

THE MAKERS OF CANADA

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GEORGE BROWN

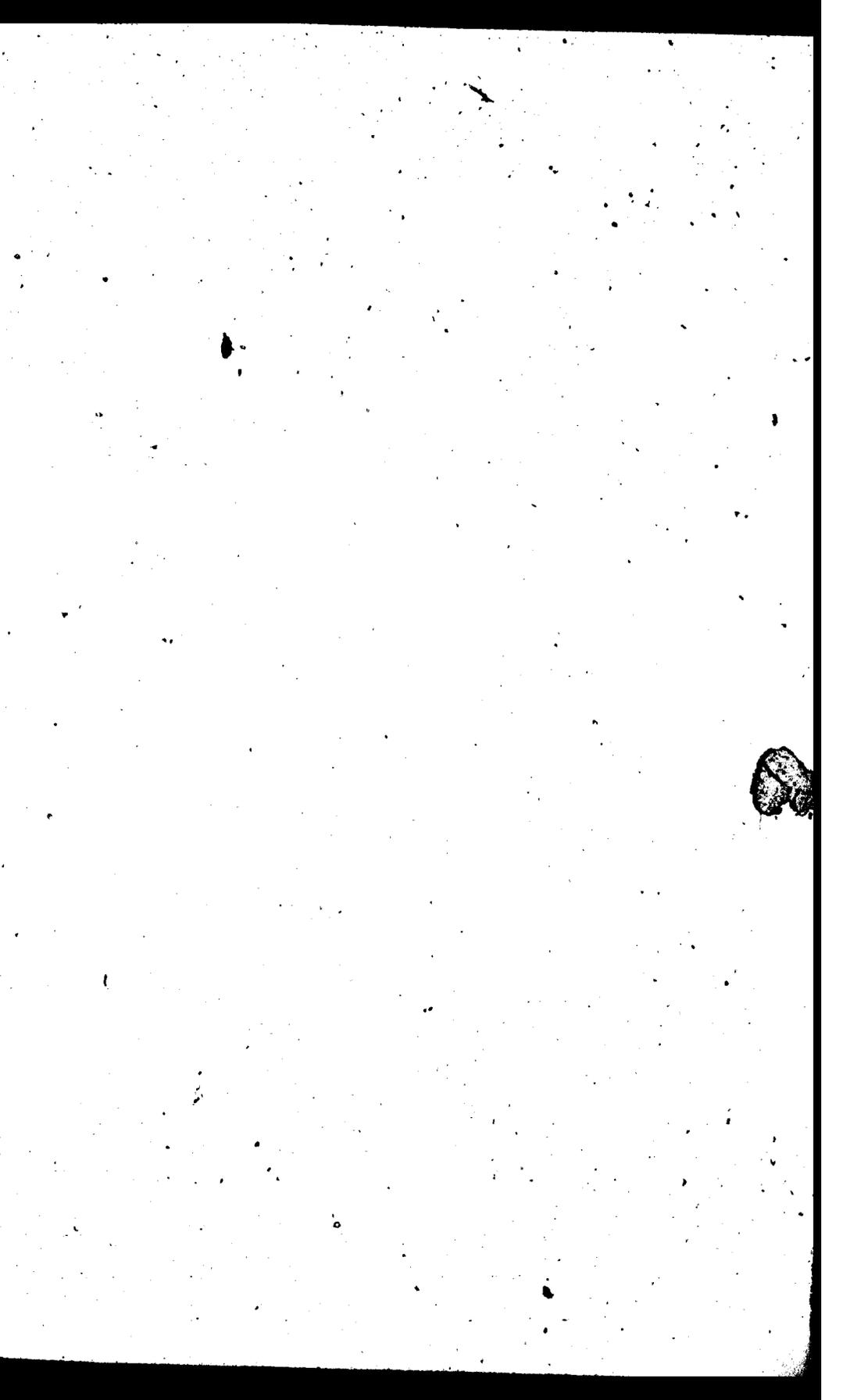


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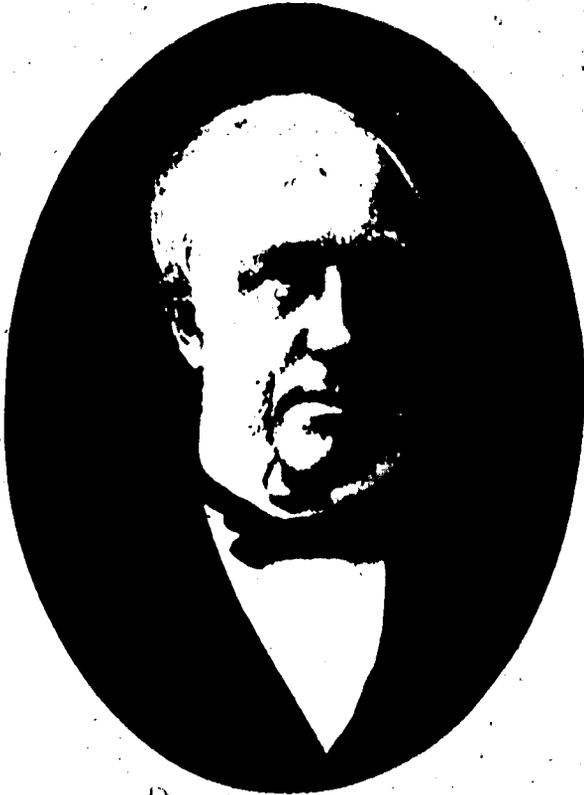
JOHN LEWIS

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1906



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PREFACE

THE title of this series, "Makers of Canada," seemed to impose on the writer the obligation to devote special attention to the part played by George Brown in fashioning the institutions of this country. From this point of view the most fruitful years of his life were spent between the time when the *Globe* was established to advocate responsible government, and the time when the provinces were confederated and the bounds of Canada extended from the Atlantic to the Pacific. The ordinary political contests in which Mr. Brown and his newspaper engaged have received only casual notice, and the effort of the writer has been to trace Mr. Brown's connection with the stream of events by which the old legislative union of Canada gave place to the confederated Dominion.

After the establishment of responsible government, the course of this stream is not obscure. Brown is found complaining that Upper Canada is inadequately represented and is dominated by its partner. Various remedies, such as dissolution of the union, representation by population and the "double majority," are proposed; but ultimately the solution is found in federation, and to this solution, and the events leading up to it, a large part of the book is devoted. Mr. Brown was also

GEORGE BROWN

an ardent advocate of the union with Canada of the country lying west to the Rocky Mountains, and to this work reference is made.

Mr. Brown was one of those men who arouse strong friendships and strong animosities. These have been dealt with only where they seemed to have a bearing upon history, as in the case of Sir John A. Macdonald and of the Roman Catholic Church. It seems to be a profitless task for a biographer to take up and fight over again quarrels which had no public importance and did not affect the course of history.

The period covering Mr. Brown's career was one in which the political game was played roughly, and in which strong feelings were aroused. To this day it is difficult to discuss the career of the Hon. George Brown, or of Sir John A. Macdonald, without reviving these feelings in the breasts of political veterans and their sons; and even one who tries to study the time and the men and to write their story, finds himself taking sides with men who are in their graves, and fighting for causes long since lost and won. The writer has tried to resist the temptation of building up the fame of Brown by detracting from that of other men, but he has also thought it right in many cases to present Brown's point of view, not necessarily as the whole truth, but as one of the aspects of truth.

In dealing with the question of confederation, my endeavour has been simply to tell the story of

PREFACE

Brown's work and let it speak for itself, not to measure the exact proportion of credit due to Brown and to others. It is hard to believe, however, that the verdict of history will assign to him a place other than first among the public men of Canada who contributed to the work of confederation. Events, as D'Arcy McGee said, were probably more powerful than any of them.

If any apology is needed for the space devoted to the subject of slavery in the United States, it may be found not only in Brown's lifelong opposition to slavery, but in the fact that the Civil War influenced the relations between the United States and Canada, and indirectly promoted the confederation of the Canadian provinces, and also in the fact, so frequently emphasized by Mr. Brown, that the growth of the institution of slavery on this continent was a danger to which Canada could not be indifferent.

Among the works that have been found useful for reference are John Charles Dent's *Last Forty Years* (Canada since the union of 1841); *Gray on Confederation*; *Coté's Political Appointments and Elections in the Province of Canada*; Dr. Hodgins' *Legislation and History of Separate Schools in Upper Canada*; the lives of Lord Elgin, Dr. Ryerson and Joseph Howe in "The Makers of Canada" series; the Hon. Alexander Mackenzie's *Life and Speeches of the Hon. George Brown*; the Hon. James Young's *Public Men*

GEORGE BROWN

and Public Life in Canada. Mr. Mackenzie's book contains a valuable collection of letters, to which frequent reference is made in the chapters of this book dealing with confederation. The account of the relations of the Peel government with Governor Sir Charles Bagot is taken from the *Life of Sir Robert Peel*, from his correspondence, edited by C. S. Parker. The files of the *Banner* and the *Globe* have been read with some care; they were found to contain an embarrassing wealth of most interesting historical material.

To Dr. James Bain, Librarian of the Toronto Free Library, and to Mr. Avern Pardoe, of the Library of the Legislative Assembly, I am deeply indebted for courtesy and assistance.

JOHN LEWIS.

CONTENTS

	Page
<i>CHAPTER I</i> FROM SCOTLAND TO CANADA	1
<i>CHAPTER II</i> METCALFE AND HIS REFORMERS	11
<i>CHAPTER III</i> RESPONSIBLE GOVERNMENT	31
<i>CHAPTER IV</i> DISSENSION AMONG REFORMERS	39
<i>CHAPTER V</i> THE CLERGY RESERVES	51
<i>CHAPTER VI</i> BROWN'S FIRST PARLIAMENT	61
<i>CHAPTER VII</i> RISE OF BROWN'S INFLUENCE	69
<i>CHAPTER VIII</i> RECONSTRUCTION OF PARTIES	77

GEORGE BROWN

	Page
<i>CHAPTER IX</i>	
SOME PERSONAL POLITICS	87
<i>CHAPTER X</i>	
THE "DOUBLE SHUFFLE"	90
<i>CHAPTER XI</i>	
AGAINST AMERICAN SLAVERY	111
<i>CHAPTER XII</i>	
BROWN AND THE ROMAN CATHOLICS	121
<i>CHAPTER XIII</i>	
MOVING TOWARDS CONFEDERATION	129
<i>CHAPTER XIV</i>	
LAST YEARS OF THE UNION	141
<i>CHAPTER XV</i>	
CONFEDERATION	147
<i>CHAPTER XVI</i>	
THE QUEBEC CONFERENCE	163
<i>CHAPTER XVII</i>	
THE CONFEDERATION DEBATE	169
<i>CHAPTER XVIII</i>	
THE MISSION TO ENGLAND	181

CONTENTS

	Page
<i>CHAPTER XIX</i>	
BROWN LEAVES THE COALITION	189
<i>CHAPTER XX</i>	
CONFEDERATION AND THE PARTIES	190
<i>CHAPTER XXI</i>	
CANADA AND THE GREAT WEST	211
<i>CHAPTER XXII</i>	
THE RECIPROCTY TREATY OF 1874	223
<i>CHAPTER XXIII</i>	
CANADIAN NATIONALISM	236
<i>CHAPTER XXIV</i>	
LATER YEARS	243
<i>CHAPTER XXV</i>	
CONCLUSION	266
INDEX	269

CHAPTER I

FROM SCOTLAND TO CANADA

GEORGE BROWN was born at Alloa, a seaport on the tidal Forth, thirty-five miles inward from Edinburgh, on November 20th, 1818. His mother was a daughter of George Mackenzie, of Stornoway, in the Island of Lewis. His father, Peter Brown, was a merchant and builder. George was educated at the High School and Southern Academy in Edinburgh. "This young man," said Dr. Gunn, of the Southern Academy, "is not only endowed with high enthusiasm, but possesses the faculty of creating enthusiasm in others." At the risk of attaching too much significance to praise bestowed on a school-boy, it may be said that these words struck the keynote of Brown's character and revealed the source of his power. The atmosphere of the household was Liberal; father and son alike hated the institution of slavery, with which they were destined to become more closely acquainted. "When I was a very young man," said George Brown, denouncing the Fugitive Slave Law before a Toronto audience, "I used to think that if I ever had to speak before such an audience as this, I would choose African Slavery as my theme in preference to any other topic. The subject seemed to

GEORGE BROWN

afford the widest scope for rhetoric and for fervid appeals to the best of human sympathies. These thoughts arose far from here, while slavery was a thing at a distance, while the horrors of the system were unrealized, while the mind received it as a tale and discussed it as a principle. But, when you have mingled with the thing itself, when you have encountered the atrocities of the system, when you have seen three millions of human beings held as chattels by their Christian countrymen, when you have seen the free institutions, the free press and the free pulpit of America linked in the unrighteous task of upholding the traffic, when you have realized the manacle, and the lash, and the sleuth-hound, you think no more of rhetoric, the mind stands appalled at the monstrous iniquity, mere words lose their meaning, and facts, cold facts, are felt to be the only fit arguments."

Again, as George grew to manhood, the struggle which ended in the disruption of the Church of Scotland was approaching its climax, and the sympathies of the Brown household were with those who declared that it, "is the fundamental law of this Church that no pastor shall be intruded on any congregation contrary to the will of the people."

In 1838 reverses in business led the father and son to seek their fortunes in America. Arriving in New York, Peter Brown turned to journalism, finding employment as a contributor to the *Albion*, a weekly newspaper published for British residents

BRITISH SYMPATHIES

of the United States. The Browns formed an unfavourable opinion of American institutions as represented by New York in that day. To them the republic presented itself as a slave-holding power, seeking to extend its territory in order to enlarge the area of slavery, and hostile to Great Britain as a citadel of freedom. They always regarded the slave-holding element in the United States as that which kept up the tradition of enmity to England. An American book entitled, *The Glory and Shame of England*, aroused Peter Brown's indignation, and he published a reply in a little volume bearing the name of *The Fame and Glory of England Vindicated*. Here he paid tribute to British freedom, contrasted it with the domination of the slave holders, and instanced the fact that in Connecticut a woman had been mobbed and imprisoned for teaching coloured girls to read. Farther light is thrown upon the American experience of the Browns by an article in the *Banner*, their first Canadian venture in journalism. The writer is answering an accusation of disloyalty and Yankee sympathies, a stock charge against Reformers in that day. He said: "We have stood in the very heart of a republic, and fearlessly issued our weekly sheet, expressing our fervent admiration of the limited monarchy of Great Britain, though surrounded by Democratic Whigs, Democratic Republicans, Irish Repealers, slave-holders, and every class which breathes the most inveterate hostility to British institutions.

GEORGE BROWN

And we are not to be turned from maintaining the genuine principles of the constitution because some of our contemporaries are taken with a fit of sycophancy, and would sacrifice all at the shrine of power."

In December, 1842, the Browns established in New York the *British Chronicle*, a paper similar to the *Albion*, but apparently designed more especially for Scottish and Presbyterian readers in the United States and Canada. In an effort to promote Canadian circulation, George Brown came to Canada early in 1843. The *Chronicle* had taken strong ground on the popular side of the movement then agitating the Church of Scotland; and this struggle was watched with peculiar interest in Canada, where the relations between Church and State were burning questions. Young Brown also met the members of a Reform administration then holding power under Governor Metcalfe, and the ministers became impressed with the idea that he would be a powerful ally in the struggle then impending.

There is on record an interesting pen picture of George Brown as he appeared at this time. The writer is Samuel Thompson, editor of the *Colonist*. "It was, I think, somewhere about the month of May, 1843, that there walked into my office on Nelson Street a young man of twenty-five years, tall, broad-shouldered, somewhat lantern-jawed and emphatically Scottish, who introduced himself to me as the travelling agent of the New York *British*

REMOVAL TO TORONTO

Chronicle, published by his father. This was George Brown, afterwards editor and publisher of the *Globe* newspaper. He was a very pleasant-mannered, courteous, gentlemanly young fellow, and impressed me favourably. His father, he said, found the political atmosphere of New York hostile to everything British, and that it was as much as a man's life was worth to give expression to any British predilections whatsoever (which I knew to be true). They had, therefore, thought of transferring their publication to Toronto, and intended to continue it as a thoroughly Conservative journal. I, of course, welcomed him as a co-worker in the same cause with ourselves, little expecting how his ideas of Conservatism were to develop themselves in subsequent years." His Conservatism—assuming that the young man was not misunderstood—was perhaps the result of a reaction from the experience of New York, in which democracy had presented itself in an unlovely aspect. Contact with Toronto Toryism of that day would naturally stiffen the Liberalism of a combative man.

As a result of George Brown's survey of the Canadian field, the publication of the *British Chronicle* in New York ceased, and the Browns removed to Toronto, where they established the *Banner*, a weekly paper partly Presbyterian and partly political, and in both fields championing the cause of government by the people. The first number was issued on August 18th, 1843. Refer-

GEORGE BROWN

ring to the disruption of the "Scottish Church" that had occurred three months before, the *Banner* said: "If we look to Scotland we shall find an event unparalleled in the history of the world. Nearly five hundred ministers, backed by several thousand elders and perhaps a million of people, have left the Church of their fathers because the civil courts have trampled on what they deem the rights of the Christian people in Scotland, exhibiting a lesson to the world which must produce results that cannot yet be measured. The sacrifice made by these devoted ministers of the Gospel is great; their reward is sure."

The columns of the *Banner* illustrate in a striking way the intermingling, common in that day, of religion and politics. The *Banner's* chief antagonist was the *Church*, a paper equally devoted to episcopacy and monarchy. Here is a specimen bit of controversy. The *Church*, arguing against responsible government, declares that as God is the only ruler of princes, princes cannot be accountable to the people; and perdition is the lot of all rebels, agitators of sedition, demagogues, who work under the pretence of reforming the State. All the troubles of the country are due to parliaments constantly demanding more power and thereby endangering the supremacy of the mother country. The *Banner* is astonished by the unblushing avowal of these doctrines, which had not been so openly proclaimed since the days of "High Church and Sacheverell."

OLD STYLE JOURNALISM

and which if acted upon would reduce the people to the level of abject slaves. Whence, it asks, comes this doctrine of the irresponsibility of kings? "It has been dug up from the tombs of Roman Catholic and High Church priests and of Jacobite bigots. Wherever it gets a footing it carries bloodshed and persecution in its train. It cramps the freedom of thought. It represses commercial enterprise and industry. It dries up the springs of the human understanding. To what does Britain owe all her greatness but to that free range of intellectual exertion which prompted Watt and Arkwright in their wonderful discoveries, which carried Anson and Cook round the globe, and which enabled Newton to scale the heavens? Is the dial to be put back? Must the world once more adopt the doctrine that the people are made for kings and not kings for the people? Where will this treason to the British Constitution find the slightest warrant in the Word of God? We know that power alone proceeds from God, the very air we breathe is the gift of His bounty, and whatever public right is exercised from the most obscure elective franchise to the king upon his throne is derived from Him to whom we must account for the exercise of it. But does that accountability take away or lessen the political obligations of the social compact?—assuredly not."

This style of controversy was typical of the time. Tories drew from the French Revolution warnings

GEORGE BROWN

against the heedless march of democracy. Reformers based arguments on the "glorious revolution of 1688." A bill for the secularization of King's College was denounced by Bishop Strachan, the stalwart leader of the Anglicans, in language of extraordinary vehemence. The bill would hold up the Christian religion to the contempt of wicked men, and overturn the social order by unsettling property. Placing all forms of error on an equality with truth, the bill represented a principle "atheistical and monstrous, destructive of all that was pure and holy in morals and religion." To find parallels for this madness, the bishop referred to the French Revolution, when the Christian faith was abjured, and the Goddess of Reason set up for worship; to pagan Rome, which, to please the natives she had conquered, "condescended to associate their impure idolatries with her own."

These writings are quoted not merely as illustrations of extravagance of language. The language was the natural outcome of an extraordinary situation. The bishop was not a voice crying in the wilderness; he was a power in politics as well as in the Church, and had, as executive councillor, taken an important part in the government of the country. He was not making extravagant pretensions, but defending a position actually held by his Church, a position which fell little short of absolute domination. Religious equality was to be established, a great endowment of land converted from sectarian

A NEW CRISIS

to public purposes, and a non-sectarian system of education created. In this work Brown played a leading part, but before it could be undertaken it was necessary to vindicate the right of the people to self-government.

In November, 1848, the resignation of Metcalfe's ministers created a crisis which soon absorbed the energy of the Browns and eventually led to the establishment of the *Globe*. In the issue of December 8th, 1848, the principles of responsible government are explained, and the *Banner* gives its support to the ministers. It cannot see why less confidence should be bestowed by a governor-general in Canada than by a sovereign in the British empire. It deplors the rupture and declares that it still belongs to no political party. It has no liking for "Democracy," a word which even Liberals at that time seemed to regard with horror. It asks Presbyterians to stand fast for the enjoyment of civil and religious liberty. It exhorts the people of Canada to be firm and patient and to let no feeling of disappointment lead their minds to republicanism. Those who would restrict the liberties of Canada also dwell on the evils of republicanism, but they are the very people who would bring it to pass. The *Banner's* ideal is a system of just and equal government. If this is pursued, a vast nation will grow up speaking the same language, having the same laws and customs, and bound to the mother country by the strongest bonds of affection. The

GEORGE BROWN

Banner, which had at first described itself as independent in party politics, soon found itself drawn into a struggle which was too fierce and too momentous to allow men of strong convictions to remain neutral. We find politics occupying more and more attention in its columns, and finally on March 5th, 1844, the *Globe* is established as the avowed ally of Baldwin and Lafontaine, and the advocate of responsible government. It will be necessary to explain now the nature of the difference between Metcalfe and his ministers.

CHAPTER II

METCALFE AND THE REFORMERS

THE Browns arrived in Canada in the period of reconstruction following the rebellion of 1837-8. In Lord Durham's Report the rising in Lower Canada was attributed mainly to racial animosity—"two nations warring in the bosom of a single state"—"a struggle not of principles but of races." The rising in Upper Canada was attributed mainly to the ascendancy of the "family compact"—a family only in the official sense. "The bench, the magistracy, the high offices of the episcopal church, and a great part of the legal profession, are filled by their adherents; by grant or purchase they have acquired nearly the whole of the waste lands of the province; they are all-powerful in the chartered banks, and till lately shared among themselves almost exclusively all offices of trust and profit. The bulk of this party consists, for the most part, of native born inhabitants of the colony, or of emigrants who settled in it before the last war with the United States; the principal members of it belong to the Church of England, and the maintenance of the claims of that Church has always been one of its distinguishing characteristics." Reformers discovered that even when they triumphed at

GEORGE BROWN

the polls, they could not break up this combination, the executive government remaining constantly in the hands of their opponents. They therefore agitated for the responsibility of the executive council to the legislative assembly.

Lord Durham's remedy was to unite Upper and Lower Canada, and to grant the demand for responsible government. He hoped that the union would in time dispose of the racial difficulty. Estimating the population of Upper Canada at four hundred thousand, the English inhabitants of Lower Canada at one hundred and fifty thousand, and the French at four hundred and fifty thousand, "the union of the two provinces would not only give a clear English majority, but one which would be increased every year by the influence of English immigration; and I have little doubt that the French, when once placed by the legitimate course of events and the working of natural causes, in a minority, would abandon their vain hopes of nationality."

The future mapped out by Lord Durham for the French-Canadians was one of benevolent assimilation. He underestimated their tenacity and their power of adapting themselves to new political conditions. They not only retained their distinctive language and customs, but gained so large a measure of political power that in time Upper Canada complained that it was dominated by its partner. The union was effected soon after the report, but the granting of responsible government was long

A RETROSPECT

delayed. From the submission of Lord Durham's Report to the time of Lord Elgin, the question of responsible government was the chief issue in Canadian politics. Lord Durham's recommendations were clear and specific. He maintained that harmony would be restored "not by weakening but strengthening the influence of the people on its government ; by confining within much narrower bounds than those hitherto allotted to it, and not by extending, the interference of the imperial authorities on the details of colonial affairs." The government must be administered on the principles that had been found efficacious in Great Britain. He would not impair a single prerogative of the Crown, but the Crown must submit to the necessary consequences of representative institutions, and must govern through those in whom the representative body had confidence.

These principles are now so well established that it is hard to realize how bold and radical they appeared in 1839. Between that time and 1847, the British government sent out to Canada three governors, with various instructions. Whatever the wording of these instructions was, they always fell short of Durham's recommendations, and always expressed a certain reluctance to entrusting the government of Canada unreservedly to representatives of the people.

From 1842 to 1846 the government in Great Britain was that of Sir Robert Peel, and it was

GEORGE BROWN

that government which set itself most strongly against the granting of autonomy to Canada. It was Conservative, and it probably received from correspondents in Canada a good deal of misinformation and prejudiced opinion in regard to the aims of the Reformers. But it was a group of men of the highest character and capacity, concerning whom Gladstone has left on record a remarkable testimony. "It is his conviction that in many of the most important rules of public policy, that government surpassed generally the governments which have succeeded it, whether Liberal or Conservative. Among them he would mention purity in patronage, financial strictness, loyal adherence to the principle of public economy, jealous regard to the rights of parliament, a single eye to the public interest, strong aversion to extension of territorial responsibilities, and a frank admission of the rights of foreign countries as equal to those of their own."

With this high estimate of the general character of the Peel government must be coupled the undoubted fact that it entirely misunderstood the situation in Canada, gave its support to the party of reaction, and needlessly delayed the establishment of self-government. We may attribute this in part to the distrust occasioned by the rebellion; in part to the use of partisan channels of information; but under all this was a deeper cause—inability to conceive of such a relation as exists between Great Britain and Canada to-day. In that

COLONIAL POLICY

respect Peel and his colleagues resembled most of the public men of their time. They could understand separation; they could understand a relation in which the British government and its agents ruled the colonies in a kindly and paternal fashion; but a union under which the colonies were nations in all but foreign relations passed their comprehension. When the colonies asked for complete self-government it was supposed that separation was really desired. Some were for letting them go in peace. Others were for holding them by political and commercial bonds. Of the latter class, Stanley, colonial secretary under Peel, was a good type. He believed in "strong" governors; he believed in a system of preferential trade between Great Britain and the colonies, and his language might have been used, with scarcely any modification, by the Chamberlain party in the recent elections in Great Britain. When, in 1843, he introduced the measure giving a preference to Canadian wheat, he expressed the hope that it would restore content and prosperity to Canada; and when that preference disappeared with the Corn Laws, he declared that the basis of colonial union was destroyed.

From the union to September, 1842, no French-Canadian name appears in a Canadian government. French-Canadians were deeply dissatisfied with the terms of the union; there was a strong reluctance to admitting them to any share of power, and they complained bitterly that they were politically ostra-

GEORGE BROWN

cized by Sydenham, the first governor. His successor, Bagot, adopted the opposite policy, and earned the severe censure of the government at home.

On August 23rd, 1842, Sir Robert Peel wrote to Lord Stanley in terms which indicated a belief that Governor Bagot was experiencing great difficulty in carrying on the government. He spoke of a danger of French-Canadians and Radicals, or French-Canadians and Conservatives, combining to place the government in a minority. He suggested various means of meeting the danger, and said, "I would not voluntarily throw myself into the hands of the French party through fear of being in a minority."

Before instructions founded on this letter could reach the colony, the governor had acted, "throwing himself," in the words of Peel's biographer, "into the hands of the party tainted by disaffection." What had really happened was that on September 16th, 1842, the Canadian government had been reconstructed, the principal change being the introduction of Lafontaine and Baldwin as its leading members. This action aroused a storm in Canada, where Bagot was fiercely assailed by the Tories for his so-called surrender to rebels. And that view was taken also in England.

On October 18th, 1842, Mr. Arbuthnot wrote to Sir Robert Peel: "The Duke [Wellington] has been thunderstruck by the news from Canada. Between

WELLINGTON AND PEEL

ourselves, he considers what has happened as likely to be fatal to the connection with England; and I must also, in the very strictest confidence, tell you that he dreads lest it should break up the cabinet here at home."

On October 21st, Sir Robert Peel wrote to Lord Stanley, pointing out the danger of the duke's strong and decisive condemnation: "In various quarters the Duke of Wellington denouncing the arrangement as a tame surrender to a party tainted with treason, would produce an impression most dangerous to the government, if it could get over the effects produced by the first announcement of his retirement, on the ground of avowed difference of opinion." After reading Sir Charles Bagot's explanations, he admitted that the governor's position was embarrassing. "Suppose," he said in a subsequent letter, "that Sir C. Bagot was reduced to such difficulties that he had no alternative but to take the best men of the French-Canadian party into his councils, and that it was better for him to do this before there was a hostile vote; still, the manner in which he conducted his negotiations was a most unwise one. He makes it appear to the world that he courted and rejoiced in the necessity for a change in his councils." On October 24th the Duke of Wellington wrote expressing his agreement with Peel, and adding: "However, it appears to me that we must consider the arrangement as settled and adopted by the legislature of Canada.

GEORGE BROWN

It will remain to be considered afterwards what is to be done with Sir Charles Bagot and with his measures."

The question was solved by the death of the governor who had been unfortunate enough to arouse the storm, and to create a ministerial crisis in Great Britain. It is believed that his end was hastened by the news from England. He fell ill in November, grew steadily worse, and at last asked to be recalled, a request which was granted. At his last cabinet council he bade an affectionate farewell to his ministers, and begged them to defend his memory. His best vindication is found in the failure of Metcalfe's policy, and in the happy results of the policy of Elgin.

The events connected with the retirement of Bagot, which were not fully understood until the publication of Sir Robert Peel's papers a few years ago, throw light upon the reasons which determined the selection of Sir Charles Metcalfe. Metcalfe was asked by Lord Stanley whether he would be able and disposed to assume "most honourable and at the same time very arduous duties in the public service." Metcalfe wrote to Captain Higginson, afterwards his private secretary: "I am not sure that the government of Canada is a manageable affair, and unless I think I can go to good purpose I will not go at all." Sir Francis Hincks says: "All Sir Charles Metcalfe's correspondence prior to his departure from England is indicative of a feeling

METCALFE'S MISSION

that he was going on a forlorn hope expedition," and Hincks adds that such language can be explained only on the assumption that he was sent out for the purpose of overthrowing responsible government. It is certainly established by the Peel correspondence that the British government strongly disapproved of Sir Charles Bagot's policy, and selected Sir Charles Metcalfe as a man who would govern on radically different lines. It is perhaps putting it rather strongly to say that he was intended to overthrow responsible government. But he must have come to Canada filled with distrust of the Canadian ministry, filled with the idea that the demand for responsible government was a cloak for seditious designs, and ready to take strong measures to preserve British connection. In this misunderstanding lay the source of his errors and misfortunes in Canada.

It is not therefore necessary to enter minutely into the dispute which occasioned the rupture between Metcalfe and his advisers. On the surface it was a dispute over patronage. In reality Baldwin and Lafontaine were fighting for autonomy and responsible government; Metcalfe, as he thought, was defending the unity of the empire. He was a kindly and conscientious man, and he held his position with some skill, always contending that he was willing to agree to responsible government on condition that the colonial position was recognized, the prerogative of the Crown upheld,

GEORGE BROWN

and the governor not dominated by one political party.

The governor finally broke with his advisers in November, 1843. For some months he was to govern, not only without a responsible ministry, but without a parliament, for the legislature was immediately prorogued, and did not meet again before dissolution. His chief adviser was William Henry Draper, a distinguished lawyer, whose political career was sacrificed in the attempt to hold an impossible position. Reformers and Tories prepared for a struggle which was to continue for several years, and which, in spite of the smallness of the field, was of the highest importance in settling a leading principle of government.

On March 5th, 1844, as a direct consequence of the struggle, appeared the first issue of the *Toronto Globe*, its motto taken from one of the boldest letters of Junius to George III: "The subject who is truly loyal to the chief magistrate will neither advise nor submit to arbitrary measures." The leading article was a long and careful review of the history of the country, followed by a eulogy on the constitution enjoyed by Great Britain since "the glorious revolution of 1688," but denied to Canada. Responsible government was withheld; the governor named his councillors in defiance of the will of the legislature. Advocates of responsible government were stigmatized by the governor's friends as rebels, traitors, radicals and republicans. The *Globe*

THE CAMPAIGN OPENS

proclaimed its adherence to Lord Durham's recommendation, and said: "The battle which the Reformers of Canada will fight is not the battle of a party, but the battle of constitutional right against the undue interference of executive power." The prospectus of the paper contained these words: "Firmly attached to the principles of the British Constitution, believing the limited monarchy of Great Britain the best system of government yet devised by the wisdom of man, and sincerely convinced that the prosperity of Canada will best be advanced by a close connection between it and the mother country, the editor of the *Globe* will support all measures which will tend to draw closer the bonds of a mutually advantageous union."

On March 25th, 1844, the campaign was opened with a meeting called by the Toronto Reform Association. Robert Baldwin, "father of responsible government," was in the chair, and William Hume Blake was the orator of the night. The young editor of the *Globe*, a recruit among veterans, seems to have made a hit with a picture of a ministry framed on the "no party" plan advocated by Governor Metcalfe. In this imaginary ministry he grouped at the same council table Robert Baldwin and his colleague Francis Hincks; Sir Allan MacNab, the Tory leader; William Henry Draper, Metcalfe's chief adviser; John Strachan, Bishop of Toronto; and Dr. Ryerson, leader of the Methodists and champion of the governor. His Excellency is on a

GEORGE BROWN

chair raised above the warring elements below. Baldwin moves that King's College be opened to all classes of Her Majesty's subjects. At once the combination is dissolved, as any one who remembers Bishop Strachan's views on that question will understand.

Dr. Ryerson, whose name was used by Brown in this illustration, was a leader among the Methodists, and had fought stoutly for religious equality against Anglican privilege. But he had espoused the side of the governor-general, apparently taking seriously the position that it was the only course open to a loyal subject. In a series of letters published in the summer of 1844, he warned the people that the Toronto Reform Association was leading them to the edge of a precipice. "In the same manner," he said, "I warned you against the Constitutional Reform Association, formed in 1834. In 1837 my warning predictions were realized, to the ruin of many and the misery of thousands. What took place in 1837 was but a preface of what may be witnessed in 1847." The warning he meant to convey was that the people were being drawn into a conflict with the imperial authorities. "Mr. Baldwin," he said, "practically renounces the imperial authority by refusing to appeal to it, and by appealing through the Toronto Association to the people of Canada. If the people of Canada are the tribunal of judgment on one question of constitutional prerogative, they are so on every question of constitu-

RYERSON'S INTERVENTION

tional prerogative. Then the governor is no longer responsible to the imperial authority, and Canada is an independent country. Mr. Baldwin's proceeding, therefore, not only leads to independence but involves (unconsciously, I admit, from extreme and theoretical views), a practical declaration of independence before the arrival of the 4th of July!"

In this language Dr. Ryerson described with accuracy the attitude of the British government. That government had, as we have seen, disapproved of Governor Bagot's action in parting with so large a measure of power, and it was fully prepared to support Metcalfe in pursuing the opposite course. Dr. Ryerson was also right in saying that the government of Great Britain would be supported by parliament. In May, 1844, the affairs of Canada were discussed in the British House of Commons, and the governor's action was justified by Peel, by Lord Stanley, and by Lord John Russell. The only dissentient voices were those of the Radicals, Hume and Roebuck.

Metcalfe and his chiefs at home can hardly be blamed for holding the prevailing views of the time, which were that the changes contemplated by Durham, by Bagot, and by Baldwin were dangerous and revolutionary. The idea that a colony could remain connected with Great Britain under such a system of autonomy as we enjoy to-day was then conceived by only a few men of exceptional

GEORGE BROWN

breadth and foresight, among whom Elgin was one of the most eminent.

The wise leadership of Baldwin and Lafontaine and the patience and firmness of the Reformers are attested by their conduct in very trying circumstances. Finding their demand for constitutional reform opposed not only by the Canadian Tories, but by the governor-general and the imperial government and parliament, they might have become discouraged, or have been tempted into some act of violence. Their patience must have been sorely tried by the persistent malice or obstinate prejudice which stigmatized a strictly constitutional movement as treason. They had also to endure the trial of a temporary defeat at the polls, and an apparent rejection of their policy by the very people for whose liberties they were contending.

In the autumn of 1844 the legislature was dissolved and a fierce contest ensued. Governor Metcalfe's attitude is indicated by his biographer.¹ "The contest," he says, "was between loyalty on the one side and disaffection to Her Majesty's government on the other. That there was a strong anti-British feeling abroad, in both divisions of the province [Upper and Lower Canada] Metcalfe clearly and painfully perceived. The conviction served to brace and stimulate him to new exertions. He felt that he was fighting for his sovereign against a rebellious people." The appeal was successful; Upper Canada

¹ *Kaye's Life of Metcalfe*, Vol. II., p. 389.

A LOYALTY ELECTION

was swept by the loyalty cry, and in various polling places votes were actually cast or offered for the governor-general. The *Globe* described a conversation that occurred in a polling place in York: "Whom do you vote for?" "I vote for the governor-general." "There is no such candidate. Say George Duggan, you blockhead." "Oh, yes, George Duggan; it's all the same thing." There were candidates who described themselves as "governor-general's men"; there were candidates whose royalist enthusiasm was expressed in the name "Cavaliers." In the Montreal election petition it was charged that during two days of polling the electors were exposed to danger from the attacks of bands of fighting men hired by the government candidates or their agents, and paid, fed, and armed with "bludgeons, bowie-knives, and pistols and other murderous weapons" for the purpose of intimidating the Liberal electors and preventing them from gaining access to the polls; that Liberals were driven from the polls by these fighting men, and by cavalry and infantry acting under the orders of partisan magistrates. The polls, it was stated, were surrounded by soldiers; field-pieces were placed in several public squares, and the city was virtually in a state of siege. The charges were not investigated, the petition being rejected for irregularity; but violence and intimidation were then common accompaniments of elections.

In November the governor was able to record his

GEORGE BROWN

victory thus: Upper Canada, avowed supporters of his government, thirty; avowed adversaries, seven; undeclared and uncertain, five. Lower Canada, avowed supporters, sixteen; avowed adversaries, twenty-one; undeclared and uncertain, four. Remarking on this difference between Upper and Lower Canada, he said that loyalty and British feeling prevailed in Upper Canada and in the Eastern Townships of Lower Canada, and that disaffection was predominant among the French-Canadian constituencies.¹ Metcalfe honestly believed he had saved Canada for the empire; but more mischief could hardly have been done by deliberate design. In achieving a barren and precarious victory at the polls, he and his friends had run the risk of creating that disaffection which they feared. The stigma of disloyalty had been unjustly affixed to honest and public-spirited men, whose steadiness alone prevented them, in their resentment, from joining the ranks of the disaffected. Worse still, the line of political cleavage had been identified with the line of racial division, and "French-Canadian" and "rebel" had been used as synonymous terms.

The ministry and the legislative assembly were now such as the governor had desired, yet the harmony was soon broken. There appeared divisions in the cabinet, hostile votes in the legislature, and finally a revolt in the Conservative press. An attempt to form a coalition with the French-Canadian

¹ Kaye's *Life of Metcalfe*, Vol. II., p. 390.

METCALFE'S DEPARTURE

members drew a sarcastic comment from the *Globe*: "Mr. Draper has invited the men whom he and his party have for years stigmatized before the country as rebels and traitors and destructives to join his administration." Reformers regarded these troubles as evidence that the experiment in reaction was failing, and waited patiently for the end. Shortly after the election the governor was raised to the peerage, an honour which, if not earned by success in Canada, was fairly due to his honest intentions. He left Canada at the close of the year 1845, suffering from a painful disease, of which he died a year afterwards.

Soon after the governor's departure the young editor of the *Globe* had a curious experience. At a dinner of the St. Andrew's Society, Toronto, the president, Judge MacLean, proposed the health of Lord Metcalfe, eulogized his Canadian policy, and insisted that he had not been recalled, "as certain persons have most impertinently and untruly assumed and set forth." Brown refused to drink the toast, and asked to be heard, asserting that he had been publicly insulted from the chair. After a scene of uproar, he managed to obtain a hearing, and said, addressing the chairman: "I understand your allusions, sir, and your epithet of impertinence as applied to myself. I throw it back on you with contempt, and will content myself with saying that your using such language and dragging such matters before the society was highly improper. Lord

GEORGE BROWN

Metcalf, sir, has been recalled, and it may yet be seen that it was done by an enlightened British government for cause. The toast which you have given, too, and the manner in which it was introduced, are highly improper. This is not the place to discuss Lord Metcalf's administration. There is a wide difference of opinion as to it. But I refrain from saying one word as to his conduct in this province. This is not a political but a benevolent society, composed of persons of very varied political sentiments, and such a toast ought never to have been brought here. Lord Metcalf is not now governor-general of Canada, and I had a right to refuse to do honour to him or not as I saw fit, and that without any disparagement to his conduct as a gentleman, even though the person who is president of this society thinks otherwise." This incident, trivial as it may appear, illustrates the passion aroused by the contest, and the bold and resolute character of the young politician.

Lord Metcalf's successor was Earl Cathcart, a soldier who concerned himself little in the political disputes of the country, and who had been chosen because of the danger of war with the United States, arising out of the dispute over the Oregon boundary. The settlement of that dispute does not come within the scope of this work; but it may be noted that the *Globe* was fully possessed by the belligerent spirit of the time, and frankly expressed the hope that Great Britain would fight, not merely

BELLIGERENT VIEWS

for the Oregon boundary, but "to proclaim liberty to the black population." The writer hoped that the Christian nations of the world would combine and "break the chains of the slaves in the United States, in Brazil and in Cuba."

CHAPTER III

RESPONSIBLE GOVERNMENT

IN England, as well as in Canada, events were moving towards self-government. With the repeal of the Corn Laws in 1846 disappeared the preference to Canadian wheat. "Destroy this principle of protection," said Lord Stanley in the House of Lords, "and you destroy the whole basis upon which your colonial system rests." Loud complaints came from Canada, and in a despatch from Earl Cathcart to the colonial secretary, it was represented that the Canadian waterways had been improved on the strength of the report made to Great Britain, and that the disappointment and loss resulting from the abolition of the preference would lead to alienation from the mother country and "annexation to our rival and enemy, the United States." Gladstone, in his reply, denied that the basis of imperial unity was protection, "the exchange, not of benefits, but of burdens;" the true basis lay in common feelings, traditions and hopes. The *Globe* held that Canada had no right to complain if the people of the United Kingdom did what was best for themselves. England, as an exporter of manufactures, had to meet competition at the world's prices, and must have cheap food supplies. Canada had surely

GEORGE BROWN

a higher destiny than to export a few hundred bushels of wheat and flour to England. Canadian home manufactures must be encouraged, and efforts made to obtain free trade with the United States. "The Tory press," said the *Globe*, "are out in full cry against free trade. Their conduct affords an illustration of the unmitigated selfishness of Toryism. Give them everything they can desire and they are brimful of loyalty. They will shout pæans till they are sick, and drink goblets till they are blind in favour of 'wise and benevolent governors' who will give them all the offices and all the emoluments. But let their interests, real or imaginary, be affected, and how soon does their loyalty evaporate! Nothing is now talked of but separation from the mother country, unless the mother continues feeding them in the mode prescribed by the child."

Some time afterwards, Lord Elgin, in his communications to the home government, said that the Canadian millers and shippers had a substantial grievance, not in the introduction of free trade, but in the constant tinkering incident to the abandoned system of imperial protection. The preference given in 1843 to Canadian wheat and to flour, even when made of American wheat, had stimulated milling in Canada; but almost before the newly-built mills were fairly at work, the free trade measure of 1846 swept the advantage away. What was wrong was not free trade, but Canadian dependence on imperial tariff legislation.

LORD ELGIN

Elgin was one of the few statesmen of his day who perceived that the colonies might enjoy commercial independence and political equality, without separation. He declared that imperial unity did not depend on the exercise of dominion, the dispensing of patronage, or the maintenance of an imperial hot-bed for forcing commerce and manufactures. Yet he conceived of an empire not confined to the British Islands, but growing, expanding, "strengthening itself from age to age, and drawing new supplies of vitality from virgin soils."

With Elgin's administration began the new era of self-government. The legislature was dissolved towards the close of the year 1847, and the election resulted in a complete victory for the Reformers. In Upper Canada the contest was fairly close, but in Lower Canada the Conservative forces were almost annihilated, and on the first vote in parliament the government was defeated by a large majority. The second Baldwin-Lafontaine government received the full confidence and loyal support of the governor, and by its conduct and achievements justified the reform that had been so long delayed, and adopted with so many misgivings. But the fight for responsible government was not yet finished. The cry of French and rebel domination was raised, as it had been raised in the days of Governor Bagot. A Toronto journal reproachfully referred to Lord Elgin's descent from "the Bruce," and asked how a man of royal ancestry could so

GEORGE BROWN

degrade himself as to consort with rebels and political jobbers. "Surely the curse of Minerva, uttered by a great poet against the father, clings to the son." The removal of the old office-holders seemed to this writer to be an act of desecration not unlike the removal of the famous marbles from the Parthenon. In a despatch explaining his course on the Rebellion Losses Bill, Lord Elgin said that long before that legislation there were evidences of the temper which finally produced the explosion. He quoted the following passage from a newspaper: "When French tyranny becomes insupportable, we shall find our Cromwell. Sheffield in olden times used to be famous for its keen and well-tempered whittles. Well, they make bayonets there now, just as sharp and just as well-tempered. When we can stand tyranny no longer, it will be seen whether good bayonets in Saxon hands will not be more than a match for a mace and a majority." All the fuel for a conflagration was ready. There was race hatred, there was party hostility, there was commercial depression and there was a sincere, though exaggerated, loyalty, which regarded rebellion as the unforgivable sin, and which was in constant dread of the spread of radical, republican and democratic ideas.

The Rebellion Losses Bill was all that was needed to fan the embers into flame. This was a measure intended to compensate persons who had suffered losses during the rebellion in Lower Can-

REBELLION LOSSES BILL

ada. It was attacked as a measure for "rewarding rebels." Lord Elgin afterwards said that he did not believe a rebel would receive a farthing. But even if we suppose that some rebels or rebel sympathizers were included in the list, the outcry against the bill was unreasonable. A general amnesty had been proclaimed; French-Canadians had been admitted to a full share of political power. The greater things having been granted, it was mere pedantry to haggle about the less, and to hold an elaborate inquiry into the principles of every man whose barns had been burned during the rebellion. When responsible government was conceded, it was admitted that even the rebels had not been wholly wrong. It would have been straining at a gnat and swallowing a camel to say "we will give you these free institutions for the sake of which you rebelled, but we will not pay you the small sum of money necessary to recompense you for losses arising out of the rebellion."

However, it is easier to discuss these matters coolly in 1906 than it was in 1849, and in 1849 the notion of "rewarding the rebels" produced another rebellion on a small scale. A large quantity of important legislation was brought down by the new government when it met the legislature early in 1849, but everything else was forgotten when Mr. Lafontaine introduced the resolution on which the Rebellion Losses Bill was founded. In various parts of Upper Canada meetings were held and

GEORGE BROWN

protests made against the measure. In Toronto the protests took the form of mob violence, foreshadowing what was to come in Montreal. Effigies of Baldwin and Blake were carried through the streets and burned. William Lyon Mackenzie had lately returned to Canada, and was living at the house of a citizen named Mackintosh. The mob went to the house, threatened to pull it down, and burned an effigy of Mackenzie. The windows of the house were broken and stones and bricks thrown in. The *Globe* office was apparently not molested, but about midnight the mob went to the dwelling-house of the Browns, battered at the door and broke some windows. The *Globe* in this trying time stood staunchly by the government and Lord Elgin, and powerfully influenced the public opinion of Upper Canada in their favour. Addresses calling for the withdrawal of Lord Elgin were met by addresses supporting his action, and the signatures to the friendly addresses outnumbered the other by one hundred and twenty thousand. George Brown, Col. C. T. Baldwin, and W. P. Howland were deputed to present an address from the Reformers of Upper Canada. Sir William Howland has said that Lord Elgin was so much affected that he shed tears.

This is not the place, however great the temptation may be, to describe the stirring scenes that were enacted in Montreal; the stormy debate, the fiery speech in which William Hume Blake hurled

THE ANNEXATION MANIFESTO

back at the Tories the charge of disloyalty; the tumult in the galleries, the burning of the parliament buildings, and the mobbing and stoning of the governor-general.

Lord Elgin's bearing under this severe trial was admirable. He was most desirous that blood should not be shed, and for this reason avoided the use of troops or the proclamation of martial law; and he had the satisfaction of seeing the storm gradually subside. A less dangerous evidence of discontent was a manifesto signed by leading citizens of Montreal advocating annexation to the United States, not only to relieve commercial depression, but "to settle the race question forever, by bringing to bear on the French-Canadians the powerful assimilating forces of the republic." The signers of this document were leniently dealt with; but those among them who afterwards took a prominent part in politics, were not permitted to forget their error. Elgin was of opinion that there was ground for discontent on commercial grounds, and he advocated the removal of imperial restriction on navigation, and the establishment of reciprocity between the United States and the British North American provinces. The annexation movement was confined chiefly to Montreal. In Upper Canada an association called the British American League was formed, and a convention held at Kingston in 1849. The familiar topics of commercial depression and French domination were discussed; some violent

GEORGE BROWN

language was used, but the remedies proposed were sane enough; they were protection, retrenchment, and the union of the British provinces. Union, it was said, would put an end to French domination, and would give Canada better access to the sea and increased commerce. The British American League figures in the old, and not very profitable, controversy as to the share of credit to be allotted to each political party for the work of confederation. It is part of the Conservative case. But the platform was abandoned for the time, and confederation remained in the realm of speculation rather than of action.

CHAPTER IV

DISSENSION AMONG REFORMERS

WITHIN the limits of one parliament, less than four years, the Baldwin-Lafontaine government achieved a large amount of useful work, including the establishment of cheap and uniform postage, the reforming of the courts of law, the remodelling of the municipal system, the establishment of the University of Toronto on a non-sectarian basis, and the inauguration of a policy by which the province was covered with a network of railways. With such a record, the government hardly seemed to be open to a charge of lack of energy and progressiveness, but it was a time when radicalism was in the air. It may be more than a coincidence that Chartism in England and a revolution in France were followed by radical movements in both Canadas.

The counterpart to the Rouge party in Lower Canada, elsewhere referred to, was the Clear Grit party in Upper Canada. Among its leaders were Peter Perry, one of the founders of the Reform party in Upper Canada, Caleb Hopkins, David Christie, James Lesslie, Dr. John Rolph and William Macdougall. Rolph had played a leading part in the movement for reform before the rebellion,

GEORGE BROWN

and is the leading figure in Dent's history of that period. Macdougall was a young lawyer and journalist fighting his way into prominence.

"Grit" afterwards became a nickname for a member of the Reform or Liberal party, and especially for the enthusiastic followers of George Brown. Yet in all the history of a quarrelsome period in politics there is no more violent quarrel than that between Brown and the Clear Grits. It is said that Brown and Christie were one day discussing the movement, and that Brown had mentioned the name of a leading Reformer as one of the opponents of the new party. Christie replied that the party did not want such men, they wanted only those who were "Clear Grit." This is one of several theories as to the derivation of the name. The *Globe* denounced the party as "a miserable clique of office-seeking, bunkum-talking cormorants, who met in a certain lawyer's office on King Street [Macdougall's] and announced their intention to form a new party on Clear Grit principles." The *North American*, edited by Macdougall, denounced Brown with equal fury as a servile adherent of the Baldwin government. Brown for several years was in this position of hostility to the Radical wing of the party. He was defeated in Haldimand by William Lyon Mackenzie, who stood on an advanced Radical platform; and in 1851 his opponent in Kent and Lambton was Malcolm Cameron, a Clear Grit, who had joined the Hincks-Morin

THE CLEAR GRITS

government. The nature of their relations is shown by a letter in which Cameron called on one of his friends to come out and oppose Brown: "I will be out and we will show him up, and let him know what stuff Liberal Reformers are made of, and how they would treat fanatical beasts who would allow no one liberty but themselves."

The Clear Grits advocated, (1) the application of the elective principle to all the officials and institutions of the country, from the head of the government downwards; (2) universal suffrage; (3) vote by ballot; (4) biennial parliaments; (5) the abolition of property qualification for parliamentary representations; (6) a fixed term for the holding of general elections and for the assembling of the legislature; (7) retrenchment; (8) the abolition of pensions to judges; (9) the abolition of the Courts of Common Pleas and Chancery and the giving of an enlarged jurisdiction to the Court of Queen's Bench; (10) reduction of lawyers' fees; (11) free trade and direct taxation; (12) an amended jury law; (13) the abolition or modification of the usury laws; (14) the abolition of primogeniture; (15) the secularization of the clergy reserves, and the abolition of the rectories. The movement was opposed by the *Globe*. No new party, it said, was required for the advocacy of reform of the suffrage, retrenchment, law reform, free trade or the liberation of the clergy reserves. These were practical questions, on which the Reform party was united. But

GEORGE BROWN

these were placed on the programme merely to cloak its revolutionary features, features that simply meant the adoption of republican institutions, and the taking of the first step towards annexation. The British system of responsible government was upheld by the *Globe* as far superior to the American system in the security it afforded to life and property.

But while Brown defended the government from the attacks of the Clear Grits, he was himself growing impatient at their delay in dealing with certain questions that he had at heart, especially the secularization of the clergy reserves. He tried, as we should say to-day, "to reform the party from within." He was attacked for his continued support of a ministry accused of abandoning principles while "he was endeavouring to influence the members to a right course without an open rupture." There was an undercurrent of discontent drawing him away from the government. In October, 1850, the *Globe* contained a series of articles on the subject. It was pointed out that there were four parties in the country: the old-time Tories, the opponents of responsible government, whose members were fast diminishing; the new party led by John A. Macdonald; the Ministerialists; and the Clear Grits, who were described as composed of English Radicals, Republicans and annexationists. The Ministerialists had an overwhelming majority over all, but were disunited. What was the trouble? The

FRIENDLY CRITICISM

ministers might be a little slow, a little wanting in tact, a little less democratic than some of their followers. They were not traitors to the Reform cause, and intemperate attacks on them might be disastrous to that cause. A union of French-Canadians with Upper Canadian Conservatives would, it was prophesied, make the Reform party powerless. Though in later years George Brown became known as the chief opponent of French-Canadian influence, he was well aware of the value of the alliance, and he gave the French-Canadians full credit for their support to measures of reform. "Let the truth be known," said the *Globe* at this time, "to the French-Canadians of Lower Canada are the Reformers of Upper Canada indebted for the sweeping majorities which carried their best measures." He gave the government credit for an immense mass of useful legislation enacted in a very short period. But more remained to be done. The clergy reserves must be abolished, and all connection between Church and State swept away. "The party in power has no policy before the country. No one knows what measures are to be brought forward by the leaders. Each man fancies a policy for himself. The conductors of the public press must take ground on all the questions of the day, and each accordingly strikes out such a line as suits his own leanings, the palates of his readers, or what he deems for the good of the country. All sorts of vague schemes are thus thrown on the sea of public opinion to

GEORGE BROWN

agitate the waters, with the triple result of poisoning the public mind, producing unnecessary divisions, and committing sections of the party to views and principles which they might never have contemplated under a better system."

For some time the articles in the *Globe* did not pass the bounds of friendly, though outspoken, criticism. The events that drew Brown into opposition were his breach with the Roman Catholic Church, the campaign in Haldimand in which he was defeated by William Lyon Mackenzie, the retirement of Baldwin and the accession to power of the Hincks-Morin administration.

Towards the end of 1850 there arrived in Canada copies of a pastoral letter by Cardinal Wiseman, defending the famous papal bull which divided England into sees of the Roman Catholic Church, and gave territorial titles to the bishops. Sir E. P. Taché, a member of the government, showed one of these to Mr. Brown, and jocularly challenged him to publish it in the *Globe*. Brown accepted the challenge, declaring that he would also publish a reply, to be written by himself. The reply, which will be found in the *Globe* of December 19th, 1850, is argumentative in tone, and probably would not of itself have involved Brown in a violent quarrel with the Church. The following passage was afterwards cited by the *Globe* as defining its position: "In offering a few remarks upon Dr. Wiseman's production, we have no intention to discuss the tenets

BROWN AND THE CATHOLICS

of the Roman Catholic Church, but merely to look at the question in its secular aspect. As advocates of the voluntary principle we give to every man full liberty to worship as his conscience dictates, and without penalty, civil or ecclesiastical, attaching to his exercise thereof. We would allow each sect to give to its pastors what titles it sees fit, and to prescribe the extent of spiritual duties; but we would have the State recognize no ecclesiastical titles or boundaries whatever. The public may, from courtesy, award what titles they please; but the statute-book should recognize none. The voluntary principle is the great cure for such dissensions as now agitate Great Britain."

The cause of conflict lay outside the bounds of that article. Cardinal Wiseman's letter and Lord John Russell's reply had thrown England into a ferment of religious excitement. "Lord John Russell," says Justin McCarthy, "who had more than any man living been identified with the principles of religious liberty, who had sat at the feet of Fox and had for his closest friend the poet, Thomas Moore, came to be regarded by the Roman Catholics as the bitterest enemy of their creed and their rights of worship."

It is evident that this hatred of Russell was carried across the Atlantic, and that Brown was regarded as his ally. In the Haldimand election a hand-bill signed, "An Irish Roman Catholic" was circulated. It assailed Brown fiercely for the support

GEORGE BROWN

he had given to Russell, and for the general course of the *Globe* in regard to Catholic questions. Russell was described as attempting "to twine again around the writhing limbs of ten millions of Catholics the chains that our own O'Connell rescued us from in 1829." A vote for George Brown would help to rivet these spiritual chains round the souls of Irishmen, and to crush the religion for which Ireland had wept oceans of blood; those who voted for Brown would be prostrating themselves like cowardly slaves or beasts of burden before the avowed enemies of their country, their religion and their God. "You will think of the gibbets, the triangles, the lime-pits, the tortures, the hangings of the past. You will reflect on the struggles of the present against the new penal bill. You will look forward to the dangers, the triumphs, the hopes of the future, and then you will go to the polls and vote against George Brown."

This was not the only handicap with which Brown entered on his first election contest. There was no cordial sympathy between him and the government, yet he was hampered by his connection with the government. The dissatisfied Radicals rallied to the support of William Lyon Mackenzie, whose sufferings in exile also made a strong appeal to the hearts of Reformers, and Mackenzie was elected.

In his election address Brown declared himself for perfect religious equality, the separation of

BALDWIN RESIGNS

Church and State, and the diversion of the clergy reserves from denominational to educational purposes. "I am in favour of national school education free from sectarian teaching, and available without charge to every child in the province. I desire to see efficient grammar schools established in each county, and that the fees of these institutions and of the national university should be placed on such a scale as will bring a high literary and scientific education within the reach of men of talent in any rank of life." He advocated free trade in the fullest sense, expressing the hope that the revenue from public lands and canals, with strict economy, would enable Canada "to dispense with the whole customs department."

Brown's estrangement from the government did not become an open rupture so long as Baldwin and Lafontaine were at the head of affairs. In the summer following Brown's defeat in Haldimand, Baldwin resigned owing to a resolution introduced by William Lyon Mackenzie, for the abolition of the Court of Chancery. The resolution was defeated, but obtained the votes of a majority of the Upper Canadian members, and Mr. Baldwin regarded their action as an indication of want of confidence in himself. He dropped some expressions, too, which indicated that he was moved by larger considerations. He was conservative in his views, and he regarded the Mackenzie vote as a sign of a flood of radicalism which he felt powerless to stay.

GEORGE BROWN

Shortly afterwards Lafontaine retired. He, also, was conservative in his temperament, and weary of public life. The passing of Baldwin and Lafontaine from the scene helped to clear the way for Mr. Brown to take his own course, and it was not long before the open breach occurred. When Mr. Hincks became premier, Mr. Brown judged that the time had come for him to speak out. He felt that he must make a fair start with the new government, and have a clear understanding at the outset. A new general election was approaching, and he thought that the issue of separation of Church and State must be clearly placed before the country. In an article in the *Globe* entitled "The Crisis," it was declared that the time for action had come. One parliament had been lost to the friends of religious equality; they could not afford to lose another. It was contended that the Upper Canadian Reformers suffered by their connection with the Lower Canadian party. Complaint was made that the Hon. E. P. Taché had advised Roman Catholics to make common cause with Anglicans in resisting the secularization of the clergy reserves, had described the advocates of secularization as "pharisaical brawlers," and had said that the Church of England need not fear their hostility, because the "counterbalancing power" of the Lower Canadians would be used to protect the Anglican Church. This, said the *Globe*, was a challenge which the friends of religious equality could not refuse. Later on, Mr.

LETTERS TO HINCKS

Brown wrote a series of letters to Mr. Hincks, setting forth fully his grounds of complaint against the government: failure to reform the representation of Upper Canada, slackness in dealing with the secularization of the clergy reserves, weakness in yielding to the demand for separate schools. All this he attributed to Roman Catholic or French-Canadian influence.

CHAPTER V

THE CLERGY RESERVES

THE clergy reserves were for many years a fruitful source of discontent and agitation in Canada. They had their origin in a provision of the Constitutional Act of 1791, that there should be reserved for the maintenance and support of a "Protestant-clergy" in Upper and Lower Canada "a quantity of land equal in value to a seventh part of grants that had been made in the past or might be made in the future." It was provided also that rectories might be erected and endowed according to the establishment of the Church of England. The legislatures were to be allowed to vary or repeal these enactments, but such legislation was not to receive the royal assent before it had been laid before both Houses of the imperial parliament.

Did the words "Protestant clergy" apply to any other body than the Church of England? A vast amount of legal learning was expended on this question; but there can be little doubt that the intention to establish and endow the Church of England was thoroughly in accord with the ideas of colonial government prevailing from the conquest to the end of the eighteenth century. In the instructions to Murray and other early governors

GEORGE BROWN

there are constant injunctions for the support of a Protestant clergy and Protestant schools, "to the end that the Church of England may be established both in principles and practice."¹ Governor Simcoe, we are told, attached much importance to "every establishment of Church and State that upholds a distinction of ranks and lessens the undue weight of the democratic influence." "The episcopal system was interwoven and connected with the monarchical foundations of our government."² In pursuance of this idea, which was also that of the ruling class in Canada, the country was to be made as much unlike the United States as possible by the intrenchment of class and ecclesiastical privileges, and this was the policy pursued up to the time that responsible government was obtained. Those outside the dominant caste, in religion as in politics, were branded as rebels, annexationists, Yankees, republicans. And as this dominant caste, until the arrival of Lord Elgin, had the ear of the authorities at home, it is altogether likely that the Act of 1791 was framed in accordance with their views.

The law was unjust, improvident, and altogether unsuited to the circumstances of the colony. Lord Durham estimated that the members and adherents of the Church of England, allowing its largest claim, were not more than one-third, probably not

¹ Instructions to Governor Murray, *Canadian Archives of 1904*, p. 218.

² Professor Shortt in the *Canadian Magazine*, September, 1901.

CLERGY RESERVES

more than one-fourth, of the population of Upper Canada. Methodists, Presbyterians, and Roman Catholics, each claimed a larger membership. He declared that the sanction given to the exclusive claims of the Church of England by Sir John Colborne's establishment of fifty-seven rectories, was, in the opinion of many persons, the chief predisposing cause of the rebellion, and it was an abiding and unabated cause of discontent.¹

Not only was the spirit of the colony opposed to the establishment and domination of any Church, but settlement was retarded and the hardships of the settler increased by the locking up of enormous tracts of land. In addition to the clergy reserves, grants were made to officials, to militia men, to the children of United Empire Loyalists and others, in the hope that these persons would settle on the land. Many of these fell into the hands of speculators and jobbers, who bought farms of two hundred acres for prices ranging from a gallon of rum to £5. "The greater part of these grants," said Mr. Hawke, a government official whose evidence is given in the appendix to Durham's Report, "remain in an unimproved state. These blocks of wild land place the actual settler in an almost hopeless condition; he can hardly expect during his lifetime to see his neighbourhood contain a population sufficiently dense to support mills, schools, post-offices,

¹ Durham's *Report on the Affairs of British North America*. Methuen's reprint, pp. 126, 128.

GEORGE BROWN

places of worship, markets or shops, without which civilization retrogrades. Roads, under such circumstances, can neither be opened by the settlers nor kept in proper repair. In 1834 I met a settler from the township of Warwick, on the Caradoc Plains, returning from the grist mill at Westminster, with the flour and bran of thirteen bushels of wheat. He had a yoke of oxen and a horse attached to his wagon, and had been absent nine days and did not expect to reach home until the following evening. Light as his load was, he assured me that he had to unload, wholly or in part, several times, and after driving his wagon through the swamps, to pick out a road through the woods where the swamps or gullies were fordable, and to carry the bags on his back and replace them in the wagon."

It is unnecessary here to discuss differences of opinion as to the interpretation of the law, attempts to divide the endowment among various denominations, or other efforts at compromise. The radical wing of the Reform party demanded that the special provision for the support of the Church of England should be abolished, and a system of free popular education established. With this part of their platform Brown was heartily in accord; on this point he agreed with the Clear Grits that the Baldwin-Lafontaine government was moving too slowly, and when Baldwin was succeeded by Hincks in 1851, the restraining influence of his respect for Baldwin being removed, his discon-

STATE AND CHURCH

tent was converted into open and determined opposition.

Largely by the influence of Brown and the *Globe*, public opinion in 1851 was aroused to a high degree, and meetings were held to advocate the secularization of the clergy reserves. The friends of the old order were singularly unfortunate in their mode of expressing their opinions. Opposition to responsible government was signalized by the burning of the parliament buildings, and the mobbing of Lord Elgin in Montreal. Opposition to religious equality was signalized by the mobbing of an orderly assembly in Toronto. One meeting of the opponents of the clergy reserves was broken up by these means, and a second meeting was attacked by a mob with such violence as to necessitate the calling out of a company of British soldiers. This meeting was held in St. Lawrence Hall, over the city market bearing that name. Mr. Brown was chosen to move a resolution denouncing State endowments of religion, and did so in a speech of earnestness and argumentative power. He compared the results of Church establishments with those of voluntary effort in England, in Scotland, in France, and in Canada, and denounced "State-churchism" as the author of pride, intolerance and spiritual coldness. "When," he said, "I read the history of the human race, and trace the dark record of wars and carnage, of tyranny, robbery and injustice in every shape, which have been the fruits of State-churchism in every

GEORGE BROWN

age; when I observe the degenerating effect which it has ever had on the purity and simplicity of the Gospel of Christ, turning men's minds from its great truths, as a religion of the heart, to the mere outward tinsel, to the forms and ceremonies on which priestcraft flourishes; when I see that at all times it has been made the instrument of the rich and powerful in oppressing the poor and weak, I cannot but reject it utterly as in direct hostility to the whole spirit of the Gospel, to that glorious system which teaches men to set not their hearts on this world, and to walk humbly before God." He held that it was utterly impossible for the State to teach religious truth. "There is no standard for truth. We cannot even agree on the meaning of words." Setting aside the injustice of forcing men to pay money for the support of what they deemed religious error, it was of most dangerous to admit that the magistrate is to decide for God—for that is the plain meaning of the establishment principle. Once admit that principle, and no curb can be set upon its operation. Who shall restrict what God has appointed? And thus the extent to which the conscience of men may be constrained, or persecution for truth's sake may be carried, depends entirely on the ignorance or enlightenment of the civil magistrate. There is no safety out of the principle that religion is a matter entirely between man and his God, and that the whole duty of the magistrate is to secure every one in the peaceful obser-

A RIVAL MEETING

vance of it. Anything else leads to oppression and injustice, but this can never lead to either."

A notable part of the speech was a defence of free, non-sectarian education. "I can conceive," he said, "nothing more unprincipled than a scheme to array the youth of the province in sectarian bands—to teach them, from the cradle up, to know each other as Methodist boys, and Presbyterian boys, and Episcopal boys. Surely, surely, we have enough of this most wretched sectarianism in our churches without carrying it further."

To protect themselves from interruption, the advocates of secularization had taken advantage of a law which allowed them to declare their meeting as private, and exclude disturbers. Their opponents held another meeting in the adjoining market-place where by resolution they expressed indignation at the repeated attempts of "a Godless association" to stir up religious strife, and declared that the purposes of the association, if carried out, would bring about not only the severance of British connection, but socialism, republicanism, and infidelity. The horrified listeners were told how Rousseau and Voltaire had corrupted France, how religion was overthrown and the naked Goddess of Reason set up as an object of worship. They were told that the clergy reserves were a gift to the nation from "our good King George the Third." Abolish them and the British flag would refuse to float over anarchy and confusion. Finally, they were assured that

GEORGE BROWN

they could thrash the St. Lawrence Hall audience in a stand-up fight, but were nevertheless advised to go quietly home. This advice was apparently accepted in the spirit of the admonition: "Don't nail his ears to the pump," for the crowd immediately marched to St. Lawrence Hall, cheering, groaning, and shouting. They were met by the mayor, two aldermen, and the chief constable, and told that they could not be admitted. Stones and bricks were thrown through the windows of the hall. The Riot Act was read by an alderman, and the British regiment then quartered in the town, the 71st, was sent for. There was considerable delay in bringing the troops, and in the meantime there was great disorder; persons leaving the hall were assaulted, and the mayor was struck in the face with a stone and severely cut. A company of the 71st arrived at midnight, after which the violence of the mob abated.¹

The steps leading up to the settlement of the question may be briefly referred to. In 1850 the Canadian parliament had asked for power to dispose of the reserves, with the understanding that emoluments derived by existing incumbents should be guaranteed during their lives. The address having been forwarded to England, Lord John Russell informed the governor-general that a bill would be introduced in compliance with the wish of the Canadian parliament. But in 1852 the Russell

¹ *The Globe*, July, 1851.

HINCKS'S DELAY

government resigned, and was succeeded by that of the Earl of Derby. Derby (Lord Stanley) had been colonial secretary in the Peel government, which had shown a strong bias against Canadian self-government. Sir John Pakington declared that the advisers of Her Majesty were not inclined to aid in the diversion to other purposes of the only public fund for the support of divine worship and religious instruction in Canada, though they would entertain proposals for new dispositions of the fund. Hincks, who was then in England, protested vigorously against the disregard of the wishes of the Canadian people. When the legislature assembled in 1852, it carried, at his instance, an address to the Crown strongly upholding the Canadian demand. Brown contended that the language was too strong and the action too weak. He made a counter proposal, which found little support, that the Canadian parliament itself enact a measure providing for the sale of the clergy lands to actual settlers, and the appropriation of the funds for the maintenance of common schools.

With the fall of the Derby administration in England, ended the opposition from that source to the Canadian demands. But Hincks, who had firmly vindicated the right of the Canadian parliament to legislate on the matter, now hesitated to use the power placed in his hands, and declared that legislation should be deferred until a new parliament had been chosen. The result was that the

GEORGE BROWN

work of framing the measure of settlement fell into the hands of John A. Macdonald, the rising star of the Conservative party. The fund, after provision had been made for the vested rights of incumbents, was turned over to the municipalities.

CHAPTER VI

BROWN'S FIRST PARLIAMENT

IN the autumn of 1851 parliament was dissolved, and in September Mr. Brown received a requisition from the Reformers of Kent to stand as their candidate, one of the signatures being that of Alexander Mackenzie, afterwards premier of Canada. In accepting the nomination he said that he anticipated that he would be attacked as an enemy of the Roman Catholic Church; that he cordially adhered to the principles of the Protestant reformation; that he objected to the Roman Catholic Church trenching on the civil rights of the community, but that he would be ashamed to advocate any principle or measure which would restrict the liberty of any man, or deprive him on account of his faith of any right or advantage enjoyed by his fellow-subjects. In his election address he advocated religious equality, the entire separation of Church and State, the secularization of the clergy reserves, the proceeds to go to national schools, which were thus to be made free. He advocated, also, the building of a railway from Quebec to Windsor and Sarnia, the improvement of the canals and waterways, reciprocity with the Maritime Provinces and the United States, a commission for the

GEORGE BROWN

reform of law procedure, the extension of the franchise and the reform of representation. Representation by population afterwards came to be the watchword of those who demanded that Upper Canada should have a larger representation than Lower Canada; but as yet this question had not arisen definitely. The population of Upper Canada was nearly doubled between 1842 and 1851, but it did not appear until 1852 that it had passed the lower province in population.

The advocacy of free schools was an important part of the platform. During the month of January, 1852, the *Globe* contained frequent articles, reports of public meetings, and letters on the subject. It was contended by some of the opponents of free schools that the poor could obtain free education by pleading their poverty; but the *Globe* replied that education should not be a matter of charity, but should be regarded as a right, like the use of pavements. The matter was made an issue in the election of school trustees in several places, and in the Toronto election the advocates of free schools were successful.

It will be convenient to note here that Brown's views on higher education corresponded with his views on public schools. In each case he opposed sectarian control, on the ground that it would dissipate the energies of the people, and divide among half a dozen sects the money which might maintain one efficient system. These views were fully set

HIGHER EDUCATION

forth in a speech made on February 25th, 1858, upon a bill introduced by Mr. Hincks to amend the law relating to the University of Toronto. Brown denounced the measure as a surrender to the sectaries. There were two distinct ideas, he said, in regard to higher education in Upper Canada. One was that a university must be connected with a Church and under the management of the clergy, without whose control infidelity would prevail. The Reform party, led by Mr. Baldwin and Mr. Hincks, had denounced these views as the mere clap-trap of priestcraft. They held that there should be one great literary and scientific institution, to which all Canadians might resort on equal terms. This position was founded, not on contempt for religion, but on respect for religion, liberty, and conscience. "To no one principle does the Liberal party owe so many triumphs as to that of non-sectarian university education." Until 1848 Anglican control prevailed; then various unsuccessful efforts at compromise were made, and finally, in 1849, after twenty years of agitation, the desire of the Liberal party was fulfilled, and a noble institute of learning established. This act alone would have entitled Robert Baldwin to the lasting gratitude of his countrymen.

Continuing, Brown said that the Hincks bill was reactionary—that the original draft even contained a reference to the godless character of the institution—that the plan would fritter away the endow-

GEORGE BROWN

ment by dividing it among sects and among localities. He opposed the abolition of the faculties of law and medicine. Rightly directed, the study of law was ennobling, and jurists should receive an education which would give them broad and generous views of the principles of justice. The endowment of the university ought to be sufficient to attract eminent teachers, and to encourage students by scholarships. "We are laying the foundations of a great political and social system. Our vote today may deeply affect, for good or evil, the future of the country. I adjure the House to pause ere destroying an institution which may one day be among the chief glories of a great and wise people."

Brown was elected by a good majority. The general result of the election was favourable to the Hincks-Morin administration. A large part of the interval between the election and the first session of the new parliament was spent by Mr. Hincks in England, where he made some progress in the settlement of the clergy reserve question, and where he also made arrangements for the building of the Grand Trunk Railway from Montreal westward through Upper Canada. Negotiations for the building of the Intercolonial Railway, connecting Lower Canada with the Maritime Provinces, fell through, and the enterprise was delayed for some years.

It was a matter of some importance that the first parliament in which Mr. Brown took part was held

COURAGEOUS ELOQUENCE

in the city of Quebec. He had entered on a course which made Catholics and French-Canadians regard him as their enemy, and in Quebec French and Catholic influence was dominant. Brown felt keenly the hostility of his surroundings, and there are frequent references in his speeches and in the correspondence of the *Globe* to the unfriendly faces in the gallery of the chamber, and to the social power exercised by the Church. "Nothing," says the Hon. James Young, "could exceed the courage and eloquence with which Brown stood up night after night, demanding justice for Upper Canada in the face of a hostile majority on the floor of the chamber and still more hostile auditors in the galleries above. So high, indeed, did public feeling run on some occasions that fears were entertained for his personal safety, and his friends occasionally insisted after late and exciting debates, lasting often till long after midnight, on accompanying him."¹ Mr. Young adds that these fears were not shared by Mr. Brown, and that they proved to be groundless. Mr. Brown, in fact, did not regard the Quebec influence as a personal grievance, but he argued that on public grounds the legislature ought not to meet in a city where freedom of speech might be impaired by local sentiment. That he harboured no malice was very finely shown when parliament met four years afterwards in Toronto. He had just concluded a powerful speech. The galleries were

¹ Young's *Public Men and Public Life in Canada*, p. 83.

GEORGE BROWN

crowded, this time with a friendly audience, which at length broke into applause. Brown checked the demonstration. "I have addressed none," he said, "but members of this House, and trust that members from Lower Canada will not be overawed by any manifestation of feeling in this chamber. I shall be ready on all occasions to discourage it. In Lower Canada I stood almost alone in supporting my views, and I well know how painful these manifestations are to a stranger in a strange place. I do sincerely trust that gentlemen of French origin will feel as free to speak here as if they were in Quebec."

Brown made his maiden speech during the debate on the address. It is described in a contemporary account as "a terrible onslaught on the government." An idea of violence conveyed in this and other comments would appear to have been derived from the extreme energy of Brown's gestures. The printed report of the speech does not give that impression. Though severe, it was in the main historical and argumentative. It contained a review of the political history of Canada from the time of the rupture between Metcalfe and his ministers, up to the time when the principle of responsible government was conceded. Brown argued that Reformers were bound to stand by that principle, and to accept all its obligations. In his judgment it was essential to the right working of responsible government that parties should declare

THEORY OF PARTY

their principles clearly and stand or fall by them. If they held one set of principles out of office and another set in office they would reduce responsible government to a farce. He acknowledged the services which Hincks and Morin had rendered in fighting for responsible government; but he charged them with betraying that principle by their own conduct in office. Two systems of government, he said, were being tested on this continent. The American system contained checks and balances. The British system could be carried on only by the observance of certain unwritten laws, and especially a strict good faith and adherence to principle. Brown, as a party man, adhered firmly to Burke's definition of party: "A body of men united for promoting by their joint endeavours the national interest, upon some particular principle on which they are all agreed." Office-holding, with him, was a minor consideration. "There is no theory in the principle of responsible government more vital to its right working than that parties shall take their stand on the prominent questions of the day, and mount to office or resign it through the success or failure of principles to which they are attached. This is the great safeguard for the public against clap-trap professions."

CHAPTER VII

RISE OF BROWN'S INFLUENCE

THE condition of parties in the legislature was peculiar. The most formidable antagonist of the Reform government was the man who was rapidly rising to the leadership of the Reform party. The old Tory party was dead, and its leader, Sir Allan MacNab, was almost inactive. Macdonald, who was to re-organize and lead the new Conservative party, was playing a waiting game, taking advantage of Brown's tremendous blows at the ministry, and for the time being satisfied with a less prominent part in the conflict. Brown rapidly rose to a commanding position in the assembly. He did this without any *finesse* or skill in the management of men, with scarcely any assistance, and almost entirely by his own energy and force of conviction. His industry and capacity for work were prodigious. He spoke frequently, and on a wide range of subjects requiring careful study and mastery of facts. In the divisions he obtained little support. He had antagonized the French-Canadians, the Clear Grits of Upper Canada were for the time determined to stand by the government, and his views were usually not such as the Conservatives could endorse, although they

GEORGE BROWN

occasionally followed him in order to embarrass the government.

Brown's course in parliament, however, was pointing to a far more important result than changes in the personnel of office-holders. Hincks once told him that the logical conclusion of that course was the dissolution of the union. There was a measure of truth in this. If he had said dissolution or modification, he would have been absolutely right. Between the ideas of Upper Canada and Lower Canada there was a difference so great that a legislative union was foredoomed to failure, and separation could be avoided only by a federation which allowed each community to take its own way. Brown did not create these difficulties, but he emphasized them, and so forced and hastened the application of the remedy. Up to the time of his entering parliament, his policy had related mainly to Upper Canada. In parliament, however, a mass of legislation emanating from Lower Canada aroused his strong opposition. In the main it was ecclesiastical legislation incorporating Roman Catholic institutions, giving them power to hold lands, to control education, and otherwise to strengthen the authority of the Church over the people. It is not necessary to discuss these measures in detail. The object is to arrive at Brown's point of view, and it was this: That the seat of government was a Catholic city, and that legislation and administration were largely controlled by the French-Can-

GROWING POPULARITY

dian priesthood. He complained that Upper Canada was unfairly treated in regard to legislation and expenditure; that its public opinion was disregarded, and that it was not fairly represented. The question of representation steadily assumed more importance in his mind, and he finally came to the conclusion that representation by population was the true remedy for all the grievances of which he complained. Lower Canada, being now numerically the weaker, naturally clung to the system which gave it equality of representation.

In all these matters the breach between George Brown and the Lower Canadian representatives was widening, while he was becoming more and more the voice of Upper Canadian opinion. When, in the intervals between parliamentary sessions, he visited various places in Upper Canada, he found himself the most popular man in the community. He addressed great public meetings. Banquets were given in his honour. The prominent part taken by ministers of the Gospel at these gatherings illustrates at once the weakness and the strength of his position. He satisfied the "Nonconformist conscience" of Upper Canada by his advocacy not only of religious equality but of the prohibition of the liquor traffic and of the cessation of Sunday labour by public servants. But this very attitude made it difficult for him to work with any political party in Lower Canada.

In 1858 there was a remarkable article in the

GEORGE BROWN

Cobourg *Star*, a Conservative journal, illustrating the hold which Brown had obtained upon Upper Canadian sentiment. This attitude was called forth by a banquet given to Brown by the Reformers of the neighbourhood. It expressed regret that the honour was given on party grounds. "Had it been given on the ground of his services to Protestantism, it would have brought out every Orangeman in the country. Conservatives disagreed with Brown about the clergy reserves, but if the reserves must be secularized, every Conservative in Canada would join Brown in his crusade against Roman Catholic endowments." Then follows this estimate of Brown's character: "In George Brown we see no agitator or demagogue, but the strivings of common sense, a sober will to attain the useful, the practical and the needful. He has patient courage, stubborn endurance, and obstinate resistance, and desperate daring in attacking what he believes to be wrong and in defending what he believes to be right. There is no cant or parade or tinsel or clap-trap about him. He takes his stand against open, palpable, tangible wrongs, against the tyranny which violates men's roofs, and the intolerance which vexes their consciences. True, he is wrong on the reserves question, but then he is honest, we know where to find him. He does not, like some of our Reformers, give us to understand that he will support us and then turn his back. He does not slip the word of promise to the ear and then

A PERSONAL DESCRIPTION

break it to the lips. Leaving the reserves out of the question, George Brown is eminently conservative in his spirit. His leading principle, as all his writings will show, is to reconcile progress with preservation, change with stability, the alteration of incidents with the maintenance of essentials. Change, for the sake of change, agitation for vanity, for applause or mischief, he has contemptuously repudiated. He is not like the Clear Grit, a republican of the first water, but on the contrary looks to the connection with the mother country, not as fable or unreality or fleeting vision, but as alike our interest and our duty, as that which should ever be our beacon, our guide and our goal."

In 1853 the relative strength of Brown and the ministers was tested in a series of demonstrations held throughout Canada. The Hon. James Young gives a vivid description of Brown as he appeared at a banquet given in his honour at Galt: "He was a striking figure. Standing fully six feet two inches high, with a well-proportioned body, well balanced head and handsome face, his appearance not only indicated much mental and physical strength, but conveyed in a marked manner an impression of youthfulness and candour. These impressions deepened as his address proceeded, and his features grew animated and were lighted up by his fine expressive eyes." His voice was strong and soft, with a well-marked Edinburgh accent. His appearance surprised the people who had expected to see an older

GEORGE BROWN

and sterner-looking man. His first remarks were disappointing; as was usual with him he stammered and hesitated until he warmed to his subject, when he spoke with such an array of facts and figures, such earnestness and enthusiasm, that he easily held the audience for three hours.¹

On October 1st, 1853, the *Globe* was first issued as a daily. It was then stated that the paper was first published as a weekly paper with a circulation of three hundred. On November 1st, 1846, it was published twice a week with a circulation of two thousand, which rose to a figure between three thousand and four thousand. In July, 1849, it was issued three times a week. When the daily paper was first published the circulation was six thousand. To anticipate a little, it may be said that in 1855 the *Globe* absorbed the *North American* and the *Examiner*, and the combined circulation was said to be sixteen thousand four hundred and thirty-six. The first daily paper contained a declaration of principles, including the entire separation of Church and State, the abolition of the clergy reserves and the restoration of the lands to the public, cessation of grants of public money for sectarian purposes, the abolition of tithes and other compulsory taxation for ecclesiastical purposes, and restraint on land-holding by ecclesiastical corporations.

An extract from this statement of policy may be given:

¹ Young, *op. cit.*, pp. 58, 59.

BROWN'S PLATFORM

“Representation by population. Justice for Upper Canada! While Upper Canada has a larger population by one hundred and fifty thousand than Lower Canada, and contributes more than double the amount of taxation to the general revenue, Lower Canada has an equal number of representatives in parliament.

“National education. - Common school, grammar school, and collegiate free from sectarianism and open to all on equal terms. Earnest war will be waged with the separate school system, which has unfortunately obtained a footing.

“A prohibitory liquor law. - Any measure which will alleviate the frightful evils of intemperance.”

The inclusion of prohibition on this platform was the natural result of the drinking habits of that day. In a pamphlet issued by the Canada Company for the information of intending immigrants, whiskey was described as “a cheap and wholesome beverage.” Its cheapness and abundance caused it to be used in somewhat the same way as the “small beer” of England, and it was a common practice to order a jug from the grocer along with the food supply of the family. When a motion favouring prohibition was introduced in the Canadian parliament there were frequent references to the convivial habits of the members. The seconder of the motion was greeted with loud laughter. He good-naturedly said that he was well aware of the cause of hilarity, but that he was ready to sacrifice his

GEORGE BROWN

pleasure to the general good. Sir Allan MacNab, the leader of the Opposition, moved a farcical amendment, under which every member was to sign a pledge of abstinence, and to be disqualified if he broke it. Brown made an earnest speech in favour of the motion, in which he remarked that Canada then contained nine hundred and thirty-one whiskey shops, fifty-eight steamboat bars, three thousand four hundred and thirty taverns, one hundred and thirty breweries, and one hundred and thirty-five distilleries.

The marked diminution of intemperance in the last fifty years may be attributed in part to restrictive laws, and in part to the work of the temperance societies, which rivalled the taverns in social attractions, and were effective agents of moral suasion.

CHAPTER VIII

RECONSTRUCTION OF PARTIES

IN June, 1854, the Hincks-Morin government was defeated in the legislature on a vote of censure for delay in dealing with the question of the clergy reserves. A combination of Tories and Radicals deprived Hincks of all but five of his Upper Canadian supporters. Parliament was immediately dissolved, and the ensuing election was a *mêlée* in which Hincks Reformers, Brown Reformers, Tories and Clear Grits were mingled in confusion. Brown was returned for Lambton, where he defeated the Hon. Malcolm Cameron, post-master-general under Hincks. The Reform party was in a large majority in the new legislature, and if united could have controlled it with ease. But the internal quarrel was irreconcilable. Hincks was defeated by a combination of Tories and dissatisfied Reformers, and a general reconstruction of parties followed. Sir Allan MacNab, as leader of the Conservative opposition, formed an alliance with the French-Canadian members of the Hincks government and with some of its Upper Canadian supporters. Hincks retired, but gave his support to the new combination, "being of opinion that the combination of parties by which the new govern-

GEORGE BROWN

ment was supported presented the only solution of the difficulties caused by a coalition of parties holding no sentiments in common, a coalition which rarely takes place in England. I deemed it my duty to give my support to that government during the short period that I continued in public life."¹

Whether the MacNab-Morin government was a true coalition or a Tory combination under that name was a question fiercely debated at that time. It certainly did not stand for the Toryism that had resisted responsible government, the secularization of the clergy reserves, and the participation of French-Canadians in the government of the country. It had at first some of the elements of a coalition, but it gradually came to represent Conservatism and the personal ascendancy of John A. Macdonald. Robert Baldwin, from his retirement, gave his approval to the combination, and hence arose the "Baldwin Reformer," blessed as a convert by one party, and cursed as a renegade by the other.

Reconstruction on one side was followed by reconstruction on the other. Upper Canadian Reformers rallied round Brown, and an alliance was formed with the Quebec Rouges. This was a natural alliance of radical Reformers in both provinces. Some light is thrown on it by an article published in the *Globe* in 1855. The writer said that in 1849, some young men of Montreal, fresh from the schools and

¹ Hincks's *Political History of Canada*, p. 80.

THE QUEBEC ROUGES

filled to the brim with the Republican opinions which had spread from France throughout all Europe, formed associations and established newspapers advocating extreme political views. They declaimed in favour of liberty and against priestcraft and tyranny with all the ardour and freshness of youth. Their talents and the evident purity and sincerity of their motives made a strong impression on their countrymen, contrasting as they did with the selfishness and mediocrity of other French-Canadian leaders, and the result was that the Rouge party was growing in strength both in the House and in the country. With the growth of strength there had come a growing sense of responsibility, greater moderation and prudence. In the legislature, at least, the Rouges had not expressed a single sentiment on general politics to which a British constitutional Reformer might not assent. They were the true allies of the Upper Canadian Reformers, and in fact the only Liberals among the French-Canadians. They had Reform principles, they maintained a high standard of political morality. They stood for the advance of education and for liberty of speech. They were the hope of Canada, and their attitude gave promise that a brighter day was about to dawn on the political horizon.

It was unreasonable to expect that the Liberals could continue to receive that solid support from Lower Canada which they had received in the days of the Baldwin-Lafontaine alliance. In those days the

GEORGE BROWN

issue was whether French-Canadians should be allowed to take part in the government of the country, or should be excluded as rebels. The Reformers championed their cause and received the solid support of the French-Canadian people. But when once the principle for which they contested was conceded, it was perceived that Lower Canada, like Upper Canada, had its Conservative element, and party lines were formed. Mr. Brown held that there could be no lasting alliance between Upper Canadian Reformers and Lower Canadian Conservatives, and especially with those Lower Canadians who defended the power and privileges of the Church. He was perfectly willing that electors holding these views should go to the Conservative party, which was their proper place. The Rouges could not bring to the Liberal party the numerical strength of the supporters of Lafontaine, but as they really held Liberal principles, the alliance was solidly based and was more likely to endure.

The leader of the Rouges was A. A. Dorion, a distinguished advocate, and a man of culture, refinement and eloquence. He was Brown's desk-mate, and while in physique and manner the two were strongly contrasted, they were drawn together by the chivalry and devotion to principle which characterized both, and they formed a strong friendship. "For four years," said Mr. Brown, in a public address, "I acted with him in the ranks of the Opposition, learned to value most highly the upright-

BROWN AND DORION

ness of his character, the liberality of his opinions, and the firmness of his convictions. On most questions of public general policy we heartily agreed, and regularly voted together; on the questions that divided all Upper Canadians and all Lower Canadians alone we differed, and on these we had held many earnest consultations from year to year with a view to their removal, without arriving at the conviction that when we had the opportunity we could find the mode." Their habit was not to attempt to conceal these sectional differences, but to recognize them frankly with a view to finding the remedy. It was rarely that either presented a resolution to the House without asking the advice of the other. They knew each other's views perfectly, and on many questions, especially of commerce and finance, they were in perfect accord.

By this process of evolution Liberals and Conservatives were restored to their proper and historic places, and the way was cleared for new issues. These issues arose out of the ill-advised attempt to join Upper and Lower Canada in a legislative union. A large part of the history of this period is the history of an attempt to escape the consequences of that blunder. This was the reason why every ministry had its double name—the Lafontaine-Baldwin, the Hincks-Morin, the Taché-Macdonald, the Brown-Dorion, the Macdonald-Sicotte. This was the reason why every ministry had its attorney-general east for Lower Canada and its attorney-

GEORGE BROWN

general west for Upper Canada. In his speech on confederation Sir John Macdonald said that although the union was legislative in name, it was federal in fact—that in matters affecting Upper Canada alone, Upper Canadian members claimed and usually exercised, exclusive power, and so with Lower Canada. The consolidated statutes of Canada and the consolidated statutes of Upper Canada must be sought in separate volumes. The practice of legislating for one province alone was not confined to local or private matters. For instance, as the two communities had widely different ideas as to Sabbath observance, the stricter law was enacted for Upper Canada alone. Hence also arose the theory of the double majority—that a ministry must, for the support of its general policy, have a majority from each province.

But all these shifts and devices could not stay the agitation for a radical remedy. Some Reformers proposed to dissolve the union. Brown believed that the difficulty would be solved by representation by population, concerning which a word of explanation is necessary. When the provinces were united in 1841, the population of Lower Canada exceeded that of Upper Canada in the proportion of three to two. "If," said Lord Durham, "the population of Upper Canada is rightly estimated at four hundred thousand, the English inhabitants of Lower Canada at one hundred and fifty thousand, and the French at four hundred and fifty thousand, the union of the

QUESTION OF POPULATION

two provinces would not only give a clear English majority, but one which would be increased every year by the influence of English emigration, and I have little doubt that the French, when once placed by the legitimate course of events in a minority, would abandon their vain hopes of nationality." But he added that he was averse to every plan that had been proposed for giving an equal number of members to the two provinces. The object could be attained without any violation of the principles of representation, such as would antagonize public opinion, and "when emigration shall have increased the English population of the Upper Province, the adoption of such a principle would operate to defeat the very purpose it is intended to serve. It appears to me that any such electoral arrangement, founded on the present provincial divisions, would tend to defeat the purpose of union and perpetuate the idea of disunion."

Counsels less wise and just prevailed, and the united province was "gerrymandered" against Lord Durham's protest. Lower Canada complained of the injustice, and with good reason. In the course of time Lord Durham's prediction was fulfilled; by immigration the population of Upper Canada overtook and passed that of Lower Canada. The census of 1852 gave Upper Canada a population of nine hundred and fifty-two thousand, and Lower Canada a population of eight hundred and ninety thousand two hundred and sixty-one. Brown began to press

GEORGE BROWN

for representation by population. He was met by two objections. It was argued on behalf of the French-Canadians that they had submitted to the injustice while they had the larger population, and that the Upper Canadians ought to follow their example. Mr. Brown admitted the force of this argument, but he met it by showing that the Lower Canadians had been under-represented for eight years, and that by the time the new representation went into force, the Upper Canadians would have suffered injustice for about an equal term, so that a balance might be struck. A more formidable objection was raised by Mr. Hincks, who said that the union was in the nature of a compact between two nations having widely different institutions; that the basis of the compact was equal representation, and that Brown's proposition would destroy that basis. Cartier said that representation by population could not be had without repeal of the union. The French-Canadians were afraid that they would be swamped, and would be obliged to accept the laws and institutions of the majority.

It is impossible to deny the force of these objections. In 1841 Lower Canada had been compelled to join a union in which the voting power of Upper Canada was arbitrarily increased. If this was due to distrust, to fear of "French domination," French-Canadians could not be blamed for showing an equal distrust of English domination, and for refusing to give up the barrier which, as they believed,

REPRESENTATION BY POPULATION

protected their peculiar institutions. Ultimately the solution was found in the application of the federal system, giving unity in matters requiring common action, and freedom to differ in matters of local concern. Towards this solution events were tending, and the importance of Brown's agitation for representation by population, which gained immense force in Upper Canada, lies in its relation to the larger plan of confederation.

CHAPTER IX

SOME PERSONAL POLITICS

AFTER the burning of the parliament buildings in Montreal the seat of government oscillated between Quebec and Toronto. Toronto's turn came in the session of 1856. Macdonald was now the virtual, and was on the point of becoming the titular, leader of the party. Brown was equally conspicuous on the other side. During the debate on the address he was the central figure in a fierce struggle, and some one with a turn for statistics said that his name was mentioned three hundred and seventy-two times. The air was stimulating, and Brown's contribution to the debate was not of a character to turn away wrath.

Smarting under Brown's attack, Macdonald suddenly gave a new turn to the debate. He charged that Brown, while acting as a member and secretary of a commission appointed by the Lafontaine-Baldwin government to inquire into the condition of the provincial penitentiary, had falsified testimony, suborned convicts to commit perjury, and obtained the pardon of murderers to induce them to give false evidence. Though the assembly had by this time become accustomed to hard hitting, this outbreak created a sensation. Brown gave an indig-

GEORGE BROWN

nant denial to the charges, and announced that he would move for a committee of inquiry. He was angrily interrupted by the solicitor-general, who flung the lie across the House. The solicitor-general was a son of the warden of the penitentiary who had been dismissed in consequence of the report of the commission. Macdonald was a strong personal friend of the warden, and had attempted some years before to bring his case before the assembly. Brown promptly moved for the committee, and it was not long before he presented that tribunal with a dramatic surprise. It was supposed that the report of the penitentiary committee had been burned, and the attack on Brown was made upon that supposition. When Mr. Brown was called as a witness, however, he produced the original report with all the evidence, and declared that it had never been out of his possession "for one hour." The effect of this disclosure on his assailants is shown in a letter addressed to the committee by VanKoughnet, Macdonald's counsel: "Mr. Macdonald," he said, "had been getting up his case on the assumption and belief that these minutes had been destroyed and could not be procured, and much of the labour he had been allowed to go to by Mr. Brown for that purpose would now be thrown away; the whole manner of giving evidence, etc., would now be altered."

The graver charges of subornation of perjury etc., were abandoned, and Macdonald's friends con-

DEFENCE AND ATTACK

fined themselves to an attempt to prove that the inquiry had been unfairly conducted, that the warden had been harshly treated, and the testimony not fairly reported. It was a political committee with a Conservative majority, and the majority, giving up all hope of injuring Brown, bent its energies to saving Macdonald from the consequences of his reckless violence. The Liberal members asked for a complete exoneration of Mr. Brown. A supporter of the government was willing to exonerate Brown if Macdonald were allowed to escape without censure. A majority of the committee, however, took refuge in a rambling deliverance, which was sharply attacked in the legislature. Sir Allan MacNab bluntly declared that the charge had been completely disproved, and that the committee ought to have had the manliness to say so. Drummond, a member of the government, also said that the attack had failed. The accusers were willing to allow the matter to drop, and as a matter of fact the report was never put to a vote. But Mr. Brown would not allow them to escape so easily. Near the close of the session he made a speech which gave a new character to the discussion. Up to this time it had been a personal question between Brown and his assailants. Brown dealt with this aspect of the matter briefly but forcibly. He declared that not only his conduct but the character of the other commissioners was fully vindicated, and that a conspiracy to drive him from

GEORGE BROWN

public life had signally failed. Conservative members had met him and admitted that there was no truth in the charges, but had pleaded that they must go with the party. Members had actually been asked to "pair" off on the question of upholding or destroying his character, before they had heard his defence.

From these personal matters he returned to the abuses that had been discovered by the commission. A terrible story of neglect and cruelty was told. These charges did not rest on the testimony of prisoners. They were sustained by the evidence of officers and by the records of the institution. "If," said the speaker, "every word of the witnesses called by the commissioners were struck out, and the case left to rest on the testimony of the warden's own witnesses and the official records of the prison, there would be sufficient to establish the blackest record of wickedness that ever disgraced a civilized country." Amid applause, expressions of amazement and cries of "Shame!" from the galleries, Brown told of the abuses laid bare by the prison commission. He told of prisoners fed with rotten meal and bread infested with maggots; of children beaten with cat and rawhide for childish faults; of a coffin-shaped box in which men and even women were made to stand or rather crouch, their limbs cramped, and their lungs scantily supplied with air from a few holes. Brown's speech virtually closed the case, although Macdonald strove

BROWN AND MACDONALD

to prove that the accounts of outrages were exaggerated, that the warden, Smith, was himself a kind-hearted man, and that he had been harshly treated by the commissioners.

In a letter written about this time, Macdonald said that he was carrying on a war against Brown, that he would prove him a most dishonest, dishonourable fellow, "and in doing so I will only pay him a debt that I owe him for abusing me for months together in his newspaper."¹ Whatever the provocation may have been, the personal relations of the two men were further embittered by this incident.

Eight years afterwards they were members of the coalition ministry by which confederation was brought about, and Brown's intimate friend, Alexander Mackenzie, says that the association was most distasteful to Brown, on account of the charges made in connection with the prison commission. That the leaders of the two parties were not merely political opponents but personal enemies must have embittered the party struggle; and it was certainly waged on both sides with fury, and with little regard either for the amenities of life or for fair play.

His work on the commission gave Brown a strong interest in prison reform. While the work of the commission was fresh in his mind he delivered an address in the 'Toronto Mechanics' Institute, in

¹ Pope's *Memoirs of Sir John Macdonald*, p. 161.

GEORGE BROWN

which he sketched the history of prison reform in England and the United States, and pointed out how backward Canada was in this phase of civilization. He pleaded for a more charitable treatment of those on whom the prison doors had closed. There were inmates of prisons who would stand guiltless in the presence of Him who searches the heart. There were guilty ones outside. We cannot, he said, expect human justice to be infallible; but we must not draw a hard and fast line between the world inside the prison and the world outside, as if the courts of justice had the divine power of judging between good and evil. In Canada, he said, we have no system of reforming the prisoner; even the chaplain or the teacher never enters the prison walls. "Children of eight and ten years of age are placed in our gaols, surrounded by hundreds of the worst criminals in the province." He went on to describe some of the evils of herding together hardened criminals, children, and persons charged with trifling offences. He advocated government inspection of prisons, a uniform system of discipline, strict classification and separation, secular and religious instruction, and the teaching of trades. The prisoner should be punished, but not made to feel that he was being degraded by society for the sake of revenge. Hope should be held out to those who showed repentance. The use of the lash for trifling offences against discipline was condemned. On the whole, his views were such as are

A PERSONAL SPEECH

now generally accepted, and he may be regarded as one of the pioneers of prison reform in Canada.

The habit of personal attack was further illustrated in the charge, frequently made by Mr. Brown's enemies, that he had been a defaulter in Scotland. The *North American* had printed this accusation during its fierce altercation with the *Globe*, but the editor, Mr. Macdougall, had afterwards apologized, and explained that it had crept into the paper during his absence and without his knowledge. In the session of 1858, a Mr. Powell, member for Carleton, renewed the attack in the House, and Mr. Brown made a reply of such compelling human interest that not a word can be added or taken away. He said: "This is not the first time that the insinuation has been made that I was a defaulter in my native city. It has been echoed before now from the organs of the ministry, and at many an election contest have I been compelled to sit patiently and hear the tale recounted in the ears of assembled hundreds. For fifteen years I have been compelled to bear in silence these imputations. I would that I could yet refrain from the painful theme, but the pointed and public manner in which the charge has now been made, and the fear that the public cause with which I am identified might suffer by my silence, alike tell me that the moment has come when I ought to explain the transaction, as I have always been able to explain it, and to cast back the vile charge of dis-

GEORGE BROWN

honesty on those who dared to make it. That my father was a merchant in the city of Edinburgh, and that he engaged in disastrous business speculations commencing in the inflated times of 1825 and 1826, terminating ten years afterwards in his failure, is undoubtedly true. And it is, unhappily, also true, that he did hold a public office, and that funds connected with that office were, at the moment of his sequestration, mixed up with his private funds, to the extent, I believe, of two thousand eight hundred pounds. For this sum four relatives and friends were sureties, and they paid the money. Part of that money has been repaid; every sixpence of it will be paid, and paid shortly. Property has been long set aside for the payment of that debt to its utmost farthing. My father felt that while that money remained unpaid there was a brand on himself and his family, and he has wrought, wrought as few men have wrought, to pay off, not only that, but other obligations of a sacred character. Many a bill of exchange, the proceeds of his labour, has he sent to old creditors who were in need of what he owed. For myself, sir, I have felt equally bound with my father; as his eldest son I felt that the fruits of my industry should stand pledged until every penny of those debts was paid and the honour of my family vindicated. An honourable member opposite, whom I regret to hear cheering on the person who made the attack, might have known that, under the legal

HIS FATHER'S DEBTS

advice of his relative, I long ago secured that in the event of my death before the accomplishment of our long-cherished purpose, after the payment of my own obligations, the full discharge of those sacred debts of my father should stand as a first charge on my ample estate. Debts, sir, which I was no more bound in law to pay than any gentleman who hears me. For the painful transaction to which I have been forced to allude, I am no more responsible than any gentleman in this assembly. It happened in 1836; I was at that time but seventeen years of age, I was totally unconnected with it, but, young as I was, I felt then, as I feel now, the obligation it laid upon me, and I vowed that I should never rest until every penny had been paid. There are those present who have known my every action since I set foot in this country; they know I have not eaten the bread of idleness, but they did not know the great object of my labour. The one end of my desire for wealth was that I might discharge those debts and redeem my father's honour. Thank God, sir, my exertions have not been in vain. Thank God, sir, I have long possessed property far more than sufficient for all my desires. But, as those gentlemen know, it is one thing in this country to have property, and another to be able to withdraw a large sum of money from a business in active operation; and many a night have I laid my head on my pillow after a day of toil, estimating and calculating if the

GEORGE BROWN

time had yet arrived, when, with justice to those to whom I stood indebted, and without fear of embarrassment resulting, I might venture to carry out the purpose of my life. I have been accused of being ambitious; I have been charged with aspiring to the office of prime minister of this great country and of lending all my energies to the attainment of that end; but I only wish I could make my opponents understand how infinitely surpassing all this, how utterly petty and contemptible in my thoughts have been all such considerations, in comparison with the one, longing desire to discharge those debts of honour and vindicate those Scottish principles that have been instilled into me since my youth. The honourable member for Cornwall [John Sandfield Macdonald] is well aware that every word I have spoken to-night has been long ago told him in private confidence, and he knows, too, that last summer I was rejoicing in the thought that I was at last in a position to visit my native land with the large sum necessary for all the objects I contemplated, and that I was only prevented from doing so by the financial storm which swept over the continent. Such, sir, are the circumstances upon which this attack is founded. Such the facts on which I have been denounced as a public defaulter and refugee from my native land. But why, asked the person who made the charge, has he sat silent under it? Why if the thing is false has he endured it so many years? What, sir, free myself from

VINDICATION

blame by inculpating one so dear! Say 'It was not I who was in fault, it was my father'? Rather would I have lost my right arm than utter such a word! No, sir, I waited the time when the charge could be met as it only might be fittingly met; and my only regret even now is that I have been compelled to speak before those debts have been entirely liquidated. But it is due, sir, to my aged father that I explain that it has not been with his will that these imputations have been so long pointed at me, and that it has only been by earnest remonstrance that I have prevented his vindicating me in public long ere now. No man in Toronto, perhaps, is more generally known in the community, and I think I could appeal even to his political opponents to say if there is a citizen of Toronto at this day more thoroughly respected and esteemed. With a full knowledge of all that has passed, and all the consequences that have flowed from a day of weakness, I will say that an honest man does not breathe the air of heaven; that no son feels prouder of his father than I do to-day; and that I would have submitted to the obloquy and reproach of his every act, not fifteen years, but fifty—ay, have gone down to the grave with the cold shade of the world upon me, rather than that one of his gray hairs should have been injured."

Public opinion was strongly influenced in Mr. Brown's favour by this incident. "The entire address," said a leading Conservative paper next day,

GEORGE BROWN

“forms the most refreshing episode which the records of the Canadian House of Commons possess. Every true-hearted man must feel proud of one who has thus chivalrously done battle for his gray-haired sire. We speak deliberately when asserting that George Brown’s position in the country is at this moment immeasurably higher than it ever previously has been. And though our political creed be diametrically antipodal to his own, we shall ever hail him as a credit to the land we love so well.”

CHAPTER X

THE "DOUBLE SHUFFLE"

BY his advocacy of representation by population, by his opposition to separate schools, and his championship of Upper Canadian rights, Mr. Brown gained a remarkable hold upon the people. In the general elections of 1857 he was elected for the city of Toronto, in company with Mr. Robinson, a Conservative. The election of a Liberal in Toronto is a rare event, and there is no doubt that Mr. Brown's violent conflict with the Roman Catholic Church contributed to his victory, if it was not the main cause thereof. His party also made large gains through Upper Canada, and had a large majority in that part of the province, so that the majority for the Macdonald government was drawn entirely from Lower Canada. Gross election frauds occurred in Russell county, where names were copied into the poll-books from old directories of towns in the state of New York, and of Quebec city, where such names as Julius Caesar, Napoleon Bonaparte, Judas Iscariot and George Washington appeared on the lists. The Reformers attacked these elections in parliament without success, but in 1859 the sitting member for Russell and several others were tried for conspiracy, convicted and

GEORGE BROWN

sentenced to imprisonment. That the government felt itself to be much weakened throughout the country is evident from Mr. John A. Macdonald's unsuccessful effort to add another to his list of political combinations by detaching Mr. John Sandfield Macdonald from the Reform party, offering seats in the cabinet to him and another Reformer. The personal attack on Mr. Brown in the session of 1858 has already been mentioned. The chief political event of the session was the "Double Shuffle."

On July 28th, 1858, Mr. Brown succeeded in placing the ministry in a minority on the question of the seat of government. Unable to decide between the conflicting claims of Toronto, Quebec, Montreal and Kingston, the government referred the question to the queen, who decided in favour of Ottawa. Brown had opposed the reference to the queen, holding that the question should be settled in Canada. He also believed that the seat of government should not be fixed until representation by population was granted, and all matters in dispute between Upper and Lower Canada arranged. He now moved against Ottawa and carried his motion. During the same sitting the government was sustained on a motion to adjourn, which by understanding was regarded as a test of confidence. A few hours later the ministers met and decided that, although they had been sustained by a majority of the House, "it behoved them as the queen's servants to resent the slight which had

TO FORM A GOVERNMENT

been offered Her Majesty by the action of the assembly in calling in question Her Majesty's choice of the capital." The governor-general, Sir Edmund Bond Head, sent for Mr. Brown as the leader of the Opposition to form a government. It was contended by Liberals that he ought not to have taken this step unless he intended to give Mr. Brown and his colleagues his full confidence and support. If he believed that the defeat of the government was a mere accident, and that on general grounds it commanded a working majority in the legislature, he ought not to have accepted the resignation, unless he intended to sanction a fresh appeal to the country.

The invitation to form an administration was received by Mr. Brown on Thursday, July 28th. He at once waited on the governor-general and obtained permission to consult his friends. He called a meeting of the Upper Canadian members of his party in both Houses, and obtained from them promises of cordial support. With Dorion he had an important interview. Dorion agreed that the principle of representation by population was sound, but said that the French-Canadian people feared the consequences of Upper Canadian preponderance, feared that the peculiar institutions of French Canada would be swept away. To assure them, representation by population must be accompanied by constitutional checks and safeguards. Brown and Dorion parted in the belief that this

GEORGE BROWN

could be arranged. They believed also that they could agree upon an educational policy in which religious instruction could be given without the evils of separation.

Though Mr. Brown's power did not lie in the manipulation of combinations of men, he succeeded on this occasion in enlisting the services of colleagues of high character and capacity, including besides Dorion, Oliver Mowat, John Sandfield Macdonald, Luther Holton and L. T. Drummond. On Saturday morning Mr. Brown waited upon the governor-general, and informed him that having consulted his friends and obtained the aid of Mr. Dorion, he was prepared to undertake the task of forming an administration. During the day the formation of the ministry was completed. "At nine o'clock on Sunday night," to give the story in Mr. Brown's words, "learning that Mr. Dorion was ill, I went to see him at his apartments at the Rossin House, and while with him the governor-general's secretary entered and handed me a despatch. No sooner did I see the outside of the document than I understood it all, I felt at once that the whole corruptionist camp had been in commotion at the prospect of the whole of the public departments being subjected to the investigations of a second public accounts' committee, and comprehended at once that the transmission of such a despatch could have but the one intention of raising an obstacle in the way

THE GOVERNOR-GENERAL CRITICIZED

of the new cabinet taking office, and I was not mistaken."¹

The despatch declared that the governor-general gave no pledge, express or implied, with reference to dissolution. When advice was tendered on the subject he would act as he deemed best. It then laid down, with much detail, the terms on which he would consent to prorogation. Bills for the registration of voters and for the prohibition of fraudulent assignments and gifts by leaders should be enacted, and certain supplies obtained.

Mr. Brown criticized both these declarations. It was not necessary for the governor-general to say that he gave no pledge in regard to dissolution. To demand such a pledge would have been utterly unconstitutional. The governor was quite right in saying that he would deal with the proposal when it was made by his advisers. But while he needlessly and gratuitously declared that he would not pledge himself beforehand as to dissolution, he took exactly the opposite course as to prorogation, specifying almost minutely the terms on which he would consent to that step. Brown contended that the governor had no right to lay down conditions, or to settle beforehand the measures that must be enacted during the session. This was an attempt to dictate, not only to the ministry, but to the legislature. Mr. Brown and his colleagues believed that the governor was acting in collusion with the ministers

¹ Speech to Toronto electors, August, 1848.

GEORGE BROWN

who had resigned, that the intriguers were taken by surprise when Brown showed himself able to form a ministry, and that the Sunday communication was a second thought, a hurriedly devised plan to bar the way of the new ministers to office.

On Monday morning before conferring with his colleagues, Brown wrote to the governor-general, stating that his ministry had been formed, and submitting that "until they have assumed the functions of constitutional advisers of the Crown, he and his proposed colleagues will not be in a position to discuss the important measures and questions of public policy referred to in his memorandum." Brown then met his colleagues, who unanimously approved of his answer to the governor's memorandum, and agreed also that it was intended as a bar to their acceptance of office. They decided not to ask for a pledge as to dissolution, nor to make or accept conditions of any kind. "We were willing to risk our being turned out of office within twenty-four hours, but we were not willing to place ourselves constitutionally in a false position. We distinctly contemplated all that Sir Edmund Head could do and that he has done, and we concluded that it was our duty to accept office, and throw on the governor-general the responsibility of denying us the support we were entitled to, and which he had extended so abundantly to our predecessor."

When parliament assembled on Monday, a vote of want of confidence was carried against the new

DEFEAT

government in both Houses. The newly appointed ministers had, of course, resigned their seats in parliament in order that they might offer themselves for re-election. It is true the majority was too great to be accounted for by the absence of the ministers. But the result was affected by the lack, not only of the votes of the ministers, but of their voices. In the absence of ministerial explanation, confusion and misunderstanding prevailed. The fact that Brown had been able to find common ground with Catholic and French-Canadian members had occasioned surprise and anxiety. On the one side it was feared that Brown had surrendered to the French-Canadians, and on the other that the French-Canadians had surrendered to Brown.

The conference between Brown and Dorion shows that the government was formed for the same purpose as the Brown-Macdonald coalition of 1864—the settlement of difficulties that prevented the right working of the union. The official declaration of its policy contains these words: "His Excellency's present advisers have entered the government with the fixed determination to propose constitutional measures for the establishment of that harmony between Upper and Lower Canada which is essential to the prosperity of the province."

Dissolution was asked on the ground that the new government intended to propose important constitutional changes, and that the parliament did

GEORGE BROWN

not represent the country, many of its members owing their seats to gross fraud and corruption. Thirty-two seats were claimed from sitting members on these grounds. The cases of the Quebec and Russell election have already been mentioned. The member elected for Lotbinière was expelled for violent interference with the freedom of election. Brown and his colleagues contended that these practices had prevailed to such an extent that the legislature could not be said to represent the country. Head's reply was that the frauds were likely to be repeated if a new election were held; that they really afforded a reason for postponing the election, at least until more stringent laws were enacted. The dissolution was refused; the Brown-Dorion government resigned, and the old ministers were restored to office.

On the resignation of the Brown-Dorion ministry the governor called upon A. T. Galt, who had given an independent support to the Macdonald-Cartier government. During the session of 1858 he had placed before the House resolutions favouring the federal union of Canada, the Maritime Provinces and the North-West Territory, and it is possible that his advocacy of this policy had something to do with the offer of the premiership. As he, however, he was not prominent enough, nor could he command a support large enough, to warrant his acceptance of the office, and he declined. Then followed the "Double Shuffle."

THE DOUBLE SHUFFLE

The Macdonald-Cartier government resumed office under the name of the Cartier-Macdonald government, with Galt taking the place of Cayley, and some minor changes. Constitutional usage required that all the ministers should have returned to their constituents for re-election. A means of evading this requirement was found. The statute governing the case provided that when any minister should resign his office and within one month afterwards accept another office in the ministry, he should not thereby vacate his seat. With the object of obviating the necessity for a new election, Cartier, Macdonald, and their colleagues, in order to bring themselves within the letter of the law, although not within its spirit, exchanged offices, each taking a different one from that which he had resigned eight days before. Shortly before midnight of the sixth of August, they solemnly swore to discharge the duties of offices which several of them had no intention of holding; and a few minutes afterwards the second shuffle took place, and Cartier and Macdonald, having been inspector-general and postmaster-general for this brief space, became again attorney-general east and attorney-general west.

The belief of the Reformers that the governor-general was guilty of partiality and of intrigue with the Conservative ministers is set forth as part of the history of the time. There is evidence of partiality, but no evidence of intrigue. The biographer of Sir John Macdonald denies the charge of intrigue, but

GEORGE BROWN

says that Macdonald and the governor were intimate personal friends.¹ Dent, who also scouts the charge of intrigue, says that the governor was prejudiced against Brown, regarding him as a mere obstructionist.² The governor-general seems to have been influenced by these personal feelings, making everything as difficult as possible for Brown, and as easy as possible for Macdonald, even to the point of acquiescing in the evasion of the law known as the "Double Shuffle."

In the debate on confederation, Senator Ferrier said that a political warfare had been waged in Canada for many years, of a nature calculated to destroy all moral and political principles, both in the legislature and out of it. The "Double Shuffle" is so typical of this dreary and ignoble warfare and it played so large a part in the political history of the time, that it has been necessary to describe it at some length. But for these considerations, the episode would have deserved scant notice. The headship of one of the ephemeral ministries that preceded confederation could add little to the reputation of Mr. Brown. His powers were not shown at their best in office, and the surroundings of office were not congenial to him. His strength lay in addressing the people directly, through his paper or on the platform, and in the hour of defeat or disappointment he turned to the people

¹ Pope's *Memoirs of Sir John Macdonald*, Vol. I., pp. 133, 134.

² Dent's *Last Forty Years*, Vol. II., pp. 270, 280.

HIS REWARD

for consolation. "During these contests," he said some years afterwards, "it was this which sustained the gallant band of Reformers who so long struggled for popular rights: that, abused as we might be, we had this consolation, that we could not go anywhere among our fellow-countrymen from one end of the country to the other—in Tory constituencies as well as in Reform constituencies—without the certainty of receiving from the honest, intelligent yeomanry of the country—from the true, right-hearted, right-thinking people of Upper Canada, who came out to meet us—the hearty grasp of the hand and the hearty greeting that amply rewarded the labour we had expended in their behalf. That is the highest reward I have hoped for in public life, and I am sure that no man who earns that reward will ever in Upper Canada have better occasion to speak of the gratitude of the people."