advantages in having a rotating seat of Government.

"I am disposed to believe that the advantages attending this arrangement will be found in practice to outweigh its inconveniences."<sup>65</sup>

However, he was aware of the bad effects of surrendering to French influence too much:

"Now I have great objection to going to Quebec at present because I fear that it will be considered both here and England as an admission that the Government is under French Canadian influence and that it cannot maintain itself in Upper Canada."<sup>66</sup>

The combined pressure of the Governor and the Canada West members of the cabinet seems to have forced Lafontaine and his colleagues to accept the first move to Toronto.<sup>67</sup> The Quebec Morning Chronicle accused the Governor General <sup>of being</sup> the person responsible for fixing Toronto in spite of the opposition of his advisers.<sup>68</sup> Lord Elgin did realize that the French section of the cabinet would not accept Toronto as the first seat of Government, in silence.

"At the same time I am quite aware, that, the removal will do some mischief among the French who are narrow minded and bigotted on all these points beyond belief."<sup>69</sup>

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65. C.O. ; 42/560, (P.A.C.), Nov. 18, 1849.

66. Elgin-Grey Papers, vol.2, 454.

67. Elgin-Grey Papers, vol.2, 523, Elgin to Grey Oct. 19, 1849.

68. The Globe, Oct. 30, 1849.

69. Elgin-Grey Papers, vol.2, 523. Elgin to Grey. Oct. 19, 1849.

He maintained that the "British part of the Cabinet" foresaw the difficulty when they took office, and they regarded the measure as a political necessity and were happy to avoid it, if possible.<sup>61</sup>

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61. C.O. 42/558, (P.A.C.), Young to Elgin, (submitted to Grey), June 19, 1849.

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62. Elgin-Grey Papers, vol. 2, 523, Elgin to Grey, Oct. 19, 1849.

63. Globe, Feb. 6, 1850.

64. Elgin-Grey Papers, vol. 2, p.454, Elgin to Grey, Aug. 27, 1849.

The expected effects of the change of capital was seen in the resignation of the Receiver General, - L.M. Viger in opposition to the removal from Montreal. Caron, the Speaker of the Legislative Council, too, submitted his resignation to the Governor General expressing his disapproval of the fixing of the first seat of government at Toronto, rather than at Quebec.<sup>70</sup> He was, however, persuaded to remain in office, though the seat in the cabinet was discontinued soon after.

The annexationists at the time made use of the Rebellion Losses Bill for anti-French propaganda. It was an example of French domination in the administration. Not only the Tories, <sup>but</sup> even some of the radical Reformers like William Lyon, Mackenzie, Peter Perry, and Dr. Rolph, were in active sympathy with the annexationists. These left wing Reformers were dissatisfied with the "stale doctrine of moderation of Lafontaine and Baldwin"<sup>71</sup> Their political organ - The Examiner - warned that failure to secularize Clergy Reserves would lead to annexation.<sup>72</sup> Most of the Tory newspapers - The Herald, Montreal Gazette, The Courier, The Transcript and The Witness were full of anti-French feeling. They even opposed even the constitutional system which gave the French a share in the government.<sup>73</sup> The Examiner, the Globe and the Pilot maintained that there was no French domination. The French were under-privileged, as they did not have even representation according population, - said the

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70. C.O. 42/565, (P.A.C.), Jan. 19, 1850.

71. Careless, - Brown of the Globe, p. 97.

72. IBid., p. 107.

73. Elgin-Grey Papers, vol. 2, 528. Nov. 1, 1849.

Examiner.<sup>74</sup> There were many other attempts to disprove the cry of French domination. A printed paper issued from Hamilton resorted to statistical data as a means/<sup>of</sup> showing that there was no French denomination. In the cabinet there were only four French Canadians to six of British origin, in the Assembly 28 to 56, Legislative assembly 15 to 31. The Pilot office issued a pamphlet comparing the salaries of public officials, £89,420. 12s. 6d. being the total salaries for officials of English origin compared to £20,176. 3s. 2d. for the French officials. Lord Elgin considered these statistics accurate.<sup>75</sup> The speaker of the Legislative Assembly of Nova Scotia - Young - after his tour of Canada expressed his views about the political situation in the Province of Canada.

"The influence which the French exercise is not to be reckoned only by the proportion of their numbers whether they are to be counted 27 to 35 out of 84. They hold the scale between the two great parties of British origin, the conservatives and the liberals and have been courted accordingly and prostituted by both parties."<sup>76</sup>

Commenting on racial feeling he says that the jealousy of the 'Britishers' especially Scotch towards the French is 'incredible', and it was this that prompted Union. They now look to Annexation or some other 'organic changes.'<sup>77</sup>

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74. The Examiner. Apl. 4, 1849.

75. C.O. 42. (P.A.C.) May 28th, 1849, ~~Despatch 54~~.

76. C.O. 42 (P.A.C.) 558, p.294. Young to Elgin, June 19, 1849.  
(submitted to Earl Grey)

77. Ibid.

Lord Elgin's comment was:

"..... as Mr. Young observes..... the French, constituting a minority in the United Parliament engross from that very cause an undue share of power."<sup>78</sup>

was  
The Clergy Reserves/a long standing issue - that was bound to come up under the new circumstances. Baldwin attempted to keep his colleagues silent on this problem, because he was afraid, that it would excite the French Canadians 'who are very susceptible to such questions'.<sup>79</sup> J.H. Price, the commissioner of Crown Lands and Malcolm Cameron, the Assistant Commissioner of Public Works, were particularly interested in the question. Although the issue was raised during the first session of the new Parliament other controversial problems overshadowed it until the beginning of 1850, Malcolm Cameron, who resigned from the Ministry in February 1850, urged the secularization of Clergy Reserves during the debate on the Throne Speech, and Lord Elgin expected the dawn of a new phase in Canadian politics with this issue.<sup>80</sup>

principle of  
Secularization, which involved the acceptance of the/separation of church and state was unacceptable to the French Canadian members of the cabinet. Price and Cameron were always agitating inside the cabinet, for a measure, for the settlement of Clergy Reserves. Price was a voluntarist in principle. Francis Hincks favoured secularization as a means/<sup>of</sup>satisfying the radical elements in the party.

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78. Ibid.

79. The Pilot, July 1, 1851

80. Elgin-Grey Papers, vol. 2, 623, Elgin to Grey, Apl. 7, 1850.

Baldwin objected to the union of church and state, but did not think endowments for religious purposes objectionable.<sup>81</sup> Hincks openly announced that the Assembly had no authority to deal with the question, due to the imperial act of 1840,<sup>82</sup> but secretly, together with Price he brought pressure on Lafontaine to

"Take the earliest opportunity possible to bring under the consideration of the cabinet the present position of the question relating to the Clergy Reserves with having the policy of the administration regarding them settled."<sup>83</sup>

Price and Hincks had been giving excuses to the radical Reformers like Dr. Burns and William McDougall to the effect that the Government was too new in 1848 to take on such a big issue, and in 1849 the rebellion losses agitation occupied the attention of the cabinet.<sup>84</sup> After these disturbances the radicals were given to understand that the Canada West section of the cabinet would try to persuade their Canada East colleagues to join in an address to the Queen for an amendment of the Act of 1840.<sup>85</sup> It was the deadlock in the cabinet that led to the introduction of the thirty-one resolutions of Price on Clergy Reserves. The debate on the resolutions exposed the deadlock in the cabinet. The cabinet decided to make it an open question. It was therefore possible for the ministers to express their personal views.

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81. Dent, op. cit., vol. 2, 208.

82. H.S. Longley, Sir Francis Hincks (Toronto, 1943), p. 283.

83. Lafontaine Papers, (P.A.C.), Hincks to Lafontaine, Jan. 9, 1850.

84. J.S. Moir, Church and State in Canada West (Toronto, 1959), p. 55.

85. Ibid.

Baldwin recognised no particular established church in Canada West. The only recognized church in the whole Province was the Roman Catholic Church (~~1790~~). He equally rejected the 1840 settlement as the final solution. He was not opposed to separation of church and state but appealed for justice. Cameron, (out of the cabinet now), urged the government to make Clergy Reserves a cabinet question. Baldwin, as usual, referred to English cabinet precedents. <sup>The</sup> Slave Trade <sup>been</sup> had/an open question <sup>the same</sup> under Pitt, and Catholic Emancipation, / under Canning and Wellington. Baldwin reminded Cameron that under Wellington open questions were rather the rule than the exception.<sup>86</sup>

It is true that open questions were common in England at this time, but they were considered harmful for the proper working of parliamentary institutions - merely a means to maintain coalitions, and a substitution of government by individuals for government by political principles.<sup>87</sup> The agreement to disagree which Baldwin referred to in the Assembly was mainly due to the opposition of the French Canadian members of the cabinet against secularization. Lafontaine used his influence in the administration to prevent secularization. He argued that the question was not exclusively a Canada West question; that Canada East was affected indirectly. They would judge the question on its merits. He spoke strongly in favour of vested rights and opposed any attempts to use

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86. The Globe, June 22, 1850.

87. Sir Ivor Jennings, Cabinet Government, pp 278, 281

religious endowments for secular purposes. The ministry, on the whole, expressed its inability to introduce a measure for a settlement during the session. Price's resolutions were voted one by one and the majority in favour of the resolutions varied from 63 to 2. The 29th resolution which resolved that "no religious denominations can be held to have such vested interests in the revenue derived from the proceeds of the said Clergy Reserves....."<sup>88</sup> was passed by 36 to 34. Baldwin, Hincks, Price, and Tache, Drummond, /J.S. MacDonald, voted for the resolution while Lafontaine was in the opposition. The vote further indicated that there was a balance of opinion in Canada West itself, with 18 votes for, and 18 against, the 29th resolution. In Canada East it was 18 to 16.<sup>89</sup> It is difficult to come to a definite conclusion about the policy of the cabinet on the basis of this vote. However, it illustrated that a considerable part of the Canada East section in the Assembly was not in favour of vested rights in the Clergy Reserves. The main obstacle seemed to be Lafontaine.

For the rest of the period of the Lafontaine - Baldwin ministry, the main reason given for the postponement of the issue was the delay in repealing the act of 1840 by the Imperial Government. Earl Grey was not in a hurry to repeal the Act and opposed radical reforms in Clergy Reserves.<sup>90</sup> Lord Elgin sympathised with the need for reforms and thought

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<sup>The</sup>  
88. /Globe. June 25, 1850, - Report on the proceedings of the Legislative Assembly.

89. Ibid.

90. Elgin-Grey Papers. vol.2, 826, Grey to Elgin, June 20, 1851.



that an early repeal of the imperial act was advisable in order to break the growing strength of the Clear Grits.<sup>91</sup> Lord Elgin never indicated a desire for secularization or another form of radical reform in Clergy Reserves.

As the year advanced the Clear Grits formed a strong opposition to the government on the vacillating policy on Clergy Reserves. Their explanation for this vacillation was French domination in the cabinet. The Examiner of James Lesslie<sup>92</sup> and the North American of W. McDougall,<sup>93</sup> accused the French Canadians in the Assembly of obstruction. The attacks were mostly concentrated on Lafontaine because of his uncompromising attitude against secularization and his strong hold over the French Canadian members of the Assembly.

"If Mr. Lafontaine stands in the way, after yielding to this gentleman and making the obnoxious Rebellion Losses Bill a Cabinet measure and bringing all the strength of the Party to bear in carrying it through, lashing a large party into a fury of excitement involving the country in irreparable losses . . . . if after Upper Canada Liberals and to support the Government in a measure which they did not like, but what they

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91. Ibid., pp. 819-21, 827-28, Elgin to Grey, May 9, 1851, June 14, 1851.
92. James Lesslie, an old Reformer, <sup>was</sup> dissatisfied with the Ministry mainly because he did not obtain a lucrative position in the administration, and also because of the preference given to the Globe as the ministerial organ.
93. McDougall - a young radical Reformer and the organiser of the Clear Grit movement.

believed to be just..... if we say, after all this, the first time Mr. Lafontaine is asked to allow a measure, which Upper Canada alone is interested in, which is just and popular, on which he knows his colleagues went into power, to be made a Cabinet question, he refuses and will break up the Government rather than do it - let it be broken up - the sooner the better - we want no tyrants of his description - in Canada West."94

Such was the opinion of the North American. George Brown, who had been the strongest defender of the administration against the cry of French domination, was himself becoming convinced that Lafontaine was determined to prevent secularization, but he preferred to put it mildly.

"We trust the Lower Canadians will support us on the Clergy Reserves question, and we feel sure they will, when they come to study it fairly - but we shall never ask them to give a dishonest vote on the plea of dishonest vote having been given for them. We denounced the double majority when our opponents tried it, and we shall not now palliate it, because it might be convenient for ourselves.

We heartily wish that Mr. Lafontaine could have gone with us in the Clergy Reserves matter and we yet hope and think that he will do so."95

These views ~~are~~<sup>were</sup> not without concurrence from more impartial observers.

Lord Elgin in April 1850 wrote: -

"The best friends of the Bishop and the Church are Lafontaine and his adherents - the very people who had been the objects of their unmeasured abuse."96

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94. The North American, - cited by the Globe, May 16, 1850.

95. The Globe, May 16, 1850.

96. Elgin-Grey Papers, vol. 2, 623, Elgin to Grey, Apl. 7, 1850.

There is evidence of more genuine feeling than those expressed by the Clear Grit papers.

"We shall get no real reforms from the French. There is some truth in the story of French domination, depend upon it. What does Hincks mean by saying that the French do not feel much interest in settling the reserves? Why that they oppose it, of course."<sup>97</sup>

By the beginning of 1851 George Brown was gradually drifting away from the government camp and was giving only critical support to the government. By May 1851, he was definitely opposed to the administration. An important reason for his dissatisfaction was the vacillation of the ministry on the Clergy Reserves question. He was a voluntarist and had been criticising the Catholic Church too often while ~~in~~ in the ministerial party. This won him the opposition of Lafontaine. Baldwin himself had occasion to disagree with Brown, while Hincks had no love for him.<sup>98</sup> Price, being a voluntarist, was the only close contact Brown had in the cabinet.<sup>99</sup> When in May 1851, the ministry announced that no <sup>for</sup> measure/~~settling~~ the Clergy Reserves would be brought/<sup>in</sup>during that session, Brown found sufficient reason to accuse the government of bowing down to French influence.<sup>100</sup>

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97. Clarke Papers, - Lindsey to Clarke, Jan. 18, 1850. (Ontario Provincial Archives).

98. Careless, Brown of the Globe, p. 121.

99. Ibid.

100. Ibid., p. 133.

Though Brown and his Globe did not join the Clear Grits, they formed a united front at least on Clergy Reserves agitation, and in their condemnation of the Canada West ministers, as being dominated by the French Canadian members of the cabinet. This change is clearly seen four months later when in August 1851, The Globe referred to Lafontaine as -

".....our great enemy on Reserves and Rectory questions..... we admire Mr. Lafontaine as an honest stern public man. But his principles are the opposite of Liberals, and the iron sway he exercised over his followers has been as unreasonable as pernicious." 101

There was no doubt that Lafontaine exercised a strong hold over his colleagues and followers from Canada East. The Examiner's appeal to the 'Liberals' of Canada East above the head of Lafontaine is sufficient indication that it was Lafontaine who constituted the main obstacle and that his influence was exercised strongly at cabinet level. Lafontaine was determined to resist all radical reforms in either section of the Province. A French Canadian ministerial organ - Journal de Quebec - frankly expressed the opinion of the French section of the Assembly.

"..... let us abstain from descending to the infected walls of socialism or to the poised haunts of demagogue..... our destinies being linked with hers - (Canada West). .....  
We particularly allude to the Clergy Reserves and the Rectories..... From 1824 to 1840 the Liberals of Upper Canada

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101. The Globe, Aug. 30, 1851.

had indeed carried some electoral victories, but those victories had been without any results - administration being invariably in the hands of their enemies...

Without the Union the position of the Liberals of Upper Canada would probably be what it was before the constitutional transformation - beaten today, tomorrow victories, but never governors. In 1844, indeed, it was only by means of the 32 Liberal votes of Lower Canada that they came into power, they had but 7 votes in the House and even now it is more than doubtful whether they have a majority taken from Upper Canada.

Let them remember that Lower Canada has a voice as well as Upper Canada in the question raised by them, with such violence and which they decide as if they were the sole and super dispensers of them. The 42 Lower Canadian members are determined to follow no one blindly....."

The Journal went on to say that Canada West was unable to solve these problems without Canada East, and that Canada West could not complain of lack of devotion and sacrifice on the part of the Canada East Liberals.

"This Union between the Liberals of Upper Canada and Lower Canada..... cannot subsist unless upon reciprocal concessions as far as possible, and of a perfect understanding between them..... You must before all avoid those who in 1845 and 1846 having no confidence in the sincerity of your principles and sympathies wished us in Lower Canada to adopt the double majority system. Be assured that the least division among you under any pretext whatever could under such system transfer power to your adversaries".

The Journal warned the Radicals of Canada West:-

"It is the system of 'all or nothing', we will say to that party, whose organ, the Examiner is; you want 'all' you will have 'nothing', you will destroy the administration."102

The Globe's comment on this article of the Journal de Quebec was a warning to the Reformers of Canada West. The ministry had only a bare majority in Canada West and that they had no right to dictate to Canada East on the Clergy Reserves.<sup>103</sup> The Examiner referred to this 'extraordinary article' and asked:

"Are the advantages of the Union with Lower Canada to be purchased on the sacrifice of the natural rights of the people of Upper Canada?"  
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The Globe, which was still the ministerial organ in Canada West, admitted the immense difficulties that the Canada West section of the ministry encountered as a result of its having to carry the Canada East section with them on questions not felt to be an evil in Canada East. The Clear Grits, taking advantage of this position, accused the ministry of infidelity on these questions,

"...well knowing that the desire to see these objects accomplished would compel them to keep silence....

.....  
Let every Reformer reflect that Mr. Lafontaine is the head of the administration and having nearly one half of the House to back him can choose his Upper Canada Colleagues."<sup>105</sup>

The opinion of the above journals shows the nature of the Lafontaine - Baldwin ministry. The Quebec Journal observed that double majority was not a dead principle. At least the French regarded it as an essential principle, and it warned that the least division among the Reformers of Canada West would lead to a transfer of power to the Tories according to this principle. The Examiner admitted that the Union cannot work under

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103. The Globe, Apl. 2, 1850.

104. The Examiner, Apl. 3, 1850.

105. The Globe, Apl. 4, 1850.

such an arrangement, while The Globe reminded its readers that Lafontaine was the determining factor. He could break up the administration and ally with the opposition. In view of these powerful factors it is not difficult to understand the position of the Canada West ministers. They were helpless in the face of Lafontaine's unshakeable position. The French had achieved a dominating political strength under responsible government. They used this strength in the cabinet and the Assembly to obstruct the growth of radicalism in Canada West as a guarantee for the safety of their institutions.

However, certain measures which concerned only Canada West did not face the same problem of obtaining the support of the French Canadian section. Baldwin's University Bill of early 1849 was regarded as a Canada West problem.<sup>106</sup> With regard to separate schools, the principles involved concerned both sections. The Catholic population had increased <sup>since</sup> ~~in~~ 1843 when the attempt to establish Common Schools and common system of education was abandoned. The Roman Catholics of Canada West were anxious to obtain greater privileges for their own education. Hincks' Separate Schools Bill of June 1850 amended the 19th clause of the existing act so as to replace the discretionary authority of the municipal councils in establishing separate schools with their duty to authorize the establishment of such

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106. Moir, Church and State in Canada West, p. 102.

schools at the request of twelve or more inhabitants.<sup>107</sup> The bill was rushed through the assembly, and there was some suspicion as to why the Roman Catholic members who were supposed to vote against the bill voted for it at the last moment. The Globe censured the ministry for passing laws without giving sufficient notice and time.<sup>108</sup> It found that the 19th clause was changed due to pressure from French Canadian members.

"We much regret that the Inspector General should have given way to the pressure upon him and altered his schools bill so far as to admit separate schools for Roman Catholic inhabitants."<sup>109</sup>

On October 9th The Globe asserted that Hincks had given in on separate schools to save his party from revolt of the Canada East members.<sup>110</sup> However, Brown's accusations were not baseless. The Mirror - the Catholic organ in Canada West - threatened that the "Ministry that would introduce a measure to repeal the nineteenth clause of the present bill could not live twenty-four hours after."<sup>111</sup>

An unavoidable result of the duality in the administration was sectional legislation. The Journals of the Assembly provide numerous examples of bills brought forward by members of either section on

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107. Ibid., p. 143

108. The Globe, Oct. 15, 1850.

109. The Globe, July 9, 1850.

110. Ibid., Oct. 9, 1850.

111. The Mirror, Oct. 31, 1851 cited by Careless op. cit., p. 136.



matters dealing with their own section of the province.<sup>112</sup> Baldwin concentrated on the Municipal Corporations Act, the University Act and a number of measures dealing with the judicature of Canada West. Lafontaine's major work was the Rebellion Losses Act, besides numerous measures dealing with the Canada East judicature. Hincks concentrated on commercial questions, ~~and~~ tariffs, and railroads. It was only in these matters that sufficient agreement was possible in the Cabinet. Thus under the Great Ministry, with the initiative and support of the Governor General, important measures were taken for commercial and railway development.

The ministerial changes of the time indicate the relative stability of the Canada East section of the Cabinet. Except for the resignation of Viger, the Receiver General, on the question of the seat of government, there were no indications of uncompromising political opinion among the French Canadian members of the Cabinet. T.C. Aylwin, the Solicitor General for Canada East, resigned on April 24, 1848 to occupy a seat on the Bench. James Leslie, the only 'British Canadian' in the Canada East section of the Cabinet, remained in his seat throughout the Great Ministry

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112. The Journals of the Assembly of 29 Jan. 1849 illustrate the sectional nature of legislation. Bills brought forward on this day.

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|--------------|--|
| Canada West. | 1. Morrison - Limited Partnership Bill                           |
|              | 2. Hincks - Assessment Bill                                      |
|              | 3. Smith - Registry Laws Bill                                    |
|              | 4. Morrison - Mortgages Bill                                     |
| Canada East. | 1. Chauveau-Frivolous Opposition Bill                            |
|              | 2. Lafontaine - Rebellion Losses Bill                            |
|              | 3. Lafontaine - Court of Appeals and Criminal Jurisdiction Bill. |
|              | 4. Lafontaine - Court of Civil Jurisdiction Bill                 |
|              | 5. Lafontaine - Gaspé Judicature Bill                            |
| one          | 6. Laurin - Winter Roads Bill                                    |

No single/of these bills involves both sections of the province.

but did not play an important role in the controversial issues of the time.

In the Canada West section the resignations, ~~save for~~ Sullivan's and Blake's<sup>113</sup> were on political issues. Radical opinion in Canada West found sufficient expression in the Cabinet. The seat vacated by Sullivan was filled by transferring Leslie from the Presidency of the Council to the Secretaryship of the Province. In order to balance representation from the two sections William Hamilton Merritt was appointed to the cabinet on Sept. 15, 1848. He was a strong advocate of free trade and retrenchment, and, having strong connections with the United States, favoured greater democratization of political institutions.<sup>114</sup>

"Mr. Merritt..... is an honest man and by no means a violent partisan but his opinions are thoroughly Yankee, taken by the gross from the practice of the state of New York. They are I hear on many points incompatible with the maintenance of our constitutional monarchy form of government and thoroughly distasteful to the French Canadians who abhor direct taxes and excessive decentralization."<sup>115</sup>

The resignation of L.M. Viger in November, 1849, precipitated a cabinet crisis. His place in the cabinet had to be refilled by a French

113. Sullivan and Blake were promoted to the Bench.

114. He was born, and spent a good part of his life in New York. On accepting office Merritt wrote to Lafontaine stating the policy that the ministry should follow.

(1) Proceeds from Public Lands to form a perpetual fund for common schools.

(2) Development of communications.

(3) Reciprocity.

(4) Free Trade.(P.A.C.)

Lafontaine Papers; Merritt to Lafontaine Sept. 14, 1848.

115. Elgin-Grey Papers, vol.2, 622, Elgin to Grey Apl. 7, 1850.

Canadian, and Lafontaine had picked I. Chabot for the place.<sup>116</sup> At the same time Malcolm Cameron had been waiting for a higher position in the cabinet. Price had never been comfortable in the cabinet because of his voluntarist leanings.<sup>117</sup> He fought hard for secularization of Clergy Reserves, and clashed with Baldwin on the Rectories question,<sup>118</sup> and threatened to leave the cabinet many times. To avoid a crisis Hincks proposed a complete reorganization of the cabinet with four ministers from each side.<sup>119</sup>

Viger's vacancy was filled by transferring Taché from the Receiver-Generalship. This created a vacancy in the Public Works office. Cameron who had been advocating retrenchment, proposed to unite both the Chief and Assistant Commissionships of Public Works, preferably under him.

This arrangement was difficult because too many important positions the would come under/Canada West section of the cabinet. Hincks wrote to Cameron:

"You must recollect that I repeatedly urged you to assist us by suggesting arrangements that would secure the indispensable object of finding a department for the Lower Canadian gentleman who was to fill Mr. Viger's

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116. The Examiner, Apl. 24, 1850.

117. The Globe, July 3, 1851.

118. The Examiner, Oct. 10, 1850.

119. Baldwin Papers, (P.R.L.T.), Hincks to Lafontaine Oct. 30, 1849. (P.R.C.C.)

seat in the cabinet....

It would have been unjust to Lower Canada, to maintain so great a preponderance of Upper Canada members in the administration apart from the expediency of keeping an important office vacant."<sup>120</sup>

Lafontaine was anxious to bring in Chabot as early as possible,<sup>121</sup> and the appointment of Chabot as the Chief Commissioner of Public Works finally resulted in Cameron's resignation. Cameron found a popular excuse in the argument that the ministry refused retrenchment. However, he admitted that there had been causes for his resignation for twelve months.<sup>122</sup> Cameron's resignation became a topic for prolonged public discussion. The government was accused of being dominated by the French Canadians.<sup>123</sup>

Baldwin insisted on the necessity of the idea of collective responsibility during the debate on the resignation of Cameron.

"....another ground of his retirement which had been thrown out in the documents was his difference of opinion from other members of the cabinet as to the line of public policy to be pursued... . If the course the cabinet was pursuing was such as he could not concur he would retire... unless the country and the House held the ministers individually responsible."<sup>124</sup>

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120. The Globe, Dec. 27, 1849. Hincks' letter to Cameron.
121. The Examiner, Apl. 24, 1850, Cameron's speech in the Assembly.
122. The Globe, Dec. 27, 1849, Cameron's letter to the Examiner.
123. The Examiner, Apl. 24, 1850.
124. The Globe, May 30, 1850. Legislative Assembly debates on May 27, 1850.

The Canada West members of the cabinet on the whole showed a strict adherence to this principle and the resignation of Merritt, Cameron, Price (October 27, 1851), and even Baldwin were on the questions of policy and disagreement with the rest of the cabinet. This greater divergence of opinion among the Canada West members was in contradistinction to the rare degree of agreement and unity found among the French section of the cabinet.

The climax of the process of disintegration of the Lafontaine - Baldwin administration was Baldwin's resignation in June, 1851. Baldwin's position in the cabinet was never very comfortable. He was the strongest link that kept the union of the Reformers of the two sections of the province/ together. Therefore, in order to maintain harmony, he had to restrain the radical demands of his colleagues in Canada West. Hincks, who had always based his actions on expediency, found that Baldwin was too slow and vacillating.

"The whole moral influence of the government will be lost owing to the vacillating policy we invariably pursue and I fear much that the administration must speedily yield to it..... I could myself complete the administration in a permanent and satisfactory footing in 24 hours, but I found no disposition to act either in your part or Mr. Lafontaine's..... greatest dissatisfaction exists with the vacillating policy of the government on every occasion and I feel myself that things cannot go on as they have been going."<sup>125</sup>

Hincks even informed Baldwin that he was seriously considering resignation because of the unsatisfactory state of affairs.<sup>126</sup>

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125. Baldwin Papers (P.R.L.T.), Hincks to Baldwin, Oct. 26, 1849.

126. Ibid.

On most important issues Hincks did not conform to Baldwin's views, but always avoided publicly coming to a breach with Baldwin. Hincks was conscious of the need to keep the French section satisfied. He was the strong man in the Canada West section of the cabinet and it was he who brought pressure on Lafontaine on the Clergy Reserves question. Baldwin/reconciled to the domineering position of the French section and often retreated in the face of Lafontaine's influence.

Almost every member of the Canada West section of the cabinet found reasons for disagreement with Baldwin. On elective legislative councils Merritt was in complete disagreement with him. Price and Cameron were too radical for Baldwin. Lord Elgin's judgement was the best explanation of Baldwin's behaviour on the question of an Elective Legislative Council.

"Having got what he imagines to be the likeliest thing to the British Constitution he can obtain, he is satisfied and averse to further change - I admire, however, the perseverance with which he proclaims, 'Il faut jeter l'ancre de la constitution' in reply to proposals of organic change.... though I fully expect like those who raised his cry in 1791 he will, yet, if he lives, find himself and his stateship floundering among the rocks and shoals towards which he never expected to steer."<sup>127</sup>

The Clear Grits regarded Baldwin as an obstacle preventing reforms in Canada West. They condemned his 'stale doctrine of moderation'.<sup>128</sup>

127. Elgin-Grey Papers, vol. 12, 613, Elgin to Grey, Mar. 23, 1850.

128. The Examiner, Oct. 10, 1849.

The Examiner was too critical of his legal approach on Clergy Reserves and Rectories questions; "Legal cobwebs should never be allowed to impede the stern march of moral principle...." It continued:-

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"As/steadfast and persevering friend of responsible government, (Baldwin) has justly merited the esteem and respect of the Canadian people. As a principle in planting the fulcrum upon which the lever of honest government is to play for the removal of the load of political corruption and injustice.... he will always be honored...."

Yet, with this alone, the country was not satisfied. The country wanted power to be applied for solving practical grievances. Public exasperation had been raised after a long, costly, and weary conflict.

".....if there be a manifestation of coldness, a timidity - a miserable half-hearted and half and half line of policy - need anyone be surprised of the sort of indignation should be heard on all sides, not from political enemies but from the most devoted and consistent friends of constitutional freedom."<sup>129</sup>

Baldwin was accused for his 'fossilated Toryism',<sup>and</sup> branded as a retrograde in politics.<sup>130</sup> These accusations were, however, not without

129. The Examiner, Oct. 10, 1849.

130. The Examiner, Sept. 11, 1850. The views of The Examiner expressed both personal and political enmity. James Lesslie - the editor - was one of the rebels of 1837-38,<sup>and</sup> a close associate of W.L. Mackenzie. He harboured personal grievances against Baldwin for not giving him a good position in the administration. The acceptance of The Globe as the ministerial organ antagonized him further.

some justification. There were many close followers of Baldwin who expressed their disapproval of Baldwin's policy.<sup>131</sup> Even within the cabinet radical opinion was strengthening. On the attempt to make the Legislative Council elective Baldwin wrote to Lafontaine -

"I am constrained to retain the same views upon it which I have so fully but unfortunately so unsuccessfully urged upon my colleagues....."

I feel in whatever shape the measure may come before parliament, it will be my duty at every sacrifice to offer it an uncompromising hostility."<sup>132</sup>

The final decision of his 'colleagues' on April 9, 1850 to bring a measure for elective legislative council forced him to send his resignation to the Governor General.<sup>133</sup>

The vote on the motion to abolish the Chancery Court on June 26, 1851, was a convenient pretext for his resignation. The circumstances of his resignation were themselves very significant. The motion was

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131. Baldwin Papers, (P.R.L.T.) Apl. 14, 1849 - Eb. Baley to Baldwin. Baley condemned the Medical Bill as a 'Monster Scheme'.

Ibid., Apl. 11, 1849. E. Gorham expressed his opposition to the same bill.

Ibid., May 15, 1849. T. Grover - expressed his disappointment that no more useful reform measures were introduced during the session. Judicial measures involving retrenchment urgent. The Chancery Court of Appeal - too cumbersome and expensive.

Ibid., May 27, 1849. J.C. Morrison - complained about the manner in which the school bill was passed through the House at the end of the session.

132. Baldwin Papers, (P.R.L.T.), Baldwin to Lafontaine, Apl. 10, 1850.

133. Ibid.

However the cabinet decided to drop the issue and supported Baldwin in his attack on Boulton's resolution for such a measure in the Assembly. Wilson, - Robert Baldwin, p. 275.



defeated by 30 to 34, but Baldwin laid great emphasis on the nature of the vote. He analyzed the vote and explained the reasons for his resignation to John Ross.<sup>134</sup> Out of the 34 voting against Mackenzie's motion only nine were from Canada West. Four out of these nine were cabinet ministers. Twenty-five from Canada West voted for the motion and six of these were considered supporters of the administration. Of the rest, three had supported Baldwin's Chancery Court Bill of 1849, and seven others were members of the bar.<sup>135</sup> Baldwin considered this as a vote of want of confidence in him personally, on the part of the Canada West members of the Assembly. Therefore, he did not interpret the vote as necessitating a resignation of the Upper Canada section of the ministry.

"My colleagues seemed to think at first that my resignation involved the necessity of their resigning also. I, however, combatted this strongly and urged upon them as a duty not to abandon the views of government.....  
I do not really believe that my resignation will help them rather than otherwise...."<sup>136</sup>

His resignation was contrary to the principles of collective responsibility which he had often emphasized. The double majority system was denied<sup>137</sup> by the continuation of the rest of the ministry in power. However the circumstances in which he resigned, and the fact that the only concrete argument for his resignation was the loss of confidence of the majority

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134. Baldwin Papers, (P.R.L.T.), Baldwin to John Ross, June, 28 1851.

135. Ibid.

136. Ibid.

137. Wilson, Robert Baldwin, p. 290.

in Canada West, it implied that the 'double majority' was an important principle. His resignation was an application of 'double majority' principle to one individual in the ministry. It created a precedent which was often referred to during the years that followed. While denying the acceptance of the principle, it became a tacit obligation to recognize its importance. Every ministry that followed always attempted to achieve 'double majority' even if they refused to be always bound to resign in case of a failure to obtain it. On the negative side Baldwin's resignation, for the first time diminished the effectiveness of single majority.

The reaction that Baldwin's resignation created on French Canadian opinion illustrated the position that he occupied in relation to the French Canadian Reformers as a whole. The Journal de Quebec unhesitatingly announced that the French 'Liberals' might look for a new combination.

"In repudiating Baldwin these Liberals (Canada West) destroyed their principle and they will discover it.... Baldwin was a type and a principle and to repel him was to repel the principle of constitutional liberty."<sup>138</sup>

The Quebec Journal disapproved of Hinck's attitude towards Baldwin and branded him a Clear Grit.<sup>139</sup> The French Canadians were aware of the importance of Baldwin's role in the Canada West section of the cabinet in preventing radicalism from asserting too much strength. Lafontaine and his colleagues, once they had removed the inequalities

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138. Journal de Quebec, cited by The Examiner, Feb. 11, 1852.

139. Ibid.

imposed on them by the Act of Union, and established conventions and legal safeguards for the preservation of their identity, utilized their bargaining position to prevent the growth of radicalism in Canada West. /only danger now was radicalism, therefore, the resignation of Baldwin was the beginning of the break up of the Reform Alliance. His resignation precipitated the resignation of Lafontaine, - the most dominant figure in the cabinet, thus brought to an end an era in the history of the Canadian Union.

The working of the cabinet system during the four years of the Great Ministry illustrates that duality was unavoidable. The double majority scheme of 1845 had to be followed as closely as possible. The cabinet was formed and maintained on the basis of balance of numbers as well as of power and influence. Legislation on the whole was sectional, on matters that effected the institutions of the two sections of the province. /greatest care had to be taken to ensure a majority for government measures in both sections of the assembly. Double majority, thus, became an unwritten convention. Its corollary of sectional responsibility was accepted when on the defeat of the government in Canada West, on the Chancery Court abolition motion, that section of the ministry offered to resign as a body. Sectional resignation was avoided by Baldwin's acceptance of complete responsibility for the reluctance of the cabinet, not simply to abolish the Chancery Court but also its the reluctance to reform the Clergy Reserves, the Rectories and the constitution. Double majority and sectional responsibility became established conventions in order to continue the legislative union of the two Canadas, as will be seen clearly in the cabinets that followed the Great Ministry.

CHAPTER IITHE STRUGGLE FOR A MAJORITY

The disintegration of the Reform party of Canada West had been taking place since the formation of the Great Ministry. The old radical Reformers like Peter Perry, James Lesslie, John Rolph and Malcom Cameron were disillusioned by the realization that the party leadership was conservative at heart. By 1851 they were joined by more zealous and young radicals like William McDougall, Charles Lindsey and Charles Clarke. With the "Papal Aggression" controversy in England, George Brown emerged as the champion of the Protestant cause in Canada. These divisions weakened the Reform party and its aims. By the end of 1851 the Clear Grits could no longer be dismissed as "a little miserable clique of office seeking, bunkum talking Cormorants." <sup>1</sup>

The Tories had spent most of their vigour during the rebellion losses controversy and the annexationist movement and as far as their programme indicated there was little hope of strengthening their position in Canada West. It was the radical movement that provided the greatest threat to the Reform party.

This party development in Canada West was destined to complicate the operation of the double cabinet system and its concomitant - the double

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1. The Globe, Jan. 10, 1850.

majority -. These two conventions had become ~~sufficiently~~ strong during the last four years. Their observance became necessary in order to form a strong administration. This created a dilemma in Canadian politics.

The party positions in Canada in 1845 made it comparatively easy to put forward a scheme of double majority and double cabinet. The dividing lines between parties, though not always on political principles, were sufficiently clear. Broadly, there was a two party system in Canada West. In Canada East the French Canadian Liberals were the only party that politically mattered. The Papineau section was insignificant and the eastern Tories were united in a single party with the Tories in Canada West. In such a party division where there were two parties in Canada West with the possibility of one replacing the other in power, and one single strong party in Canada East which could command an overwhelming support in that section of the province, the operation of a double majority system was not impossible. The period under the Great Ministry illustrated that the double majority was not impossible if it was not applied as a strict principle involving a resignation of one section of the ministry on any adverse vote in that particular section of the House. On the whole the Lafontaine - Baldwin alliance could obtain majorities on either sections of the House and until the vote on Chancery Court<sup>2</sup> the validity of the administration was not questioned on the basis of the double majority condition. With this event it was realized that double majority was becoming a difficult task. The cause for this difficulty was the

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2. Above, p. 66.

emergence of a third group of politicians in Canada West. No single group could command an overwhelming majority of votes in the Canada West section of the House. Hincks, in his speech on Baldwin's resignation challenged the opposition to prove that any measure affecting Canada West was carried with the help of Canada East votes. He maintained that "to attempt to govern one section of the country by the majority from the other could produce nothing but misfortune."<sup>3</sup> Thus political duality created a new dilemma - the struggle to form and maintain political combinations in Canada West in order to sustain the partnership in the cabinet.

Le Journal de Quebec - the organ of the rightist faction of the French Canadian Liberal party - had often, and unhesitatingly, declared that division among the Reformers would lead to new combinations. They were indicating that the French Canadians would look for an alliance with the Tories.<sup>4</sup> The Conservative faction in the Tory party was repenting that they had lost their chance.<sup>5</sup>

However, there were rumours of new overtures to the French by the Tories.<sup>6</sup> The Cauchon faction in the French Liberal party was using the threat of an alliance with the Tories to tame the Canada West radicals

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3. The Pilot, June 30, 1851. Report of Hincks's speech in the Assembly.

4. Le Journal de Quebec, cited by the Globe, Apl. 2, 1850.

5. Donald Creighton, John A. Macdonald - The Young Politician, (Toronto, 1952) p. 107.

6. The Globe, Mar. 26, June 22, 1850.

especially the Clear Grits. The Tories, although anxious of coming to power, were still anti-French at heart. Besides the similarity in the church and state policy there was still no chance of a cordial alliance between the Tories and the French. It was Baldwin's resignation and its consequences that focussed the attention on new political combinations.

An important consequence of Baldwin's decision to resign was the announcement of Lafontaine that he himself would retire at the end of the session. This was not surprising because there were signs that Lafontaine's domineering position in Canada East was also shaken. On the questions of an elective Legislative Council and abolition of Seigneurial Tenure, the majority of his party was opposed to Lafontaine's views. He faced the toughest opposition of his followers on the question of the judicial powers of the seigneurs. They rebelled against his domination and called him a renegade to the party.<sup>7</sup> "I am getting too old to form a part of the new school of 'Chisellers', that is a bad school.", he wrote to Baldwin.<sup>8</sup> It was Lafontaine's continuation in office after the announcement, rather than his desire to retire, that embarrassed the cabinet more. Hincks was impatient because he could not take <sup>the</sup> necessary steps to strengthen his section of the cabinet as long as Lafontaine remained the head of the administration.<sup>9</sup> Lord Elgin himself

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7. The Globe, Aug. 2, 6, 1851.

8. Baldwin Papers (P.R.I.T.), Lafontaine to Baldwin, Nov. 6, 1851.

9. Hincks, Reminiscences, p. 252.

was desirous of forming a strong ministry. "I could have told him," wrote Lord Elgin to Grey, "if you are going out at the end of the session to please yourself, go now to please me."<sup>10</sup>

Immediately after Baldwin's resignation Hincks began negotiations for a new combination in order to assure a majority in Canada West. The French Canadian press continued to warn the Clear Grits of a possible alliance with the Tories. This made it sufficiently easy for Hincks to negotiate with the Clear Grits. The Quebec Canadienne on July 3rd, 1851 remarked,

"...signs are already visible and there is not the slightest doubt that new combinations, a new political order of things will displace the existing order, party shades are dissolving, blending together and a new colour will be formed...this colour will not be Clear Grit.... Mr. Baldwin's retirement from political life cuts off half the tie which used to unite the liberals and Upper Canada to the Lower Canada party: the Clear Grits will do the rest, and a new order of things must spring up which will I am certain tend to better our prospects and which in the end is not so extraordinary as has been hitherto imagined."<sup>11</sup>

However, the passage itself indicates that a combination with <sup>the</sup> Tories had been regarded as rather 'extraordinary'. The most crucial condition was the majority in Canada West. Thus Hincks approached the Clear Grits secretly in July 1851.<sup>12</sup> Baldwin's resignation had removed the major

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10. Longley, Hincks, p. 289.

11. The Quebec Canadienne, July 3, 1851, cited by the Globe, July 17, 1851.

12. T.S. Shenston Papers (Ontario Provincial Archives.), Hincks to Shenston, July 25, 1851.



obstacle for such a combination. Further Hincks in his characteristic shrewdness realized that it was only through an alliance with the radicals that he could hope to strengthen his following in the Assembly. The ministry had lost the support of the Globe and it had to be replaced with an organ capable of standing up to the onslaught of the Globe. On July 25th Hincks informed Shenston;

"We agree to abandon all platforms and to confide in the new administration... to do what is right  
 .....  
 The Examiner and the North American are to support the government in the future."<sup>13</sup>

McDougall - the organizer of the Clear Grit movement - wrote confidentially, to Clarke,

"My offer is Lafontaine, Baldwin and Price are going out to take in two 'Clear Grits' at least Cameron and Rolph. The 'platform' must of course be laid aside as a whole but the main principles must be asserted to and we must pledge the country upon them"

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The terms of the agreement were to be kept a secret till Lafontaine resigned, and if he did not resign by the end of the session Hincks would submit his resignation.<sup>15</sup> Thus, in September, Hincks and Morris, the only two Canada West members left in the cabinet, - submitted their resignations to Lafontaine.<sup>16</sup> This made it imperative that Lafontaine,

13. Ibid.

14. Clarke Papers. (Ontario Provincial Archives), McDougall to Clarke July 25, 1851.

15. The Examiner, Mar. 8, 1854.

16. Lafontaine Papers. (P.A.C.), Hincks to Lafontaine, Sept. 15, 1851.

the legal head of the cabinet should resign so that the Governor General could call in a new head to form a new cabinet.

"His Excellency the Governor General did me the the honour to send for me in conjunction with my honourable friend the Commissioner of Crown Lands (Mr. Morin) to consult with us in regard to the formation of a new administration. Upon one point my honourable friend and I have always been agreed, and that is, that it is most important to the interests of this country, that the administration should if possible command a confidence of both sections of the Province...."<sup>17</sup>

It was for this desired purpose of obtaining the double majority that Hincks compromised with the Clear Grits. However, there was the fear of French Canadian opposition to a combination with <sup>the</sup> Clear Grits.

"The French have been sounded and they agree to allow us by our own majority to settle the religious questions in Upper Canada... . They are willing to heal up the breach and let bygones be bygones."<sup>18</sup>

Such was McDougall's message to Clarke. But this concession was obtained by Hincks with a certain amount of difficulty. The reactions in Canada East to the Clear Grit - Reform combination was certainly unfavourable. "The advance made towards 'Clear Grits' in forming the ministry had had bad effects here" [Montreal],<sup>19</sup> "Lafontaine informed Baldwin. Hincks had given the guarantee to those French Canadian leaders who were alarmed by the combination that the combination would break up the

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17. Hincks, Reminiscences, p. 322.

18. Clarke Papers (O.P.A.), McDougall to Clarke, July 25, 1851.

19. Baldwin Papers, (P.R.L.T.), Lafontaine to Baldwin, Nov. 6, 1851.

"ultra radical schemes."<sup>20</sup> If this were to be the result, the conservative French Canadian leaders like De Blanquiere were willing to tolerate the combination.<sup>21</sup> Yet there were others who were violently opposed to a combination with the Clear Grits. Cauchon - the more conservative leader from Quebec, - expressly stated his disapproval with marked exaggeration as to the nature and aims of Clear Gritism.

"Clear Gritism is, in my opinion, neither more nor less than Socialism, and Socialism of the worst kind, ardently desiring the destruction of our institutions, and expressing this desire, without blushing, every hour of the day, through the medium of its press. By introducing it into the Government you admit in the first place, that it forces itself upon you, and is powerful enough to command the position you give it....."  
 ...you admit that it is good and acceptable as an element of government you give it an existence by authority, and furnish the justification, nay, more the glorification of its principle."<sup>22</sup>

Cauchon tried to justify this alarmist view by the fact that the Clear Grits had not abandoned their principles publicly, when they joined the new ministry. The whole country was of the opinion that they were included in the ministry because of their opinions.<sup>23</sup>

In this respect Cauchon was not very far from the truth. Hincks, although in approval of the idea of secularization of Clergy Reserves had no ideological sympathy with the Clear Grits. His main motive was

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20. De Blanquiere to Hincks, Oct. 11, 1851. enclosure in Elgin-Grey Papers vol. 3. 930-31.

21. Ibid.

22. Hincks, Reminiscences. Cauchon to Hincks. Oct. 30, 1851, pp 260-61.

23. Ibid.

to make use of the support that the Clear Grits could give during the coming election. While the Clear Grit platform was to be abandoned their principles were to be used for the purpose of winning support in Canada West. The Clear Grit platform could dangerously bind the ministry to undertake difficult reform measures which would naturally involve a clash with the French Canadians and Catholics, but by leaving their principles intact Hincks had everything to gain in Canada West. Hincks' colleague Morris, the Postmaster-General, indicated that unless they obtained the support of the Clear Grits the ministry would be going to the country shorn of one third of its power.<sup>24</sup> The names of the two Clear Grits, especially Dr. Rolph's, were the magic that Hincks intended to use to get the necessary majority. George Brown understood Hincks better than any one else in the Province, though his criticism was not always valid. He declared that Cameron and Rolph were going to be mere "decoy ducks",<sup>25</sup> and warned the Clear Grits / <sup>that</sup> "your Clear Grit in office will be a very different animal".<sup>26</sup>

The Clear Grits themselves were not too ambitious. Some believed that the presence of Clear Grits in the cabinet would prevent "bad measures" being brought up by the ministry.<sup>27</sup> Brown's accusation that the Clear Grits were office seekers was not completely unjustified. McDougall himself wrote to Clarke, who was in a difficult financial condition:

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24. Series M. (P.A.C.), vol. 116, Morris to Hincks, Oct. 6, 1851. cited by Longley, Hincks, p. 291.

25. The Globe, Aug. 21, 1851.

26. Ibid., Aug. 7, 1851.

27. Clarke Papers (O.P.A.), Spence to Clarke, Feb. 28, 1852.

"If we can get to the top of the heap we can perhaps do for you something more congenial than standing behind the counter."<sup>28</sup> What was definite about the Clear Grit-Reform combination was that its main purpose was to reinforce the weakening ministerial party in Canada West. Hincks' cries of Union, "Union, Tories, Tories !! and Peace Peace !!!" were attempts, not, as the Globe tried to show, to avoid reform issues in Canada West, but to assure the necessary majority for the Canada West section of the ministry.

Hincks was on the other hand doubtful of the support of Morin, Taché and Caron to form a new ministry.<sup>29</sup> It was only natural that the French Canadians hesitated to work with the Clear Grits in the cabinet. Yet there was no better alternative, at least not until the elections indicated the <sup>nature</sup> ~~shape~~ of power in Canada West. Hincks' combination obtained a majority in the 1851-52 elections. Thus there was no choice for the French Canadians even if there was a desire to avoid the Clear Grit-Reform combination of Canada West. The double majority

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28. Ibid. McDougall to Clarke, July 25, 1851.

This motive of the Clear Grits is, perhaps seen better in the appointment of Joseph Lesslie as the Accountant to the Crown Lands department held by Dr. Rolph. Joseph Lesslie was the brother of James Lesslie - editor of the Examiner.

The Globe, Feb. 28, 1852.

29. Longley, Hincks, p. 290.

bound both sides equally. The French fear was that a violation in the practice might someday bring about a Canada West majority ruling with the help of a minority in Canada East, as it was before 1848.

Furthermore, the new French Canadian leaders were not of the same calibre as Lafontaine. They were less rigid and domineering, though not devoid of the same interest in their rights and institutions. In July, 1851 the Globe felt that after Lafontaine the Canada East party would be led by men of more liberal views.<sup>30</sup> Later it referred to Morin as "...that mild meek constitutionalist."<sup>31</sup> As McDougall informed Clarke the French were willing to compromise and let the past record of the Clear Grits be forgotten.<sup>32</sup>

The forming of the new cabinet was extremely difficult. Lord Elgin mentioned that prolonged discussions took place among Morin, Hincks and the Governor himself.<sup>33</sup> The practice of balancing of numbers and influence in the cabinet was continued as before. Hincks was the strong man in the new cabinet and he endeavoured to strengthen it by every means possible. This created a certain amount of suspicion among the French Canadians.

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30. The Globe, July, 17, 1851.

31. Ibid., Aug. 4, 1853.

32. Clarke Papers, (O.P.A.), McDougall to Clarke, July 25, 1851.

33. Elgin-Grey Papers, vol. 3, 900. Elgin to Grey, Oct. 9, 1851.

The new cabinet included the following:

CANADA EAST

A.N. MORIN	-	Provincial Secretary.
TACHÉ	-	Receiver General.
CARON	-	Speaker of the Legislative Council.
DRUMMOND	-	Attorney General
YOUNG	-	Commissioner of Public Works.

CANADA WEST

HINCKS	-	Inspector General
J. MORRIS	-	Postmaster-General
M. CAMERON	-	President of the Executive Council.
DR. JOHN ROLPH	-	Commissioner of Crown Lands
RICHARDS	-	Attorney General.

A significant feature in this composition of the cabinet was the presence of two members of British origin in the Canada East section. Drummond, the Irish Roman Catholic representative in the earlier ministry, was the Solicitor General for Lower Canada, and outside the cabinet. There was a convention that the Solicitor General should be promoted to the office of the Attorney General if the latter became vacant.<sup>34</sup> Thus Drummond

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34. This practice was overlooked with regard to the Canada West section. J.S. Macdonald who was the Solicitor General since 1849 was overlooked in favour of Richards. The reason was, that since the office of the Attorney General was considered the most important, it had to be offered to a very loyal member of the party.

was promoted to the higher office. He was found suitable for this important post because of his experience and his undoubted loyalty to Canada East interests. Drummond was regarded as almost a French Canadian.<sup>35</sup> Cauchon objected to such considerations and preferred to place him as any other member of British origin.<sup>36</sup>

The Protestant British interest had also to be given representation in the cabinet as was done earlier. Young was included because of his religious and radical affiliations as well as his well known commercial experience. For the French Canadians it meant an assertion of extra influence by the British population in Canada East. Cauchon refused to accept office of the Assistant Secretaryship because he found that "The French Canadian influence in the cabinet has been under the new arrangement and especially in the substitution of Mr. Young for Mr. Bourret in the department of Public Works..."<sup>37</sup> Hincks' answer was:

"It must be sufficiently obvious that if in addition to all other difficulties to be surmounted such narrow views as those urged in your letter were to influence public men it would be almost impossible to effect any satisfactory arrangement. For instance the

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35. Above, p. 35.

36. Ibid.

37. Hincks, Reminiscences, p. 268, Hincks to Cauchon, Nov. 3, 1851.



Government must be deprived of the assistance of a gentleman peculiarly qualified from his previous pursuits to be at the head of the department of Public Works because he happens to be not of French origin."<sup>38</sup>

He explained that Morin had agreed to take every step possible to strengthen the administration in the Assembly. Therefore,

"... the appointment has had the desired effect; that the commercial classes of Montreal and Quebec feel that the offer of a seat in the cabinet to Mr. Young could have been made with no other object than to convince them that there was every attempt on the part of the Government to afford the means of representing their wishes in the most satisfactory manner, and that there was every desire to meet their reasonable demands."<sup>39</sup>

This was an attempt to break through some of the frustrating restrictions involved in cabinet making, and to pursue a policy which Lord Elgin had recommended at the beginning of the previous administration.<sup>40</sup> Lord Elgin himself influenced the appointment of Young for this particular post.

"In Lower Canada I am chiefly desirous to get Mr. Young, whose views on commercial matters, I have often brought under your notice into the cabinet....I think his appointment would tell well with the mercantile interests."<sup>41</sup>

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38. Ibid., pp. 267-268.

39. Ibid.

40. Above, p. 26.

41. Elgin - Grey Papers, vol. 3, p. 918, Elgin to Grey, Oct. 17, 1851.

Cauchon's objection was on the basis that the weight and influence in the two sections of the cabinet did not properly balance.

"As we have come to counting and weighing the value of situations I must also tell you that by your arrangements Lower Canada possesses but one of those departments, which are of importance in regard to patronage, that of the public works, whereas Upper Canada has three, viz., the Crown Lands, the Customs and the Post office."<sup>42</sup>

Yet another objection to the new cabinet was in the appointment of men of the same racial origin to the Commissionership and Assistant Commissionership of a single department. Cauchon pointed out that this had not been the practice in the previous ministries.<sup>43</sup>

It is evident from this correspondence that the balancing of weight and influence between the two sections of the cabinet was still an essential aspect of cabinet making. The guarantee of "justice for the French" was still as a dual arrangement with a perfect balance as far as possible. In spite of Hincks' defence of the deviations from the former practice on arguments of strength and talents for the administration, he was sufficiently aware of the fears that such an arrangement would create among the French Canadians. Thus he tried to revive the post of

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42. Hincks, Reminiscences, p. 274, Cauchon to Hincks, Nov. 8, 1851.

43. Ibid., p. 262, Cauchon to Hincks, Oct. 31, 1851.

Assistant Secretary for Canada East, which had been abolished since 1841. This, according to Cauchon, was a mere sop to satisfy the suspicions created in Canada East.<sup>44</sup> The retirement of Lafontaine had, actually, brought about a considerable change. Cauchon found that "... Mr. Morin by too much feebleness and condescendence, or perhaps by forgetfulness might cease to affirm a right to which he was in a position to give weight and to which he ought to give weight."<sup>45</sup> Hincks was the dominant figure in the new cabinet. He always placed expediency before principle and cared little for narrow sectional differences, so long as he could achieve his purpose. His main interests were railway and commercial development. ~~Thus yet he was ready~~ to yield even to sectional prejudices for the sake of the larger interests of the Province.<sup>46</sup> His political record since the 1830's justifies the remark of Alexander Cameron that Hincks was a "Robert Peel statesman"<sup>47</sup>

Once the preliminary motive of ensuring a majority was achieved it did not take much time for the new combination to exhibit the unavoidable contradictions involved in it. The majority in Canada West depended essentially on the success of the ministry in carrying out the outstanding

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44. Ibid.

45. Ibid., p. 275, Cauchon to Hincks, Nov. 8, 1851.

46.i. The Pilot, June 30, 1850.

ii. O.D. Skelton, Life and Times of A.T. Galt. (Toronto 1920), p. 187  
Hincks to Galt, Aug. 3, 1854.

47. Buell Papers, (O.P.A.), Alexander Cameron to Buell, June 13, 1854.

reforms in Canada West. Clear Grit association in the ministry naturally carried a tacit pledge to undertake some of their reform programme, at least in the eyes of the electorate. On the other hand, Clear Gritism in the cabinet forced the French Canadian section to be more cautious because of the suspicions of their electorate. The major, unsolved issues inherited from the Lafontaine - Baldwin ministry were bound to provide the opportunity for the operation of this contradiction in the new combination. As the need for reforms in Canada West was felt more and more the dual allegiance and dual responsibility in the cabinet began to conflict with greater intensity. The effects of this conflict were felt more in Canada West where political and sectional differences were becoming stronger. The net effect was that Canada West had to struggle hard to maintain a majority.

The most embarrassing issue was the settlement of Clergy Reserves. Judging from the reports of the Clear Grit newspapers, the Examiner and the North American, it seemed that there was no definite agreement on the Clergy Reserves question between Hincks and the Clear Grits. Brown thought that Rolph and Cameron had agreed "to set aside the Reserve question until the Imperial Act, the Rectory question altogether and what they have agreed on other questions nobody knows... ." <sup>48</sup> The North American vaguely asserted; - "We shall never come out as a ministerial organ unless the ministry is formed to carry out real 'bona fide'

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48. T.S. Shenston Papers, (O.P.A.), Brown to Shenston, Oct. 23, 1851.

reform principles."<sup>49</sup> The Globe however, was persistently demanding that the ministry should make the secularization of Clergy Reserves a cabinet question and undertake reforms regarding the rectories and separate schools.

"We must say to the French Canadians - these are our principles - if you can agree with us upon them and go with us in carrying them out we can journey together, but otherwise we must part.  
.....  
It is no question of coercing them - it is they who coerce us."<sup>50</sup>

The Imperial government gave a pledge to take action to transfer the power of settling the question to the local legislature. This, together with the pledges given by the Canada West members of the ministry was sufficient support for the ministry at the elections. On November 27, 1851 Rolph declared at the nomination meeting at Norfolk;

"The cabinet were fully and unanimously agreed on secularization of the reserves and a bill with that object in view would immediately on the assembling of Parliament be brought in by the government."<sup>51</sup>

Although, there was no deliberate attempt on the part of the cabinet to deceive the electorate there was sufficient evidence that the ministerial policy was vague and confused. The accession of the Derby ministry in England with Pakington as Colonial Secretary made the problem still more

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49. The North American, cited by Globe, July 31, 1851.

50. The Globe, Aug. 5, 1851.

51. The Globe, Feb. 13, 1854.

difficult. There was a strong clamour that the settlement of Clergy Reserves should be entirely in the hands of the local legislature.

"I can assure Her Majesty's Government with the utmost sincerity, that there will be no end to agitation in Canada if the attempt be made to settle this question permanently according to the public opinion in England instead of that of the province itself, and I may add that it is well known that many who are opponents of the secularization of the Clergy Reserves are on the constitutional grounds in favour of a settlement by Provincial Parliament."<sup>52</sup>

Hincks' repeated appeals of this nature did not move the Imperial government until the Aberdeen ministry replaced the Derby ministry<sup>53</sup>. Lord Elgin himself was responsible for the delay and the vacillating policy of the ministry. Cameron later maintained that Lord Elgin refused to allow the introduction of a measure for secularization of Clergy Reserves after Imperial permission had been granted.<sup>54</sup> The truth of this view is sufficiently established by Lord Elgin's letter to his wife after the Hincks - Morin ministry had resigned. "If I had allowed the last Parliament to deal with the Clergy Reserves no doubt they would have secularized them."<sup>55</sup>

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52. Hincks, Reminiscences, p. 287, Hincks to Pakington, May, 3, 1852. Pakington had informed Lord Elgin that the Imperial government would not place the Clergy Reserves settlement on the accidental majority of the Canadian Assembly. Ibid., pp. 286-87.

53. Longley, Hincks, p. 298.

54. The Examiner, Feb. 22, 1854.

55. Lord Elgin to Countess Elgin, cited by Moir, Church and State in Canada West, p. 73.

These words show that there was no great opposition from the French Canadian ministers for secularization. According to McDougall, the French had promised to allow secularization on condition that it was done through a Canada West majority.<sup>56</sup> In August 1852, Morin "pledged himself unequivocally" for secularization.<sup>57</sup> Evidently, the French Canadian ministers had realized the difficulty of refusing secularization of the Clergy Reserves. Yet they were unable to advocate such a policy too openly in the Province. The Roman Catholic church was strongly opposed to secularization of church property, as a basic principle in church and state relations. The Globe focussed its attacks mainly on the Roman Catholic church rather than on the French Canadian ministers, as it was felt that the priesthood was exercising a great restraining influence over the French Canadian ministers.<sup>58</sup>

The Catholic church in both sections of the province openly declared their opposition to secularization and, in general, to all Clear Grit principles. The Catholic organ in Canada East - Melanges Religieux - declared:

"There is only one word to be said of the exorbitant designs of the Clear Grits, of which we will only allude to that which touches more directly the Catholic question: it is that the minister who might lend his services to violate

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56. Clarke Papers, (O.P.A.) McDougall to Clarke, July 25, 1851.

57. Dent, op. cit., vol. 2, 266.

58. The Globe, July 21, 1854.

the rights of conscience to the detriment of half the population of both sections of the Province will not obtain the support of the House. Still less could the House by yielding to a combination of this kind take credit for itself for such legislation in the midst of a free people. But it is beyond a doubt, that the cabinet no more than the House will not undertake this singular business, not withstanding the imperious demands of the Clear Grits."<sup>59</sup>

In Canada West, the Mirror reflected the same opinion and went even further to announce that the Clear Grit doctrines were repudiated "not only by the ministry as a whole but even by those members of it who were supposed to represent the Clear Grit element in the cabinet."<sup>60</sup>

Hincks himself in July, 1854 told his electorate at Oxford that Morin and Chabot were not opposed to secularization of Clergy Reserves.<sup>61</sup> When Morin was defeated at the elections in Terrebonne Hincks explained the defeat as the result of Morin's declaration in favour of Clergy Reserves secularization.<sup>62</sup> The pressure of Catholic opinion in both sections of the province against voluntarist principles of the Clear Grits was very strong. The Roman Catholic Institute of Toronto appealed to the Roman Catholics of Canada East to unite against secularization of Clergy Reserves. The Tories and the Anglican High churchmen were still firmly against secularization. Even those who favoured a radical

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59. Melanges Religieux, cited by the Globe, Mar. 20, 1852.

60. The Mirror, loc. cit.

61. The Globe, July 27, 1854.

62. Ibid.



settlement were divided on the details of the settlement. This factor in addition to the Imperial Act of 1840 provided the excuse for the ministry for their vacillating policy.<sup>63</sup>

Unfortunately for the Canada West section of the ministry all shades of reform opinion found common ground in the Clergy Reserves question. "The State - Church question is now the grand issue of Upper Canada and all others must bend to it," declared the Globe.<sup>64</sup> George Brown and the Clear had Grits/launched a united attack on the ministry since the summer, 1852. They demanded an act of the local legislature on Reserves with a delaying clause. The delaying clause was to avoid the conflict with the Imperial authority.<sup>65</sup>

The disillusionment of the Clear Grits came rather early in 1852. R. Spence wrote to Charles Clarke that the country was convinced that secularization was a "political impossibility" as long as the existing combination with Canada East lasted.<sup>66</sup> There had been a desire to bargain between the two sections in the cabinet on measures that involved them more or less separately. The Globe censored the Lafontaine - Baldwin ministry for granting Rebellion Losses before the French pledged for Clergy Reserves secularization.<sup>67</sup>

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63. John Moir, Settlement of Clergy Reserves 1840-55. C.H.R. 1956 vol. 37, p. 56.

64. The Globe, July 29, 1852.

65. Moir, op. cit. p. 57.

66. Clarke Papers (O.P.A.), R. Spence to Clarke, Feb. 28, 1852.

67. The Globe, Aug. 24, 1852.

Alexander Mackenzie informed Brown that the Clergy Reserves bill would not be brought in during the 1853 session and "this is very important as the French will not be nearly so manageable after the feudal tenure bill passes, as they might be now."<sup>68</sup>

Under these circumstances the Canada West section of the ministry as a whole and the Clear Grit ministers in particular fought a defensive battle. The reform elements in Canada West interpreted the Clear Grit presence in the cabinet as an indication of a new attempt to undertake urgent reforms in Canada West. Brown, of course, had no illusions from the beginning. He considered the Clear Grit ministers as mere "decoy ducks" and they would not be able to do anything against ten others in the cabinet. Even strong men like Sir Allan MacNab or J.H. Cameron could do nothing in such a cabinet.<sup>69</sup> Lafontaine had a different view of Dr. Rolph. "Dr. Rolph is said to be a greater conservative than you and I, then why is he the leader of the Clear Grits?"<sup>70</sup>

The greatest disillusionment was shown by the Clear Grit newspapers which undertook to back the ministry in the hope of their principles being given some expression in the administration. The Examiner accused Lord Elgin and Hincks of purposely deceiving the people, of using the

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68. Alexander Mackenzie Papers, (O.P.A.), Mackenzie to Brown Mar. 7, 1853.

69. The Globe, Nov. 4, 1851.

70. Baldwin Papers, (P.R.L.T.), Lafontaine to Baldwin, Nov. 6, 1851.

name of Dr. Rolph "to play the game of executive deception." Since Rolph's name had always been identified with popular rights and secularization he was used to avoiding having to make a decision on Clergy Reserves.<sup>71</sup>

The frustration of the Clear Grits was expressed by R. Spence in early 1852.

"Dr. Rolph is politically dead, the few who could be rallied to his support now would only make a respectable funeral procession. In fact Dr. Rolph is super annuated and never should have been placed in his present position by the Clear Grit party."<sup>72</sup>

According to McDougall the two Clear Grits never acted together inside the cabinet. Personal animosities between the two were so strong that they hardly spoke to each other.<sup>73</sup> The Globe referred to a Rolph-Cameron section in the cabinet,<sup>74</sup> but Alexander Cameron affirmed; "I think the Rolph - Richards section of the government are more united than the Rolph - Cameron section."<sup>75</sup> Thus it is evident that the Clear Grits were unable to assert their influence in the cabinet both owing to their incompetence and lack of unity. This was what Hincks and the French Canadian ministers wished to see. Yet such a result was harmful

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71. The Examiner, July 5, 1854.

72. Clarke Papers (O.P.A.), Robert Spence to Clarke Feb. 28, 1852.

73. Ibid., McDougall to Clarke Feb. 2, 1852.

74. The Globe, July 29, 1852.

75. Buell Papers (O.P.A.), Alexander Cameron to Buell, Mar. 1, 1853.

to the combination in Canada West. The Clear Grit ministers were losing their support in the country because of their inactivity in the cabinet. Robert Spence was thoroughly disillusioned.

"Dr. Rolph has transferred his influence if not his active support to the enemy. I am ashamed to have been concerned in a movement that has come to such an impotent conclusion.....  
.....  
... as my political leader I repudiate him altogether" 76

Spence informed that even McDougall was dissatisfied and wished to sell the North American so that he could retire from politics. 77

The success of the combination depended on the extent to which reforms were carried out in Canada West. Yet it was not possible to accomodate Clear Grit views with those of the French Canadians in the ministry. The combination was cutting both ways. The radical-reform support for the ministry was rapidly declining in Canada West while the French Canadians were becoming more suspicious. A break up of the combination was always expected. At the very beginning John Ross wrote to Baldwin;

"The very way in which Rolph's name has been put forward by his friends convinces me that no ministry will last six months... ." 78

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76. Clarke Papers, (O.P.A.), R. Spence to Clarke, Feb. 28, 1852.

77. Ibid.

78. Baldwin Papers (P.R.L.T.), J. Ross to Baldwin, Sept. 17, 1851.

In January 1853 the North American reported a speech made by Christie - a prominent Clear Grit, - that the Clear Grits were ready to break the new combination.<sup>79</sup> McDougall was rather late in publicly admitting that the Clear Grits were deceived.

"Mr. Brown knew Mr. Hincks better than we did, he knew the duplicity and power of the priest party in Lower Canada and its hostility to our principles better than any-one of those who aided in the combination of 1851."<sup>80</sup>

The disappointment over the vacillating policy of the ministry on matters relative to church and state was complemented by the disgust arising out of the corruption in the ministry. Hincks was particularly involved in the major railway projects and his policy was disapproved even by his closest associates. His associations with British Railway contractors were condemned in and outside the House. "Hincks has disgusted his friends by his perambulations with Jackson", wrote W. Leggo to Clarke.<sup>81</sup> McDougall was more contemptuous in his condemnation of the ministry.

"Will the country abandon its government to a band of railway speculators, hungry lawyers and stock jobbers?"

No man dares to defend Hincks openly."<sup>82</sup>

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79. The Globe, Jan. 11, 1853.

80. The North American, Oct. 18, 1854. cited by Careless,<sup>op. cit.</sup>, pp. 199-200.

81. Clarke Papers, (O.P.A.), W. Leggo to Clarke, Sept. 22, 1853.

82. Ibid., McDougall to Clarke, Sept. 17, 1853.

He strongly felt that after disclosure of railway scandals Rolph should not stay in the cabinet and the combination should end.<sup>83</sup>

It was this possibility of a break up of the existing combination that attracted the attention of almost all political groups during the years 1853 and 1854. The newspapers of the time indicate the instability of the political situation. Various combinations were suggested, rumoured and denied. As the voting strength of the Canada West section of the ministry weakened in the House the cry of French domination strengthened. The French were deciding Canada West problems with their solid majority in the House. In spite of the gaining strength of the Rouge and Cauchonite factions in Canada East the ministerial group still commanded a strong majority in the House.

In 1852 the Examiner answered the threat of the Quebec Journal of a Tory-French alliance with a counter threat to break the Union.<sup>84</sup> Brown was thinking of a more powerful party in Canada West in order to end the French 'domination'.

"If we can't remain in office without bowing down to Mr. Lafontaine's phalanx, and sacrificing the most vital questions of Upper Canada, it were better that the Tories were in."<sup>85</sup>

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83. Ibid.

84. The Examiner, cited by the Globe, Feb. 12, 1852.

85. The Globe, Feb. 28, 1852.

The radicals in Canada West had sensed the sinister implications of Hincks' declaration at the closing of the third parliament.

"That Union was above everything - that the Queen's government must be carried on even if it could not be done by existing combinations." 86

This statement indicated the evils of the double majority system. The political duality necessitated a double majority. And with the strengthening of political sectionalism in Canada West the majority had to be obtained through a combination of widely different opinions. Such combinations were by their very nature unstable. The necessity of carrying <sup>the</sup> French Canadians with them compelled the abandonment or modification of their political programmes. Such were the results of the Hincks - Clear Grit combination. The inevitable consequence of this was the loss of support for the Canada West section of the ministry.

The Union had become a contract rather than a constitutional act. No change in the Union Act was possible without the co-operation of the French. Union - "the rod by which it was intended to destroy" the French Canadians was used "to save" themselves and to place them "in a commanding position." 87 The means adopted for this purpose were the double cabinet and the double majority. Equality of representation in itself was impotent of giving the equality that the French desired. Thus

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86. The Pilot, June 30, 1851, - reporting Hincks speech in the Assembly.

87. Elgin-Grey Papers, vol. 3, pp. 901-902, Lafontaine's speech, Oct. 5, 1851.

double majority became identified with the Union. Any political alliance ensuring the double majority could be justified in the name of the Union. No cabinet could continue in office with one of the two sections in a minority in the House. Throughout the period of the Hincks-Morin administration the ministry could obtain a majority in the whole House. Measures were passed and accepted as legal. Yet the opinion in the country could not tolerate a cabinet with one section depending on a minority support. Thus combinations became an inevitable feature in Canada West.

Sir Allan McNab in August, 1851 declared:

"I will only say and want it to go over the country that I will do all I can to prevent a Clear Grit party rising through the land and will support any party to prevent that." 88

After this declaration the Tories met to discuss the possibility of entering the partnership with the French.<sup>89</sup> However, in spite of the eagerness of the Conservative faction, the party was undecided on the nature and aims of such a partnership. McDonald himself was wavering between the two alternatives of an alliance with the French in a joint partnership or of an all British party to end the French Canadian supremacy.<sup>90</sup> George Brown speculated on the same lines.

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88. The Globe, Mar. 11, 1852.

89. Ibid., Feb. 27, 1854.

90. Ibid.



"Even the Conservatives are now beginning to assume a spirit of greater liberality and will soon feel the necessity of standing aloof from the Lower Canadians and forming with those liberals of Upper Canada who are opposed to the present ministerial policy - a progressive party."<sup>91</sup>

If an agreement could be effected on Clergy Reserves and Rectories questions such a union was possible.<sup>92</sup>

The idea of an all British party meant the violation of responsible government, as the French understood the term. It could have avoided the deadlock but could never eliminate the underlying differences between the two major racial groups. There was no possibility of maintaining Union on the basis of inequality, or the ascendancy of one racial group. The double majority, as Baldwin had admitted, provided the only workable solution.

The Tories were split on the question of co-operation with the French. Anti-French faction was still too strong. The Gavazzi riots strengthened this faction.<sup>93</sup> The Clergy Reserves controversy weakened the Tories as well as the Hincksites and gave sufficient prominence to the Brownites and the Clear Grits.<sup>94</sup> The Gavazzi riots, further, helped Brown to the top of the Protestant front.<sup>95</sup>

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91. The Leader - reporting Brown's speech at Chatham in Jan. 1853, cited by the Globe, Jan. 6, 1853.

92. Ibid.

93. Careless, Brown of the Globe, pp. 177-78.

94. Moir, The Settlement of Clergy Reserves, C.H.R. vol. 3, 1956, pp. 56-9

95. Careless, op. cit., p.176.

The new strength of the radicals encouraged Brown to appeal to the liberals and radicals to unite, forgetting all party ties, on a wide programme of reforms.

"Liberal Frenchmen, liberal Conservatives, liberal Reformers will all rally under one banner and find no differences sufficient to divide them."<sup>96</sup>

The Rouges in Canada East were in principle for the separation of church and state and for republican and democratic institutions.<sup>97</sup>

Brown was appealing to this element of the French Canadians. However, Brown's main platform of representation by population was too radical even for the Rouges. Thus the response for Brown's appeal came only from the Clear Grits, the followers of J. S. Macdonald and the independent reformers. Their programme could accommodate only the Protestant British population. In October, 1853 the Globe announced the beginnings of a reform combination.<sup>98</sup>

Such political currents were undermining the strength of the Hincksite - Clear Grit combination. In June, 1854 all anti government forces in both Canada West and East united to defeat the ministry. Amendments were introduced in the reply to the speech from the Throne in a manner that could rally all shades of anti-government opinion

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96. The Globe, May 14, 1853.

97. Careless, Brown of the Globe, p. 183.

98. The Globe, Oct. 6, 1853.

against the ministry. The amendments expressed the dissatisfaction of the House on the failure of the ministry to take action to settle the Clergy Reserves and Seigneurial Tenure. The words 'secularization' and 'abolition' were carefully avoided because of the differences in opinion on such reforms.<sup>99</sup> The ministry was defeated by 42 to 29. Of this number Canada East provided twenty and Canada West only nine. The opposition vote included 18 Tories, nine radicals from Canada West and 18 from Canada East.<sup>100</sup> On June 22nd the ministry announced a prorogation with a view to a dissolution of the House.

The struggle for political combinations came to a climax with the dissolution of the House. Brown immediately summoned a meeting of Canada West liberals and made a compact to oppose the ministry at the elections. This was the beginning of the new Reform group under Brown's leadership.

The new and enlarged House (130 members) presented an interesting party division. In Canada East the Blues obtained 35 seats with 19 Rouges and Cauchonites and five independent British members. In Canada West ministerialists won 25 seats and the Tories, 26. Radical strength was increased to 14.<sup>101</sup> This division made it clear that the new ministry

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99. Journals of the Legislative Assembly, vol. 12, 1854, pp. 28-30

100. P.G. Cornell, The Allignment of Political Groups in the United Province of Canada 1854-1864, C.H.R., vol. 30, 1949, p. 23

101. Ibid., p. 26.

had to depend on a combination in Canada West, There was no possibility of a new combination with the Clear Grits. The Clear Grits had formed a loose front with George Brown who had no faith in Hincks at all. Hincks was anxious to see that the radicals were out of the ministry. He feared that Brown's Reform front would include even the independent British members of Canada East. Therefore Hincks attempted to win over the independent members of Canada East by pointing to the dangers of an alliance between the Rouges and the radical Reformers of Canada West. This, Hincks pointed out, would destroy the Union.<sup>102</sup> It was only an imaginary fear because these two groups had neither the strength nor the mutual understanding to form a ministry. Hincks' approach to Galt and Holton was in vain. Galt refused to join because he was not ready to sacrifice his voluntarist principles.<sup>103</sup> Hincks' arguments went beyond a mere imaginary fear of a radical alliance.

"The fact is that you and Holton are urging the absurd policy which Brown has long been at, of separating ourselves from L.C. majority and forcing them into the Conservative camp. I have always said that whether such a result came about eventually or not, so long as there were great issues on which the L.C. majority were agreed with us, it would be actual madness to bring about the crisis which is demanded."<sup>104</sup>

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102. O.D. Skelton, Life and Times of Sir A.T. Galt (Toronto, 1920), p. 187.

103. Ibid., p. 192

104. Ibid., loc. cit.

This was the characteristic Hincksite principle of providing the majority that Canada East demanded and getting their support for the measures he thought were more important. Hincks was concerned with the railway and commercial development, and any sympathy shown to Clear Gritism was <sup>shown</sup> /for the simple reason of obtaining their support in building his majority. Thus Galt's insistence on voluntarist principles was a mere closing of his eyes to the great advantages of keeping the French majority satisfied. The dilemma of such a policy had already been experienced in the disintegration of the Reform party.

At the same time Brown was attempting to bring together the different groups of Reformers in Canada West. He promoted J.S. Macdonald, allowing him to take the leadership in a reconstituted Reform party.

"I congratulate you most heartily on the result of the elections. Moreover your 'tail' will, I imagine be much longer in this parliament than it was in the last. From what I have heard, there is no doubt of it. Many of the independent Reformers look to you as a leader and if you take your stand firmly and wisely and without delay - the game is in your hand."<sup>105</sup>

Brown assured J.S. Macdonald that he had no ambition of becoming the leader of the group. The Clear Grits were even hopeful of an alliance with the Rouges. "It is clear that the natural allies of the Reformers of Upper Canada are the Rouges (so called)."<sup>106</sup> Although there was

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105. Alexander Mackenzie Papers. (P.A.C.), Brown to J.S. Macdonald, Aug. 16, 1854.

106. Mackenzie Lindsey Papers. (O.P.A.), W. Spink to Mackenzie, Nov. 18, 1854, cited by Careless, Brown of the Globe, p. 191.

similarity in their principles a working arrangement between them was almost impossible.

The test of strength came with the election of a speaker. The ministerial candidate, - Cartier, - was defeated by 59 to 62. Hincks out-maneuvred Brown's plan by supporting Sicotte, - the Rouge candidate - against J.S. Macdonald. The final defeat of the ministry came two days later on a disputed election in Canada East. In Canada East the majority of 'Bleus' remained intact but in Canada West the margin of the opposition majority was sufficiently large to place the ministry in a minority in the whole House. The ministry had no alternative but to resign in a body. This was the end of Hincks' struggle to maintain a majority for his half of the cabinet. His next move was the shaping of an entirely new combination for the same purpose of assuring a majority in Canada West.

In 1852 the ministerial organ of Canada East - Le Canadien - was announced.

"The idea has been long since abandoned by us of seeking to form indissoluble alliances, offensive and defensive in Upper Canada.

Our position, it is known for years past has been this: The government of Lower Canada by the Lower Canadian majority. The government of Upper Canada by the Upper Canadian majority. This is an anomaly in government we are aware we did not originate the incogruity, but those who united under ~~one~~ government, two people professing laws, manners, customs, religion and social conditions, altogether different." 107

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107. Le Canadien, cited by the Globe, Mar. 20, 1852.

The determinism involved in this anomalous political system was admitted by Hincks in his resignation speech.

"... the administration was defeated on the speakership by a majority of 12 from Upper Canada. Honourable members who understand the position of public men, will believe that this was a cause of very much embarrassment to me in the position that I occupied. In endeavouring to sustain my honourable colleague (Mr. Morin) I expected to be able to bring to his support the confidence of a majority of the representatives of that portion of the Province to which I more particularly belong, so as to enable us conjointly to carry on the Government. The vote on the speakership plainly indicated that I should not be able to do that." 108

Accordingly, the Tories who obtained the highest number of seats formed the basis for a new combination. Nineteen of the 25 ministerialists followed Hincks in combining with the Tories to form the majority for Canada West. Thus double majority was achieved by a reconciliation between factions which had been traditionally hostile to each other and by<sup>a</sup> compromise of programmes which a few months before would have been unthinkable.

Cabinet instability during the period of the last two ministries was mainly a result of the growth of radicalism in Canada West. Radicalism grew out of deep rooted and long standing grievances. It was, however, the political duality established under the Union that

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108. Hincks, Reminiscences, pp. 326-27.

strengthened and popularized the radical movement. The Great Ministry embodied the hope of reform, but the conflict arising from the dual responsibility of the cabinet drove the radical elements out of the ministry. Frustration of radical opinion inside the ministry strengthened its voice outside. By the end of the Third Parliament radicalism could force Baldwin out of the ministry. Hincks' combination with <sup>the</sup> Clear Grits revived the hope of reform. The difficulty of accommodating their principles with those of the French Canadians in the cabinet contributed greatly to the break up of the Hincks - Morin ministry. Repeated disappointments were shaping the radicals into a new Reform party and with a change of emphasis in their programme. While the Tory - Conservatives were reconciling to the political system established during the past five years, the new Reformers were beginning to threaten the system which they themselves had helped to build. The frustration experienced under the double cabinet and double majority system strengthened the cry for representation by population as the solution for the existing deadlock.



CHAPTER III

THE TORY-CONSERVATIVE SUBMISSION

The emergence of a third political group in Canada West had made the double majority a difficult condition to be fulfilled. No single group could obtain an overall majority. Thus coalitions became an unavoidable feature in the Canada West section of the cabinet. The election of 1854 weakened the ministerial party and left the Tory-Conservative party as the largest single group. This made a new coalition of Canada West parties necessary in order to obtain a majority. The same problem that faced Hincks in September, 1851 faced Sir Allan MacNab in September 1854.

"Sir Allan and Mr. Macdonald are very sanguine of securing a parliamentary majority and doubtless they will go so long as supported by Hincks."<sup>1</sup>

In spite of his radical principles Brown himself expected to be invited by MacNab to assist in forming a new cabinet.<sup>2</sup> However, Hincks and Morin had discussed the terms of a new combination before MacNab approached Morin for the indispensable support of the French Canadian majority.<sup>3</sup> Two Hincksites, Ross and Spence, were to be admitted into

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1. Toronto Patriot, cited by the Globe Sept. 19, 1854.

2. Sir Joseph Pope, Memoirs of Sir John A. Macdonald, (Toronto, 1930), p.131

3. The Globe, Sept. 19, 1854.

the cabinet as "a guarantee for the measures before the House."<sup>4</sup>

The 1854 election returned a large number of members pledged for the outstanding reforms of the two provinces. Galt's main argument against the combination of Tory-Conservatives and Hincksites was that nearly four-fifths of the House were pledged for the secularization of Clergy Reserves and abolition of Seigneurial Tenure. Thus there was no necessity for such a combination. The Tory-Conservative party was opposed to secularization of Clergy Reserves.<sup>5</sup> The general opinion of the House, except for the strong radicals like Brown, Rolph and J.S. Macdonald, was that the nature of the political combination was less important than the reform measures that the country needed. Thus a fair number of members from both sections of the House openly declared that they would support any combination pledged to settle the major problems. Loranger declared, "there is no change in the measures or principles, only in the personnel of the Upper Canada section of the ministry. The Lower Canada section remains the same."<sup>6</sup> The same indifference to the traditional party division was expressed by Hartman, Marchildon, Southwick, Loranger, Pouliot, Prevost and Langton.<sup>7</sup>

This trend of thought, that political parties in themselves were

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4. Hincks to MacNab, cited by the Globe, Sept. 12, 1854.

5. Debates of the Legislative Assembly (Microfilm), Sept. 13, 1854.

6. Ibid.

7. Ibid., Sept. 11, and 13, 1854.

impotent in the face of sectional differences was the underlying factor that helped to forge the French and the conservative elements into a close alliance. The Tory-Conservative group was not only forced to adopt a policy less rigid, but were also forced to submit to the political system that had developed under the earlier ministries. The cabinet was the instrument in bringing about this reconciliation of the Tories and the Conservatives to the existing political reality. They were forced to abandon the racial policies they advocated before, to accept the double cabinet and double majority system and even to submit to the ascendancy of the French Canadian section in the cabinet.

Morin remarked, "the honourable gallant knight was activated by the spirit of purest patriotism in bending before the expressed will of the country."<sup>8</sup> There was no doubt that the Tory stalwart had submitted to the political reality and agreed to enter into an equal partnership of power with the French Canadians. For the radicals this was "... the most infamous and unparalleled apostasy... ." <sup>9</sup>

"Sir Allan MacNab, the hero of Navy Island and Mr. Augustine Norbert Morin - the still more famous author of the 92 Resolutions... .

... could these men possibly have united in the honest hope of carrying out the distinctive principles and measures which each stood pledged before the country."<sup>10</sup>

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8. Ibid., Sept. 11, 1854.

9. Ibid., Dr. Rolph's speech.

10. The Globe, Sept. 19, 1854.

In the new cabinet the Canada East section remained as before.

MORIN	-	Commissioner of Crown Lands
TACHE	-	Receiver General
CHAUVEAU	-	Provincial Secretary
CHABOT	-	Commissioner of Public Works
DRUMMOND	-	Attorney General

In Canada West the division in the cabinet was much greater than ever before.

MACNAB	-	President of the Executive Council.
CAYLEY	-	Inspector General
MACDONALD	-	Attorney General
ROSS	-	Speaker of the Legislative Council.
SPENCE	-	Postmaster-General

The 'old Tory blood' in MacNab was a burden in the cabinet. "You say truly that we are a good deal hampered with 'old blood',"<sup>11</sup> such was Macdonald's view of MacNab's presence in the cabinet. Ross, a close disciple of Baldwin, rarely agreed with MacNab. However their railway interests provided a common ground in the cabinet. Broadly the Canada West section of the cabinet was divided into three groups on party principles. MacNab was still attached to old Tory loyalties, while Macdonald and Cayley followed a more progressive policy. Ross and Spence were bound by the

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11. Pope, John A. Macdonald, p. 107. Macdonald to Captain Strachan, Feb. 9, 1854.

policies of the Hincksite following in the House. Thus cabinet cohesion was a lesser possibility. Under Baldwin and Lafontaine the cabinet showed considerable unity on a bi-sectional basis. After 1851 Hincks had to tolerate representatives of a different political group in his section of the cabinet. Under MacNab the division was greater. While the Canada East section of the cabinet could maintain the same unity and relative stability, in Canada West the division was becoming numerous. Thus stability could be maintained not ~~only by insisting~~ on a united and definite policy but by giving greater latitude to the different opinions. Furthermore fundamental issues on which agreement was difficult had to be avoided.

The principle of a double cabinet was accepted by the Tory-Conservative members in the cabinet. Duality was unavoidable. Not only the <sup>but</sup> duality, /even the minor divisions in the cabinet were accepted and continued. Macdonald in 1858 gave careful consideration to the conventions laid down during the earlier ministries.

"Macdonald knew the complicated rules well. And Cartier was always willing to expound them in his vigorous staccato style. Apart from the Solicitor General who was not formally a member of the cabinet there had to be in every self respecting administration two members from the district of Quebec and three from the district of Montreal, one of these must be a 'British' not a French Canadian."<sup>12</sup>

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12. Creighton, Macdonald, The Young Politician, p. 288.

Although at cabinet level the Tory and Conservative ministers had submitted to the principles of equality in power and influence for the two sections of the province, the conversion of the rank and file was still a problem. John A. Macdonald became the advocate of the new principles of partnership in power. He had<sup>been</sup> the acknowledged leader of the Conservative faction of the Tory party since 1847. The Conservatives urged a moderate policy in order to prevent the French Canadians from falling completely into the camp of the radicals in Canada West. However the annexationist and Orangist movements were closely associated with the Conservative faction of the Tory party. Although there was a mellowing of their attitude towards the French, the aim of British ascendancy and the assimilation policy were never openly abandoned. Even after 1849,<sup>the</sup> year they exhibited their most violent anti-French feeling, the Tories and the Conservatives continued to accuse the Reformers of submission to French domination. The Union of the two provinces was for the ascendancy of the British population and they had been supporting the movement for representation by population.

It was the gradual abandonment of this policy by the Tory-Conservative party that strengthened the alliance between the French 'Bleus' and the Conservatives. This change in the attitude of the Conservatives had to be imposed from above. Macdonald was the prophet of this policy, and constantly reminded the rank and file of the need to respect the position of the French Canadians. This was especially difficult because of the Tory-Conservative element in Canada East which felt the French ascendancy directly. Once the Tory-Conservative elements entered the

cabinet they realized the strength of the French section and gradually submitted to the same 'domination' they had been condemning before.

Before the alliance was formed Macdonald himself had been appealing to the British population against French domination.

"Between the great mass of the Reformers in Upper Canada and this largest or liberal section of the Conservatives there is little difference of opinion. Not one great principle divides them. Nothing but all recollections of antagonism and a reluctance to yield up the Reserves... prevents them from working cordially together. When they unite ... French Canadian supremacy will be at an end."

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During these early days of his career Macdonald did not adhere to any political principle. His success depended on his political tactics rather than on any principles. While he was appealing for an all British party against French supremacy he was expecting to join the French Canadians to form an administration.

"... there must be a change of ministry after the election and from my friendly relations with the French I am inclined to believe my assistance will be sought."

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However, after forming a cabinet with the French Canadians his endeavour was to convince the diehard Tories and suspicious Conservatives that

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13. The Globe, Feb. 27, 1854.

14. Macdonald Papers, (P.A.C.), Macdonald to Strachan, Feb. 9, 1854.  
Pape, p. 107.

the assimilation idea was impracticable.<sup>15</sup> Party commitments compelled him to publicly defend the rights of the French against the hopes of British ascendancy. Writing about the British population in Canada East to Brown Chamberlain of the Montreal Gazette, Macdonald maintained;

"You struggle not for equality but for ascendancy, .... you have not the honesty to admit it. You can't and won't admit the principle that the majority must govern. The Gallicans may fairly be reckoned as two thirds against one third of all other races, who are lumped together as Anglo-Saxons. The only remedies are in migration, and copulation of these will work wonders. The laws are generally administered to the British as the French."<sup>16</sup>

Thus Macdonald recognized the double majority and the division of the Province on the former boundaries. In essence it meant that Macdonald abandoned the original purpose of the Union. Furthermore Macdonald defended the cultural identity of the French people.

"No man in his senses can suppose that this country<sup>can</sup> for a century come to be governed by a totally unfrenchified government. If a Lower Canadian British desires to conquer he must 'stoop to conquer'. He must make friends with the French without sacrificing the status of his race or language, he must respect their nationality... . Call them a faction and they become a factious. Supposing the numerical

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15. Creighton, J.A. Macdonald, p. 225.

16. Brown Chamberlain Papers, vol. 2, Macdonald to Chamberlain, Jan. 21, 1856, cited by Creighton, op. cit., p. 227.



preponderance of British in Canada becomes much greater than it is, I think the French would give more trouble than they are said now to do... , from a sense of self preservation they will act as one man and hold the balance of power.... I doubt much however if the French will lose their numerical majority in L.C. in a hurry ... , I am inclined to think they will hold their own for many days yet."

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Thus Macdonald had reversed the Tory - Conservative policy. He not only recognized the existing political duality as unavoidable but also showed his willingness to reconcile <sup>himself</sup> to the bargaining position of the French. It was this new attitude towards the French that strengthened the Conservative alliance with the French. The Tory-Conservative party not only had to bow down to the opinion in Canada West but was also forced to abandon the ideas of British supremacy. The natural conservatism of the French Canadian 'Bleus' and the Conservatives was insufficient to bind them together in a lasting alliance unless the Conservatives recognized the position and influence of the French Canadian people. The alliance was further strengthened by the growing popularity of the radical movement in both sections of the Province. Brown's cry for representation by population threatened the influential position held by the French, and the Conservatives in their defence of the existing situation strengthened their claim for the French support.

On February 26, 1856 Brown embarrassed the Conservatives by a

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17. Ibid.

powerful attack on the "betrayal of their principles." This provoked Macdonald to a violent outburst of personal animosity against Brown.<sup>18</sup> It was during the very first session of the new parliament that Edmund Murney, - the Loyalist member from Hastings - accused the Conservatives of sacrificing their principles for power and holding office "at the mere whim of those to whom they had been opposed all their lives."<sup>19</sup> He expressed his disgust at such unprincipled behaviour of the Conservatives and desired resignation of his seat.<sup>20</sup>

The new cabinet had undertaken to settle the Clergy Reserves and Seigneurial Tenure questions and to make the Legislative Council elective. The Tories and Conservatives had always opposed the principle of secularization. MacNab admitted in the House that he<sup>had</sup> opposed secularization for twenty five years.<sup>21</sup> Macdonald in September 1852 appealed to the French Canadians to use their power to end<sup>the</sup> agitation of the radicals for secularization. He declared that no French Canadian should "lend his influence and support to a party who were seeking to destroy all ecclesiastical institutions, who would never rest until they tore down every church establishment in British American."<sup>22</sup> However the Conservatives realized that the rigid opposition on this issue was

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18. Creighton, op. cit., pp., 228-229.

19. Debates of the Legislative Assembly (Microfilm), Sept. 11, 1854.

20. Ibid.

21. Ibid., Sept. 13, 1854.

22. The Patriot, Sept. 24, 1852, cited by Creighton, op. cit., pp. 186-187.

strengthening the radical elements in Canada West. Yet they were unwilling to accept secularization. They therefore proposed the idea of denominational division of Clergy Reserve funds. Before the 1854 election, at a party caucus, Badgey and Sherwood urged the adoption of the secularization principle. MacNab was adamant on the old policy but expressed a willingness to "bow down to the voice of the country" when the need arose.<sup>23</sup> When the elections showed that the majority of the electorate favoured secularization, the Tory-Conservative group could conveniently accept it in principle. However, some of the Tory newspapers continued to hold fast to the old policy. The Hamilton Gazette warned Morin not to undertake secularization.<sup>24</sup> The Catholic press was indignant and tried to maintain that

"When Mr. Morin announced that secularization of reserves in a popular sense he did not intend it to be carried out according to Hincks ideas of justice or equity. The political programme announced by the present ministry embraces "the Reciprocity Treaty", "the remodelling of the Legislative Council", "The Clergy Reserves", "The Seigneurial Tenure" and ... the amendment of Mr. Ryerson's handiwork - the separate schools bill -."<sup>25</sup>

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23. The Montreal Gazette, July 19, 1854, cited by Creighton, op. cit., pp. 204-05.
24. Hamilton Gazette, cited by the Globe, Sept. 22, 1854.
25. The Globe, Sept. 22, 1854.

The Canada East section of the cabinet remained unchanged. Morin and Taché personally presented no opposition for the secularization of Clergy Reserves. They were alarmed by the strengthening of the Rouges in Canada East. The main platform of the Rouges was the failure to abolish Seigneurial Tenure. Thus the French Canadian ministers were willing to give their support for Clergy Reserves secularization in return for the abolition of Seigneurial Tenure. The ~~Hincks-Morin~~ ministry itself had pledged to settle the Clergy Reserves question in an enlarged House. Therefore the Canada East section of the cabinet undertook to support a settlement.

Before the end of 1854 bills were introduced for secularization of Clergy Reserves and the abolition of Seigneurial Tenure. An amendment was introduced by a powerful Orangeman, - J.H. Cameron - to Macdonald's bill for secularization. It intended to save a large portion of Clergy Reserves funds for the church.<sup>26</sup> Cameron

"represented the old tradition of concern for Upper Canada Protestantism and Upper Canadian sectional interests, which the old Tories had cherished in the past and which they had never yet distinctly repudiated."<sup>27</sup>

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26. Creighton, op. cit., pp. 211-212

27. Ibid, p. 213.

The declaration of cabinet policy on secularization did not convert the rank and file of the old Tories. They had to be gradually tamed by the use of the French Canadian majority.

What actually threatened the bill was the clause III which, while admitting the need to separate the church and state provided that commutation be paid to the incumbents. For the radicals this was the antithesis<sup>28</sup> of secularization. On this clause the radicals in Canada West made a determined effort to defeat the ministry in Canada West. The ministry itself required a frantic effort to avoid defeat. The radicals failed in their object only by four votes.<sup>29</sup>

Seigneurial Tenure was "granted for Canada East as a quid pro quo for settling the Clergy Reserves."<sup>30</sup> As in the case of Clergy Reserves the Tory-Conservative members of the cabinet had to abandon their former policy. Macdonald himself in April 1853 had introduced an amendment against the use of Canada West funds to compensate Canada East seigneurs.

"That it is inexpedient and unjust to the tax payer of Canada to appropriate any portion of the Territorial revenues of the Province to the payment of indemnity to be awarded to the seigneurs of Lower Canada in as much as the proposed legislation under the bill as now framed is of local interest only, and such indemnity should be paid by the parties immediately benefitted by these."<sup>31</sup>

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28. Moir. Secularization of Clergy Reserves, C.H.R. vol. 37, 1956, p. 53.

29. The Globe, Mar. 14, 1855.

30. Moir, Church and State in Canada West, p. 77.

31. The Globe, Jan. 22, 1855.

The same amendment was moved by W.L. Mackenzie on November 16, 1854.

The Conservatives who voted for Macdonald's amendment in April 27, 1853 voted against Mackenzie's amendment.<sup>32</sup> The objection to the seigniorial tenure bill on the part of the Canada West members was due to the use of Canada West revenue for the payment of seigneurs in Canada East. Brown opposed the bill because it "robbed the farmers of Upper Canada for the benefit of the *gensitaires* of Lower Canada."<sup>33</sup> The least opposition was shown on the reforms in the Legislative Council. It was passed in the House by 80 to 4.<sup>34</sup> Various groups voted for the bill on different grounds.

The duality inside the cabinet was strictly maintained throughout the past six years. In August 1851 Hincks forced the resignation of Lafontaine by the entire resignation of the Canada West section of the cabinet. In September 1854 MacNab, who was the legal head of the administration, had to accept en bloc the existing Canada East section of the cabinet. MacNab only reconstructed the Canada West section of the cabinet. In February, 1855 Morin, who had been waiting for a seat in the Bench, decided to retire. This meant the resignation of the acknowledged premier of the Canada East section of the cabinet. The newspapers of the time always referred to two premiers following in the tradition of the Lafontaine-Baldwin cabinet.

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32. Ibid.

33. Ibid.

34. Journals of the Legislative Assembly, vol. 12, 1854, p. 766.

MacNab decided to fill the vacancy created by Morin by promoting Taché to the vacant premiership. However, this was contrary to the sectional loyalty and responsibility of the cabinet. On February 3 1855 MacNab announced in the House:

"His Morin's retirement in the opinion of the Receiver General Tache and other members from Lower Canada involved the dissolution of that section of the administration, and the members thereof placed their resignation in my hands with the authority to make such use of them as I might think proper in the reconstruction in the Lower Canada portion of the cabinet."

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This was a very clear indication of the cabinet conventions of the time. There was a definite legal head of the administration. Lafontaine, Hincks and MacNab were the legal heads in the three ministries since 1848. The two sections in the cabinet existed as extra-legal developments. The double premiership and double ministries were the visible expressions of this duality in the cabinet. While the double ministries like the two Attorneys General possessed legal basis the double premiership was extra-legal.

Under the reconstructed Canada East section of the cabinet Taché became the leader. Cauchon, Cartier and Lemieux replaced Morin, Chabot and Chaveau. The most significant change is in the inclusion of Cartier who combined his strong loyalties to the French Canadian population with the economic interests of the Province as a whole. Soon he was destined to enter into a partnership with J.A. Macdonald. This

combination rivalled the achievements of the great Lafontaine-Baldwin combination.

However what interested the radicals in Canada West in the new cabinet reconstruction was the accession of Cauchon. His conservatism and ultra-nationalist stand was too well known in Canada West.

"Mr. Cauchon will be the master mind of the French Canada section of the cabinet and there is no doubt as to the path he will follow." 36

The Globe also feared a conspiracy to establish a completely conservative cabinet.

"Many honest Reformers were disposed to repose a little confidence in the coalition because they considered that while such men as messers Morin, Chabot and Chauveau were in it some regard would be paid to reform privileges; but now the political cards have changed; the ghostly liberalism of the cabinet and the grasping spirit of Toryism embodied in the coalition have had a compact of some description...." 37

The fears of the radicals were not without sufficient reasons. Cauchon was the most outspoken critic of the presence of Clear Grits in the Hincks - Morin ministry. He welcomed the Tory-French combination under MacNab and Morin and even declared that there had never been a cordial alliance between the French and the Canada West Liberals. 38

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36. The Globe, Jan. 29, 1855.

37. Ibid., Feb. 7, 1855.

38. Debates of the Legislative Assembly (microfilm), Sept. 13, 1854.



The more important reason was that Cauchon was rallying a considerable following around him in Quebec and in order to obtain sufficient support for Quebec Cauchon had to be given a place in the cabinet. It was essentially a concession to the more national-minded French rather than to conservatism in Canada East.

The settlement of the Clergy Reserves question did not end the radical agitation in Canada West. <sup>The</sup> separate schools question had been a perennial cause of conflict between the Catholic and Protestant sections of the population. This question had always provided the reason for the cries of 'French domination' and 'priestly rule'. The Tories and the Conservatives used these cries as often as did the Clear Grits in condemning the earlier ministries.

In May 1855 the Taché Act renewed cries of French domination. Macdonald introduced in the Assembly a Separate Schools bill which had earlier been introduced in the Legislative Council by Taché.<sup>39</sup> Bishop Charbonnel had been exerting great pressure on the ministry for further concessions for Catholic education in Canada West.<sup>40</sup> The new bill intended to give the right of request for separate schools to ten persons who thereby could claim ~~the~~ public funds for such purposes.<sup>41</sup>

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39. Careless, Brown of the Globe. p. 203.

40. Walker, Catholic Education and Politics, p. 153-170 cited by Careless, loc. cit.

41. Careless, loc. cit.

The bill was introduced on May 21, and the second reading was moved for/22. The end of the session was carefully chosen for the introduction of the bill so as to avoid the opposition of most of the Canada West members. Only twenty-five to thirty members from Canada West were left.<sup>42</sup> Brown appealed against this injustice. However, the bill was passed with a majority of the Canada West members present voting against it.<sup>43</sup>

Macdonald defended the bill on the rights of Roman Catholics to educate their children according to their own principles. However, the tactics adopted to avoid opposition were sufficient to expose the ministry to/of French and priestly domination. The Catholic Citizen in September 1854 announced,

"... the School bill will be placed on such a footing as to prevent that Machiavel of Methodists, the chief superintendent of Education from again dipping his tail or whiskers into the system of Separate Schools."<sup>44</sup>

The Taché act clearly indicated that Macdonald and his colleagues had submitted to the strength of the French section of the cabinet.

"Never had the fact of Lower Canadian domination French Catholic power seemed more obvious. Things were no better. They were worse under the coalition

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42. The Globe, June 6, 1855.

43. Ibid.

44. The Catholic Citizen, cited by the Globe, Sept. 22, 1854.

and the shift in parties. Never before had the existing provincial union looked so unsatisfactory to aggrieved Upper Canadians."<sup>45</sup>

In January 1856 Bishop Charbonnel issued a declaration that the Roman Catholics in Canada who did not use their votes on behalf of Separate Schools were guilty of mortal sin.<sup>46</sup> If there was any truth in the cry of 'priestly rule' before it was no less true under the present combination. The significant fact was that the Tory-Conservative group that never failed to censor the earlier ministries on such grounds had submitted to the unavoidable consequences of the political duality. As long as the French section of the House remained a solid group with the control of half the administration there was no possibility of avoiding their dominant position in the government. In the cabinet the French formed a strong united front which could not be thwarted without expecting disastrous consequences. The ministry existed on the participation of the majority of the French and the danger of a break up was ever present. The Tory-Conservative group was forced to submit to a situation which they never approved of, before they entered the alliance.

In February 1856 the cabinet faced another crisis. The agitation over the Corrigan murder trial<sup>47</sup> created tension in the cabinet. The

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45. Careless, Brown of the Globe, p. 204.

46. Ibid, p. 214

47. Seven Irish Roman Catholics were accused of the murder of Edward Corrigan, a Protestant at Quebec. The evidence showed that the victim had identified the chief assailant. The Irish-French jury and the French Canadian judge returned a verdict of not guilty.

Hincksite group in the Assembly was dismayed by the new evidence of the French domination. On the other hand/<sup>the</sup> old Toryism was still strong in the administration. The anti-French feelings of the Tory elements were trying to assert/<sup>their</sup> strength in the administration. The ultra conservative organ, - the Leader announced on February 26, 1856 that a meeting of the Tories was held under J.H. Cameron to discuss the government's education policy.<sup>48</sup> This was regarded as an indication of an attempt to build a separate Tory party on the old intransigent principles.<sup>49</sup> MacNab had been the nominal leader of the cabinet. His ill health kept him away from active politics. However, his former principles were never completely abandoned. There was evidence of his attempts to inspire the movement of the ultras against the 'Francophile' government of which he himself was the head.<sup>50</sup> J.H. Cameron, the leader of this movement, took advantage of the Corrigan murder trial agitation to embarrass the government. He introduced a resolution requesting the Governor General to submit the report of the judge in the Corrigan case. The vote went 48 to 44 against the government with only two votes, besides those of the ministers themselves, from Canada West.<sup>51</sup> This support was another example of resolutions which were designed to obtain the/of all

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48. The Leader, Feb. 26, 1856. cited by Creighton, <sup>op.cit.,</sup> p. 231.

49. Careless, Brown of the Globe, p. 215.

50. Creighton op.cit., p. 231.

51. Ibid, 232.

types of opinion in the Assembly. On this resolution the appeal was for the Protestants against Catholic domination. Thus it was not difficult to obtain a majority against the government in Canada West. The absence of well organized and disciplined parties made it difficult to maintain a stable backing in the House for the ministry. On issues pertaining to sectional interests the ministry could not take a definite stand because of sectional composition of the cabinet. On the Corrigan case the Canada West section of the cabinet could not challenge the Canada East section to submit to popular demand in Canada West. While the cabinet was forced to remain undecided its supporters tended to desert the government camp. This feature in Canadian Cabinet government was present from the very beginning, but was not sufficiently prominent until the end of the Hincks - Morin ministry.

In the case of Cameron's resolution the supporters of the Canada West section of the ministry almost completely went over to the opposition. The vote was important because it expressed sectional feeling. The embarrassment that the defeat created in the cabinet compelled Macdonald to announce that the Canada West section of the cabinet would resign if the resolution was not rescinded. However the cabinet had found a new refuge in votes of confidence. Immediately after the defeat a vote of confidence was moved in order to nullify the effects of the defeat on Cameron's resolution.<sup>52</sup> On this vote of confidence the ministry

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52. Careless, Brown of the Globe, pp. 219-20.

won by 75 to 42. The ministry then advised the Governor General not to comply with the request to submit the report of the Corrigan case judgement

This incident provided the opportunity for the two Hincksite Liberals in the cabinet to urge a reconstruction of the cabinet. Their particular grievance was the presence of the Tory dead weight at the head of the ministry. They argued that the Liberal following could not be maintained unless MacNab were removed from the cabinet. Ross gave the lead in the campaign against MacNab by resigning in April 1856.<sup>53</sup> A struggle to oust MacNab and reconstruct the ministry on a more liberal basis had been going on behind the scenes for some time.<sup>54</sup> MacNab had become a mere dead weight in the cabinet. The old anti-French Toryism was kept alive by his presence in the government. The French Canadians were undoubtedly glad to throw him out. Macdonald himself had been aiming at the leadership of the party for some time. Thus the desire to oust MacNab from the cabinet came from all sides. However, MacNab tried to linger on even though he was losing support in his own party. It was evident that only by sacrificing the old knight could the ministry survive.

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53. Dent, The Last Forty Years, vol. 2, 334.

54. Careless, Brown of the Globe, p. 220.

Macdonald had found the answer to the problem that the Tories had been trying to solve since the 1837-38 Rebellion. He had submitted to the reality of the existence of two distinct racial and cultural groups under a united system of government. Toleration of the duality was the answer. "True you suffer occasionally from a Gavazzi riot or so, but in the first place you Anglo-Saxons are not bad hands at a riot yourselves... ."55

It was this policy of tolerance and submission to the French Canadian influence where ever necessary that strengthened the alliance. Such a policy was incompatible with the old Tory spirit. On the seat of government question Macdonald wrote to his mother: "The French will, I think be too strong for us and we must submit to going to Lower Canada..."56

Macdonald struggled against the French Canadian united front which demanded the seat of government permanently in Canada East. He voted against the motion to make Quebec the capital after 1859 but it was passed in the Assembly.<sup>57</sup> The seat of government had always been an open question. No cabinet could take a definite stand on it. As a consequence of the decision to establish the seat of government in Quebec after 1859 the ministry attempted to provide funds for construction work to start in Quebec. On this question Pepin moved an amendment exposing the lack of confidence in the government on the way the seat of government question

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55. Brown Chamberlain Papers, vol. 2, Macdonald to Chamberlain, Aug. 7, 1855, cited by Creighton, op. cit., p. 226.

56. Macdonald Papers (P.A.C.), Macdonald to his mother, Mar. 17, 1856.

57. Creighton, op. cit., p. 235.

was handled. This was defeated by 70 to 43 in favour of the government, yet, in Canada West the ministry was in a minority. This brought to a climax the struggle to reconstruct the ministry on a more liberal basis. The two Hincksites in the cabinet - Spence and Morrison - <sup>58</sup> expressed their desire to resign on the grounds that the Hincksite reformers in the Assembly were refusing to support the ministry. Macdonald and Cayley made use of the opportunity to submit their resignations too, in a bloc, so as to force MacNab to resign. This was possible because a large section of the Conservative following in the Assembly had their co-operation for a reconstruction of the cabinet under Conservative leadership in Canada West. <sup>59</sup> It was purely a sectional cabinet crisis and did not concern the Canada East section of the cabinet directly. The resignation of four ministers could force the leader out of the cabinet because of the sectional division in the cabinet. MacNab was left alone in Canada West. Besides, MacNab could not obtain a majority without the support of the four ministers who had resigned. The occasion itself was the loss of a majority in Canada West on the seat of government question. The Governor General was in strong disapproval of the policy adopted by Macdonald and the other ministers. He pointed to the principle involved in their resignation.

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58. Morrison had replaced Ross in April 1856. He was a disciple of Baldwin and encountered considerable opposition from the old Reform group in the House against his entry into the cabinet.

59. Creighton, op. cit., p. 238., p. 240.



"As a matter of course I could not compel the gentlemen to remain in office who insisted in resigning - I gave time for consideration and urged the pernicious character of the principle involved in such a step. The gentlemen in question, messers Macdonald, Spence and Morrison did not defend the principle but they could not be brought to defend a different view of the course to be perceived. They stated practically their supporters were falling off from day to day and if they remained it was only to be defeated immediately on some subsequent question."<sup>60</sup>

Although the Governor General used this influence on the ministers to disavow the double majority principle he was aware of the strength of the argument in favour of the need for a majority in Canada West. It was simple to disavow and condemn the principle but to repudiate it in its practical application was impossible. A ministry could sustain an occasional defeat in one section of the province with a diminished prestige, but to continue in power without the backing of a majority in each province was inconceivable.

Neither Sir Edmund Head nor MacNab attempted to fill the vacant places in the cabinet in order to continue the administration. The ministry as a whole enjoyed a majority of twenty to twenty-three even on difficult questions like that of the seat of government. Thus there was no constitutional obstacle in the way of the ministry's attempting to continue in power. Yet on the practice of the past few years no such government could be tolerated in Canada West and the French would not join in a partnership without a majority support in Canada West.

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60. C.O. 42, (P.A.C.), vol. 604. Head to Laboucere, May, 26, 1856.

Therefore, "to fill up these places in the present condition of things was in my opinion impossible.", wrote Sir Edmund Head.<sup>61</sup>

MacNab had, as the constitutional head of the ministry, no alternative other than to submit the resignation of the rest of the cabinet. Thus a few ministers could force the resignation of the whole cabinet essentially because of the double majority requirement.

"Sir Allan MacNab and the remainder of the Council though not recognizing a sectional majority as a sufficient reason for a change of government had no alternative but to place the offices they now hold at His Excellency's disposal."<sup>62</sup>

Sir Edmund Head explained to Labouchere, - the Colonial Secretary, - the difficulties arising out of the conflict between the constitutional theory of parliamentary government and the conventions that had developed out of the peculiar conditions in Canada.

"You will observe Sir that my position was embarrassing for two facts.

1st that there had been no ministerial defeat. Consequently no other party could claim to be sent for as possessing the confidence of the House.

2nd that the peculiar state of public affairs with the estimates half voted, necessarily must make me reluctant to dissolve parliament until the business was got through."<sup>63</sup>

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61. Ibid.

62. E Series (P.A.C.), 1856 pp. 294-95, Sir Edmund's Memorandum to the Executive Council, May 22, 1856.

63. C.O. 42, (P.A.C.), loc. cit.

The Governor condemned the principle of double majority in the same tone as it was done by Baldwin in 1845.

"His Excellency further expresses his conviction that he has no alternative but to look upon the present movement as a virtual dissolution of the existing administration. His Excellency does not by this admit or sanction in any way the doctrine of a double or sectional majority as necessary for a government in Canada. On the contrary that it is a doctrine at once irrational and unconstitutional and if carried out might involve the consequence of a ministry being obliged to resign although the party by whom they had been defeated did not and could not possess the confidence of the Legislative Assembly." 64

The constitutional anomaly involved in the double majority was never fully discussed before. The previous governor had objected to the principle of the double majority from the very beginning but later admitted its inevitability. Sir Edmund Head, however, went beyond mere condemnation of the principle and the practice.

"I have told Colonel Taché that I expect the government formed by him to disavow the principle of a 'double majority', that is to say, to say clearly that they do not conceive their position as a government to depend on their having a majority of Upper Canada and a majority of Lower Canada members." 65

The double majority was never accepted and applied as strict principle. Its theoretical incompatibility with the working of a united

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64. Ibid.

65. Ibid.

legislature and an executive was obvious. Yet it grew out of the duality in Canadian society and a close adherence to double majority system became inevitable. If the principle was unacceptable the practice was desirable. However, the working of the cabinet government was seriously hampered by this practice.

Sir Allan MacNab was ousted from the cabinet by the use of the weapon of double majority. His retirement was the climax of the process of submission of the Tory and Conservative groups to the system of political duality. Macdonald's accession to the leadership in Canada and West strengthened the alliance between liberal/<sup>and</sup>conservative elements in both sections of the province. Although this did not result in a more unified or homogeneous cabinet it began to take a united stand against the growing radical movements in both sections of the province. This further strengthened the alliance between the liberal and conservative forces.

From the beginning of the second half of 1856 Canadian politics entered the crossroads. The use of double majority as an instrument to embarrass the governments became more frequent. This resulted in a greater deadlock than before. The cabinet remained unstable and undecided as before. The search for a solution for the deadlock necessarily raised fundamental issues. Single majority, representation by population, equal representation, federation or separation, these were some of the issues that left the cabinet divided and therefore without a definite stand on any solution.

CHAPTER IV

THE OPPOSITION IN POWER

Sir Allan MacNab's removal from the cabinet was primarily a move to bring a degree of harmony into the cabinet. Undoubtedly the Liberal elements in the Canada West section of the cabinet found it easier to co-operate with John A. Macdonald rather than with MacNab. The settlement of <sup>the</sup> Clergy Reserves question removed the chief cause of conflict within the cabinet. After 1856 the ministry tended to avoid more fundamental issues and was on the defensive against the attacks of the opposition groups on such issues. Thus an outward solidarity was being achieved by the cabinet. The nature of the political conflict of the time is aptly described by Donald Creighton,

"The Conservatives seemed to have no solution what ever for the endless problems created by the cultural division of the province. Almost every other party, or fragment of a party had a solution. They represented the degrees of political indecisiveness from the complete catastrophic to the mildly reformist. Any one of them could be made to look plausible, and all of them were given lengthy hearing in the session of 1858."<sup>1</sup>

It was in this background of political indecisiveness that cabinet government in Canada approached its biggest crisis in the 1850's.

The removal of MacNab did not strengthen the administration in Canada West. Ten days after Macdonald assumed the leadership in the

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1. Creighton, op. cit., p. 263.

Canada West section of the cabinet the ministry was beaten in Canada West by a margin of fifteen votes.<sup>2</sup> However, the ministry decided to defy the double majority argument against it on the most valid grounds that the opposition was unable to form an alternate or alternative government. A significant effect of the system of political duality was the ability of even a small majority in one section of the House to embarrass and even force a section of the ministry out of office. In June 1851 a relatively small combination of anti-Baldwin elements could force Baldwin out of the ministry and precipitate a cabinet reconstruction. Similarly in June 1854 diverse elements rallied to compel Hincks and his colleagues to resign. The double majority had resulted in the/of placing the cabinet at the mercy of a majority in one section of the province.

"The effect of double majority will be to keep the majority of the whole country under the control of the minority in Lower Canada ... and the majority in Upper Canada under the control of the minority...."<sup>3</sup>

observed Merritt in the Assembly. Although there was no strict adherence to the double majority rule the attempt to realize it in practice gave undue prominence to small groups in the Assembly. Even personal 'tails' of few members could play a deciding role. The racial division on the other hand made it extremely improbable for political parties to develop on a national scale. The consequence of

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2. Careless, op. cit., p. 224.

3. Debates of the Legislative Assembly, (Microfilm), Sept. 20, 1854.

This had been not only the heterogeneous composition of the cabinet since 1851 but also the inevitable division in the opposition. An essential requirement of healthy cabinet government is that the various parties must alternate in forming the government. Lord Elgin realized the immense significance of this constitutional principle.

"That ministers and oppositions should occasionally change places is of the very essence of our constitutional system, and it is probably the most conservative element which it contains. By subjecting all sections of politicians it obliges heated partisans to place some restraint on passion and to confine within the bounds of decency the patriotic zeal which when out of place they are wont to be maintained."<sup>4</sup>

After 1848 in Canada there was a unique development of cabinet government. The political parties were divided on a racial basis more or less coinciding to the former provincial boundaries. The essentially sectional politics of the French Canadian leaders gave them an unshakable solidarity among their own racial stock. The double majority checked any tendencies towards political unity. Under such circumstances the emergence of a parliamentary opposition capable of forming an alternate government was extremely improbable. However, some of the advantages of opposition rule, as Lord Elgin envisaged it, were not completely absent in Canada at this time. The Clear Grit opposition was at least

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4. Elgin-Grey Papers, vol. 1, 45-46, Elgin to Grey, May 27, 1847.

temporarily checked by their association in the cabinet under Hincks. They agreed to participate in government on very modest terms. The Tory-Conservative ambitions were sufficiently modified by their association with the French and the Hincksites in the cabinet. Yet the most essential purpose of the existence of an opposition - the challenge it offered to the party in power through an alternate programme of action - was in effect made very difficult by the duality in political life. Here was the dilemma of cabinet government in Canada.

Since Lafontaine and Baldwin formed their ministry on a dual basis there was no powerful opposition party or parties in the Assembly capable of completely ousting the existing ministry. The Clear Grits were absorbed into the ministry for a short time and later the Tory-Conservative group entered the rump of the Hincks-Morin cabinet. Since 1854 Brown had<sup>been</sup> attempting to build a party of his own. He appealed to the liberal elements but except on an anti-government feeling there was no basis for a united front. Brown's plan at first was to unite the diverse reform elements in Canada West into an all British reform party. On June 22, 1854 when the Hincks-Morin government was defeated, Brown called a meeting of the Canada West liberals and radicals and made a compact to oppose the ministerialists at the coming elections. On September 11, 1854, when the MacNab-Morin government was announced, the opposition from both sections of the province unitedly issued a statement of condemnation of the coalition.



However, these attempts at united action were sporadic. The diverse factions did not attempt to come to an understanding on the basis of each others' principles. The diversity was too great. There were, in this group of September 11, 1854, Rouges, like Dorion and his associates, Galt and Holton, a few French liberals and disgruntled Bleus. And from Canada West there were Clear Grits, Rolph and Hartman, along with the thorough-going independents like W.L. Mackenzie and the Brownites.<sup>5</sup>

On December 15 1856 the Globe office sent out a circular signed by Gordon Brown and MacDougall calling for a convention of Canada West Reformers. It expressed the urgent necessity for a efficient political movement,

"...to oppose the reckless administration of public affairs under which Canada now suffers. Sustained in office mainly by representatives of one section of the province the government systematically pursues a sectional policy humiliating to the inhabitants of Western Canada and most injurious to the moral and material interests of the whole country."<sup>6</sup>

The aim of the new movement was therefore to elevate the political life of the province from sectionalism and also to rescue Canada West from her humiliating position. Representation by Population was the main answer. Uniform legislation, a national system of education, and free trade

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5. Careless, op. cit., p. 195-196.

6. Brown Papers (P.A.C.), p. 265, Printed Circular, Dec. 15, 1856.

were some of the other reforms advocated by the circular. On January 8, 1857, 150 Reformers met at Toronto and adopted the platform put forward by the Globe office.<sup>7</sup> Disagreement was found on Brown's idea of gradual assimilation of the institutions of Canada West and East. Foley opposed this policy on the grounds that the French Canadians would be hostile and political co-operation with them would be difficult. Brown was convinced that the French population had to be assimilated to the British gradually and that representation by population should be the instrument.<sup>8</sup>

In Canada East Sicotte and Dorion were building the Rouge party. They had their own brand of nationalism, opposed to the dominant position of the Catholic church, but by no means disloyal to French Canadian nationalism. Thus Brown's principle of 'rep by pop' was destined to keep the two opposition groups divided.

While there was a growing realization of the need of a united opposition the ministry was attempting to absorb all shades of political opinion into its own camp. Cartier, who replaced Taché in November 1856, was determined to make the Bleus the only party in Canada East. He offered seats to Sicotte and Belleau in the cabinet and approached Dorion.

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7. Careless, op. cit., p. 196.

8. Ibid., p. 235.

through Sicotte.<sup>9</sup> Cartier attempted to include even the independent British members in Canada East. Galt was offered a seat in the cabinet.<sup>10</sup> This calculated policy was rewarded at the election of 1857-58. The Bleus obtained 49 out of the 65 seats while the Rouges could obtain only seven seats. The Rouges were weakened by the use of the cry of "radicalisme Brownite" against them. In Canada West the ministerialists were returned in a minority of 28 to 33.<sup>11</sup> Three ministers Cayley, Spence, and Morrison were defeated and Macdonald was looking for 'loose fish' to strengthen the ministerial support. The ministerial organ, The Leader, tried to underestimate the ministerial concern over the loss of the majority in Canada West.

"The most that can befall us is the payment of a small sum for a few stray Clear Grits. They can be bought cheap as dirt any day."<sup>12</sup>

According to the Globe the only Clear Grit who could be bought was Malcolm Cameron. He was offered a seat in the cabinet if he succeeded in finding seats for the defeated ministers.<sup>13</sup> J.S. Macdonald's support was sought by the ministry in order to obtain the backing of his 'tail' of followers.<sup>14</sup> The Globe rumoured that the former Hincksite, Foley,

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9. Dent, Canadian Portrait Gallery (Toronto, 1880), vol. 2, 79.

10. Creighton, op. cit., p. 235.

11. Cornell, C.H.R. op. cit., p. 27.

12. The Leader, cited by the Globe, Jan. 12, 1858.

13. The Globe, Jan. 12, 14, 1858.

14. Ibid., Jan. 19, 1858.

was offered a cabinet position if he could find a seat for Spence in Norfolk.<sup>15</sup> Finally J.A. Macdonald succeeded in bringing back Ross who was in the Legislative Council. The other vacancy created by the defeat of the two Hincksites was filled by Sydney Smith, a former Reformer.<sup>16</sup>

The new feature in the cabinet was that it was becoming essentially a collection of individuals. The old party divisions of Tory, Conservative, and Liberal were merging in Canada West. All except the radicals of the Brownite type the others could be accommodated in the cabinet. Malcolm Cameron and J.S. Macdonald were mere independent leaders with a radical background. Thus Macdonald was trying to include these elements to make the cabinet more representative. This was a check against Brownite radicalism. In Canada East the Rouges were accused of 'le radicalisme Brownite'. The attempt was to prevent a united radical movement. The political division was gradually developing on a radical anti-radical basis. Only the radicals offered a new policy with regard to the questions of representation, church and state, Education, Union and Federation. Thus radicals were beginning to form a distinct opposition to the ministry, though by no means united.

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15. Ibid., Jan. 14, 1858.

16. Ibid., Jan. 22, 1858.

The Macdonald - Cartier cabinet was composed of the following members.

CANADA EAST

CARTIER	-	Attorney General
SICOTTE	-	Commissioner of Crown Lands
BELLEAU	-	Speaker of the Legislative Council
ALLEYN	-	Provincial Secretary
LORANGER	-	Chief Commissioner of Public Works

CANADA WEST

JOHN A. MACDONALD	-	Attorney General
CAYLEY	-	Inspector General
VANKOUGHNET	-	President of the Executive Council
ROSS	-	Receiver General
SYDNEY SMITH	-	Postmaster-General

This arrangement was the result of careful observation of all complicated rules of cabinet making established since 1848.<sup>17</sup>

The added strength of the opposition in Canada West was giving Brown hopes of forming a ministry in the future. Therefore since January 1858 Brown had slowly/<sup>been</sup> exploiting every means possible to come to an understanding with the different opposition groups. The issues that came up during these early months of 1858 militated against the hope of forming a united

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17. Creighton, op. cit., p. 256.

opposition group. While the government in its uncommitted defensive position could maintain its outward solidarity, the opposition was getting divided more and more.

Representation by population had been Brown's most consistent platform since 1852. By December 1852 he could obtain a majority of Canada West members in support of this principle. In March 1858 Brown's amendment for the adoption of 'rep by pop' received 32 to 86 votes. All 32 votes were from Canada West and only 28 were on the side of the ministry from Canada West.<sup>18</sup> Of greater significance than the unanimous opposition of the French Canadians to this principle was the split in the opposition itself. Dorion, the Rouge leader and McGee, the new convert to Rouge ranks were opposed to the principle of 'rep by pop', J.S. Macdonald himself voted against Brown's amendment.<sup>19</sup> John A. Macdonald declared that the government was not going to take any stand on the issue.<sup>20</sup> He had personal objections to the principle on the ground that it would lead to universal suffrage.<sup>21</sup>

'Rep by pop' agitation had made the French Canadians "look on the once hated Union as a treaty, charter and fundamental document."<sup>22</sup>

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18. Montreal Pilot, Mar. 1, 1858.

19. Ibid.

20. The Globe, Mar. 15, 1858.

21. Skelton, Galt, p. 211.

22. W.P.M. Kennedy, The Constitution of Canada, 1534-1937 (Toronto, 1938), p. 276.

Sicotte, the Commissioner of Crown Lands in the Macdonald - Cartier cabinet, was an exponent of the double majority principle as a constitutional rule. In defense of this principle he considered the Union as a federal arrangement. Thus no majority of one section could rule over the other.<sup>23</sup>

Thibaudeau maintained that the Union was a sort of a Confederation and reminded the House that the proposal to accept representation by population was supported by only a few French Canadians in 1849.<sup>24</sup> It was Cauchon with his strong sectional bias who explicitly identified double majority with the Union. In his famous resolution on double majority he asserted that equal representation accepted the Federal principle within the Union and,

"... that the parliament of Canada admitted and sanctioned the same principle when in increasing the number of the representatives ... it maintained a numerical equality between the two provinces; that Canadian Parliament gave it a yet more decided and expressive sanction by extending it to the Legislative Council... that Her Majesty's representatives in selecting their Executive Councillors as a rule, in equal numbers from Upper and Lower Canada have also acknowledged this principle of the Union... that the same acknowledgement of the principle by the administration can only be substantial so long as the Executive Councillors taken from either section of the Province possesses the confidence of that section, expressed by the majority of its representatives."<sup>25</sup>

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23. The Globe, Mar. 15, 1858.

24. Ibid., Mar. 19, 1858.

25. Montreal Pilot, Mar. 18, 1858.

Although the same explicit terms were not used by all French Canadians a departure from the double majority was generally considered by them as injurious to the Union. For Canada West a departure from double majority was essential and could be effectively achieved only by the application of the principle of 'rep by pop'. Even the ministerial supporters of Canada West were in favour of the principle and feared that if double majority was accepted as a constitutional rule as Sicotte, Thibaudeau and Cauchon advocated the agitation for 'rep by pop' might be killed.<sup>26</sup> The principle of 'rep by pop' could be challenged only by the double majority principle, therefore the Globe had been advocating that the ministry should either accept the latter principle or reject it.<sup>27</sup> Brown condemned the double majority as enshrining the existing duality but under the existing practice Macdonald should resign as he had already lost his majority in Canada West.<sup>28</sup>

The attitude of the opposition on this question was aptly described by the Pilot.

"The opposition would be glad to get possession of power by means of the Double Majority fallacy in which they do not believe or profess to believe."<sup>29</sup>

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26. Ibid, Mar. 25, 1858.

27. The Globe, Mar. 23, 1858.

28. Ibid, Ap. 14, 1858.

29. The Pilot, Mar. 25, 1858.



Brown was trying to exploit the apprehensions of the French to a single majority system, in order to induce the French Canadians to force Macdonald to resign.

"If he, J.A. Macdonald, could let him rule with a Lower Canadian majority, but he broke up the MacNab ministry on the same point that he will never rule Upper Canada with a Lower Canadian majority. If he has changed his views - let him go ahead O but Lower Canada should remember the rule works two ways."<sup>30</sup>

Since January the ministry had virtually existed on a single majority basis. Yet the ministers from Canada West were unable to accept it as a rule because of the fears of the French Canadians.

"Of all things the dominant party in the eastern province dread most is an Upper Canadian majority controlling their internal affairs, and that will surely come if they attempt to rule the west with their majority. Not one French ministerial journal has yet adopted the single majority idea which the Leader and the Colonist have pressed upon them so indecently."<sup>31</sup>

J.S. Macdonald supported the double majority on the logic of the developments that took place under the Union. He quoted the precedents established by Baldwin's resignation and the ousting of MacNab.<sup>32</sup>

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30. The Globe, Jan. 18, 1858.

31. Ibid., Feb. 15, 1858.

32. Skelton, Galt, p. 212.

The double majority became the main topic of discussion both inside the House as well as outside. The newspapers in both sections of the province were giving prominence to this topic during the first few months of 1858.<sup>33</sup> However, the position of the cabinet on this issue remained unchanged. The dangers of a single majority and its natural corollary, representation by population, did not allow the French Canadian ministers to abandon the existing system. The main criticism of the cabinet at the time was its vacillation along with its unwillingness to take up a stand on any important issue. The Pilot accused the ministry of a lack of vigour. It recalled the downfall of the earlier ministries due to such a lack of vigour in opposing the "tactics like Double Majority".<sup>34</sup>

The combined attack of the Rouges and the Canada West radicals came to a climax on the seat of government question in July. On the 28th E. U. Piché moved an amendment that Ottawa ought not to be the permanent seat of government. The opposition adopted the traditional practice of wording the amendment in a manner that could attract the biggest support possible.<sup>35</sup> The seat of government had always been the thorniest question, and was never a cabinet issue. The decision to refer the final selection of a place to the Queen was the means adopted by the MacNab - Taché cabinet to avoid a break up of the

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33. The Globe, loc. cit.

34. The Pilot, Apl. 27, 1858.

35. Ibid., July, 1858.

ministry. The opposition, especially George Brown, condemned the action of the ministry as a shirking of cabinet responsibility. He maintained that it was a dangerous precedent to avoid difficult questions by referring them to outside authority. The Queen could not come to a decision without the advice of her ministers, and those ministers naturally depended on the recommendations made by the authorities in Canada. It was impossible for the ministers in England to come to a decision based on the requirements of the Province.<sup>36</sup> "Can a minister who has never set his foot in Canada grasp all those arguments and estimate each at its true value."<sup>37</sup> However it was the decision itself, to make Ottawa the capital rather than the manner in which the decision was arrived at that resulted in the defeat of the ministry on Piche's amendment. The vote placed the whole ministry in a minority of 14. (64 to 50). Brown immediately appealed to all those who voted for Piche's amendment to vote for an adjournment. Macdonald however, resorted to the usual ministerial tactics by declaring the vote on the motion for an adjournment as a vote of want of confidence. This saved the ministry by 61 to 50.<sup>38</sup> It was not, however, a victory for the ministry. The cabinet met immediately after and decided to resign as a bloc.<sup>39</sup> This decision was undoubtedly a means to prove effectively that the opposition could not form an alternate government.

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36. The Globe, June 15, 1857.

37. Ibid.

38. Careless, op. cit., p. 264.

39. Ibid., p. 265.

"Here, you have long clamoured for power; you have for years posed as the champion of Upper Canada, you have denounced me as the slave of French influence: here is my office; let us see what you can do."<sup>40</sup>

This was the challenge of Macdonald to Brown and his colleagues. Could the opposition form a cabinet with different personnel and with the backing of different political groups?

The circumstances of the resignation of the Macdonald - Cartier ministry were significant in relation to the changes in the earlier ministries. Since Lord Elgin in 1848/<sup>had</sup> called the then opposition to form a ministry, no complete ministerial change had taken place. All cabinet changes were no more than patch work on a static framework. In Canada West the power was handed over by the Reformers to the Conservatives with continuation maintained by the presence of a rump of the former ministry and also in the commitment to carry out the policy of the former ministry. In Canada East the cabinet never changed as a bloc. In fact since 1848 one single ministry continued with occasional changes in the leadership and personnel. Certain ministers like Taché remained in the cabinet from March 1848 to November 1857. Drummond was outside the cabinet until October 1851 and from that date occupied a place in the cabinet until May 1856. Thus the cabinet remained fundamentally unchanged. Before responsible government was granted similar features were present in the Executive Council. Daly remained

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40. Pope, op. cit., pp. 202-203.

in office from 1841 to 1848. The major change in the cabinet took place when the Tory-Conservative opposition took the place of the Reformers as the dominant group in the Canada West section of the cabinet. In effect they were absorbed into the cabinet and gradually moulded to suit the existing pattern. The evolution of an opposition party on a different political programme was made difficult by the essentially sectional character of political life. Thus when the opposition was called in to form a government not only the House of Assembly but the whole province was kept guessing as to the nature and the programme of the new government.

The resignation of the Macdonald - Cartier ministry without a proper defeat in the House was regarded as uncalled for and even unconstitutional.<sup>41</sup> However the supporters of the ministry justified it on the ground that it was expedient.<sup>42</sup> The Pilot referred to a necessity of higher kind and that in resigning the ministry performed a 'high and chivalrous duty'.<sup>43</sup> This duty obviously was the necessity to submit to the defeat of the ministry in Canada West.

Brown had been busy since the elections in trying to come to an understanding with the Canada East opposition. He always considered the Rouges as the natural allies of the Canada West radicals. However, the similarity in their anti-church and state policy and democratic ideals did not go very deep. It required a great amount of sacrifice

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41. The Pilot, July, 31 1858.

42. Ibid.

43. Ibid.

of principles on both sides for them to come together. Brown's main platform was 'rep by pop' and if Canada East could be brought to accept this principle the rest was not difficult. Thus Brown had entered into a series of direct and indirect negotiations with the opposition leaders of Canada East since the beginning of the year. Holton, the Canada East radical, was the main channel used by Brown. He was instructed by Brown to consult Dorion, the Rouge leader, on matters concerning 'rep by pop' and federation. In 1856 Dorion had suggested the federation of the two Canadas as an alternative to 'rep by pop'.<sup>44</sup> On January 22, Holton reported to Brown the results of his discussions with the Rouges. The Rouges, he informed Brown, were prepared for a federation "but on 'rep by pop' they are afraid that they might be termed traitors." Holton continued, "They are the better judges of the feelings of their countrymen but they overrate it."<sup>45</sup> Again on January 26th, Holton wrote that their movement would have little success because of the religious antipathy. "Protestant" 'Catholic', these terms should be removed from the political vocabulary."<sup>46</sup>

The contradiction in Brown's position is sufficiently evident in his own words.

"No honest man can desire that we should remain as we are. Yet what other way out

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44. Careless, op. cit., p. 251.

45. Brown Papers, (P.A.C.), Holton to Brown, Jan. 22, 1858.

46. Ibid, Jan. 26, 1858.

of our difficulties can be suggested but a genuine legislative union - or dissolution... ? dissolution would be as ruinous to any party as ... it would be wrong. A federal union cannot be entertained for Canada alone but when agitated must include all British America, .....

.....  
Our friends here are prepared to consider dispassionately any scheme which may emanate from your party in Lower Canada. Their plan is for 'rep by pop' and fair trial of the Union in its integrity. Failing that they are prepared to go in for dissolution, I believe, but if you can suggest a federal or any other scheme that could be worked it will have our most anxious examination."<sup>47</sup>

Brown was anxious to work the Union 'in its integrity' and this was what the French had opposed from the beginning. In order to form an opposition party Canada East was essential, but, the only way that their support could be successfully obtained involved the violation of the Union in favour of a federation or separation.

Brown at the same time approached the Sicotte group in Canada East through John Simpson and Henry Starnes. Simpson was a Legislative Councillor and an influential business man in Montreal and Starnes was the brother-in-law of Sicotte.<sup>48</sup> Brown with difficulty succeeded in converting Starnes to the principle of representation by population, but was doubtful of any support from the French because of the difficulty of advocating the principle in Canada East. He informed Holton that Starnes had declared;

"... that he and his friends (Sicotte, etc., I suppose) were prepared to go full anti state

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47. Alexander Mackenzie Papers (P.A.C.), Brown to Holton, Jan. 29, 1858.

48. Careless, op. cit., p. 252.

church ticket - and that they admitted that 'rep by pop' must come and were prepared to concede it, but how to do that and be returned for Lower Canadian constituencies they could not see. I endeavoured to put the measure in the most favourable light and declared that so long as we had the principle fully admitted and adopted we were ready to hear reasons as to any of the details."<sup>49</sup>

Thus Brown was forced to be more flexible and bend to the stronger loyalties of the French Canadian opposition. Brown was also in contact with the well known exponent of French Canadian Liberalism - Joseph Doutre. In February Doutre explained to Brown that a practicable platform had to be found in order to form a strong opposition. On the Schools question he expressed his disagreement with Brown, but on all other questions he was ready to accept the policy.<sup>50</sup> However, Doutre assured Brown that if he wished to obtain French Canadian support his views had to be modified greatly, e.g. the Separate Schools should be continued with a view to future reforms. The Globe had published <sup>he</sup> Doutre's sympathy with the 'rep by pop' principle and was therefore afraid that the "French press will jump on me on 'rep by pop'".<sup>51</sup>

The most consistent aim of Brown, as illustrated in these negotiations, was the desire to see that the present deadlock in politics

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49. Alexander Mackenzie Papers, loc. cit.

50. Brown Papers, (P.A.C.), Doutre to Brown, Feb. 11, 1858.

51. Ibid.



should end. There should be a change in the existing duality. But in order to find a solution he had to compromise his radical platform. The truth of Lord Elgin's statement was beginning to appear.

"By subjecting all sections of the politicians in their turn to official responsibilities it obliges heated partizans to place some restraint on passion and to confine within the bounds of decency the patriotic zeal which when out of place they are wont to be maintained." 52

In spite of Brown's racial and religious bias his attempt to form an opposition or an understanding between the two major groups was creditable. The difficulty of the task was intensified by the anti-Catholic and anti-French policy followed by him in the past. Although he was willing to modify his views there was no possibility of the French Canadian majority supporting his government. His negotiations had almost collapsed before he was summoned to office in July 1858. Thus Brown had to start from scratch in order to find support for an administration under him.

"Grave difficulties lie on the way but none which may not be surmounted by firmness, moderation and prudence." 53

Brown's obvious partner for the leadership in the Cabinet was Dorion. During the short time he was given, Brown negotiated with Dorion in order to find some basis for a reasonably united cabinet.

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52. Elgin-Grey Papers, vol. 1, 45-46, Elgin to Grey, May, 27, 1847.

53. The Globe, July, 30, 1858.

According to Brown's speech at Toronto Dorion agreed to representation by population with constitutional guarantees for the French, in the form of federal rights or a Bill of Rights. The seat of government was to be a cabinet question. On the question of Schools some of the principles of the Irish system were to be adopted.<sup>54</sup> However, if there was an agreement it was extremely vague, and the leaders did not intend to take a definite agreement before the electorate. Dorion in his election speech at Montreal declared:

"... I can assert with confidence that in consulting to form a part of an administration of which Mr. Brown was to be the chief I had neither to renounce any of my political principles nor to exact from him the sacrifice of any of his."<sup>55</sup>

Drummond gave Morin his reason for joining Brown's cabinet; "Mr. Brown is our man, he has yielded everything before I have taken office under him".<sup>56</sup>

Even if Brown could come to a broad agreement with Dorion there was no guarantee that the rest of the cabinet would agree on the same basis. The search for individuals for the cabinet itself indicated that there was no hope of a united cabinet. It was destined to be nothing more than a collection of individuals with their own opinions on various issues.

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54. Alexander Mackenzie, Life and Speeches of George Brown (Toronto, 1882) pp. 268-77.

55. The Pilot, Aug. 19, 1858.

56. The Daily Atlas, Aug. 15, 1858.

Brown tried to get Cauchon<sup>57</sup> - the man who had received his severest criticism in Canada East during the past few years. It was doubtful whether Brown could have come to any agreement with Cauchon except on the basis of Federation or complete separation. Cauchon had a following of about eighteen members from the Quebec area,<sup>58</sup> Brown was aiming at this vote rather than for men with whom he could find a basis of agreement.

Sicotte was equally influential among the French Canadians in the House. Therefore Brown offered him a cabinet position and "sufficient latitude of action" in return for his support.<sup>59</sup> Sicotte refused to come to any alliance with Brown. The new cabinet was composed of:

CANADA EAST

DORION	-	Commissioner of Crown Lands
DRUMMOND	-	Attorney General
HOLTON	-	Commissioner of Public Works
LEMIEUX	-	Receiver General
THIBAudeau	-	President of the Executive Council

CANADA WEST

BROWN	-	Inspector General
J.S. MACDONALD	-	Attorney General
MOWAT	-	Provincial Secretary
FOLEY	-	Postmaster-General
J. MORRIS	-	Speaker of the Legislative Council

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57. Careless, op. cit., pp. 265-266

58. The Globe, Aug. 30, 1857.

59. Dent, The Last Forty Years, vol. 2, 371-72.

It is difficult to realize how this combination could come to an understanding on principles which Brown had advocated before. J.S. Macdonald and Dorion had been strong advocates of the Separate Schools system. Thibaudeau, only a few months back had maintained that double majority should be a constitutional principle.<sup>60</sup> On almost every issue they had expressed uncompromising views in the past.

Brown could not avoid the double cabinet system. Three French Canadians were included in the Canada East section of the ministry for the obvious purpose of maintaining some balance.<sup>61</sup> Drummond was to represent the Irish Roman Catholic population,<sup>62</sup> Thibaudeau and Lemieux were also the representatives from Quebec, and Laberge from Montreal. Montreal British Protestant elements were represented by Holton.<sup>63</sup>

In Canada West Brown avoided the ultra Clear Grits like Macdougall.<sup>64</sup> J.S. Macdonald could bring some support to the ministry especially from the eastern section of Canada West. Mowat was a strong Brownite and Foley was a former Hincksite Reformer.

Thus on the whole the cabinet that the opposition offered was much worse than the existing one. The more important factor was how

60. The Globe, Mar. 19, 1858.

61. Laberge was the Solicitor General and outside the Cabinet.

62. Dent, op. cit., p. 372.

63. Careless, op. cit., pp. 265-266.

64. Ibid., 265.

the new ministry could obtain the support of the House, or the province.

The reaction of the province to the new ministry, as far as can be gauged by the newspaper reports, was extremely hostile. However, the Herald announced that Brown's ministry would be the strongest since the Lafontaine and Baldwin ministry. "It will have none of the vices and weaknesses inherent in a coalition."<sup>65</sup> The Globe emphasised the difficulty of the task and avoided loud boasts of the type in the Herald. The Daily Atlas, the new Conservative organ even went to the extent of accusing the ministry of an alliance with Bishop Charbonnel, arrived at through D'Arcy McGee, promising the safety of the Catholic interests. It referred to Brown as the "political Judas Iscariot."<sup>66</sup> Le Canadian sarcastically remarked:

"In vain Mr. Brown tells Lower Canada and the Catholics that he had come to an understanding with Dorion that Catholics in the future will be free from abuse and insult.... We incline not to throw ourselves into the arms of Clear Gritism even though the sincerity of its Chief's sudden regard for 'la race inferieur' be vouched by his late colleague, Dorion."<sup>67</sup>

In the House the coalition forces under Cartier and Macdonald were determined to defeat the Government as early as possible. The

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65. The Herald, cited by the Pilot, July 31, 1858.

66. The Daily Atlas, Aug. 5, 1858.

67. Le Canadien, cited by the Pilot, Aug. 16, 1858.

two leaders had brought their men together, 26 from Canada West and 49 from Canada East, to discuss the policy towards the new ministry.<sup>68</sup> The Pilot warned that certain members were planning to bring a vote of want of confidence as soon as the House met.<sup>69</sup> This course was in fact followed on August 2nd and the ministry was defeated by 31 to 71.<sup>70</sup> The Legislative Council adopted a vote of no confidence with 16 to 8. Brown had no alternative but to ask for a dissolution which was refused according to the indications given by the Governor General before.

The constitutional aspect of this cabinet crisis attracted considerable attention in the Province as well as in England. Without going into the details of the procedure adopted by the Governor General and the arguments used in favour and against the ministry and the Governor General,<sup>71</sup> it is evident that the main question at issue was the governor's power to refuse a dissolution requested by a ministry. On this point there is sufficient argument for both the Governor General and the Brown-Dorion ministry. Precedent in England showed that the person called in to form a ministry could remind the Crown of the mutual obligations, indicating the just claim of the

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68. The Pilot, Aug, 18, 1858.

69. Ibid

70. Journals of the Assembly, (1858) part 2, p.937.

71. Alexander Mackenzie, George Brown, pp. 59-68.

ministry for a dissolution.<sup>72</sup> In 1851 Stanley undertook to form a ministry on the tacit understanding that the Queen was willing to grant a dissolution.<sup>73</sup> On the other hand in 1858 the Queen refused to pledge a dissolution to Lord Derby. In his analysis of the Brown-Dorion case, Todd states:

"It is not expedient that the Crown should be required to decide before hand upon any theoretical or hypothetical question not requiring to be immediately determined. Nevertheless a governor is entitled to stipulate the promotion of the public interests before he proceeds to exercise the power of dissolution."<sup>75</sup>

Sir Edmund Head's defence was based mainly on the fact that a new election would have been harmful to public interest.<sup>76</sup> He expressed his fear that an election might precipitate a racial and religious clash.<sup>77</sup> Such an argument was valid because of the strong hostility that the French and the Roman Catholics in general showed towards a ministry under George Brown. Although the majority of Brown's cabinet were Catholics and there were three French Canadians, yet there was no hope of obtaining the support of the majority of the electorate. The other reasons given by the Governor as to the untimeliness of an

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72. Jennings, Cabinet Government p. 421.

73. Ibid.

74. Ibid., pp. 422-423.

75. A. Todd, Parliamentary Government in the British Colonies (London, 1894), vol. 2, 760.

76. Alexander Mackenzie, op. cit., pp. 63-64.

77. Ibid.

election could be challenged on precedents during the past few years.<sup>78</sup>

The Liberal - Conservative forces were solidly behind the Governor. In fact there was little doubt that John A. Macdonald had a part to play in the strategy followed by the Governor. M.L. Greene from Kingston informed Brown:

"It may seem strange that a clique of Macdonald's supporters should be in possession of the Governor-General's intentions in relation to you and your ministry long before he communicated the same to you."<sup>79</sup>

The Governor could safely refuse a dissolution to the Brown-Dorion ministry because he was certain of the support of the majority of the people for his course of action. The sectionalist politics had considerable influence in making the Governor's position much more than a mere constitutional head. An important role that Lord Elgin had to play was to arbitrate between the two sections in the cabinet on matters where agreement was difficult. The immense importance of this role of the Governor was clearly exhibited on the seat of government question in 1849 and during the rebellion losses controversy. Those who accused the cabinet of French Canadian domination requested the Governor to assert more power over the executive government of the Province. In the case of the Brown-Dorion ministry, Sir Edmund Head could safely use the weapon of refusing a dissolution to a ministry because he was certain

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78. Careless, op. cit. pp. 274-276.

79. Brown Papers (P.A.C.), M.L. Greene to Brown, Aug. 6, 1858.



of the public backing of his actions. The constitutional issue involved was overshadowed by sectional political interests. The preservation of the harmony between the two major sections of the population had become a special function of the Governor. In the execution of this function the influence of the Governor over the executive government of the Province tended to be strong.

The actual crisis was not in the constitutional aspect of the question. The Brown-Dorion ministry illustrated all the problems involved in forming an alternate government. The form of government that had existed since 1848 was entrenched in the political duality established under the Union. There was no possibility of challenging it on principles hostile to it. There was no opportunity for an opposition to come to power unless by surrendering to the established order. The greater need for reform in Canada West and the racial and political background of the people facilitated the emergence of a strong radical movement. But the difficulty of accommodating their opinion in a cabinet entrenched in dualism, with one section protecting the safeguards that the cabinet offered for their rights and influence, drove them to a position where their influence came to be dependent mainly on racial and religious prejudices. This made it almost impossible for them to find a basis for an agreement even with the minority of radical elements on the other side. The failure of the Brown-Dorion ministry illustrated the cabinet in Canada had become a contrivance to protect the political duality.

EPILOGUE

It was the attempt not merely to place two distinct racial and cultural groups under one legislature but also the attempt to use the same constitutional machinery to overcome the division that explains<sup>the</sup>/development of the Canadian cabinet during these years on a dual basis. The French Canadians were forced to find safety for their identity in a constitutional machinery where even the only recognition of their earlier separate existence in the form of equal representation was meant explicitly to weaken their identity. Even after the idea<sup>of</sup>/assimilation was officially abandoned the constitution provided no safeguards for the French Canadian identity. Thus the most significant achievements of men like Lafontaine were not in the field of winning responsible government but in the building of a system of conventions to protect their identity in a system of government devised to weaken it.

The double cabinet and the double majority provided the only working arrangement under responsible government, where the French as the more united group could exercise their influence. These conventions soon found that Union and equal representation provided the constitutional structure on which they could operate.

The difficulty in finding political unity in Canada West made

the solid group of French Canadian Bleus the pivot of parliamentary manoeuvring. The failure to obtain the support of this group meant chaos or separation. To avoid both the cabinet was forced to maintain a duality and a combination of political groups in the Canada West section in particular. This arrangement gave the Canada East section of the cabinet <sup>source of</sup> a/bargaining power. Unfortunately they failed to utilize this bargaining position for purposes other than merely safeguarding their identity.

Under a dual arrangement in the Assembly and in the cabinet the development of political parties embracing both sections was difficult. The existing Liberal and Conservative groups in Canada West were <sup>their</sup> absorbed into this system without a hope of/rising above it without creating political chaos. The rapid decline in the political position of leaders like Baldwin and Hincks was greatly due to the game of sectional politics. Their political position was rooted in the Reform movement in Canada West long before the Union. Yet once they entered into the partnership of power in the cabinet they were compelled to overlook even some of the just claims of Canada West for which they stood earlier. This was necessitated by the desire to maintain the alliance with the French Canadians in order to carry out the government of the province. Thus not only did the sectional nature of politics hinder the development of political parties but it also destroyed the party system that was emerging out of the turmoils of the 1830's. The Reform and the Tory groups could have developed into

strong political parties, but the need for new political tactics resulting from the political duality under <sup>the</sup> Union and responsible government contributed to their collapse. Thus by 1854 cabinet duality was so strongly established that the existing party differences began to change. The new division was more on the basis of 'ministerialists' and the radicals.

The cabinet from this time became a mere collection of individuals with the primary purpose of maintaining the duality and <sup>of</sup> also/satisfying the minor groups in the country by giving them representation as far as possible. The radicals who found it difficult to submit to the existing order were forced to advocate methods to alter its basis. Constitutionally they were impotent to put their principles into practice. Thus the solution to the deadlock arising from the duality had to come from a realization by all sections of the defects of the existing system.

The Confederation only sanctioned some of the cabinet conventions established since 1848. Sectional representation and balancing of influence became an essential part of the cabinet under the Confederation. The development of national parties was equally difficult. The direct and indirect effects of the cabinet conventions under the Union in the Confederation arrangement could find no better explanation than that given by the words of Mackenzie King.

"To my mind there can be nothing more unfortunate for this dominion than that any part of it should have cause to feel that it

is not to have its voice in the Council of the country. I feel that the whole purpose of Confederation itself would be menaced if any great body of opinion, any considerable section of this dominion of Canada should have reason to think it was without due representation in the shaping of national policies, and in carrying on of our public affairs." \*

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\* Rogers. N.M. Federal Influence in the Canadian Cabinet, Canadian Bar Review, vol. 11 No. 1, Jan. 1933. p. 112.

NOTES

Abbreviations.

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|----------|---|-----------------------------------|
| P.A.C.   | - | Public Archives of Canada         |
| P.R.L.T. | - | Public Reference Library, Toronto |
| O.P.A.   | - | Ontario Provincial Archives       |
| C.H.R.   | - | Canadian Historical Review        |

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A P P E N D I XCABINETS 1848 - 1851.

11th. March to 25th. April 1848.\*

CANADA EAST

Lafontaine - Attorney General  
 Caron - Speaker of the Legislative Council  
 Taché - Chief Commissioner of Public Works  
 Viger - Receiver General  
Aylwin - Solicitor General  
 Leslie - President of the Executive Council

CANADA WEST

Baldwin - Attorney General  
 Hincks - Inspector General  
 Price - Commissioner of Crown Lands  
 M. Cameron - Assistant Commissioner of Public Works  
Blake - Solicitor General (accepted office 22 Apl.1848)  
 Sullivan - Provincial Secretary

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\* These dates indicate the official appointment to or resignation from the Executive Council and do not coincide exactly with the dates of Cabinet appointments and resignations.

\_\_\_\_\_ Indicates Resignations.

===== Indicates Appointments.



26th April to 14th September 1848.

CANADA EAST

Lafontaine - Attorney General  
 Caron - Speaker of the Legislative Council  
 Taché - Chief Commissioner of Public Works  
 Viger - Receiver General  
 Leslie - President of the Executive Council

CANADA EAST

Baldwin - Attorney General  
 Sullivan - Provincial Secretary  
 Hincks - Inspector General  
 Price - Commissioner of Crown Lands  
 Cameron - Assistant Commissioner of Public Works

15th September to 26th November 1849.

CANADA EAST

Lafontaine - Attorney General  
 Caron - Speaker of the Legislative Council  
 Viger - Receiver General  
 Taché - Chief Commissioner of Public Works  
 Leslie - Provincial Secretary

CANADA WEST

Baldwin - Attorney General  
 Hincks - Inspector General  
 Price - Commissioner of Crown Lands  
 Cameron - Assistant Commissioner of Public Works  
 Merritt - President of the Executive Council

27th November to 12th December 1849.

CANADA EAST

Lafontaine - Attorney General  
 Taché - Receiver General  
 Leslie - Provincial Secretary

CANADA WEST

Baldwin - Attorney General  
 Hincks - Inspector General  
 Cameron - Assistant Commissioner of Public Works  
 Price - Commissioner of Crown Lands  
 Merritt - President of the Executive Council

13th December 1849 to 1st February 1850.

CANADA EAST

Lafontaine - Attorney General  
 Taché - Receiver General  
Chabot - Chief Commissioner of Public Works  
 Leslie - Provincial Secretary

CANADA WEST

Baldwin - Attorney General  
 Hincks - Inspector General  
Cameron - Assistant Commissioner of Public Works  
 Price - Commissioner of Crown Lands  
 Merritt - President of the Executive Council

17th April 1850 to 11th February 1851

CANADA EAST

Lafontaine - Attorney General  
 Taché - Receiver General  
 Leslie - Provincial Secretary  
Bourret - Assistant Commissioner of Public Works

CANADA WEST

Baldwin - Attorney General  
 Hincks - Inspector General  
 Price - Commissioner of Crown Lands  
Merritt - Chief Commissioner of Public Works

12th February to 21st February 1851.

CANADA EAST

Lafontaine - Attorney General  
 Leslie - Provincial Secretary  
 Taché - Receiver General  
 Bourret - Chief Commissioner of Public Works

CANADA WEST

Baldwin - Attorney General  
 Hincks - Inspector General  
 Price - Commissioner of Crown Lands

2nd February to 31st March 1850.

CANADA EAST

Lafontaine - Attorney General  
 Taché - Receiver General  
Chabot - Chief Commissioner of Public Works  
 Leslie - Provincial Secretary

CANADA WEST

Baldwin - Attorney General  
 Hincks - Inspector General  
 Price - Commissioner of Crown Lands  
 Merritt - President of the Executive Council

1st April to 16th April 1850.

CANADA EAST

Lafontaine - Attorney General  
 Taché - Receiver General  
 Leslie - Provincial Secretary

CANADA WEST

Baldwin - Attorney General  
 Hincks - Inspector General  
 Price - Commissioner of Crown Lands  
 Merritt - Chief Commissioner of Public Works

22nd February to 27th October 1851.

CANADA EAST

Lafontaine - Attorney General  
 Leslie - Provincial Secretary  
 Taché - Receiver General  
Bourret - Chief Commissioner of Public Works

CANADA WEST

Baldwin - Attorney General  
 Hincks - Inspector General  
Price - Commissioner of Crown Lands  
Jas. Morn's - Postmaster General

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 28th October 1851 to 22nd September 1852.

CANADA EAST

Morin - Provincial Secretary  
 Taché - Receiver General  
Caron - Speaker of the Legislative Council  
Drummond - Attorney General  
 \*Young - Chief Commissioner of Public Works

CANADA WEST

Hincks - Inspector General  
 Morris - Postmaster General  
M. Cameron - President of the Executive Council  
Rolph - Commissioner of Crown Lands  
Richards - Attorney General

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\* Resigned in September, 1852.

23rd September 1852 to 21st June 1853.

CANADA EAST

Morin - Provincial Secretary  
 Taché - Receiver General  
 Caron - Speaker of the Legislative Council  
 Drummond - Attorney General  
Chabot - Chief Commissioner of Public Works

CANADA WEST

Hincks - Inspector General  
 Morris - Postmaster General  
 Cameron - President of the Executive Council  
 Rolph - Commissioner of Crown Lands  
Richards - Attorney General

22nd June to 14th August 1853.

CANADA EAST

Morin - Provincial Secretary  
 Taché - Receiver General  
Caron - Speaker of the Legislative Council  
 Drummond - Attorney General  
 Chabot - Chief Commissioner of Public Works

CANADA WEST

Hincks - Inspector General  
 Morris - Postmaster General  
 Cameron - President of the Executive Council  
 Rolph - Commissioner of Crown Lands  
Ross - Attorney General

15th August to 30th August 1853.

CANADA EAST

Morin - Provincial Secretary  
 Taché - Receiver General  
 Drummond - Attorney General  
 Chabot - Chief Commissioner of Public Works

CANADA WEST

Hincks - Inspector General  
 Morris - Speaker of the Legislative Council  
 Cameron - Postmaster General  
 Rolph - President of the Executive Council  
 Ross - Attorney General

31st August 1853 to 10th September 1854.

CANADA EAST

Morin - Commissioner of Crown Lands  
 Taché - Receiver General  
 Drummond - Attorney General  
 Chabot - Chief Commissioner of Public Works  
Chauveau - Provincial Secretary

CANADA WEST

- Hincks - Inspector General
  - Morris - Speaker of the Legislative Council
  - Cameron - Postmaster General
  - Rolph - President of the Executive Council and Minister of Agriculture
  - Ross - Attorney General
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11th September 1853 to 20th January 1855

CANADA EAST

- Morin - Commissioner of Crown Lands
- Taché - Receiver General
- Drummond - Attorney General
- Chabot - Chief Commissioner of Public Works
- Chauveau - Provincial Secretary

CANADA WEST

- MacNab - President of the Executive Council and Minister of Agriculture
  - J.A. Macdonald - Attorney General
  - Gayley - Inspector General
  - Ross - Speaker of the Legislative Council
  - Spence - Postmaster General
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27th January 1855 to 18th April 1856

CANADA EAST

Taché - Receiver General  
 Drummond - Attorney General  
Cauchon - Commissioner of Crown Lands  
Lemieux - Chief Commissioner of Public Works  
Cartier - Provincial Secretary

CANADA WEST

MacNab - President of the Executive Council and  
 Minister of Agriculture  
 J.A. Macdonald - Attorney General  
 Cayley - Inspector General  
 Spence - Postmaster General  
J.C. Morrison - Without Portfolio

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24th May 1856 to 30th April 1857

CANADA EAST

Taché - Speaker of the Legislative Council  
Cauchon - Commissioner of Crown Lands  
 Lemieux - Chief Commissioner of Public Works  
 \*Terrill - Provincial Secretary  
 Cartier - Attorney General

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\* Resigned in April 1857.

CANADA WEST

J.A. Macdonald	-	Attorney General
Cayley	-	Inspector General
Spence	-	Postmaster General
Morrison	-	Receiver General
<u>Vankoughnet</u>	-	President of the Executive Council and Minister of Agriculture

1st May to 9th November 1857.

CANADA EAST

Taché	-	Speaker of the Legislative Council
Lemieux	-	Chief Commissioner of Public Works
Cartier	-	Attorney General

CANADA WEST

J.A. Macdonald	-	Attorney General
Cayley	-	Inspector General
Spence	-	Postmaster General
Morrison	-	Receiver General
Vankoughnet	-	President of the Executive Council and Minister of Agriculture

10th November to 24th November 1857.

CANADA EAST

Taché	-	Speaker of the Legislative Council
Lemieux	-	Chief Commissioner of Public Works
Cartier	-	Attorney General

CANADA WEST

J.A. Macdonal - Attorney General  
 Cayley - Inspector General  
 Spence - Postmaster General  
 Morrison - Receiver General  
 Vankoughnet - President of the Executive Council and  
 Minister of Agriculture

25th November 1857.

CANADA EAST

Taché - Speaker of the Legislative Council  
Lemieux - Chief Commissioner of Public Works  
 Cartier - Attorney General  
Sicotte - Commissioner of Crown Lands

CANADA WEST

J.A. Macdonald - Attorney General  
 Cayley - Inspector General  
 Spence - Postmaster General  
 Morrison - Receiver General  
 Vankoughnet - President of the Executive Council and  
 Minister of Agriculture

26th November 1857 to 1st February 1858.

CANADA EAST

Cartier - Attorney General  
 Sicotte - Commissioner of Crown Lands  
Belleau - Speaker of the Legislative Council  
Alley - Chief Commissioner of Public Works  
Loranger - Provincial Secretary

CANADA WEST

J.A. Macdonald - Attorney General  
 Cayley - Inspector General  
Spence - Postmaster General  
Morrison - Receiver General  
 Vankoughnet - President of the Executive Council and  
 Minister of Agriculture

2nd February 29th July 1858.

CANADA EAST

Cartier - Attorney General  
Sicotte - Commissioner of Crown Lands  
Belleau - Speaker of the Legislative Council  
Alleyn - Chief Commissioner of Public Works  
Loranger - Provincial Secretary

CANADA WEST

J.A. Macdonald - Attorney General  
Cayley - Inspector General  
Vankoughnet - President of the Executive Council and  
 Minister of Agriculture  
 \*Ross - Receiver General  
 \*Sidney Smith - Postmaster General

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\* Resigned in July

30th July to 1st August 1858.

No Cabinet

2nd August to 4th August 1858.

CANADA EAST

- |                   |   |  |
|-------------------|---|--|
| <u>Dorion</u>     | - | Commissioner of Crown Lands  |
| <u>Drummond</u>   | - | Attorney General   |
| <u>Lemieux</u>    | - | Receiver General   |
| <u>Thibaudeau</u> | - | President of the Executive Council and<br>Minister of Agriculture. |
| <u>Holton</u>     | - | Chief Commissioner of Public Works                                 |

CANADA WEST

- |                       |   |                                    |
|-----------------------|---|------------------------------------|
| <u>Brown</u>          | - | Inspector General                  |
| <u>J. Morris</u>      | - | Speaker of the Legislative Council |
| <u>J.S. Macdonald</u> | - | Attorney General                   |
| <u>Mowat</u>          | - | Provincial Secretary               |
| <u>Foley</u>          | - | Postmaster General                 |
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