

DOUBLE MAJORITY: CONCEPT, PRACTICE AND NEGOTIATIONS,

1840-1848

by

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To Cameron

PREFACE

This study of double majority has been made possible through the assistance of many individuals and institutions. Financial aid in the form of the Arthur C. Tagge Memorial Fellowship, and two special grants from French Canada Studies Programme, were provided by McGill University. Prof. Laurier L. LaPierre of McGill University has helped me to secure financial assistance and research work, and has supervised my thesis for the past two years.

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time were not catalogued. In particular I wish to thank him for showing me John Charles Dent's personal copy of his history of Canada, which contains hundreds of original letters and newspaper clippings, and which has unfortunately been overlooked by most historians of the Union. I have found this Dent collection of great value for my thesis.

There are four people to whom I owe an intellectual debt which I would like to acknowledge. Prof. William Ormsby's idea that French-Canadian survival and responsible government were not necessarily related made a great impression on my thinking. Dr. Jacques Monet's research into French-Canadian attitudes towards the Union, which reveals the fact that contrary to general belief, LaFontaine in fact accepted the Union, was another important discovery, and has made many other things clear to me. The other two men who have influenced me are long-since dead. The first of these is the great rascal of Canadian history, Edward Gibbon Wakefield. When his powerful brain was turned away from some of his more notorious pursuits, and concentrated instead on the problems of English-French co-existence under the Union, his insights were often extremely valuable and perceptive. The last man is another slightly notorious Canadian, Francis Hincks. Hincks' discussions of double majority in his Pilot were far more objective, exhaustive, intelligent, witty and entertaining than those of any other editor, and if Hincks is considered anything less than the most brilliant and clear-sighted man of his time, he is grossly underrated.

Above all, I want to thank my husband for his help during the past

two years. He has patiently read and criticized each chapter of each draft, given me the benefits of his professional knowledge, skills and experience from the research to the final stages of this thesis, and he has been as concerned about my work as I myself have been. Lastly, he has cheerfully permitted "ce monstre à deux figures" to share our life, and to monopolize our conversations, with scarcely a protest. For all these reasons I wish to thank him.

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CHAPTER I

INTRODUCTION

The phrase "the system of the double majority" is a familiar one in Canadian historiography. Despite this, double majority has never had a single study devoted to it. Our present knowledge of the system is based on interpretations arrived at by historians concerned with other problems and events. In other words, double majority has only been studied incidentally. Historically, double majority was at one time as significant as the other famous system, responsible government, to which innumerable studies have been devoted. In the mid 1840's, the Canadian press filled column after column with discussions of double majority. Two by-elections and three parliamentary negotiations in the years 1845 to 1847 were centred around double majority. The system's historical significance is obvious. It is the purpose of this study to pluck double majority from its obscure and murky resting-place in our historiography by means of a detailed consideration of its history in the years 1840 to 1848.

Perhaps because of the historiographical neglect of double majority, there is little agreement among historians about its nature or even whether or not it was ever practiced. What is generally accepted is that double majority was a system of government suggested during the period of legislative Union. Often it is mentioned only in relation to Sandfield Macdonald in the 1860's. Surprisingly, one of the most detailed accounts of it is found in the work of the grand old chronicler, John

Charles Dent. However, he devoted less than one page to a discussion of its development, meaning and fate during the period of the 1840's, and his interpretation was deeply influenced by Francis Hincks, who was¹ opposed to the system. Dent was nevertheless unusual in his relatively good grasp of double majority. To another old historian, for instance, it was an "extraordinary understanding" which seemed "a fulfilment of the prophecy that the lion and the lamb should lie down together."²

Modern historians have delved a little deeper. Dr. Jacques Monet, in his magnum opus, has devoted a chapter to the development of double majority during this period, and his is by far the most detailed study to date.³ Again, however, his main theme is French-Canadian nationalism, and not double majority. It is generally accepted among most historians, or at least not denied, that the members of a double majority government would be drawn from the leading men in each sectional majority,⁴ and that a government should possess majority support from each section of

¹ J.C. Dent, The Last Forty Years: Canada Since the Union of 1841, (2 vols., Toronto: George Virtue, 1881), vol. 2, p. 20, 237. (Hereafter cited in its best known form - Canada Since the Union of 1841).

² William Weir, Sixty Years in Canada, (Montreal: J. Lovell & Son, 1903), p. 23.

³ Jacques Monet, "The Last Cannon Shot: A Study of French-Canadian Nationalism 1837-1850," (2 vols., Unpublished PhD thesis, University of Toronto, 1964), vol. 1, p. 368-411.

⁴ O.D. Skelton, The Life and Times of Sir Alexander Tilloch Galt, (Toronto: Oxford University Press, 1920), p. 212-3.

Canada.⁵ That Baldwin and all the Governors were opposed to double majority is accepted.⁶ Various historians have pointed out that it conflicted with responsible government. "It cut at the very roots of cabinet unity...."⁷ and was "associated with the idea of non-partisan government."⁸ Double majority has also been described as quasi-federal in nature. For example, Prof. O.D. Skelton wrote that "this proposal really looked to the extension of the quasi-federal element in the existing legislative union, - to setting up two assemblies in one. Ever since the Union a sort of bastard federalism had been growing up."⁹ It is also recognized that the need for double majority arose more from French-Canadian dissatisfaction at being in opposition than from inter-section-

⁵ J.M.S. Careless, Brown of the Globe: The Voice of Upper Canada 1818-1859, (2 vols., Toronto: The Macmillan Co. of Canada Ltd., 1959), vol. 1, p. 219. (Hereafter cited as Brown of the Globe); see also Edward Kylie, "Constitutional Development, 1840-1867," Adam Shortt and Arthur Doughty (eds.), Canada and its Provinces, (23 vols., Toronto: Glasgow, Brook & Co., 1914-1917), vol. 5, p. 149.

⁶ Kylie, "Constitutional Development, 1840-1867," Shortt and Doughty (eds.), Canada and its Provinces, vol. 5, p. 149; see also Dent, Canada Since the Union of 1841, vol. 2, p. 237.

⁷ J.L. Morison, "Parties and Politics, 1840-1867," Shortt and Doughty (eds.), Canada and its Provinces, vol. 5, p. 93; see also W.L. Merton, The Kingdom of Canada, (Toronto: McClelland and Stewart Ltd., 1963), p. 267-8.

⁸ Paul G. Cornell, The Alignment of Political Groups in Canada 1841-1867, (Toronto: University of Toronto Press, 1962), p. 84.

⁹ Skelton, The Life and Times of Sir Alexander Tilloch Galt, p. 212-3.

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al tension. For one thing, "the survival of French law under the Union
invited the development of such a conception."¹¹

The disagreements are more telling. Some historians believe that
double majority originated in the Lower Canadian press;¹² others that it
was first formulated in the 1845 Draper-Caron-LaFontaine correspond-
ence.¹³ Two theories about the functioning of the system exist: the first
that double majority meant that sectional legislation had to receive a
majority vote from the members of the affected section;¹⁴ the second
that all legislation required a double majority vote.¹⁵ As to its prac-
tice: "It had never been accepted as a binding constitutional rule,"
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says one historian, while another writes that double majority "became

¹⁰
Kylie, "Constitutional Development, 1840-1867," Shortt and
Doughty (eds.), Canada and its Provinces, vol. 5, p. 149.

¹¹
Morton, The Kingdom of Canada, p. 267-8.

¹²
ibid.; see also Dent, Canada Since the Union of 1841, vol. 2,
p. 237.

¹³
Mason Wade, The French Canadians 1760-1945, (Toronto: The Mac-
millan Co. of Canada Ltd., 1956), p. 248; see also Thomas Chapais, Cours
D'Histoire du Canada, (7 vols., Quebec: Librairie Garneau, 1932), vol.
5, p. 214.

¹⁴
Skelton, The Life and Times of Sir Alexander Tilloch Galt, p.
212-3; also Morton, The Kingdom of Canada, p. 267-8.

¹⁵
Dent, Canada Since the Union of 1841, vol. 2, p. 20.

¹⁶
Careless, Brown of the Globe, vol. 1, p. 219; see also Francis
Hincks, Political History of Canada between 1840 and 1855, (Montreal:
Dawson Brothers, 1877), p. 28; also Dent, Canada Since the Union of 1841,
vol. 2, p. 20; Merison, "Parties and Politics, 1840-1867," Shortt and
Doughty (eds.), Canada and its Provinces, vol. 5, p. 93; Kylie, "Constit-
utional Development, 1840-1867," Shortt and Doughty (eds.), Canada and its
Provinces, vol. 5, p. 149.

the will of the rival politicians, and which many persons were presently inclined to invest with a constitutional sanctity, as forming part of the necessary machinery of Canadian government."¹⁷ There is disagreement about whether or not the most prominent French-Canadian leader of the period, Louis Hippolyte LaFontaine, supported the principle. "No responsible leader since LaFontaine, except John Sandfield Macdonald...¹⁸ had adhered to the double majority as a principle", as opposed to the statement that "LaFontaine had not gone so far; he had merely recognized the possibility of a coalition government for the two sections."¹⁹

From these representative samples of seminal literature on double majority, various inferences can be drawn, which are used in this work as tentative hypotheses. Double majority was certainly a proposed system of government. It developed sometime after the general elections of 1844. It involved cabinet composition, and was designed in part as a legislative guide. Baldwin and all the Governors opposed it. Various of its tenets conflicted with those of responsible government. It was based on sectionalism, and in Lower Canada, this sectionalism was bound up in French-Canadian racism or nationalism.

This extremely sketchy picture of double majority has not dis-

¹⁷ Stephen Leacock, Baldwin LaFontaine Hincks: Responsible Government, (Toronto: Morang & Co., Ltd., 1907), p. 259; see also Canada, Parliamentary Debates on the Subject of the Confederation of the British North American Provinces, (Quebec: Queen's Printer, 1865), p. 30.

¹⁸ Morton, The Kingdom of Canada, p. 304.

¹⁹ Wade, The French Canadians 1760-1945, p. 248; see also Chapais, Cours D'Histoire du Canada, vol. 5, p. 214.

couraged a growing interest in the principle among politicians and political commentators. Premier Jean Lesage in his Western Tour, in 1966, spoke often of the "two majorities".²⁰ Prof. Laurier L. LaPierre has suggested that double majority could be "the salvation of Confederation"²¹ In Le Devoir, Paul Sauriol made the comment that

dans un pays fédéral formé de deux nations, la situation idéale serait que le gouvernement obtienne l'appui d'une double majorité parlementaire comme ce fut le cas sous l'union avec l'équipe Lafontaine-Baldwin et les autres coalitions analogues.²²

The idea that two nations exist is a widespread and important one. This was the key point in the election literature of the Union Nationale party in the last Quebec provincial elections.²³ Mean the Bilingual and Bicultural Commissioners wryly, "The expression "two nations" still rings in our ears, it was so often heard in our Quebec meetings."²⁴ To

²⁰ Claude Merin, Deputy Minister of Federal-Provincial Affairs, Government of Quebec, to Elizabeth Nish, Quebec, Dec. 14, 1965.

²¹ Laurier L. LaPierre, "Abolish the Provinces and Create one Central Power," Maclean's Magazine, Feb. 8, 1964, p. 25.

²² Le Devoir, (Montreal), Nov. 2, 1965, p. 4.

²³ _____, Objectifs 1966 de L'Union Nationale: Un Programme d'Action pour une Jeune Nation, (Montreal: Pierre DesMarais, 1966), p. 4: "Situation: 1. Les Canadiens Français forment une nation." See also ibid., p. 5, "Comme prélude à un nouveau pacte entre deux nations égales...." emphasis added.

²⁴ A. Davidson Dunton et al., A Preliminary Report of the Royal Commission on Bilingualism and Biculturalism, (Ottawa: Queen's Printer, 1965), p. 48; see also _____, Objectifs 1966 de L'Union Nationale: Un Programme d'Action pour une Jeune Nation, p. 4-32.

some French Canadians at least, the relations between the two nations might be improved by the system of the two majorities, as it was known under the Union. Clearly there is an urgency as well as a deep need for a study of the principle, for in our present political context, "A little knowledge is a dangerous thing."

In this work, the use of various terms must be defined. The first is the term "double majority" itself. In various stages during the 1840's it was referred to as "respective majorities", and "two majorities". "Double majority" is a later, but more famous, title, and therefore this term is used in lieu of the earlier ones, except in the case of a few direct quotations. The term double majority has exactly the same meaning as do the terms two majorities and respective majorities.

The terms sectionalism and racism are also important terms. Sectionalism refers to the habit of Canadians of thinking and acting in terms of the existence of two sections, rather than in terms of one unified Province. Racism is used in its 19th Century context.²⁵ As such, it meant that the French and English Canadians were aware of themselves as distinct peoples, or races, with institutions, traditions and other characteristics which they did not share with each other, and which constituted the racial distinction. Clearly the word "race" in this context has no anthropological meaning. However, in this work its use is deliberate, for the term and the concept underlying it were fundamental features of Canadian thought in the period under consideration. Without this

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As opposed to the Hitlerian sense, and above all, Hitlerian connotations.

word, much political thought would be meaningless.

Another related term is "venu". It refers to those French Canadians who refused to accept the "authorized" leadership in politics especially, but also in other fields of endeavour. The term is therefore a purely "racial" appellation, as that adjective has just been defined. One more definition is that of the terms "High Tory", "Tory", and "Conservative". In Upper Canada, these words described the political colour of various politicians. For example, John Solomon Cartwright was a High Tory; George Moffatt was a Tory; William Henry Draper was a Conservative. However, the French Canadians used the words interchangeably, and usually pejoratively, as they did the word venu. In fact, by Tory they often meant venu, if they applied the term to a French Canadian. For example, the Canadien at one point lamented being labelled "les noms gracieux de ²⁶ tory, de traître, de venu, etc." In this work, the context of the situation and the perspective described, determine the usage of the words.

The last definition is that of the word "negotiation". During the period under consideration, this was an extremely popular word, and was used to describe the discussions or bargaining between political groups with the object of changing existing political alignments. Usual-

²⁶ Le Canadien (Quebec), March 29, 1847. It is also necessary to point out that in the period under consideration, newspapers were referred to without an article. Thus, the Canadien referred to itself as "le Canadien", and spoke of "la Minerve", "le Journal", etc. rather than "Le Canadien", "La Minerve", "Le Journal". This was also true of the English papers, who referred to "the Minerve", "the Canadien" etc. Because of the frequency of direct quotes from newspapers in this thesis, the contemporary style has been adopted in the text, and no articles are used.

ly negotiations were held between Executive Councillors and members of the opposition, with a view to strengthening the Council. The word was used interchangeably in both the singular and the plural; thus a single discussion was termed both "the negotiation" and "the negotiations".

The final point is the periodization used in this study. "The division of history into periods is not a fact, but a necessary hypothesis or tool of thought, valid in so far as it is illuminating, and dependent for its validity on interpretation."²⁷ This consideration of double majority is limited to the years 1840 to 1847, with just a brief excursion into 1848, and it does not even touch upon the double majority of the 1850's and 1860's. From the proclamation of the Act of Union to the formation of the second LaFontaine-Baldwin Ministry, Canadian political life had at least one invariable feature. The large majority of French Canadians in the Assembly were more or less united under one leader, whereas in the period after this, they were formally divided into opposing political parties, the Bleus and the Rouges. Thus the political conditions were radically different in the two periods.

There is another factor.

When, under Lord Metcalfe, after the resignation of Baldwin and LaFontaine, the French had little or no voice in the government, the necessity for a double majority was urged in Lower Canada. When the tables were turned and the majority of the French representatives but a minority of the English, supported Baldwin and LaFontaine and the later conservative administration, the

²⁷
E.H. Carr, What is History? (London: Macmillan & Co., Ltd., 1961), p. 54-55.

demand came from the English side of the House.²⁸

Thus a study of double majority in the later period requires an entirely new historical perspective, since not only its context but its very locale were changed. The body and conclusion of this study of double majority must, however, provide the final justification for the periodization and all other hypotheses.

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Kylie, "Constitutional Development, 1840-1867," Shortt and Doughty (eds.), Canada and its Provinces, vol. 5, p. 149.

CHAPTER II

UNDENIABLE POWER, QUESTIONABLE RIGHT AND DOUBTFUL EXPEDIENCY PRODUCE THE GREAT COMPROMISE

Question: Supposing it be admitted that the Act of 1791 had the character of a formal compact, do you mean to state it as your opinion, that with a view to the benefit of those provinces, it is not constitutionally in the power of the Parliament of Great Britain, to legislate upon the subject of the government of Canada? Answer: As to the power I do not deny it. The right¹ may be questioned, and the expediency is more than doubtful.

The double majority system developed during the 1841 Union of Upper and Lower Canada. It was based on provincialism and on racism. Both of these were features of colonial life even before the Rebellions. A proper understanding of the growth of double majority, and of its raison d'être, requires at least a brief survey of its historical background. This chapter deals with features of the Rebellions, and the early Union period, which provide this background.

Racism and reformism were the most significant features of the Rebellions. In Upper Canada the fight was primarily a political one. In Lower Canada, an internecine conflict resulted from the orthodox Papineau group's attempt to reform the old political and social institutions, the legacy from the French Regime. Soon, however, other French

¹
Quebec Gazette, Feb. 17, 1843 cites the Select Committee of the House of Commons on the Civil Government of Canada, July 22, 1828. Austin Cuvillier, Esq., examined, June 12, 1828.

Canadians challenged the wisdom of destroying institutions which seemed to be the sole remaining instruments of national survival. These conservatives refused to participate in the Rebellions. The split thus occasioned in French-Canadian ranks was deepened when the English Tories threw their energies into maintaining the status quo, which included all the old institutions. With part of the French-Canadian population passive, and the other part pitted against the English Tories, the struggle seemed to evolve into a racial war. From such a war many English Reformers withdrew. Their defection left the combatants divided mainly on racial lines. The initial reformism merged into racism, as did the conservatism of the militant English Tories. Ultimately the Lower Canadian Rebellions intensified racial hatred, and undermined reform motivation, which soon became a secondary factor.²

When the Rebellions were put down, Lord Durham sailed to Canada to provide a scheme of government which would end for all time the conflicts between the metropolis and the two colonies. His investigations revealed to him that the primary cause of the Rebellions in Lower Canada was a "rule of national hostility" between the English and French inhabitants.³ He was so struck with this that he oversimplified the importance of reform principles. He claimed that these principles served merely as masks to cover the true issue: racial hatred. One of

² S.D. Clark, Movements of Political Protest in Canada 1640-1840, (Toronto: University of Toronto Press, 1959), p. 461-3.

³ Gerald Craig (ed.), Lord Durham's Report, (Toronto: McClelland and Stewart Ltd., 1963), p. 25.

America based on the plan supplied by one of his Canadian-educated advisers.⁸ However, federalization might preserve these institutions and habits which constituted the French-Canadian nationality. This "is precisely what you do not want", wrote one of his advisers.⁹ Nor could Durham find any guarantee that as a majority political group the French Canadians would not continue to antagonize the British of Lower Canada in the Assembly.¹⁰ The British group themselves worked towards a legislative union of Upper and Lower Canada in which, coupled with the British of Upper Canada, they could "in effect deprive the majority of Frenchmen from the power they had so abused."¹¹ With the British in control of government, the process of assimilation would be speeded up.

Other factors besides the racial problem led Durham to favour legislative as opposed to federal union. Upper Canadians generally believed that "the only means of discharging our obligations, of faithfully satisfying our creditors is by uniting Upper and Lower Canada

⁸ R.G. Trotter, "Durham and the Idea of a Federal Union of British North America," Canadian Historical Association Report, (1925), p. 56, 62-3.

⁹ P.A.C. Report, 1923, "Memo," by Charles Buller, Feb. 1839, p. 194.

¹⁰ Trotter, "Durham and the Idea of a Federal Union of British North America," Canadian Historical Association Report, (1925), p. 62-3.

¹¹ Quebec Gazette, April 25, 1840. See also Trotter, "Durham and the Idea of a Federal Union of British North America," Canadian Historical Association Report, (1925), p. 63.

whose surplus revenue alone can enable us to redeem our obligations."¹²

The Upper Canada canal systems and other public works could not be completed without the help of Lower Canada funds.¹³

The firm of Baring Brothers, underwriters of most of the Upper Canadian securities, saw in legislative union a means of guaranteeing the now uncertain value of their investment. Francis T. Baring, Chancellor of the Exchequer in the Melbourne Cabinet, and one of the principals in the banking firm, may have influenced the decision to implement a legislative union.¹⁴

Legislative union would, as well, repair the financial disputes between the two Provinces, which were "a source of great and increasing" conflicts, specifically the problem of determining the distribution of Customs duties when imports to Upper Canada entered Lower Canadian ports.¹⁵ Great Britain would lose none of her prerogatives, and could look forward to owning a prosperous and loyal colony. All these arguments for legislative union were published on January 31, 1839, in Durham's famous Report on the Affairs of British North America.¹⁶

¹² Quebec Gazette, Dec. 23, 1839.

¹³ W. Ormsby, "The Civil List Question in the Province of Canada," Canadian Historical Review, XXXV (June, 1954), p. 96.

¹⁴ Mason Wade, The French Canadians 1760-1945, p. 225.

¹⁵ Craig (ed.), Lord Durham's Report, p. 75-6.

¹⁶ Trotter, "Durham and the Idea of a Federal Union of British North America," Canadian Historical Association Report, (1925), p. 63.

On February 10, 1841, with undeniable power, questionable right and doubtful expediency, Great Britain proclaimed the Act of Union, based largely on the recommendations of Durham's Report.¹⁷ The Union of the Canadas, designed to make one people of two warring races, and to unite two provinces into one, was the framework within which double majority, a racist and sectional principle, developed.

Although designed to solve racial and sectional antagonisms, Canada's most worrisome problems, the Union did not receive an enthusiastic welcome in Canada. Opposition had begun to crystallize immediately upon the publication of Durham's Report. Upper Canada had desired a union with Lower Canada "on terms to establish her ascendancy."¹⁸ This the Union did not do, for in the new Assembly there was to be equal representation from the two sections. The old "Family Compact" foresaw in it a threat to their oligarchical power, and they openly expressed their hatred of the French Canadians, with whom they would be forced to act in the government.¹⁹ "Our Tories are almost frantic",

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Wade, The French Canadians 1760-1945, p. 226.

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Marcel Séguin (ed.), "Documents Sur Le British North America, 1838-1842," Publications of the Institute of History, (13 folios, Montreal: Université de Montréal, n.d.), Ellice to LaFontaine, London, April 19, 1838, folio 3269, p. 2.

¹⁹

ibid., House of Assembly of Upper Canada, Toronto, Dec. 23, 1839, folio 3269-91, p. 4-5.

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wrote one Upper Canadian. Upper Canadians as a group feared to lose Toronto as the seat of government. Many were prepared to forego all the benefits of the Union in order to retain their privileged position with respect to the capital. For example, the vote on the Union in the Legislative Council showed that almost all the City of Toronto and neighbourhood members opposed it on these grounds.²¹

On the other hand, the political counterparts of the Tories in Lower Canada, were extremely satisfied. Lord Durham had described the Union as their own "pet Montreal project, beginning and ending in Montreal selfishness."²² The Tories naturally loved their own creation. For very different reasons the Reform-minded Upper Canadians also favoured the Union, with scarcely a dissenting voice.²³ They believed that in combination with like-minded Lower Canadians, they could secure "liberal institutions and economical government...."²⁴ Despite some agitation about specific clauses, the general consensus was that the

²⁰ ibid., Hincks to LaFontaine, Toronto, Dec. 12, 1839, folio 3269-91, p. 7.

²¹ P.A.C. Report, 1923, "Durham Papers," W. Morris to Durham, Toronto, April 8, 1839, p. 262.

²² William Smith, "The Reception of the Durham Report in Canada," Canadian Historical Association Report, (1928), p. 41.

²³ P.A.C. Neilson Papers, W.H. Merritt to Neilson, St. Catharines, April 15, 1841, vol. 10, p. 152.

²⁴ Séguin (ed.), "Documents Sur Le British North America, 1838-1842," Publications of the Institute of History, Hincks to LaFontaine, Toronto, April 12, 1839, folio 3269-6, p. 2.

principle of the Act was fair, and offending clauses could be repealed when the legislature met.

Opposition to the Union among Upper Canadians was quite effectively dealt with. Office-holders were threatened with loss of their jobs if they continued to oppose the Union. This threat silenced the officials.²⁵ A rumour was circulated that in return for support of the Union, the seat of government would remain in Upper Canada.²⁶ This also helped sway public opinion. The real problem was the French Canadians. "We do not believe", announced the Quebec Gazette two weeks after the Union Proclamation, "that there are a hundred electors in all Lower Canada who approve of the union project on its own merits."²⁷ Upper Canadian opposition derived from political and power struggles as well as from racial dislike and provincial exclusivity. Lower Canadians, however, expressed only the most virulent racial and sectional concern. They objected to the very fundamentals of the Act: its purpose, details, principle and means of enforcement.²⁸

One of the most important purposes of the Act was clearly to

²⁵ Don John Pierce and John Perry Pritchett, "The Choice of Kingston as the Capital of Canada, 1839-1841," Canadian Historical Association Report, (1929), p. 58.

²⁶ ibid., p. 57-58.

²⁷ Quebec Gazette, Feb. 24, 1840; see also G.P. de T. Glazebrook, Sir Charles Bagot in Canada: A Study in British Colonial Government, (Toronto: Oxford University Press, 1920), p. 27.

²⁸ V.J. Jensen, "LaFontaine and the Canadian Union," Canadian Historical Review, XXV (March, 1944), p. 10.

assimilate the French Canadians. Even the sympathetic Francis Hincks understood that the Union "would mean ruin" if the French Canadians still hoped to remain a separate and distinct nation.²⁹ In fact, the Union represented a "consecration of the conquest."³⁰ French-Canadian fear for their nationality produced a revival of the ever-present racial hatred which was the despair of Lord Sydenham, the Governor charged with implementing the Act of Union. Lower Canadians "have only one feeling - a hatred of race. The French hate the English, and the English hate the French; and every question resolves itself into that and that alone", he complained.³¹ "The French hate the English and would cut all their throats if they could - the English hate the French and only desire to ride rough shod over them."³² The Roman Catholic clergy also despised the Union. They believed that assimilation of the French Canadians involved not only anglicizing their culture, but forcibly replacing their religion with Protestantism.

Racial hatred was nourished when the details of the Act became known. The French Canadians bitterly resented that a population then

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Séguin (ed.), "Documents Sur Le British North America, 1838-1842," Publications of the Institute of History, Hincks to LaFontaine, Toronto, April 12, 1839, folio 3269-6, p. 2.

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Ormsby, "The Civil List Question in the Province of Canada," Canadian Historical Review, XXXV (June, 1954), p. 94.

³¹

G.B. Scrope, Memoir of the Life of the Right Honourable Charles, Lord Sydenham, (London: John Murray, 1843), p. 176, Sydenham to a friend, Montreal, March 13, 1840.

³²

Paul Knaplund (ed.), Letters from Lord Sydenham to Lord Russell, (London: Allen and Unwin, 1931), Thompson to Russell, March 13, 1840, p. 52.

believed to be 630,000 should have the same number of representatives as the much scantier Upper Canadian population, for they hated and feared the English of Upper Canada as much as they did the Tories of Lower Canada.³³ The Union would result in the minority Upper Canadians holding "all the power of the Representative Assembly", and in such a situation the French Canadians expected nothing but injustice in view of "the disposition of that minority as evinced in the Debates of the Upper Canada Legislative Assembly, and the newspapers...."³⁴

The seat of government question was another racial bugbear. Lower Canadians were "categorically opposed" to the location of the new capital outside of Lower Canada. Quite apart from the financial loss to Quebec if the capital moved, an Upper Canadian capital would represent physical subjugation to the English Canadians, and would as well be symbolic of the anticipated political subordination.³⁵ Although it had been hinted in the House of Commons that Montreal would be the official choice, Lower Canadians tended to believe the rumour that in return for support of the Union, the capital would remain in Upper Canada.³⁶

³³ Sir J.G. Bourinot, Lord Elgin, (Toronto: Morang & Co., Ltd., 1906), p. 23.

³⁴ P.A.C. Neilson Papers, Neilson to Gosford, Quebec, Jan. 31, 1840, vol. 12, p. 566.

³⁵ Pierce and Pritchett, "The Choice of Kingston as the Capital of Canada, 1839-1841," Canadian Historical Association Report, (1929), p. 58.

³⁶ ibid.

Another bone of contention represented strong sectional feeling among the Lower Canadians. This was the injustice of being forced to use their own financial resources to bail out the ambitious and incautious Upper Canadians, specially since they would receive nothing in return. Their resentment on this score was heightened by the Upper Canadians' attitude. I "met with "Cavillier" (sic), one of the demagogues - who complained sadly about the Upper Canada debt", chuckled one Upper Canadian callously. "I told him it was all we had & that we divided it equally and fairly."³⁷

French-Canadian objections to the principle of the Act pre-saged the later arguments for double majority. Sir John Colborne expressed them best. He declared that the idea of forcing the fishermen of the Gulf of St. Lawrence and the backwoodsmen of the Great Lakes, separated by 1,200 miles, to meet at an intermediate point and deliberate together on their local interests was the height of folly. It was absurd and impolitic, he felt, to expect the French habitants to contribute to the process of reforming the English civil laws and the rural codes of Upper Canada, and to hope that the union of the malcontents of both provinces would end all problems. For once, the French Canadians agreed with the hated "vieux Brulot", later known as "Lord

³⁷ C.R. Sanderson, "Some Notes on Lord Sydenham," Manchester John Rylands Library Bulletin, XXV (1941), p. 24, Sullivan to Arthur, March 1, 1841.

³⁸ Quebec Gazette, May 19, 1840.

³⁹
Satan"! For aside from the racial hatred, identification with the geographical entity known as Lower Canada strengthened the sectionalism which the Union was meant to destroy. Double majority was based as much on this sectionalism as on racial distinctions, and was in part designed to counter sectionalism by giving it constitutional sanction.

The means of enforcing the Act of Union gave yet another cause for bitterness. Its passage had been secured through the Upper Canadian legislature by bribery and promises. In Lower Canada it had not been put to the question. Even the despised Special Council had been double-crossed in this respect. Lord Sydenham had suddenly summoned the Council on November 11, 1839, and demanded a vote on the issue two days later. This left little time for discussion, specially since all but fifteen of the members had been immobilized by the blizzards of a harsh Canadian winter.⁴⁰

Ironically, Canadian reaction to the Union crystallized the growth of the two factors which the Union was supposed to destroy, and upon which double majority was to be based. The two groups most seriously infested were the Upper Canadian Conservatives, and the French Canadians. The Conservatives combined a scorn for the French Canadians with an overwhelming desire to maintain their own position of power in Upper Canada. They felt that this could be accomplished only by a con-

³⁹
Monet, "The Last Cannon Shot: A Study of French-Canadian Nationalism 1837-1850," vol. 1, p. 23.

⁴⁰
ibid., vol. 1, p. 70.

tinued separation of the two provinces, or by an arrangement which would ensure Upper Canadian ascendancy. The French Canadians feared and despised most English Canadians of both provinces. Moreover, they identified Lower Canada with the French-Canadian nation, and desired to maintain it as a separate entity, as it had been in 1791. Both antagonistic groups agreed on one thing: the Union was the farthest thing from "the sovereignest thing on earth."⁴¹ Both continued to whip up racial hatred and sectionalism. In so doing, they prepared the way for double majority.

The most frenetic anti-Union activities were undertaken in French Canada. The mass of people clung to the idea which had gained currency immediately after the Rebellion, and which for the next decade would not lose its magic: Louis Joseph Papineau would return home when the time was auspicious, "at the head of an immense army, and re-establish "La Nation Canadienne".⁴² More effective were the giant public meetings and the mammoth protest petitions. In Three Rivers, the clergy persuaded people to add their names to the local anti-Union petition.⁴³ Montrealers could seldom be persuaded to pad the scanty pre-Union petition.⁴⁴ Quebec City was the hot-bed of opposition, encouraged by

⁴¹
Quebec Gazette, March 22, 1843.

⁴²
Craig (ed.), Lord Durham's Report, p. 43.

⁴³
R.A.P.Q., 1927, "Duvernay Papers," Duvernay from J.E. Turcotte, Three Rivers, Feb. 2, 1840, no. 405, p. 223.

⁴⁴
ibid., Letter to Duvernay without signature, 1841, no. 535, p. 246.

John Neilson, editor of the Quebec Gazette. Neilson established a committee which circulated hundreds of posters advising the French Canadians to vote in the impending elections only for those men totally opposed to the Union and pledged to its repeal.⁴⁵

This anti-Union effort gained notice even in Upper Canada.

"Neilson, you observe, is hammering away," wrote one Upper Canadian.

"He is doing much mischief - not stopping at anything to work his

ends."⁴⁶ As early as April 30, 1840, Neilson's Quebec Gazette, proudly announced the results of his campaign: a total of 39,928 names, 1907

English among them.⁴⁷ The Governor was well aware that Neilson's estimate of French-Canadian opinion was correct. "This province is tranquil for the moment," he told Lord Russell.

It isn't necessary however to believe that the disposition of the French-Canadian population be changed, although the

⁴⁵ Scrope, Memoir of the Life of the Right Honourable Charles, Lord Sydenham, p. 216.

⁴⁶ J.P. Merritt, Biography of the Hon. W.H. Merritt, (St. Catharines: E.S. Leavenworth, Book & Job Printing Est., 1875), H.H. Killaly to W.H. Merritt, Office of the Board of Works, Nov. 6, 1840, p. 220-1.

⁴⁷ Quebec Gazette, April 30, 1840. Although much sarcasm has been expended on the certified marks by which the French Canadians expressed their opinions on various petitions, Neilson's anti-Union petition with its 29,565 certified marks also included 24,253 property owners among the total signatures: i.e. 24,253/39,028. Their lack of literacy therefore reflects more on current standards and the educational system than it does on their ability and initiative.

feelings of its weakness and of the great power of the executive power in Canada stops it from delivering itself of in-subordinate actions.⁴⁸

The equally dissatisfied Conservatives of Upper Canada took advantage of French-Canadian opinion. They suggested a political alliance in the first Union Assembly which would have one single purpose: the immediate repeal of the Union.⁴⁹ This proposal was crude, but in principle not so very different from the refinements later known as double majority. This repeal alliance was sabotaged by Upper Canadian Reformers in league with a few French Canadians.

Among the mass of French Canadians were a few influential dissenters. They believed that the Union did not necessarily mean the end of their survival as a distinct nation. The most notable of these dissenters were Louis-Hippolyte LaFontaine and his friends Augustin-Norbert Morin and Etienne Parent. These men opposed repeal as a racially-motivated policy, equivalent to a separatist's dream. They preferred political rather than racial solutions to the national problem.⁵⁰ Therefore they cast their eyes not to the repeal-oriented Upper Canadian Conservatives, but to those who supported both Reform principles and the Union.

⁴⁸ Quebec Gazette, March 21, 1840, C.P. Thompson to Lord Russell, London, Feb. 7, 1840.

⁴⁹ Francis Hincks, Reminiscences of His Public Life, (Montreal: William Drysdale & Co., 1884), p. 52, A.N. Morin to Hincks, Quebec, May 8, 1841.

⁵⁰ Monet, "The Last Cannon Shot: A Study of French-Canadian Nationalism 1837-1850," vol. 1, p. 77-83.

During the years immediately after the Rebellions, LaFontaine began to conduct secret negotiations with Francis Hincks, one of the Reform leaders in Upper Canada. His purpose was to effect an alliance with the Reformers in the Union legislature. Despite LaFontaine's opinion that a federal union would be much more satisfactory, Hincks was able to coax him into agreeing that responsible government would accomplish all that a federal union would.⁵¹ Morin and Parent were also convinced that this was true.

Because their opinions ran counter to those of the French-Canadian majority, LaFontaine and Morin negotiated in the strictest secrecy, in order to avoid being labelled traitors to French Canada, or vendus.⁵² They greatly feared the deadly venom which the clergy and established French-Canadian leaders would level at any who dared to question the wisdom of repeal and French-Canadian separatism. LaFontaine's position as a leader was far from secure. Personally unpopular, he had refused either to serve in, or to oppose the Rebellions, and had taken refuge in Europe. Morin had gone even further: he neither fought in the Rebellions, nor signed any anti-Union petitions. However, his people loved him, and so he had less need to fear the venu appellation than had LaFontaine.⁵³ Morin was also lucky enough to have been named in official

⁵¹ Séguin (ed.), "Documents Sur Le British North America, 1838-1842," Publications of the Institute of History, Hincks to LaFontaine, Toronto, Oct. 9, 1839, folio 3269-7, p. 9.

⁵² Monet, "The Last Cannon Shot: A Study of French-Canadian Nationalism 1837-1850," vol. 1, p. 100-3.

⁵³ ibid., vol. 1, p. 96-97.

British depositions for having hidden an escaped rebel prisoner, and having financed him. He had also comforted imprisoned rebels with gifts of books, and his treacherous neighbours reported mysterious visits by unidentified men, presumably involved in the Rebellions, to the Morin residence.⁵⁴ To the average French Canadian, such activities were highly patriotic.

These conspirators faced another major obstacle quite apart from opposition from their own people. They were certain that if the Governor were to learn of the proposed alliance, he would find a way to quash it, and to force the French Canadians into a legislative minority. Crafty planning was absolutely necessary if a French-Canadian-Reform alliance were to succeed.

Part of LaFontaine's strategy had been to supervise the anti-Union petition in the District of Montreal. It differed slightly from the petitions in the other Districts, hinting at alliance with the Reformers of Upper Canada. This immediately implied that the protest against the Union was merely a token one, and that the main object was to render the Union advantageous to the French Canadians. LaFontaine managed things so that the petition never got much publicity, and he never posted it to England. This strategy served a double purpose.

⁵⁴In fact, right into the Morin bedroom, if gossip can be believed. P.A.C. Report, 1923, "Durham Papers," Deposition of W.V. Andrews, Quebec, Oct. 16, 1838, p. 774; Deposition of John Campbell, Quebec, Oct. 16, 1838, p. 775; Deposition of Elizabeth Lawson, Quebec, Oct. 16, 1838, p. 778; Deposition of Marie Doyer, Quebec, Oct. 16, 1838, p. 784.; p. 141.

He had avoided a public declaration of support for the Union, even if his opposition to it had lacked enthusiasm. Also Neilson and the virulent Quebec repealers were prevented from entering the District of Montreal, where LaFontaine was consolidating his position as leader.⁵⁵ Ultimately, the two opposing policies involved the leadership struggle. The victor's policy would soon win acceptance. For this reason the leadership struggle is always an important sub-theme in the study of double majority and its predecessor, repeal of the Union or French-Canadian separatism.

Prior to the 1841 elections, the negotiations proceeded cautiously, amid the continuing agitation for repeal. The Conservative Montreal Herald caught wind of them, and wrote an acid comment on one of LaFontaine's trips to Toronto. "M. Lafontaine doit prendre des arrangements avec M. Baldwin...et d'autres rebelles suspectés ou connus, relativement à la tactique à suivre dans l'assemblée des provinces unies."⁵⁶ Parent's Canadien hastily denied that politics were the object of the trip, for he dared not acknowledge the collaboration between the two groups. The talks were still burdened with mutual suspicion and hesitation. Racial animosity between the French and English negotiators and their followers was one of the main problems. Baldwin realized that it could very well sabotage all plans for reform. "There is, and must be

⁵⁵ Monet, "The Last Cannon Shot: A Study of French-Canadian Nationalism 1837-1850," vol. 1, p. 103-9.

⁵⁶ Quebec Gazette, July 2, 1840, cites Montreal Herald.

no question of races-" he urged. "It were madness on one side, and guilt, deep guilt on both to make such a question-"⁵⁷ Both he and Hincks had to constantly reassure LaFontaine that their followers were thoroughly desirous of co-operation with the French Canadians, who still⁵⁸ harboured a deep distrust of all Upper Canadians.

Instability among the Upper Canada Reformers also contributed to the problem. LaFontaine was staking his entire political career on success of the alliance, yet those he had to deal with so secretly were irresolute and seemed poor risks. Few supposed Reformers attended the Reform Levée.⁵⁹ The leaders were continually warned of shiftiness in their followers as one politician after another jumped on the Reform bandwagon. Francis Hincks, perhaps unwisely, passed on to LaFontaine, some of the lists of suspects supplied to him. Personally, Hincks felt it bad policy to seem to distrust those "who even at the eleventh hour see the error of their ways.-"⁶⁰ Bluntly he asked LaFontaine, "Would you act with any of our old enemies provided they agree to carry out our policy..."⁶¹ A recent convert would swell the ranks as much as an

⁵⁷ P.A.C. LaFontaine Papers, Baldwin to LaFontaine, Toronto, Nov. 26, 1840, vol. 2, p. 328.

⁵⁸ ibid., Hincks to LaFontaine, Toronto, Jan. 30, 1840, vol. 2, p. 260-1; see also Merritt, Biography of the Hon. W.H. Merritt, p. 217, letter to Merritt, Toronto, July 15, 1840.

⁵⁹ P.A.C. LaFontaine Papers, Hincks to LaFontaine, Feb. 18, 1840, vol. 2, p. 369.

⁶⁰ ibid., Hincks to LaFontaine, June 17, 1840, vol. 2, p. 279.

⁶¹ ibid., Hincks to LaFontaine, Feb. 14, 1841, vol. 2, p. 363.

old ally, and Hincks was convinced that both sections of the United Province should send a Reform majority to the Assembly "so as to silence all cavilling on the score of national origine (sic)."⁶² Although responsible government, to which the Reformers were devoted, required only a simple numerical majority, the astute Hincks foresaw that the alliance would be sabotaged by racial antagonisms unless each group proved its faith to the other in the tangible form of sectional majorities. This line of thinking, involving both sectionalism and racism, was yet another step in the development of double majority.

This type of thinking was evident on another occasion. In February, 1840, the Governor had offered LaFontaine the Lower Canadian Solicitor-Generalship and a place in the Executive Council. LaFontaine had dared not accept for fear of being branded a vendu, since his countrymen were still violently opposed to the Union. Hincks and the Reformers of Upper Canada had been bitterly disappointed at LaFontaine's refusal. Hincks wrote regretfully:

I confess, however, that I was rather pleased to see that the Governor was willing to have acted with you, and I do not agree in thinking that you would have forged chains for yourself.... If your friends could only have consented to it....we should on the opening of Parliament have had a Reform Council for both Provinces, friendly to a Repeal of obnoxious parts of the Union Bill....⁶³

⁶² ibid., Hincks to LaFontaine, Toronto, June 17, 1840, vol. 2, p. 280.

⁶³ Séguin (ed.), "Documents Sur Le British North America, 1838-1842," Publications of the Institute of History, Hincks to LaFontaine, Toronto, April 6, 1841, folio 3269-95, p. 2.

Soon LaFontaine was equally worried about the leader of the Upper Canadian group with which he was negotiating. The Governor's great dream was to have a non-partisan Assembly and Council, so that measures would be weighed on the basis of merit alone. His greatest coup in this respect was his successful wooing of Robert Baldwin into the Upper Canadian Solicitor-Generalship, the same position which LaFontaine had refused for Lower Canada. LaFontaine and his friends were horrified. Hincks took it upon himself to reassure him. "Privately His Excellency makes the most liberal promises...." Hincks wrote. ⁶⁴ "We think it policy to assume that Mr. T(hompson) is sincere."

Even some of the Upper Canadians suspected that Baldwin, in accepting office, had wantonly abandoned his principles. ⁶⁵ Baldwin had in fact carefully considered his position, and had finally agreed to accept office in the Executive Council on the understanding that responsible government would be the governmental policy. Yet he felt that his chances of success were undermined by his own friends, and he felt obliged to warn his Upper Canadian allies and the French Canadians that their willing alliance should not lead inevitably to a collision with

⁶⁴ Sanderson, "Some Notes on Lord Sydenham, " Manchester John Rylands Library Bulletin, XXV (1941), p. 19, Hincks to LaFontaine, Dec. 4, 1839 and Aug. 15, 1840.

⁶⁵ P.A.C. Baldwin Papers, H.J. Boulton to Baldwin, Toronto, Feb. 26, 1840, vol. 3, p. 1-2; see also P.A.C. LaFontaine Papers, Hincks to LaFontaine, Toronto, Feb. 22, 1840, vol. 2, p. 264.

the Governor.⁶⁶

This warning was specially well-directed to the French Canadians, for men like LaFontaine, who supported the Union, hid their true feelings under an avalanche of attacks on the Governor, and Baldwin feared they would succeed in arresting the working of the constitution under which they hoped to achieve their common aims.⁶⁷ The principal one, in his opinion, was responsible government. So pessimistic was he of his chances of forcing the implementation of responsible government that he wore his father's old gown, because in his thrifty opinion "his tenure of office would probably be so short that he would not be justified in purchasing a new silk gown."⁶⁸

The rather tedious negotiations between the LaFontaine group and the Upper Canada Reformers was abruptly halted by the general elections in the spring of 1841.⁶⁹ Upper Canada elected 27 men believed to be Reformers, 11 Tories, and 2 Independents. Lower Canada's returns appeared to be 22 anti-Unionists, 19 pro-Unionists, and 1 Independent.⁷⁰ Only 19 of the Lower Canadian representatives were French Canadian.

⁶⁶
P.A.C. LaFontaine Papers, Baldwin to Hincks, Toronto, Nov. 7, 1840, vol. 2, p. 335-6.

⁶⁷
ibid.

⁶⁸
Sanderson, "Some Notes on Lord Sydenham," Manchester John Rylands Library Bulletin, XXV (1941), p. 19, Jones to Arthur, April 13, 1840.

⁶⁹
Wade, The French Canadians 1760-1945, p. 229.

⁷⁰
Cornell, The Alignment of Political Groups in Canada 1841-1867, p. 7.

It was only after the Houses met and began the business of government that the true composition of the Assembly was revealed. John Neilson and D.B. Viger, the two most influential French-Canadian leaders, and avid anti-Unionists, were elected. LaFontaine was defeated in Terrebonne, and his policy was left to the safekeeping of his lieutenant and friend, Morin. The time for theory had ended. The time had arrived for the crucial test: the decision by the representatives to follow either the Neilson-Viger policy of demanding the repeal of the Union, or the LaFontaine-Morin policy of accepting the Union and working for the implementation of responsible government.

In the manifesto to his constituents just prior to the elections, LaFontaine had finally and publicly committed himself to his hitherto concealed policy. He emphasized the political freedom which responsible government would allow the French Canadians, and explained how responsible government could be gained by allying with the Upper Canada Reformers. On the other hand, he argued, repeal demands might simply result in the British Government's placing Lower Canada once again under a despised Special Council.⁷¹ This plea for an alliance based on political principles was a radical one to the French Canadians who thought primarily in racial terms, and who despised both the Canadian Union

⁷¹ Le Canadien, Aug. 31, 1840.

and most English Canadians. Moreover, the chief object of this policy was to win responsible government - an English principle! This manifesto did LaFontaine little good in his election fight.

One of the recent converts to Reform principles, and one whose constancy the Upper Canadians suspected, was the imperturbable William Hamilton Merritt. Attempting to solve the difficulties of Parliament, Merritt kept busy at his usual pastime. "Scribble, scribble all the time; I wonder he does not lose his senses", scolded his wife.⁷² Belying the need for any anxiety on the part of his newfound colleagues, he was engaged in a correspondence on their behalf. Among his correspondents was the anti-Unionist John Neilson, whom Merritt was trying to talk out of his anti-Unionist articles in the Quebec Gazette.⁷³ Merritt claimed that the Union could be made to work "for the mutual benefit of all", but Neilson was in no mood for conciliation.⁷⁴ He explained testily that he merely spoke the views of the Lower Canada representatives. "I have had no consultation with any of them, but I am not apprehensive of any mistake", he warned the worried Upper Canadian.⁷⁵

⁷² Merritt, Biography of the Hon. W.H. Merritt, p. 371, Mrs. Merritt's Journal, March, 1850.

⁷³ P.A.C. Neilson Papers, Merritt to Neilson, St. Catharines, April 15, 1841, vol. 10, p. 152-3.

⁷⁴ P.A.C. LaFontaine Papers, Merritt to LaFontaine, May 19, 1840, vol. 2, p. 276.

⁷⁵ Merritt, Biography of the Hon. W.H. Merritt, p. 232-3, Neilson to Merritt, Quebec, April 27, 1841.

There seemed to be grounds in fact for Neilson's opinion. Even LaFontaine began to question the wisdom of the alliance which he had so eagerly worked for. Depressed by what he considered his unjust defeat in Terrebonne, he would no longer commit himself to the alliance. Hincks pointed out to him that such a refusal would drive the Upper Canadians into the welcoming arms of the Lower Canadian Tories. The Tories would co-operate by helping to crush the power of the old Family Compact and the Orangemen of Upper Canada. Urging LaFontaine to forget the injuries which he and his people had suffered, Hincks warned him "by taking an extreme course at present you are playing the game of your enemies and placing power in there (sic) hands to oppress you still more...." Yet, Hincks continued, clever management would avert any oppression.⁷⁶ A fortnight later, he added that since it was obvious that Lower Canada's representation would not be increased despite its larger population, only by joining with the Reformers of Upper Canada would the French Canadians yield any influence in the affairs of the country.⁷⁷

Augustin Morin proved more tractable, and his estimate of the temper of the French-Canadian deputies was more encouraging than Neilson's had been. He assured Hincks that not more than one or two Quebec

⁷⁶ P.A.C. LaFontaine Papers, Hincks to LaFontaine, Toronto, April 6, 1841, vol. 2, p. 386-7.

⁷⁷ ibid., Hincks to LaFontaine, Toronto, April 19, 1841, vol. 2, p. 396.

members and probably none of the Montrealers, still supported the idea of making the repeal of the Union a "sine qua non" question. This was a vindication of his and LaFontaine's policy, and of LaFontaine's increasing importance as a leader, despite his electoral defeat. Nevertheless, Morin insisted that the real leader was Neilson, and no other.⁷⁸ At this news Hincks would have ground his teeth in rage had he not had the most conciliatory nature possible, for he and the dogmatic Neilson quarrelled over the benefits of the Union, and over responsible government: in other words, those issues of prime importance to the Upper Canadian Reformers. Luckily for the chances of the alliance, Neilson in fact shared leadership in the Assembly with Viger, Morin and T.C. Aylwin, during the first session.⁷⁹ Although the first two were firm repealers, Morin and Aylwin supported the Union, and were able to influence the representatives.

One of the first events of the first session of Parliament was the election of a Speaker. A few days before Parliament opened, Morin and the supposedly anti-Unionist representatives had met with the Reformers of Upper Canada to plan their strategy.⁸⁰ They had agreed to nominate Austin Cuvillier, a wealthy French-Canadian merchant for the Speaker-

⁷⁸ P.A.C. Hincks Papers, A.N. Morin to Hincks, Quebec, May 8, 1841, p. 8-9.

⁷⁹ Hincks, Reminiscences of His Public Life, p. 58.

⁸⁰ R.S. Longley, Sir Francis Hincks, A Study of Canadian Politics, Railways & Finance in the Nineteenth Century, (Toronto: University of Toronto Press, 1943), p. 75-6.

ship. Their first victory over the Governor consisted in forcing his advisers to "swallow the bitter pill by publicly voting for a gentleman who had declared his entire want of confidence in them."⁸¹ After this initial victory, the new and uncertain alliance suffered various setbacks. The result was that the policy of accepting the Union and forcing responsible government was not irrevocably established, despite the lessening of repeal demands.

The first set-back involved the circumstances of Baldwin's resignation. He intended to test the Governor's sincerity in his supposed policy of implementing responsible government by advising him to summon LaFontaine and others of the Reform party to office. Should this be refused, he would resign.⁸² However, the Governor was irritated by "this insolent and Wat Tyler-like demand", and rejected Baldwin's advice.⁸³ Still smarting from LaFontaine's refusal to accept office, Sydenham had felt obliged to worsen matters by lying about it, snarling:

I need not say the whole is a lie from beginning to end, and it is felt to be so because his friends know that he would have jumped at any price. He is a cantankerous fellow without talent & not worth buying or I would have had him when I pleased.⁸⁴

⁸¹ Leacock, Baldwin LaFontaine Hincks: Responsible Government, p. 87. ⁸²

Longley, Sir Francis Hincks, A Study in Canadian Politics, Railways & Finance in the Nineteenth Century, p. 77.

⁸³ John Richardson, Eight Years in Canada, (Montreal: H.H. Cunningham, 1847), p. 190-1.

⁸⁴ Knaplund (ed.), Letters from Lord Sydenham to Lord Russell, p. 130, Sydenham to Russell, Montreal, April 10, 1841.

LaFontaine had confirmed the rumour that he had refused Sydenham's offer and the news leaked into various newspapers, which further enraged the Governor, who insisted that LaFontaine was full of the old revolutionary spirit.⁸⁵ He was contemptuous of most other French Canadians in Parliament, since he believed that they were disloyal, and he was therefore furious at Baldwin's presumption in asking him to deal with these traitors. Had he known of the ownership of the gown Baldwin wore, he would have been doubly angry, for he believed of Baldwin "that when away from that mischievous old ass, his Father, good may be made of him", and he must have disliked another of the reforming Baldwins bearing trouble in the same old garb.⁸⁶

Baldwin lived up to his threat, and resigned. Ironically, this happened on the very day of Cuvillier's election as Speaker.⁸⁷ Sydenham claimed to be unperturbed at this, announcing his own complete victory in the matter.

I have got rid of Baldwin and finished him as a public man forever...The only two Upper Canada members he can get to vote with him being noted agitators of little weight whose return I could prevent to-morrow if they went to their constituents. I have left him leading the rump of the old Lower Canada Assembly, a party of 12 or 14 only....⁸⁸

⁸⁵ ibid., p. 90, Thompson to Russell, Toronto, Sept. 16, 1840.

⁸⁶ Sanderson, "Some Notes on Lord Sydenham," Manchester John Rylands Library Bulletin, XXV (1941), p. 20, Sydenham to Arthur, Feb. 18, 1841.

⁸⁷ Dent, Canada Since the Union of 1841, vol. 1, p. 119.

⁸⁸ Knaplund (ed.), Letters from Lord Sydenham to Lord Russell, p. 145, Sydenham to Russell, Kingston, June 27, 1841.

Baldwin now sat on the left of the Speaker with these Lower Canadians and "those few who may be styled his coadjutors-"⁸⁹ He had gambled and lost. The so-called Reform party's contingent from Upper Canada dissolved when it came to voting against the government, and the vaunted Reform alliance had left the French Canadians in opposition. This was not the only consequence of Baldwin's resignation, which the French Canadians had to take into account as a debt of honour when they planned their political strategy. This debt was to burden them for many years to come, and was to have a direct influence on the fate of double majority.

Despite this set-back, the French Canadians stubbornly clung to their policy of opposing the government. This determined fidelity to the Reform alliance, brain-child of LaFontaine and Morin, was the despair of both the anti-Unionists and the Governor. The anti-Unionists blamed their own failure to force repeal on the quality of the French-Canadian deputies. "At a time when we ought to have been most scrupulous and particular in the choice of representatives we have been reduced to the necessity of taking what we could get."⁹⁰ The Governor crisply informed British officialdom that their belief that the French Canadians could

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J.C. Dent, Canada Since the Union of 1841, (4 vols., Toronto: George Virtue, 1881, Dent's copy containing original files and correspondence), Hincks to Dent, Montreal, Aug. 14, 1881, vol. 4.

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P.A.C. Neilson Papers, Glackemeyer to Neilson, Quebec, Sept. 1, 1841, vol. 10, p. 273.

be bought to support any government was "full of blunders...."⁹¹ Sydenham had learned this by experience.

The Upper Canadian members of the Reform alliance were not as inflexible as their French-Canadian brethren. Many of them were bound only by a common "disgust at the old officials" and "a desire to have a constitutional mode of enabling the Executive to remain on good terms with the Country."⁹² Yet on matters which their leaders considered most essential, the rank and file differed fundamentally.⁹³ The Imperial loan with which Sydenham tempted the waverers was very alluring, and divided the Reformers. This loan also had the effect of reconciling many of the ultra-Conservatives to the Union, and they were reported ready to fly into the Governor's arms.⁹⁴ A rumour was circulating that Baldwin had not resigned, but had been booted out of office because someone had repeated to the Governor a violent speech which Baldwin was alleged to have made at a party caucus.⁹⁵ Francis Hincks, who had taken such pains to convince LaFontaine of the value of a Reform alliance, in effect deserted that alliance, upon which LaFontaine had staked his political career. Hincks later justified his behaviour. "I certainly was

⁹¹ Knaplund (ed.), Letters from Lord Sydenham to Lord Russell, p. 145, Sydenham to Russell, June 12, 1841.

⁹² P.A.C. Sydenham Papers, I. Buchanan to Sydenham, Toronto, June 9, 1841.

⁹³ ibid.

⁹⁴ P.A.C. Baldwin Papers, D.A. MacDonnell to Baldwin, St. Andrews, June 21, 1841, vol. 4, p. 106.

⁹⁵ ibid., L. Hayden to Baldwin, Whitby, July 1, 1841, vol. 4, p. 110.

at first disposed to act in concert with the opposition but when it became apparent that the Govt. could not be overthrown I deemed it right to judge their measures on their merits."⁹⁶ He complained that many Lower Canadian deputies who were elected as Tories proved in reality to be more liberal than the so-called Liberals.⁹⁷ Hincks the political animal met up with French Canadians to whom political ideals and liberal legislation took second place to their national or racial aspirations. Sydenham encouraged this lack of party stability. "I have given them a fresh hare to run....I have broken up old parties, shuffled the cards, and given them a new deal and new partners", was the way his policy was described by one well-known "political commentator".⁹⁸

The practical result of the failure of the Reform alliance was that the French Canadians had less influence in the government than they were ever to have in future parliaments. Their allies, the Upper Canada Reformers, held the balance of power, but usually sided with the Governor, rarely with Baldwin, leader of the alliance. Analysing the Parliament many years later, Francis Hincks suggested that the French Canadians could have secured a real voice in government only by means of the system of double majority. This system, "instead of counteracting the influence of the French Canadians, would have been the means of securing

⁹⁶ Dent, Canada Since the Union of 1841, (Dent's copy), Hincks to Dent, Montreal, Aug. 14, 1881, vol. 4.

⁹⁷ Hincks, Reminiscences of His Public Life, p. 77.

⁹⁸ Quebec Gazette, Jan. 31, 1845. The name was Sam Slick.

⁹⁹ it." Admittedly Hincks made this judgement with the wisdom of hindsight. LaFontaine, however, had committed himself and almost the whole of the French-Canadian delegation to the Reform alliance, and the fight for responsible government. In the first session, his policy was a dismal failure.

Despite the practical failure, there was a theoretical victory, or as one sceptic put it, "the public time was wasted by the discussion of abstract and theoretical questions of government; the real business of the colony was temporarily laid aside that personal feelings and party triumph might be gratified...."¹⁰⁰ Responsible government was conceded in theory, in the form of the Resolutions of September 3rd, 1841.¹⁰¹ The Act of Union itself provided only the skeleton outline in which Canadian government was to operate. Responsible government, defining the various relationships within the governmental structure, was the "engine" of government. "The engine itself is of vital importance. Its structure determines what you can use as fuel...."¹⁰² Time and time again in the very near future, double majority was to be frustrated by its incompatibility with the engine of government. The most significant tenet of

⁹⁹ Hincks, The Political History of Canada Between 1840 and 1855, p. 28.

¹⁰⁰ Quebec Gazette, Oct. 27, 1841.

¹⁰¹ Canada, Journals of the Legislative Assembly, Sept. 3, 1841, p. 480-2.

¹⁰² J.A. Corry, Democratic Government and Politics, (Toronto: University of Toronto Press, 1947), p. 9.

responsible government was the constitutional right of members of Parliament to express their confidence in the government by means of a simple numerical majority, undistinguished by section, or by racial origin. The simple majority concept was reinforced by the Act of Union which had constitutionally destroyed the provincial divisions, and had created one Province.

The ephemeral victory of the Reform alliance in terms of wresting responsible government from an unwilling Executive Council was disparaged by two of the alliance's leaders, Baldwin and Neilson. "It is idle to concede responsible government unless there is a fair representation of the people", Baldwin warned, referring to the current mode of selecting representatives by scandals which went under the name of elections.¹⁰³ Neilson and his friends felt that the alliance was without value for the French Canadians, since the Upper Canadians were content with a phantom responsible government, and the alliance was plagued by the most disgraceful haggling.¹⁰⁴ In fact, the whole mode of conducting the government was disgraceful.

The members of the first Parliament, elected under conditions of almost universal intrigue, if violence itself was absent, had assembled in Kingston. Ironically, the temporary Parliament building was a hospit-

¹⁰³
Leacock, Baldwin LaFontaine Hincks: Responsible Government, p. 96.

¹⁰⁴
P.A.C. Neilson Papers, Ed. Glackemeyer to Neilson, Quebec, July 20, 1841, vol. 10, p. 207.

al, sumptuously fitted out for the occasion.¹⁰⁵ The Legislative Council was equally well supplied with "upholstery and carpeting, to give it an air of simple neatness and dignity."¹⁰⁶ Apparently the luxury of the Houses was not sufficient lure for many representatives. As was to be the case throughout the Union period, attendance was often shamefully small; even Executive Councillors "had to be reminded of so elementary a duty as attendance...."¹⁰⁷ The Legislative Councillors who at full force were to number not fewer than twenty,¹⁰⁸ almost never mustered more than eleven members, and seldom did even eight of them attend.¹⁰⁹

As to the legislation itself, even the hardened Sydenham was astonished, telling his brother that such wild scenes in the Parliament were beyond the imagination of any but spectators. "Every man proposes a vote for his own job; and bills are introduced without notice, and carried through all their stages in a quarter of an hour!" he wrote.¹¹⁰

¹⁰⁵

Dent, Canada Since the Union of 1841, vol. 1, p. 112.

¹⁰⁶

Dent, Canada Since the Union of 1841, (Dent's copy), cites Brockville Statesman, n.d., 1841, vol. 1.

¹⁰⁷

Morison, "Parties and Politics, 1840-1867," Shortt and Doughty (eds.), Canada and its Provinces, vol. 5, p. 30.

¹⁰⁸

Dent, Canada Since the Union of 1841, vol. 1, p. 43.

¹⁰⁹

Dent, Canada Since the Union of 1841, (Dent's copy), newspaper clipping without name or date, vol. 1.

¹¹⁰

J.E. Hodgetts, Pioneer Public Service: An Administrative History of the United Canadas, 1841-1867, (Toronto: University of Toronto Press, 1955), p. 15.

Often the Bills passed in both Houses as committees of the whole, were so confused in wording that many members, if they had actually come to the Chambers, did not bother to listen to them. The meaning of some Bills was so unclear that amendments were impossible. Often too, the parchment copies differed from the printed copies which were distributed to the members. And when Bills were being introduced, it was not unusual to find that only the marginal notes were read, when many of the representatives were out of the House.¹¹¹ The result of this incredible turmoil and inefficiency was that in a list of legislation passed in any one session, are to be found at least a few Bills whose sole purpose is to amend Acts otherwise incapable of being made operational, and Acts to explain or clarify Acts passed in previous sessions.¹¹²

The members often conducted themselves in a most unparliamentary manner. On the whole the French members were polite and quiet, perhaps because of their different educational background and training, added to their imperfect command of the English language.¹¹³ Francis Hincks had glossed over the language difficulty, telling LaFontaine that "your leading representatives will be able to speak English, and you doubtless have plenty like us, who do nothing but vote", and who presumably would

¹¹¹

Quebec Gazette, May 4, 1846.

¹¹²

British Colonist (Toronto), July 12, 1850. (Hereafter cited as British Colonist).

¹¹³

Dent, Canada Since the Union of 1841, (Dent's copy), cites Brockville Statesman, no date, vol. 1.

be in no need of understanding what they were voting for.¹¹⁴ The English members, on the other hand, were rude, loud and personal, as a reading of the debates confirms.¹¹⁵ Another offense, one common to all members, was to attend Parliament in a state of inebriation. Setting a precedent for successive Parliaments, the members began their business of government in such a disorderly fashion, that many times the furniture alone managed to retain its dignity.

In such a disorganized atmosphere, it was not remarkable that along with responsible government another and conflicting principle arose, unnoticed by anyone. This was the principle of double majority. In retrospect, the Union politicians decided that from the first session of the first Parliament, double majority was actually practiced.

In matters affecting Upper Canada solely, members from that section claimed and generally exercised the right of exclusive legislation, while members from Lower Canada legislated in matters affecting only their own section.¹¹⁶

This assertion is best analysed by a brief survey of actual legislation.

One of the principal measures of the first session was the District Council Bill for Upper Canada.¹¹⁷ Sydenham had been furious when

¹¹⁴ Séguin (ed.), "Documents Sur Le British North America, 1838-1842," Publications of the Institute of History, Hincks to LaFontaine, Toronto, April 30, 1839, folio 3269-6, p. 2.

¹¹⁵ Dent, Canada Since the Union of 1841, (Dent's copy), cites Brockville Statesman, no date, vol. 1.

¹¹⁶ Canada, Parliamentary Debates on the Subject of the Confederation of the British North American Provinces, (Quebec: Queen's Printer, 1865), John A. Macdonald, p. 30.

¹¹⁷ Quebec Gazette, April 9, 1840, Russell to C.P. Thompson, Downing St., Sept. 7, 1839.

he discovered that the Imperial Government had not included any machinery for the establishment of local government in the Act of Union. He felt that this omission had already led the Assembly to assume functions which did not properly belong to it, and which gave it too much power.¹¹⁸ In Lower Canada, during the suspension of the constitution, Sydenham had established local government by crown nominees by means of his Special Council.¹¹⁹ So he had only to worry about municipal government for Upper Canada, the object of his Bill.

Opposition to the Bill was widespread, but Sydenham blamed it on the ultra-Tories, and "Agitators amongst the French party who see that it will deprive them of power."¹²⁰ Many areas of legislation presently within the competence of the Assembly would be lost to local councils.¹²¹ An omnipotent Governor such as Sydenham could use to his own advantage the rivalry thus engendered between the general and local governments.

The French Canadians interfered with the passage of the Bill. If they had succeeded in defeating it, the Assembly would have retained power to legislate in Upper Canada's internal affairs. Sydenham believed

¹¹⁸ Quebec Gazette, Oct. 15, 1841, Thompson to Russell, Toronto, Sept. 16, 1840.

¹¹⁹ Leacock, Baldwin LaFontaine Hincks: Responsible Government, p. 100-2.

¹²⁰ Knaplund (ed.), Letters from Lord Sydenham to Lord Russell, Sydenham to Russell, Nov. 24, 1840, p. 101.

¹²¹ P.A.C. Baldwin Papers, George Ridout to Baldwin, Toronto, July 20, 1841, vol. 4, p. 113.

that the French Canadians earnestly desired this, so their own influence on Upper Canada could be maintained. Sydenham did them an injustice. Their main concern was that local elective government should be given to Lower Canada as well. Alternately, if Lower Canada had to retain the system of appointed councils, then that system should likewise prevail in Upper Canada. They insisted on equality of treatment.¹²²

The result was a compromise Bill, giving Upper Canada limited elective government. Many Upper Canadians opposed it as being too limited.¹²³ While the Bill was being drafted, the Lower Canadian ordinance had been referred to the committee of the whole, for the purpose of making the local governments of both sections alike.¹²⁴ The Government dared not give in to Upper Canadians on a point considered essential for Lower Canada.

Still unsatisfied, the French Canadians let it be known before the voting that Upper Canadians favouring the Bill were perpetuating an injustice by taking advantage of the indignities suffered by Lower Canada.¹²⁵ On the other hand, men like Hincks and four French Canadians who saw things his way, did not wish to deprive Upper Canada as well of elective local government. Their unexpected support enabled the

¹²² Leacock, Baldwin LaFontaine Hincks: Responsible Government, p. 100-2.

¹²³ ibid., p. 102.

¹²⁴ Hincks, Reminiscences of His Public Life, p. 64.

¹²⁵ P.A.C. Neilson Papers, Glackemeyer to Neilson, Quebec, Sept. 1, 1841, vol. 10, p. 272.

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Bill to pass by a narrow majority.

The French Canadians all but sabotaged this Bill, although it concerned only Upper Canada. Double majority was therefore not practiced in this important instance. Significantly, however, the French Canadians were criticized for their interference, because the idea of exclusive sectional powers of legislation for sectional measures had already begun to develop. This was soon to become one of the most essential corollaries of the system of double majority.

The Lower Canadians successfully interfered with another Upper Canadian measure. This was a resolution by Francis Hincks for the construction of macadamized roads, all in the Upper section. Amendments put forward were rejected, and after a tie vote on the main motion, the Speaker, Cuvillier, a Lower Canadian, cast the decisive "no" vote. The breakdown of the vote was as follows: 21 Upper Canadians and 4 Lower Canadians voted yes; 16 Lower Canadians and 9 Upper Canadians voted no.¹²⁷ Lower Canada had rejected a measure involving only Upper Canada. Again incipient double majority was controverted; again the Lower Canadians were severely criticized. The criterion for the complainants was sectional exclusivity.

In another instance, Lower Canadian interference in such an Upper Canadian question was gratefully welcomed. Historians have always given W.H. Merritt most of the credit for the construction of the Wel-

¹²⁶ Leacock, Baldwin LaFontaine Hincks: Responsible Government, p. 105.

¹²⁷ Hincks, Reminiscences of His Public Life, p. 75.

land Canal system, which was highly important for Canadian economic development. Merritt himself assigned the credit differently at a meeting of his constituents.

Lower Canadian members are entitled to your gratitude, for to their noble and disinterested conduct are we indebted for ready access to the sea. Notwithstanding the heavy debt they have already assumed, and the very great disproportion of expenditure in this section, they voted to a man for the completion of the Welland and St. Lawrence canals.¹²⁸

French-Canadian participation had ensured success for the Bill. Nevertheless, as a principle such interference was more and more frowned upon. This negative attitude led to the positive formulation of the principle of double majority.

This principle was slowly beginning to shape political thinking. It came very close to legislative sanction in the first session. Since the terms of the Act of Union compelled Lower Canada to provide money for Upper Canada's obligations, all money measures were suspiciously regarded by Lower Canadians. Being thrifty and fearful of increasing local taxation, the French Canadians themselves refused to initiate any public works, and they not unreasonably begrudged that even more of the revenue, to which they contributed a proportionately larger share, should continue to flow into Upper Canadian public works.¹²⁹ Consequently, one of the Lower Canada representatives, T.C. Aylwin, tried,

¹²⁸ Merritt, Biography of the Hon. W.H. Merritt, Address to the Freeholders of the County of Lincoln, Sept. 23, 1841, p. 240.

¹²⁹ P.A.C. Bagot Papers, Bagot to Stanley, March 10, 1842, vol. 6, p. 176.

albeit unsuccessfully, to establish by the authority of the votes in the Assembly, the principle that no debt could be incurred for public works without the consent of a majority from Lower Canada.¹³⁰ This motion would have established double majority as the modus operandi in a limited but very important area of legislation. This first abortive attempt at implementing double majority was based solely on sectionalism, without a hint of the racist shading which later led to such strong support for double majority in Lower Canada.

The almost imperceptible development of double majority was inadvertently encouraged by Governor Sydenham. The principle of sectionalism was built into the public administration, which provided the framework and foundation upon which the government operated, and which remained substantially unchanged throughout the Union period.¹³¹ Many of the administrative departments were divided into sections corresponding to the two sections of Canada, legally non-existent under the Act of Union. Division began at the executive level with the political Ministers, and ended uncompromisingly only with John Bull and Jean Baptiste, the humblest office boys.¹³² The provincial divisions were tacitly recognized by the Act of Union which supposedly destroyed them, by granting

¹³⁰ Leacock, Baldwin LaFontaine Hincks: Responsible Government, p. 99.

¹³¹ Hodgetts, Pioneer Public Service: An Administrative History of the United Canadas, 1841-1867, p. 35.

¹³² ibid., p. 274-5.

equal representation to each of the two sections.¹³³ The legal systems of each section were continued after the Union, despite their discrepancies. Each section maintained its own legal bar, and its own civil code, and only criminal law was uniform throughout the Province.¹³⁴ This sectionalism was "a regrettable acknowledgement from the administrative point of view of the truth of Lord Durham's famous statement, "I found two nations warring in the bosom of a single state."¹³⁵ The subtle mingling of sectionalism and racism was one of the most important features of the Union period.

In this chapter, the political and constitutional climate within which double majority developed has been described. The actual situation giving rise to the Rebellions, and the interpretation given it by Lord Durham, was a combination of racial hatred, an overwhelming drive for reform, and bad relations between the two Provinces. The Act of Union was designed to end racial strife by assimilating the French Canadians, to give greater scope for reform of government, and to remove all causes for antagonism between the Provinces by uniting them. Instead, Canadian reaction to the Union crystallized both racism and sectionalism to the

¹³³ Elwood Jones, "Quasi-Federal Province of Canada," (Unpublished paper presented to the Public Archives of Canada History Club, Feb., 1965), p. 5, 10.

¹³⁴ ibid., cites T. Hodgins (ed.), The Canada Educational Directory and Calendar for 1857-8, (Toronto: n.p., 1857), p. 95-100.

¹³⁵ Hodgetts, Pioneer Public Service: An Administrative History of the United Canadas, 1841-1867, p. 30.

extent that they not only conditioned political thought, but were even incorporated into public administration, and thus officially sanctioned. The system of double majority was based on both these features.

Although the hope for immediate repeal of the Union was defeated at once by the failure of the proposed French-Canadian-Upper Canada Conservative alliance, the failure of the alternate alliance between the French Canadians and the Upper Canada Reformers to live up to the expectations of its authors had serious consequences. Its ephemeral victories, such as the granting of responsible government, could not compensate for the set-backs: the defeat of LaFontaine, the prime mover of the alliance in Lower Canada; the ineffectual resignation of Baldwin; and most notably, the defection of most of the Upper Canadian members of the alliance.

Therefore the simultaneous development of the basic tenets of responsible government and of double majority still allowed the members of Parliament to pursue one or the other of the different purposes of the two conflicting principles. Basically, responsible government involved an acceptance of the Union, and double majority implied a rejection of it. By the end of the first session, double majority had found expression in the area of actual legislation. The next chapter deals with events which saw the rapid development of the concept, extended into practical government, and as it was defined in negotiations between various politicians.

CHAPTER III

BAGOT'S GREAT MEASURE

It is certainly a matter of just complaint...that the Lower Canadians have at present no representative of French origin in the Executive Government of the Country....

Are we to bide our time, and wait till immigration hems in and overwhelms the French population, and French Power? This must happen some day or other - but in the meantime I may lose my majority in the Legislature....In short it is perplexing - infinitely perplexing.

Immediately prior to the prorogation of the first session of Parliament, Lord Sydenham died, and was succeeded by Sir Richard Jackson. Jackson did little during his temporary administration except fill a few offices in the manner intended by Lord Sydenham.² Soon a permanent Governor was found. Sir Charles Bagot was chosen because he fulfilled the rather negative qualifications considered desirable for the position:

a Civilian in preference to a Military man...some one who has extensive experience in public affairs, of a certain rank and station in society, of moderate political opinions, and who has not taken part in parliamentary discussions, creating an unfavourable impression against him in the Canadas.³

¹ Séguin (ed.), "Documents Sur Le British North America, 1838-1842," Publications of the Institute of History, Bagot to Stanley, Kingston, July 10, 1842, folio 3271, p. 4.

² Quebec Gazette, Jan. 2, 1843, cites Montreal Morning Courier, Dec. 21, 1842.

³ P.A.C. Queen Victoria Papers, R. Peel to Queen Victoria, Whitehall, Sept. 10, 1841, p. 93.

His Sovereign had expressed her uneasiness at his appointment.⁴ However, British officials had been generally optimistic about his ultimate success in this country which Sydenham "placed in grooves so that a child may guide it."⁵

There were also a few changes in the Canadian Assembly. The French Canadians gained three members in by-elections. Denis Benjamin Papineau replaced Charles D. Day; William Walker, a LaFontaine partisan, defeated the vendu Col. M.A. DeSalaberry; and Louis Michel Viger replaced Merin who had resigned to become a judge. At last LaFontaine himself won a seat, through the courtesy of his political ally Robert Baldwin, who arranged for his election in the Upper Canadian constituency of 4th York.⁶ This was the second of Baldwin's political services which constituted the "debt" incurred by him on behalf of the French Canadians. LaFontaine entered a Parliament where his policy of responsible government had been theoretically conceded. However, the turbulence and lack of experience of the representatives rendered the theory ineffective in practice. The French-Canadian delegation was still unrepresented in the Executive Council, and was becoming increasingly restless in opposition. It was clear that LaFontaine would have to produce far more tangible

⁴ ibid., Queen Victoria to R. Peel, Claremont, Sept. 9, 1841, p. 92.

⁵ P.A.C. Bagot Papers, Seaton to Sir George Murray, Whitby, Sept. 6, 1841, vol. 2, p. 151.

⁶ Dent, Canada Since the Union of 1841, (Dent's copy), Hincks to Dent, West Philadelphia, Aug. 25, 1881, vol. 4.

victories than the granting of responsible government if he were to continue to assert his leadership over the French Canadians.

The French Canadians were in opposition largely because their leaders continued to refuse the various offers to join the Administration on the grounds that the Draper Government was the child of Lord Sydenham, the Governor who had caused the French Canadians such distress.⁷ Yet it was later rumoured that at least some of these invitations had offered the French Canadians a chance to form a government based on double majority. Two of the best substantiated offers are therefore examined. In Quebec City, July 1842, Robert Baldwin Sullivan, a Conservative Executive Councillor, proposed to LaFontaine and his friend René Edouard Caron that they, or one or two other influential French Canadians, join the Government. Both men refused on the usual grounds that the Draper Council was Sydenham's creation, and did not truly represent Lower Canada. They felt⁸ that the addition of two French "names" would not remedy the situation. The Government of which Sullivan was a member had not authorized him to make this offer, so that his own description of it is the most authoritative.⁹ He strenuously denied that he had intended to offer the "repulsive" system of double majority.

⁷ Ed. Murray Wron, Charles Buller and Responsible Government, (Oxford: Clarendon Press, 1926), p. 292-3, cites E.G. Wakefield, "Sir Charles Metcalfe in Canada," Fisher's Colonial Magazine, vol. 1, no. 7, (July, 1844).

⁸ Quebec Gazette, April 13, 1846, LaFontaine to Caron, Montreal, Sept. 10, 1845.

⁹ La Minerve (Montreal), Sept. 23, 1842. (Hereafter cited as La Minerve).

I never separated the functions of the Executive Council....
 I never contemplated government by majorities of the House distinguished as Lower & Upper Canadian majorities - I was willing to support their policy with the whole strength of Government & I expected the same support from them - so long as we could agree & when we could no longer we were to separate. There was to be no Tory Government for Upper Canada & Whig or liberal for Lower Canada.¹⁰

The High Tories, direct heirs of the Family Compact, had also been negotiating with the French Canadians. The gist of the arrangement lay in the invitation to unite "so as to form a majority in the Assembly; and then let us divide the Government of Canada between us, you taking the East and we the West."¹¹ The purpose of this arrangement would be to "virtually almost set aside the Union", and to elaborate a detailed plan or "bargain between the two parties according to which each of them would have its own way in its own division of the province...."¹² This plan was a crude form of double majority. In 1842, it lacked only the formal title.

This double majority proposal had no political consequence at

¹⁰ T.P.L. Baldwin Papers, R.B. Sullivan to R. Baldwin, Toronto, May 7, 1846, vol. A55, p. 152.

¹¹ Ursilla Macdonnell, "Gibbon Wakefield and Canada subsequent to the Durham Mission," Queen's Quarterly, XXXII (Nov. 1924, Feb. 1925), p. 296, cites Wakefield to the Colonial Gazette, July 10, 1842.

¹² Edward Gibbon Wakefield, A View of Sir Charles Metcalfe's Government of Canada, (London: Smith, Elder, 1844), p. 39, Wakefield to J.J. Girouard, Beauharnois, Aug. 20, 1842.

the time.¹³ For one thing, Morin and LaFontaine categorically refused to agree to it. Nevertheless, the fact that some such arrangement was even contemplated as a feasible condition for government of the United Canadas is very significant. The two requirements for the successful implementation of this plan were, firstly, that sectionalism should be given complete sanction, to the point of ignoring the fact of the Union. Secondly, common political policy was not at all essential between the two contracting parties, once the arrangement had been sealed by mutual consent. This of course presupposed the greater importance of national or racial objectives over mere political ideals such as Reformism or Conservatism. These two requirements were seen to be incorporated into the formalized theory of double majority as integral features of the system.

As long as the French Canadians insisted on upholding Reform ideals, a form of double majority was essential if French-Canadian interests were to be protected in the government. Only when the Reformers of Upper Canada were in power could the idea of double majority be set aside by their Lower Canadian allies, for as their ally, LaFontaine would automatically be included in any Reform government. In 1842, however, LaFontaine had enough influence to reject the Upper Canadian Conservative offers of double majority, and to cling to his policy of guaranteeing French-Canadian interests by means of responsible government and the Reform alliance.

¹³ P.A.C. Baget Papers, S.B. Harrison to Baget, Kingston, July 11, 1842, vol. 2, p. 413-4.

Governor Bagot attempted to appease the French Canadians by judicial and administrative appointments, without allowing them into the Government itself. Joseph Rémy Vallières de Saint-Réal had become Chief Justice of the District of Montreal, and Dominique Mendelet was appointed to fill the same post for the District of Three Rivers. Two other French Canadians accepted judgeships, and another was made Superintendent of Public Instruction for Lower Canada.¹⁴ Three leading French Canadians, including LaFontaine and Morin, and one of their English-speaking political allies, T.C. Aylwin, were named Queen's Counsel.¹⁵ One wag wrote that so many French Canadians were in office that Neilson, the intransigent anti-Unionist, would "have to join the Government from very loneliness (sic)."¹⁶ The French Canadians, however, were only temporarily assuaged, and soon began to mount pressure for more fundamental recognition. They cast their eyes to the Executive Council itself.

The members of the Council were favourable to French-Canadian accession to office. They advised Bagot that since their Government as constituted did not possess the confidence of the majority,¹⁷ only the

¹⁴Wade, The French Canadians 1760-1945, p. 236-7.

¹⁵J.O. Côté, Political Appointments and Elections in the Province of Canada, from 1841 to 1865, (Ottawa: G.E. Desbarats, 1866), p. 125.

¹⁶Quebec Gazette, July 11, 1842, cites Halifax Nova Scotian, June 29, 1842.

¹⁷P.A.C. Bagot Papers, S.B. Harrison to Bagot, Kingston, July 11, 1842, vol. 2, p. 412-9.

French-Canadian party, which tended to vote unanimously, could guarantee a majority to the Government.¹⁸ The only alternatives open to the Councillors were to continue to depend for support on those Upper Canadian Reformers who were merely biding their time before mounting a concerted attack on the Government, or to resign as a body.¹⁹ Neither alternative was considered acceptable: the first was hopeless, the second absurd.²⁰

The main draw-back to approaching the French-Canadian party was that its leaders would insist that Baldwin be included in any plan.²¹ Yet even this seemed preferable to dissolution, and a new general election.²² However, Bagot balked at the suggestion at first, and attempted to find a compromise solution which would be satisfactory to his superiors in England. In various dispatches he had been warned not to be disheartened at governing with a minority of representatives, for he could use the opportunity to "betray his opponents into some false step...."²³

¹⁸ ibid., H. Draper to Bagot, Quebec, July 16, 1842, vol. 2, p. 442-3.

¹⁹ Le Canadien (Quebec), Sept. 16, 1842. (Hereafter cited as Le Canadien).

²⁰ Quebec Gazette, Jan. 2, 1843, cites Montreal Morning Courier, Dec. 21, 1842.

²¹ P.A.C. Baldwin Papers, Theodore Hart to Baldwin, Montreal, July 24, 1842, vol. 4, p. 164.

²² P.A.C. Bagot Papers, S.B. Harrison to Bagot, Kingston, July 11, 1842, vol. 2, p. 419-21.

²³ ibid., Stanley to Bagot, Downing St., April 1, 1842, vol. 9, p. 51; see also ibid., R. Peel to Stanley, Aug. 28, (no year), vol. 9, p. 147; Stanley to Bagot, Downing St., Sept. 1, 1842, vol. 9, p. 153.

To this end he suggested that Hincks, as representative of the Reformers including the French Canadians, be added to the Council. Also, he wished to include either John S. Cartwright or Henry Sherwood as representatives of the extreme Conservatives.²⁴ Hincks accepted his invitation, and on June 9, 1842, became Inspector-General of Public Accounts. Cartwright, "most unwisely" in Bagot's opinion, refused the offer because he felt he could not sit with Hincks.²⁵ He was unable to countenance Hincks' system of responsible government which to him had a "dangerous tendency...particularly in a Country...where there is but little of that Salutory influence which hereditary rank and great wealth exercises in Great Britain-".²⁶ However, Sherwood had no such scruples,²⁷ and was sworn in as Solicitor-General for Upper Canada on July 23, 1842.

These slight adjustments were to no avail, for Bagot was again threatened with the resignation of his Council if the French Canadians were not admitted. It was too late for him to decide on a prorogation, as supplies were needed immediately.²⁸ He was also sensitive to the

²⁴ P.A.C. Bagot Papers, Bagot to Stanley, Kingston, Sept. 26, 1842, vol. 7, p. 216.

²⁵ ibid., Bagot to Stanley, June 12, 1842, vol. 4, p. 261-4.

²⁶ ibid., W.S. Cartwright to Bagot, May 16, 1842, vol. 2, p. 313.

²⁷ Dent, Canada Since the Union of 1841, vol. 1, p. 223.

²⁸ P.A.C. Bagot Papers, Bagot to Stanley, Kingston, Sept. 26, 1842, vol. 7, p. 220.

charges that the French half of the Canadian population was being held in a state of "helotage".²⁹ Therefore he reluctantly sent for LaFontaine, as the French-Canadian leader. "I turned to them as a Race, and a people rather than as a Party", he explained, in an attempt to convince the Colonial Office that he had not committed the compound offense of sanctioning party or responsible government and calling upon the French.³⁰ On September 10th, 1842, Bagot and LaFontaine entered into one of the most important negotiations of the Union period. Its significance lay in the ramifications it was to have on future political policy, and on the concept of double majority.

At first LaFontaine was unprepared, and replied only that he could not accept office without Baldwin, or Baldwin's consent.³¹ Bagot wisely suggested that LaFontaine confer with his friends before committing himself, although he added that it would be best if Baldwin were omitted from the arrangement.³² Bagot was hoping against hope that he would be spared association with a man whom he considered as extreme a radical as Neilson, and as "Old Viger",³³ and a man whom he believed was

²⁹ Quebec Gazette, Aug. 24, 1842, cites Colonial Gazette, July 10, 1842.

³⁰ P.A.C. Bagot Papers, Bagot to Stanley, Kingston, Sept. 13, 1842, vol. 5, p. 99.

³¹ ibid., Bagot to Stanley, Kingston, Sept. 26, 1842, vol. 7, p. 216-221.

³² ibid., p. 222.

³³ Glazebrook, Sir Charles Bagot in Canada: A Study in British Colonial Government, p. 48, Bagot to Stanley, April 28, 1842.

not even gifted with administrative ability.³⁴

When LaFontaine replied to his offer, Bagot was "staggered". LaFontaine insisted on four seats in the Council, one of which Baldwin would fill.³⁵ However, under pressure from his Council, Bagot agreed to these conditions specifying only that the Solicitor-General for Lower Canada be a Britisher.³⁶ He then proceeded to justify himself to the Colonial Office.

I therefore consented to receive him (Baldwin) upon the express understanding that he was to consider himself as brought in by the French Canadian party, admitted at their request, and for the sole purpose³⁷ of enabling them to redeem their debt of gratitude to him....

He added that the offer of four seats to the French Canadians to dispose of was part of the "key stone" of his policy, to add to his old Council,³⁸ and to avoid reconstructing it.

In Bagot's offers and explanations were four features of the greatest significance for double majority. He explicitly sent for LaFontaine as the representative of the French-Canadian race, and he insisted that the Lower Canadian Solicitor-General be English. In his offer to LaFontaine, Bagot sanctioned the racial criterion as a test for

³⁴ P.A.C. Bagot Papers, Bagot to Stanley, Sept. 26, 1842, vol. 7, p. 222.

³⁵ ibid., p. 222.

³⁶ ibid., p. 65; see also Leacock, Baldwin LaFontaine Hincks: Responsible Government, p. 124.

³⁷ P.A.C. Bagot Papers, Bagot to Stanley, Sept. 26, 1842, vol. 7, p. 222.

³⁸ ibid., p. 222-7.

political office. And in the second case, Bagot assumed that an Englishman was required to safeguard the interests of the Lower Canadian English community. Political affiliation was not sufficient guarantee. The nominee could be a Reformer, but he had to be an English Reformer. Again Bagot insisted on the racial criterion. Another inadvertent step had been taken to consolidate the conditions out of which double majority developed.

On the negative side were two other factors. The first concerned Baldwin's debt to the French Canadians. In taking it into account, Bagot helped emphasize its importance. More significantly, this in turn helped to consolidate the Reform alliance at a time when the alliance was extremely insecure. Later on, the strength of the Reform alliance contributed to the defeat of double majority. Lastly, Bagot's policy of adding to rather than reconstructing his Council was important, for responsible government as well as for double majority. If the Council were not completely reconstructed, responsible government would be weakened, since its tenets required total reconstruction based on majority party affiliation. This was also true for double majority. According to this system, each sectional government had to be reconstructed so that each possessed the confidence of the majority of the representatives. Bagot's policy therefore controverted tenets of both systems.

Bagot was unaware of the enormous significance of his offers with respect to double majority, for the system was still in embryonic form, and not widely known under any name. Therefore his concern was with

LaFontaine's immediate reaction to his offers, for incredibly, he had rejected them because he objected to granting pensions to the retiring Councillors.³⁹ Since the pensions in question were justified because the jobs had been permanent and non-political, LaFontaine's objections to them concealed his real motives in refusing the offers.⁴⁰ Bagot's offers revealed the weakness of the Government, and LaFontaine, influenced by Baldwin,⁴¹ hoped to force a resignation and form a new administration.⁴² To both men this was the constitutional course; and in addition, LaFontaine found it the most desirable way to implement his policy of responsible government.

Bagot, however, forced the issue, by having the leader of the Council, William Henry Draper, read his own correspondence to LaFontaine in the Assembly. Public revelation of confidential negotiations was becoming a Canadian tradition. In this case, the "effect was instantaneous. The negotiation was renewed the next morning, the point at issue was compromised, and the arrangement was completed."⁴³ Bagot was pleased with his little bit of sneakiness. However, his description of it was far too simple.

³⁹ibid., p. 65-67.

⁴⁰Leacock, Baldwin LaFontaine Hincks: Responsible Government, p. 126. The jobs referred to were Ogden's and Davidson's.

⁴¹P.A.C. LaFontaine Papers, Baldwin to LaFontaine, Toronto, June 28, 1842, vol. 3, p. 455-459.

⁴²Dent, Canada Since the Union of 1841, vol. 1, p. 235.

⁴³P.A.C. Bagot Papers, Bagot to Stanley, Kingston, Sept. 26, 1842, vol. 7, p. 66-67.

For one thing, Draper revealed that he had several times offered to resign his Council seat in favour of Baldwin, without whom the French Canadians refused to accept office.⁴⁴ LaFontaine also made public for the first time the Sullivan offers to himself and Caron. He carefully explained his motive in refusing them, which was in effect that as one man in a minority of two, he would not have been able to exert much influence.⁴⁵ Therefore he insisted that his ally in political Reformism, Robert Baldwin, join him in office so that their combined strength would guarantee them a decisive influence in policy-making. Basically, his attitude was that French Canadians were Reformers, and Baldwinites were Reformers, and the two groups should govern together. The same reasoning applied in the case of the 1842 Draper offers.

However, LaFontaine added to his reasoning an idea which was to become almost a bible to many French Canadians during the 1840's.

Supposant même que je pourrais avoir des objections personnelles à aucun des membres du Conseil, choisis dans le Haut-Canada, je croyais de mon devoir de ne pas les faire valoir, tant il était vrai que l'administration du Haut et du Bas-Canada devait être laissée, aux Conseillers de chaque Province respectivement; mais en même tems (sic) je déclarai à Son Excellence, comme c'était mon devoir de le faire, que si mon honorable ami pour le comté de Hastings avait des objections de cette nature à faire valoir, je serais obligé de les appuyer.⁴⁶

⁴⁴ Chapais, Cours D'Histoire du Canada, vol. 5, p. 85-89; see also Dent, Canada Since the Union of 1841, vol. 1, p. 236-8.

⁴⁵ La Minerve, Sept. 23, 1842. LaFontaine's speech to the Assembly on Sept. 13, 1842.

⁴⁶ ibid.

This policy of leaving the administration of each section to its respective Councillors was a modification of the High Tory plan, for LaFontaine enunciated the same ideas more precisely.⁴⁷

Yet this speech contained two contradictory ideas. The first was that of party politics and responsible government, the second that of sectional government by sectional Councillors. These two ideas came into conflict on occasion. For instance, when LaFontaine declared that although he must support Baldwin's objections to certain of the Upper Canadian Councillors, he added that he would not, as a Lower Canadian, feel permitted to voice these objections on his own account. On these grounds he justified his demand that Sherwood retire so that Baldwin could feel free to enter the Council.⁴⁸ In this speech to the packed and avidly-listening Assembly and gallery, LaFontaine in effect divided himself into two people: the Lower Canadian who on principle could not interfere in Upper Canadian affairs, and the responsible government advocate who had to interfere because he had to support his ally in political Reformism. He was at the same time enunciating the principle of double majority, but rejecting it in practice for responsible government, when the two principles conflicted.

The immediate reaction to LaFontaine's speech was not concerned with his popularization of double majority. Three years were to elapse before this part of his speech was emphasized. Instead, his followers

⁴⁷ See above, p. 57.

⁴⁸ La Minerve, Sept. 23, 1842.

were astounded at the revelations of several governmental offers to the French Canadians, and they forced LaFontaine to consider his rejection of the latest one. LaFontaine had obviously been afraid of this, for his speech seemed to be directed as much to his own followers as to the House as a whole; thus his repeated justifications of his policy. Nevertheless, the French Canadians shrugged off all his excuses, and went to the root of the problem. They grasped immediately that Baldwin stood in the way of a settlement with the Governor, and they urged him to allow LaFontaine to accept the offer.⁴⁹ "Rumours were afloat that if Mr. LaFontaine should continue to reject such offers, other, more pliant, leaders would be found ready to accept them."⁵⁰ Under this pressure, Baldwin and LaFontaine agreed to accept office, leaving the question of pensions an open one.⁵¹

The consequences of their capitulation to the demands of the French Canadians was that Bagot accepted Draper's resignation, so that Baldwin could join the Government conscience-free.⁵² Baldwin in turn allowed Hincks to suggest that a non-confidence motion which he had proposed on the day of LaFontaine's epoch-making speech be postponed, and

⁴⁹ Quebec Gazette, Nov. 14, 1842.

⁵⁰ Hincks, Reminiscences of His Public Life, p. 87.

⁵¹ Quebec Gazette, Sept. 26, 1842, LaFontaine to Bagot, Kingston, Sept. 16, 1842.

⁵² Dent, Canada Since the Union of 1841, vol. 1, p. 241-2.

he subsequently withdrew it himself.⁵³ Eventually and unhappily, the members of the extreme Conservative faction resigned, belying the sincerity of their previous threats to do so.⁵⁴ By October 1st, the new Government was completed.⁵⁵ LaFontaine became the Government leader. On September 25th, Aylwin accepted office; on October 1st Morin became Commissioner of Crown Lands.⁵⁶ This office had been ear-marked for the most influential French Canadian in Lower Canada, Joseph Jacques Girouard, although he was not at that time a member of the Assembly. His refusal had been interpreted as fear of being labelled a venu, and Morin's subsequent acceptance of office came as a great relief to the Governor.⁵⁷ One other French Canadian, Etienne Parent, accepted office, as Clerk of the Executive Council. In the Council itself, there were only two French Canadians, but they did not lose their influence when they joined the Government.⁵⁸ "The venu had been exercised."

The Assembly passed an amendment to a motion dealing with changes in the Executive Council, which declared that the invitation to the French-

⁵³ ibid., vol. 1, p. 240-1.

⁵⁴ Leacock, Baldwin LaFontaine Hincks: Responsible Government, p. 161-3, Metcalfe to Stanley, April 24, 1843. Only Draper seemed really eager to resign.

⁵⁵ Dent, Canada Since the Union of 1841, vol. 1, p. 241.

⁵⁶ ibid.

⁵⁷ Glazebrook, Sir Charles Baget: A Study in British Colonial Government, p. 93-95.

⁵⁸ ibid., p. 95.

Canadian people was both wise and just, good for the country, and in accordance with the intentions of the Imperial Government.⁵⁹ The Assembly thus officially sanctioned the racial test in these resolutions by acknowledging that the French Canadians had to receive special treatment on racial, and not political grounds.

General public opinion was more varied. One newspaper despised the French Canadians for refusing the original offer. "They are not wanting, it is to be regretted, crafty and designing knaves to urge them on to discontent, to further their own views...."⁶⁰ Another paper explained why the original offer had been rejected. It had been left to the last moment, allowing no time for reflection, and had been unaccompanied by any attempt to soothe the wounded pride and resentment of the French Canadians, such as a general amnesty for their exiles.⁶¹

Others attacked the nature of the negotiation.

Sir C. Bagot, in the letter by which he offered the appointment to Mr. Lafontaine, a man who has had a price set upon his head, assigns no other reason for his conduct than his⁶² desire to conciliate the population of French extraction.

Another wrote a ringing editorial decrying responsible government, believed to be the basis of the new Government.

⁵⁹ Canada, Journals of the Legislative Assembly, Sept. 19, 1842, p. 23-24.

⁶⁰ British Colonist, July 13, 1842.

⁶¹ Quebec Gazette, Sept. 13, 1842.

⁶² ibid., Nov. 9, 1842, cites London Times, Oct. 15, 1842.

"Responsible Government" is altogether a matter of bargain and sale - a fact of which we have no doubt the great mass of the people in Upper Canada who ⁶³so loudly clamoured for it, are now thoroughly convinced.

All papers missed the significance of LaFontaine's speech with respect to sectional legislation by sectional Councillors, or double majority. ⁶⁴

In Parliament, LaFontaine's supporters were filled with joy at the decision which they had forced on him. ⁶⁵ Other French Canadians were not. "Je suis contre l'Union même avec toutes les modifications que la nécessité arrache aujourd'hui à nos ennemis-", wrote one firm separatist friend of LaFontaine's. ⁶⁶ Louis Joseph Papineau wrote a letter of modified pleasure from Paris, expressing confidence in the new Council, especially Baldwin whom he believed to be very clever. However, he feared that the French Canadians in office could be led to believe that they had gained more than they had lost by the Union. ⁶⁷ In fact, Papineau's fears were entirely justified, for LaFontaine and Morin were trying manfully to convince the French Canadians that responsible government would surely

⁶³ Quebec Gazette, Sept. 28, 1842, cites Niagara Chronicle, Sept. 21, 1842.

⁶⁴ It was several years before LaFontaine himself grasped the significance of his own words.

⁶⁵ P.A.C. Neilson Papers, Glackemeyer to Neilson, Quebec, Sept. 22, 1842, vol. 10, p. 468-9.

⁶⁶ P.A.C. LaFontaine Papers, P. De Sales La Terrière to LaFontaine, Eboulemeus, Oct. 29, 1842, vol. 3, p. 583.

⁶⁷ P.A.C. Papineau Papers, L.J. Papineau to Dr. O'Callaghan, Paris, Nov. 16, 1842, vol. 1, p. 49; see also L.J. Papineau to D.B. Papineau, Paris, Nov. 29, 1843, vol. 16, p. 116-17; P.A.C. Roebuck Papers, L.J. Papineau to Roebuck, Paris, Sept. 31, 1843, p. 186.

win them innumerable advantages.

Baldwin's supporters were not universally happy, since he had agreed to sit with men so politically obnoxious as Conservatives.⁶⁸ Further, he was warned not to trust Hincks,⁶⁹ although both he and the Governor insisted that Hincks remain in office.⁷⁰ Baldwin received many letters of support as well as of disapproval. Many Upper Canadians, both moderate Reformers and Conservatives, were prepared to give the new Government a fair trial.⁷¹

Generally, Canadian reaction was quite favourable. The Governor, however, was more concerned with British reaction, and nervously informed the Colonial Secretary of his new arrangements.⁷² Three months earlier, he had written that:

the junction (and it already exists to a great degree) between the Reformers of Upper Canada, headed by Mr. Baldwin, and the French Canadians is that which in point of numbers, is most to

⁶⁸ P.A.C. Baldwin Papers, Geo. Ridout to Baldwin, Toronto, Sept. 17, 1842, vol. 4, p. 176.

⁶⁹ *ibid.*, L. Hayden to Baldwin, Whitby, Sept. 21, 1842, vol. 4, p. 179; see also John Ross to Baldwin, Kingston, Nov. 22, 1842, vol. 4, p. 213.

⁷⁰ Longley, Sir Francis Hincks, A Study of Canadian Politics, Railways & Finance in the Nineteenth Century, p. 113-5.

⁷¹ P.A.C. Baldwin Papers, J.S. Heward to Baldwin, Sept. 27, 1842, vol. 4, p. 186; see also P.A.C. Neilson Papers, Glackemeyer to Neilson, Quebec, Sept. 22, 1842, vol. 10, p. 468-9.

⁷² P.A.C. Bagot Papers, Bagot to Stanley, Kingston, Oct. 14, 1842, vol. 7, p. 97.

be feared.⁷³-

Now he had just welcomed this very combination into his Council. One informed source claimed that the Colonial Secretary's anger so upset Bagot that his health failed, hastening his death.⁷⁴ The entry of Baldwin and LaFontaine into the Government is usually hailed as a major development in the practice of responsible government. Yet this obscures its true meaning.⁷⁵ The two men accepted office on different bases, and were supported in this by their followers. For the French Canadians under LaFontaine and Morin, there were three alternatives to accepting office. They could have tried to force the repeal of the Union. They could have acted as a cohesive group in the Assembly with the sole function of providing a balance to the English parties, thus influencing the nature of legislation. This would have relieved them from all responsibility of government, and allowed them to act the part of a powerful conscience which could by virtue of its strength often force the House into obedience.⁷⁶ And thirdly, they could have followed the "O'Connell-tail-system", which was "to unite with one party or the other as momentary

⁷³ ibid., Bagot to Stanley, July 28, 1842, vol. 5, p. 28-9.

⁷⁴ Macdennell, "Gibbon Wakefield and Canada subsequent to the Durham Mission," Queen's Quarterly, vol. XXXII (Nov. 1924, Feb. 1925), p. 292.

⁷⁵ William Ormsby, "Canadian Union 1839-1845: The Emergence of a Federal Concept," (Unpublished M.A. Thesis, Carleton University, 1960), p. 191.

⁷⁶ Chapais, Cours D'Histoire du Canada, vol. 5, p. 95-104.

alliance or expediency may suggest."⁷⁷ All these alternatives were rejected by LaFontaine on behalf of the French Canadians. He accepted the Union, and because his people supported him, he thereby committed them to the Union.

Yet the nature of their acceptance of the Union was unique. LaFontaine and Morin agreed to an invitation to office based on their leadership of a "race", a fact which Bagot repeatedly stressed, and to which they made no objection. This racial perspective was common throughout Lower Canada, and was in great contrast to the Upper Canadian way of thinking. In Upper Canada, politicians supporting a party other than Baldwin's were called either Conservatives, Tories or Loosefish, depending on their voting records. In Lower Canada, the French Canadian who parted with LaFontaine's group was called a vendu, a label without the political significance of such terms as Conservative, etc. It was a purely racial appellation, applied to men deviating from the accepted political group, and thereby supposedly betraying their race. This followed from the idea that the political group was merely a political expression of race, an idea upon which double majority was based. LaFontaine was partially aware of this difference between Lower Canadian and Upper Canadian politics, and once in explaining this difference, he

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Hincks, Reminiscences of His Public Life, p. 53, Morin to Hincks, Quebec, May 8, 1841.

commented, "We have a people, and you have not...."⁷⁸

Current among the French Canadians was an idea related to the racial perspective. They believed that their existence as a separate people could not be legislated away even with their own consent, once their political existence had been sanctioned. In their opinion, the Constitutional Act of 1791 had given them this sanction, and they interpreted the Act as a social pact between the French-Canadian people and the British Government. They were therefore determined not to accept political non-existence such as that implicit in the Act of Union.⁷⁹ They were prepared to sit back and watch the Union fail, in the hopes of regaining the status they had enjoyed in 1791. When it suited them to accept office, after the Union was established, they were permitted to do so on conditions which in fact wiped out its character as a unitary state. Their leader joined the Government on terms which sanctioned sectionalism and the racial criterion.

Upper Canadian leaders and their followers, on the other hand, did not join the Government on these terms. Baldwin was forced by a strong pressure group to compromise his principle of responsible government when he was not able to insist on the resignation of all the

⁷⁸ P.A.C. Baldwin Papers, LaFontaine to Baldwin, Montreal, Nov. 12, 1844, vol. 3, p. 93. LaFontaine also expressed this racial interpretation of the difference between Upper and Lower Canadian politics when questioned about it by Capt. Higginson, Spring, 1843. See Hincks, Reminiscences of His Public Life, p. 101.

⁷⁹ Le Canadien, April 27, 1842. A Report of the Assembly of Delegates of the County of Rimouski.

Councillors whose political ideals he did not share. Nevertheless, he entered the Government as a representative of the Reform party. He recognized no sectional distinctions, for he willingly accepted office although his support in Upper Canada consisted of a voting strength of two or three members. Baldwin insisted that LaFontaine was the Reform leader, since according to his own principle of responsible government, there could be but one leader. Baldwin also totally disapproved of the racial criterion in politics.⁸⁰ Francis Hincks, the other Upper Canadian Reform leader in the Government, thought as Baldwin did, but he was more aware of the existence of sectionalism and racism, and decried them unceasingly.

The Baldwin-LaFontaine Ministry of 1842, therefore, embodied elements of both that sectionalism and racial distinction which later produced double majority, and elements of responsible government. The two systems had a parallel development. LaFontaine's imperfect understanding of responsible government led him to foster the sectionalism which undermined it. He never wasted an opportunity to refer to Baldwin as his equal in the Government, although Baldwin himself was willing to forego leadership in order to comply with the requirements of responsible

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P.A.C. LaFontaine Papers, Baldwin to LaFontaine, Toronto, June 28, 1842, vol. 3, p. 455-9: "The present Gr. Gl. is the first Gr. we have ever had who from his assumption of the Government has been in a position to act as the Head of the whole people without reference to parties to classes to races or any other of the divisions into which we are supposed to be divided--"

government. Also, LaFontaine's fear of making decisions unaided, caused him to rely on his friend to a great extent in the business of the country. Because the Council functions were duplicated for each section, because there were virtually two leaders, and because the Government was supported by majorities in both sections, the Government was later described as the first example of a double majority government.⁸¹ This opinion was to greatly influence French-Canadian thought in the decade of the 1840's. The 1842 Baldwin-LaFontaine Government was also described in contemporary politics as the first truly responsible government. Both opinions were exaggerated, for in fact the Government incorporated features of both responsible and double majority governments within its structure.

The year 1842 saw not only a practical advance in the concept and development of double majority. The system received theoretical refinement as well, in both the abortive French-Canadian-Upper Canada Conservative alliance, and in LaFontaine's speech to the Assembly. In the first instance, the idea was to sanction sectionalism to the extent that the Union would be set aside. In the case of LaFontaine's rather contradictory ideas, the administration would legislate for sectional measures through the agency of sectional Councillors. Sectionalism had become an overt feature of political thought. Racial origin as a political criterion was also given sanction by Bagot's invitation to LaFontaine as the leader of his race. The consequences of 1842 were seen to become clear to

⁸¹ Quebec Gazette, Dec. 22, 1843; see also Le Canadien, Nov. 22, 1844.

politically perceptive Canadians. The most significant consequence was the formal enunciation of double majority as the only feasible system of government for the two Canadas.

The formation of the new Government had another important consequence. In asking LaFontaine to join the Government, Bagot had in effect championed his leadership fight over such men as D.B. Viger and Neilson. Theoretically, responsible government had triumphed over anti-Unionism and separatism.⁸² In practice, however, LaFontaine undermined this victory by fostering sectionalism, and by sanctioning the racial criterion, thereby contributing to the development of double majority, a separatist-oriented system of government.

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The term "separatist" has the same meaning as it has in the works of Jacques Monet, in his many studies of the Union period. See for example "LaFontaine et les Problèmes de Notre Temps," Relations (December 1964), p. 359-61.

CHAPTER IV

THE "RESPONSIBLES" IN OFFICE

Politics is the science which teaches the people
of a country¹
to care for each other.

Sir Charles Bagot died on May 19, 1843, six weeks after he had
been succeeded as Governor by Sir Charles Metcalfe.² The stout, silver-
haired Metcalfe, a "fine old English Gentleman", was a jolly and chatty
man.³ In Canada, living a "life of perpetual chloride of zinc" due to
his famous cancerous cheek, Metcalfe had also to endure villification
by the Canadians who dubbed him "Charles the Simple" and "Old Square
Toes",⁴ and characterized him one of the "bad" Governors who succeeded,
and would be succeeded by, a "good" Governor.⁵ Despite these injustices,
Metcalfe served his Sovereign with unflagging good humour and devotion.
England rewarded him with a baronetcy.

The Government which Metcalfe had inherited from Bagot had from
the time of its re-organization been afflicted with serious internal
problems. The old and new Councillors could not co-operate. The Provincial

¹ John Robert Colombo, (ed.), The Mackenzie Poems, (Toronto: Swan
Publishing Co. Ltd., 1966), p. 29.

² Wade, The French Canadians 1760-1945, p. 242.

³ Dent, Canada Since the Union of 1841, (Dent's copy), vol.1; see
also Wakefield, A View of Sir Charles Metcalfe's Government of Canada,
p. 8.

⁴ John W. Kaye, The Life and Correspondence of Charles, Lord Met-
calfe, (2 vols., London: Richard Bentley, 1854), vol. 2, p. 414-5, 374.

⁵ Quebec Gazette, April 13, 1846, LaFontaine to Caron, Montreal,
Sept. 10, 1845.

Secretary for Upper Canada refused to be seen in front of the Government Houses in the company of his colleague, the Inspector General, who was also feuding with the Receiver General.⁶ When Baldwin left the capital, LaFontaine refused to act without him, and soon public business came to a stand-still.⁷ Both in and out of Parliament, Upper Canadians complained that Baldwin, the leading representative of Upper Canadian interests, was subordinate to LaFontaine who was not only a Lower Canadian, but a French Catholic as well.⁸ The Tories, aware of the Government's problems, taunted the Reformers, who in turn reacted by admonishing their own leaders for "putting off the meeting of the Legislature as if it were black Monday instead of being a day full of hope and devoid of fear."⁹

Unfortunately for the new Government, the meeting of the Legislature was indeed a "black Monday". Crisis followed crisis, leading soon to the resignation of all but one Executive Councillor. Several items of legislation were presented to the Assembly, and no account was

⁶
P.A.C. Baldwin Papers, F. Hincks to Baldwin, Kingston, Jan. 28, 1843, vol. 4, p. 263-5; see also George Metcalf, "The Political Career of William Henry Draper," (Unpublished M.A. Thesis, University of Toronto, 1960), p. 130.

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P.A.C. Baldwin Papers, Ross to Baldwin, Kingston, Nov. 14, 1842, vol. 4, p. 213.

⁸
ibid., I. Buchanan to Baldwin, Toronto, March 23, March 25, 1843, vol. 4, p. 314-5, 319.

⁹
ibid., H.J. Boulton to Baldwin, Toronto, May 5, 1843, vol. 3, p. 2.

taken of their sectional nature in securing their passage. The Government formed on the basis of sectionalism depended on the simple majority of responsible government for legislative success. One of these measures was the Upper Canadian Assessment Bill, which would tax "Household Furniture, Goods, Wares and Merchandize, Chatels, Debts, Accounts, Notes of Hand, Bonds, Mortgages, and Income derived from any Profession, Trade or Employment."¹⁰ Although defended by one of its authors as a non-sectional Bill, in reality it affected only Upper Canada, since Lower Canada was exempted from the operation of a similar Bill.¹¹

Upon first reading, Upper Canadians, Tories and some Reformers, mounted a strong opposition. On second reading, November 16, 1843, a Lower Canadian majority passed the Bill against an Upper Canadian majority of 13 to 12.¹² Although Hincks insisted that a double majority would have been secured except for the accidental absence of 17 Upper Canadian representatives, it is probable that these men were absent in order to avoid a voting record on the Bill.¹³ This view is supported by the fact that only two weeks before, almost the entire complement of the Assembly, 78 out of 84 men, including most of the November 18th absentees,

¹⁰ Quebec Gazette, Oct. 14, 1844, John Tucker Williams to the electors of Durham, Hope, Oct. 1, 1844.

¹¹ ibid.; see also Pilot (Montreal), Nov. 30, 1844, May 6, 1845, (Hereafter cited as Pilot).

¹² Pilot, May 12, 1846.

¹³ ibid., May 9, 12, 1846.

had voted on another unpopular Bill, the Seat of Government. The Upper Canadians had been infuriated by the choice of Montreal as the Provincial capital. Despite opposition from most Upper Canadians, Baldwin and Hincks felt that the Assessment Bill was of great benefit to Upper Canada.¹⁴

Therefore they had convinced LaFontaine to force its passage by means of Lower Canadian votes.¹⁵ Unfortunately, LaFontaine lacked the "wisdom to

¹⁴ Leacock, Baldwin LaFontaine Hincks: Responsible Government, p. 211, cites Metcalfe to Stanley, Dec. 26, 1843.

¹⁵ Quebec Gazette, Oct. 14, 1844; see also ibid., Dec. 22, 1843, "A Letter on the Ministerial Crisis," Kingston, Dec. 11, 1843. This letter, attributed to E.G. Wakefield by most historians, was also published in many other papers - for example, Montreal Gazette, Dec. 16, 1843; Le Canadien, Dec. 20, 1843. It was also produced as a pamphlet: A Letter on the Ministerial Crisis, by the Montreal Correspondent of the Colonial Gazette of London, (Kingston: n.p., 1843), and it produced a series of rebuttals in the form of letters by Hincks to the editor of the Morning Chronicle, beginning in July 1844. See Hincks, Reminiscences of His Public Life, p. 111-121. It "brought forth a chorus of rage from the Reformers - "Mensonge, déception, duperie, moquerie", writes Chester Martin in Empire and Commonwealth: Studies in Governance and Self-Government in Canada, (Oxford: Clarendon Press, 1929), p. 295. W.P.M. Kennedy, in The Constitution of Canada, (London: Oxford University Press, 1938), says that "there is no doubt that his (Wakefield's) view of the situation had no basis in fact." p. 244. Another historian, Morton, in The Kingdom of Canada, writes: "The University Bill....ran into so many cross-currents of opposition that its passage was doubtful and the ministers were embarrassed by their own legislative offspring...."

The issue of patronage was a real one...but there is no doubt that the ministers had wished to escape their embarrassment in the matter of the university bill by raising another issue and hoped, by resigning, either to make Metcalfe submit or to provide themselves with a good election cry. In this they miscalculated...." p. 266. This letter was also very influential for the development of double majority, and contained many ideas which Le Canadien later incorporated into the system. See Chapter V. For complete text of this letter, see Appendix A. In future, this letter is referred to only as Quebec Gazette, Dec. 22, 1843.

withhold the assistance which his colleagues required for this purpose."¹⁶

After second reading, a state of near-crisis arose. "Both the Tories and Reformers say that there will be a rebellion in the Country if it goes into effect", warned one Reformer.¹⁷ The cry of "French Domination!"¹⁸ was heard in the Assembly. In reaction, the French Canadians threatened to either abstain from the voting, or to vote with the Upper Canadian majority against the Bill.¹⁹ Hincks and Baldwin quickly withdrew it, ostensibly to modify it, but never again dared present it to the Assembly.²⁰ They had to forsake the simple majority principle in the face of such serious disapproval.

The Government allowed the Lower Canadians to pass another, less important, Upper Canadian Bill against an Upper Canadian majority. This was the Enactment prohibiting the killing of game on Sundays, which the French Canadians insisted on modifying for both sections so that Upper Canada would not be deprived of the traditional way of spending Sunday

¹⁶ Wakefield, A View of Sir Charles Metcalfe's Government of Canada, p. 28, Wakefield to R.D. Mangles, Kingston, Nov. 26, 1843, P.S. to letter of Nov. 25.

¹⁷ P.A.C. Baldwin Papers, Chas. Baker to Baldwin, Toronto, Nov. 8, 1843, vol. 2, p. 1-2.

¹⁸ Wakefield, A View of Sir Charles Metcalfe's Government of Canada, p. 28, Wakefield to R.D. Mangles, Kingston, Nov. 26, 1843, P.S. to letter of Nov. 25.

¹⁹ Quebec Gazette, Dec. 22, 1843.

²⁰ Leacock, Baldwin LaFontaine Hincks: Responsible Government, p. 211, Metcalfe to Stanley, Dec. 26, 1843; see also Quebec Gazette, Dec. 22, 1843.

afternoons.²¹ Again the Government's tolerance of the simple majority for sectional Bills brought down on it the wrath of many of the more righteous Upper Canadians.

In this same session, Upper Canadians united to pass the Lumber Bill against a Lower Canadian majority, although it affected detrimentally the important lumber interests of Quebec City.²² Lower Canadians criticized the use of the simple majority in the passage of this Bill, claiming that a Lower Canadian majority should have been essential.

Another important instance in which the criterion of double majority was set aside was the question of the Seat of Government, which was a racial issue as much as a sectional one. "It is a matter that carries with it the great question of English or French supremacy for the future", one contemporary explained.²³ The issue threatened to split the whole Reform party, at least in Upper Canada.²⁴ Upper Canadians of all political castes accused Francis Hincks of having "sold himself body and soul, to the French Canadians...." because he supported the choice of Montreal.²⁵

²¹ Quebec Gazette, Oct. 14, 1844, John Tucker Williams to the electors of the County of Durham, Hope, Oct. 1, 1844.

²² ibid., May 9, 1845.

²³ Leacock, Baldwin LaFontaine Hincks: Responsible Government, p. 182, cites New York Albion, Nov. 11, 1843; see also Le Canadien, Oct. 4, 1843.

²⁴ P.A.C. Baldwin Papers, P. Perry to Baldwin, Whitby, Dec. 9, 1843, vol. 4, p. 491.

²⁵ Quebec Gazette, Oct. 2, 1843.

In the Legislative Council, Upper Canadians were so incensed at the Government's choice of Montreal that many left for home, in effect seceding from the Government.²⁶ The remaining Councillors, three Upper Canadians and several French Canadians, formed a quorum, and continued to legislate. Although no important legislation was in their hands at that time, technically all legislation was controlled by French Canadians.²⁷ This produced a furor, and the Government was accused of allowing the Lower section to legislate for the Upper.

This led one observer, Edward Gibbon Wakefield, to formulate a new idea of government which took sectionalism into account, and provided for it. To

keep in mind the principle of responsible government a capable Executive in Canada would frame its measures for each division of the province so as to please a majority of the members of Assembly representing that division.²⁸

Wakefield described this as government in the "federal spirit".

Of this all-important principle the late Canadian Ministry appears never to have had...a glimpse...they had the inconceivable folly to depend upon their Lower Canadian majority as a means of carrying through Parliament measures for Upper Canada²⁹ alone, which were repugnant to the Upper Canadian majority.

²⁶ Leacock, Baldwin LaFontaine Hincks: Responsible Government, p. 18. Morris and Draper were two of these disgruntled Upper Canadians.

²⁷ Wakefield, A View of Sir Charles Metcalfe's Government of Canada, p. 28, Wakefield to R.D. Mangles, Nov. 26, 1843, P.S. to letter of Nov. 25.

²⁸ ibid., p. 27-8.

²⁹ Quebec Gazette, Dec. 22, 1843.

Soon Wakefield realized that the sanction of sectionalism was not enough. He therefore modified his theory to sanction racism as well.

An even

wiser application of the federal principle would be to disregard the old Provincial Divisions, and, as would be very easy by reference to an existing distinction of Parishes and Townships, divide Canada into French and English, applying to each race the mode of government most suitable and agreeable to it.³⁰

Wakefield's system was not unlike double majority, for it countenanced both sectionalism and racism. The "folly" of the Baldwin-LaFontaine Government had convinced him of the need for such a system; soon many Canadians were equally convinced. Wakefield was only one of several Canadians, including the Upper Canada Tories, who diagnosed Canada's most fundamental problems and proposed a version of double majority as their solution. Although Wakefield's system did not gain instant recognition, it was not at all surprising that yet another thinker would conceive of a similar system.

Added to the Government's failure to take into account sectional sensibilities were other serious problems. Although the "Responsibles" could often command devastating majorities, the party's internal struggles gave the leaders every reason to doubt that they could continue the session without suffering at least one major defeat.³¹ Their very large

³⁰ Wakefield, A View of Sir Charles Metcalfe's Government of Canada, p. 27, Wakefield to R.D. Mangles, Nov. 26, 1843, P.S. to letter of Nov. 25.

³¹ University, Assessment Bills, for example.

numbers gave members a false sense of security, and they often revolted against their leaders' policies.³² Hincks had to withdraw his Assessment Bill and Baldwin his University Bill, because LaFontaine's supporters in Parliament denied them their votes.³³ LaFontaine's own Judicature Bill, upon which he had bestowed great pains, was attacked by French Canadians headed by D.B. Viger. Seizing on the unfortunate clause which would have had judges sitting as peers of the Court of Appeals when appeals from their own decisions were heard, the representatives severely modified the Bill by amendments, and had the Bill gone to final reading in its original form, LaFontaine could have expected a defeat.³⁴

LaFontaine and Baldwin, cold and humourless, were unpopular as leaders, and were accused of withholding information of impending legislation from their own supporters.³⁵ Their friend Hincks was equally unpopular because he had deserted the party in 1841. Many internal party intrigues were going on. "Really," complained Hincks, "such men as Thorburn, Smith, Hopkins, Roblin etc. etc. are worse than enemies. We never

³² P.A.C. Baldwin Papers, H.J. Boulton to Baldwin, Toronto, Sept. 21, 1842, vol. 3, p. 270-1. "I hear Reformers crying out against you."

³³ Quebec Gazette, Dec. 22, 1843; see also Leacock, Baldwin LaFontaine Hincks: Responsible Government, p. 210-11.

³⁴ Leacock, Baldwin LaFontaine Hincks: Responsible Government, p. 210.

³⁵ Quebec Gazette, Dec. 22, 1843.

know where to find them."³⁶ Other intrigues were reported.³⁷ In a Toronto by-election, many voters refused to vote for the Reform candidate, because they did not wish to record their names with those of rebels.³⁸ Upper Canada Reformers complained of the scanty amount of patronage available, and of the unfair manner of distributing it.³⁹ While such men as William Rorke held the lucrative posts of Collector of Customs, Postmaster, Commissioner of Crown Lands, and lesser jobs, most of the party faithful were neglected.⁴⁰

A certain disenchantment with the Government arose in Lower Canada as well. Although the French Canadians received much patronage thanks to LaFontaine's indefatigable efforts, they were not satisfied with their small representation in the Executive: in a Council of eleven, only two of the four Lower Canadians were French.⁴¹ They felt that the minority Upper Canadians formed a majority in the Government,

³⁶ Dent, Canada Since the Union of 1841, (Dent's copy), Hincks to a friend, Kingston, Nov. 5, 1843, vol. 2.

³⁷ P.A.C. Baldwin Papers, Hincks to Baldwin, Kingston, Jan. 28, 1843, vol. 4, p. 263-5; ibid., Sullivan to Baldwin, Kingston, Dec. 21, 1843, vol. 4, p. 503.

³⁸ ibid., J. Small to Baldwin, Toronto, March 6, 1843, vol. 4, p. 304.

³⁹ ibid., F. Baby to Baldwin, Windsor, Jan. 11, 1843, vol. 4, p. 250; ibid., James Grant to Baldwin, Martintown, Feb. 4, 1843, vol. 4, p. 274.

⁴⁰ ibid., Thom. Moore to Baldwin, Picton, July 8, 1843, vol. 4, p. 388-389.

⁴¹ Quebec Gazette, Jan. 13, 1843.

and decried responsible government, because it allowed "the condemnation of the majority of the inhabitants of Lower Canada (to) a recognition of inferiority, established by law...."⁴² In fact, they were again favourable to a repeal of the Union.⁴³ Rumours were afloat that Papineau was being recalled from Paris to wrest the leadership of his people from LaFontaine and the Montrealers.⁴⁴ The continued opposition to the Union, and the leadership struggle which involved Montreal-Quebec District rivalry, became crucial issues.

Some areas of dissatisfaction with the Government were common to Canadians of both sections. There was discontent at the lack of a general amnesty, although personal pardons were sometimes granted to the exiles.⁴⁵ The Daly scandal was a discredit to the Government. In a Government attempt to impeach Daly, who was suspected of intriguing against his colleagues, unwanted publicity was directed to the proceedings, and

⁴² Quebec Gazette, Jan. 13, 1843; see also ibid., June 7, 1843.

⁴³ Kaye, The Life and Correspondence of Charles, Lord Metcalfe, vol. 2, p. 352, Metcalfe to a friend, July 1843. Metcalfe was no mean observer of Canadian politics.

⁴⁴ P.A.C. LaFontaine Papers, E.G. Wakefield to LaFontaine, London, Jan. 2, 1843, vol. 4, p. 661.

⁴⁵ P.A.C. Papineau Papers, L.J. Papineau to D.B. Papineau, Paris, Nov. 29, 1843, vol. 16, p. 116-17; see also Dent, Canada Since the Union of 1841, (Dent's copy), vol. 2, Hincks to a friend, Kingston, Nov. 5, 1843; Monet, "The Last Cannon Shot: A Study of French-Canadian Nationalism 1837-1850," vol. 1, p. 304.

Daly was found not guilty of the charges of speculation and delinquency.⁴⁶ Quite clearly the Government was foundering, even before Metcalfe intervened. However, the context of the situation involved Metcalfe, so that his relationship with the Government must be examined.

Metcalfe was unjustly accused of despising the French Canadians; in fact, he merely distrusted what he believed to be the revolutionary motives of the whole Reform party.⁴⁷ He equally disliked the idea of government by party in Canada. "He wants to conciliate the different parties and would like to have Mr. Cartwright and Mr. Baldwin, Mr. Moffatt and Mr. LaFontaine excellent friends and fellow councillors", wrote one irate observer.⁴⁸ Since a non-partisan government seemed impossible, Metcalfe looked hopefully to the Conservatives with whom he felt most at home politically. There is even some evidence to suggest that he plotted

⁴⁶ Paul Bloomfield, Edward Gibbon Wakefield: Builder of the British Commonwealth, (London: Longmans, 1961), p. 268-9; see also Quebec Gazette, Dec. 22, 1843; Hincks, Reminiscences of His Public Life, p. 113-5, Francis Hincks to the editor of the Morning Chronicle, Letter no. 2 against Wakefield; Dent, Canada Since the Union of 1841, (Dent's copy), vol. 4, Hincks to Dent, Montreal, Sept. 21, 1881.

⁴⁷ Arthur Doughty (ed.), The Elgin-Grey Papers 1846-1852, (4 vols., Ottawa: King's Printer, 1937), vol. 1, p. 1046, Elgin to Grey, Oct. 8, 1852.

⁴⁸ P.A.C. Neilson Papers, Wickstead to Neilson, Kingston, March 28, 1843, vol. 11, p. 24-5; see also Leacock, Baldwin LaFontaine Hincks: Responsible Government, p. 168, Metcalfe to Stanley, April 25, 1843.

with these men to overthrow the Baldwin-LaFontaine Government.⁴⁹ He found the spectacle of Reformers ruling supreme totally unacceptable. "Fancy such a state of things in India, with a Mahomedan Council and a Mahomedan Assembly, and you will have some notion of my position", he wrote in bewilderment to a friend.⁵⁰

Metcalf's distrust of the Reformers, and his fondness for the Conservatives, contributed to two other areas of conflict with his Council. Since he feared that the Reformers wished control of patronage to increase their power, he was appalled at LaFontaine's devotion to distributing favours.⁵¹ His superiors in England approved his determination to insist on firm control of patronage for himself, in his capacity as representative of the Crown.⁵² Metcalfe took this stand both to protect the prerogatives of the Crown, and to hamper the Reformers in their efforts to consolidate their power.

⁴⁹ P.A.C. LaFontaine Papers, R. Baldwin to LaFontaine, Toronto, May 22, 1844, vol. 5, p. 963-66. This information was revealed when Ogle R. Gowan, Grand Master of the Orange Lodge, quarrelled with his partner, William Harris. Harris retaliated by disclosing a letter from Gowan in which he referred to Metcalfe's plotting to overthrow the Government.

⁵⁰ Hincks, Reminiscences of His Public Life, p. 90, Metcalfe to Col. Stokes.

⁵¹ Doughty (ed.), The Elgin-Grey Papers 1846-1852, vol. 1, p. 1046, Elgin to Grey, Quebec, Oct. 8, 1852.

⁵² P.A.C. Derby Papers, Metcalfe to Stanley, Kingston, Feb. 25, 1844, p. 19; see also ibid., Stanley to Metcalfe, Nov. 1, 1843, p. 11.

However, in some instances Metcalfe abandoned all pretense at maintaining his non-partisan position. His reservation of the (suppression of) Secret Societies Bill was an example of his desire to aid the Conservatives, many of whom were Orangemen. This Bill was directed mainly against the Orange Order, which controlled many Upper Canadian city corporations, notably Toronto. Its influence in elections injured the Reform cause.⁵³ Metcalfe had been forced to reserve the Bill when his secretary failed to convince the representatives to vote against it.⁵⁴

The famous Higginson-LaFontaine conversations served to clarify the totally opposed views of the Governor and the Reform leaders on responsible government. The gist of the difference was that Metcalfe believed in appointing Councillors on merit, and not for party reasons, and that responsibility as defined in the Resolutions of September 3, 1841, meant individual and not collective Cabinet responsibility.⁵⁵

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P.A.C. Baldwin Papers, John Ross to Baldwin, Belleville, July 9, 1843, vol. 4, p. 391; R. Baldwin to W.W. Baldwin, Kingston, July 10, 1843, vol. 4, p. 392; John Ross to Baldwin, Belleville, July 15, 1843, vol. 4, p. 393; P. Maguire to Baldwin, Cavan, Oct. 22, 1843, vol. 4, p. 447; D. Ormsby to Baldwin, Bytown, Nov. 13, 1843, vol. 4, p. 471.

⁵⁴ibid., LaFontaine to Baldwin, Montreal, May 25, 1844, vol. 3, p. 15-16; see also Pilot, May 12, 1846. The vote on the Bill was 55-13.

⁵⁵Hincks, Reminiscences of His Public Life, p. 98-102, contains a complete account of the conversations. See also Leacock, Baldwin LaFontaine Hincks: Responsible Government, p. 175; also Dent, Canada Since the Union of 1841, vol. 1, p. 286-9.

This conflict led to a personal interview between Metcalfe and LaFontaine, in which "they wrangled in the most humourless way over definitions of responsible government, each amazed at the other's unreasonableness...."⁵⁶

Metcalfe was strengthened in his conviction that the French Canadians did not want such a leader as the intransigent LaFontaine.⁵⁷ He cast his eyes to another French Canadian, D.B. Viger, for whom he felt a growing affection, and whom he visualized as the new French-Canadian leader.

He was favourably impressed by

the old man's qualities, not least of which must have been his hesitation about the LaFontaine version of responsible government and his vast knowledge about the niceties of British constitutional practice.⁵⁸

Then came the crisis. Metcalfe appointed a French Canadian to office without consulting LaFontaine. The latter was enraged because he was not consulted, and because he did not like the man.⁵⁹ Next Metcalfe appointed a Conservative to the position of clerk of the peace for the Dalhousie District, a position which Baldwin had already promised to someone else.⁶⁰ The list of grievances was complete. Patronage, quarrels

⁵⁶ Bloomfield, Edward Gibbon Wakefield: Builder of the British Commonwealth, p. 265.

⁵⁷ P.A.C. Baldwin Papers, Malcolm Cameron to Baldwin, Kingston, Dec. 21, 1843, vol. 4, p. 501-2.

⁵⁸ Monet, "The Last Cannon Shot: A Study of French-Canadian Nationalism 1837-1850," vol. 1, p. 270-1.

⁵⁹ Kaye, The Life and Correspondence of Charles, Lord Metcalfe, p. 365.

⁶⁰ Leacock, Baldwin LaFontaine Hincks: Responsible Government, p. 200.

about responsible government, and the reservation of the Secret Societies Bill were trotted out on the carpet when Baldwin and LaFontaine paid an angry visit to the Governor on November 24th. They threatened to resign if Metcalfe would not comply with their demands. The Tories were delighted and certain that the British Government would support Metcalfe, "and not compel him to take the advice of the executive for every little post boys (sic) appointment...."⁶¹ Personally, Metcalfe felt that his Councillors were not as much concerned with their complaints as they claimed. He believed instead that they were aware that several Bills before the Assembly created new jobs, and "to secure the distribution of this patronage was, I conceive, the immediate object of their demand...."⁶² he wrote.

Quite apart from patronage, the Government had many other problems which only a timely resignation could solve, although this was undoubtedly a drastic step.

It must be admitted that it was easy to see the Reformers entrenching themselves in power. The colonies had no experience of alternating governments, and all parties seek to maintain themselves in office indefinitely.⁶³

The Reformers had powerful motives indeed, and they timed their resignation carefully, and blamed it on the Governor's refusal to grant

⁶¹ P.A.C. Baldwin Papers, Chas. Baker to Baldwin, Toronto, Dec. 1, 1843, vol. 2, p. 1.

⁶² Leacock, Baldwin LaFontaine Hincks: Responsible Government, p. 211, Metcalfe to Stanley, Dec. 26, 1843.

⁶³ Morton, The Kingdom of Canada, p. 265.

responsible government. Therefore it was to their benefit to resign before the supply Bills had been cleared through the Houses, for this left the villain Metcalfe without financial resources.⁶⁴ More significantly, they resigned on the day before Baldwin's University Bill was scheduled to receive third reading. The other two embarrassing Bills, Judicature and Assessment, had been withdrawn earlier, but could not remain so indefinitely without serious loss of face to their authors. The resignation therefore provided Baldwin and LaFontaine with an answer to their many problems. The embarrassing Bills could either be modified, or lost to mind in the excitement. Another period in opposition would chastize the party mavericks. The Governor, left without financial resources, would soon have to beg them to return to office, at the same time conceding their right to patronage. These were the practical motives for the resignation.

Baldwin had other, more theoretical motives. He hoped to gain by an untimely resignation what had been denied him in 1842. At that time, he had reluctantly accepted office in a re-organized Council based on race and sectionalism. What he had sought to achieve was a reconstructed Council, which recognized no distinctions of race or sectional differences, and which was guided solely by the principles of responsible government. In office, he had attempted to govern by means of the simple, non-sectional majority. He had coached LaFontaine in his interpretation

⁶⁴ P.A.C. LaFontaine Papers, C.J. Forbes to J.J. Girouard, Kingston, Nov. 29, 1843, vol. 4, p. 867-8.

of responsible government and therefore had counted on the support of his French Canadians for all Government measures, even those concerning Upper Canada. However, legislation passed by a simple majority had brought the Government into disfavour with Canadians who insisted that sectionalism be countenanced. Baldwin hoped that he and LaFontaine would prove so indispensable that upon their anticipated recall to office, all such criticism of their use of the simple majority would disappear, and truly responsible government would prevail. This was the main purpose of the resignation, and at first it seemed that Baldwin would triumph.

In opposition, from November 26, 1843, the ex-Ministers and their followers focussed their attacks on the Governor personally,⁶⁵ although he had been upheld by the British Government.⁶⁶ Metcalfe's new Council was a sorry one, for "Dominick Daly was the Ministry, and the Ministry was Dominick Daly."⁶⁷ Daly was joined by D.B. Viger and W.H. Draper.⁶⁸ Although Metcalfe was constantly repulsed in his attempts to find Councillors, he insisted that "whatever may happen I do not mean at any time to take back Mr. LaFontaine or Mr. Baldwin. Both are intoler-

⁶⁵ H.G. Grey, "The Colonial Policy of Lord John Russell's Administration," found in Doughty (ed.), The Elgin-Grey Papers 1846-1852, vol. 3, p. 1019; see also P.A.C. Baldwin Papers, J.H. Dunn to Baldwin, Kingston, Dec. 25, 1843, vol. 4, p. 509. This policy was encouraged by various Reformers.

⁶⁶ P.A.C. Derby Papers, Metcalfe to Stanley, Kingston, Nov. 26, 1843, p. 12.

⁶⁷ Dent, Canada Since the Union of 1841, vol. 1, p. 353.

⁶⁸ Wade, The French Canadians 1760-1945, p. 245.

able."⁶⁹ The opposition, however, expected a change of attitude in the near future, and certain of ultimate victory, returned to their homes to await new developments.⁷⁰ They believed the rumour that the Governor would be forced by lack of supplies to call Parliament for a sitting by June.⁷¹

Draper's entry into the Council occasioned little surprise. However, when it was learned that D.B. Viger had also accepted Metcalfe's offer, Lower Canada was incredulous.⁷² Feeling ran so strongly against him that he was compelled to justify himself in a pamphlet.⁷³ For a time the rank and file remained faithful to LaFontaine's leadership, although they blamed Baldwin for the resignation.⁷⁴ However, when the crisis was

⁶⁹ P.A.C. Derby Papers, Metcalfe to Stanley, Kingston, Nov. 26, 1843, p. 12.

⁷⁰ Le Canadien, Dec. 20, 1843, cites Kingston Chronicle, Dec. 13, 1843.

⁷¹ P.A.C. Baldwin Papers, R.B. Sullivan to Baldwin, Kingston, Dec. 23, 1843, vol. 4, p. 505. The Governor allegedly confirmed this rumour but on the very different ground that by June the French Canadians would have rid themselves of LaFontaine and found a true leader. See ibid., Malcolm Cameron to Baldwin, Kingston, Dec. 21, 1843, vol. 4, p. 501-2.

⁷² Chapais, Cours D'Histoire du Canada, vol. 5, p. 189.

⁷³ Leacock, Baldwin LaFontaine Hincks: Responsible Government, p. 215. The pamphlet, La Crise Ministerielle et M. Denis-Benjamin Viger etc., en deux parties, (Kingston: n.p., 1844), was 46 pages long, and is notable for being the dullest piece of literature in Canadian history. With this pamphlet, Viger set the tone for his public campaigns for the next few years.

⁷⁴ Longley, Sir Francis Hincks, A Study of Canadian Politics, Railways & Finance in the Nineteenth Century, p. 131.

unresolved even after several months had elapsed, Viger's position was strengthened. As the nominal leader of the Government, he was able to challenge LaFontaine's leadership more effectively than before. It was rumoured that Viger held office on a provisional basis, and that he would resign in favour of the beloved Louis Joseph Papineau, his cousin, as soon as the exiled leader returned to Canada.⁷⁵ Viger's link with Papineau led many French Canadians to reconsider their loyalty to LaFontaine's leadership. Thus was the split in French-Canadian ranks widened.⁷⁶ Viger himself felt the issue was no longer a question of responsible government, but whether French Canada would become a Viger dynasty, or a LaFontaine dynasty.⁷⁷ However, Viger still could not carry French Canada for Metcalfe, who attempted unsuccessfully to find other French Canadians to accept office.⁷⁸

Three men governed the country, aided by Capt. Higginson, who

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⁷⁵ Le Canadien, Jan. 5, 1844.

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⁷⁶ P.A.C. Viger Papers, J. Roebuck to N.A. Dessaulles, London, April 17, 1844, vol. 5, p. 2596.

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⁷⁷ P.A.C. Baldwin Papers, A. Thibodo to Baldwin, Kingston, May 24, 1844, vol. 4, p. 559.

⁷⁸
⁷⁸ P.A.C. Derby Papers, Metcalfe to Stanley, Montreal, June 27, 1844, p. 53. It was rumoured that LaFontaine was the recipient of one of Metcalfe's offers: See P.A.C. Baldwin Papers, S. Derbyshire to Baldwin, July 3, 1844, Kingston, vol. 4, p. 574. This was almost certainly untrue, in view of Metcalfe's attitude, and because LaFontaine usually "leaked" governmental offers, which he did not do in this case. LaFontaine himself believed that his lieutenant Morin was deserting the Reform alliance during the ministerial crisis: see Metcalfe, "The Political Career of William Henry Draper," p. 141-2, LaFontaine to Baldwin, Jan. 20, 1844.

had been pressed into service. Metcalfe insisted that Draper was worth six ordinary men; nevertheless, Canadians scorned the Metcalfian mathematics which justified four men functioning as nine.⁷⁹ The Reformers mocked the Council:

The Triumvirate sit every day with visages so long (the venerable President in particular) that if one be allowed to judge from outside appearances the inner man must be much troubled and agitated- Old Viger looks so grave, and as important, as if the world depended on his deliberations. Draper looks confused and no doubts appear to exist with him, of the result of the coming events. Poor Daly has recovered entirely from his late serious Parliamentary complaint, and looks as if nature was ashamed of her own hand....⁸⁰

By September 2, 1844, three more Councillors had accepted office: William Morris; L.J. Papineau's brother Denis Benjamin; and James Smith.⁸¹ With his new Council as proof of sorts that he could manage very well without either Baldwin or LaFontaine, Metcalfe called an⁸² election for November 12th. For the Reformers, the time of bitter regrets and recriminations had arrived.

The results of the election were: 28 to 31 Upper Canadians, and 13 or 14 Lower Canadians, who supported the Government.⁸³ Baldwin had

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Dent, Canada Since the Union of 1841, vol. 1, p. 356.

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P.A.C. LaFontaine Papers, J.H. Dunn to LaFontaine, Kingston, Dec. 22, 1843, vol. 4, p. 886-7.

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Coté, Political Appointments and Elections in the Province of Canada from 1841 to 1865, p. 26.

⁸²

Dent, Canada Since the Union of 1841, vol. 1, p. 375.

⁸³

Cornell, The Alignment of Political Groups in Canada 1841-1867, p. 17.

gambled, and Metcalfe had won.⁸⁴ Neilson's Quebec Gazette bitterly announced the election results which left the Reform alliance in a minority, so that "notre langue, nos institutions et nos lois" may be jeopardised."⁸⁵ Many familiar faces were missing in the Assembly after the elections, while several new representatives who would leave an indelible mark on Canadian politics were elected for the first time.⁸⁶

The immediate result of the election was that a majority of Canadians approved the Government so painfully assembled by Metcalfe. The ultimate significance of the election was far greater. The minority status of the French Canadians led them to re-evaluate their political policy, and this in turn produced a new policy, the system of double majority. It is therefore important to understand what caused the election results in each section of the United Province.

The Reform campaign in Upper Canada was quite disastrous. The

⁸⁴ This was known immediately. Le Canadien, Nov. 18, 1844, analysed the election results almost completely accurately, coming to the following figures: in Upper Canada, 19 men thought to be ministerialists, 11 incumbents known to be; for a total of 30. In Lower Canada, 8 new men thought to be ministerialists, 5 incumbents known to be, for a total of 13. Total ministerialists: 43.

⁸⁵ Quebec Gazette, Nov. 14, 1844.

⁸⁶ Chapais, Cours D'Histoire du Canada, vol. 5, p. 195-6: Missing were D.B. Viger, J. Neilson, Austin Cuvillier, W.S. Cartwright, H.J. Boulton, E.G. Wakefield, F. Hincks and J.H. Dunn. Newly elected: P.J.O. Chauveau, Joseph Cauchon, Dr. W. Nelson, H. Drummond, James Smith, Ogle Gowan, W.B. Robinson, and John Alexander and John Sandfield Macdonald.

weaknesses of the Baldwin-LaFontaine Government, especially the lack of regard for sectional sensibilities, greatly contributed to their defeat. Internal party rivalry often resulted in two Reform candidates running in a single constituency, helping to elect Conservatives.⁸⁷ Baldwin was weakened by his association with Hincks: "Mr. Baldwin is nothing without Mr. Hincks, and Mr. Hincks nothing without Mr. Baldwin", was the cry.⁸⁸ It was rumoured that Baldwin and two other Reform candidates were Catholics, and that a Catholic majority would win the elections.⁸⁹ Baldwin's association with the French Catholic Lower Canadians also hurt his chances, and Hincks was forced to implore Upper Canadians "not to entertain any feeling of jealousy or distrust towards our Lower Canadian brethren, and to look upon those who endeavour to excite any such feelings as the worst enemies of the country."⁹⁰

⁸⁷ P.A.C. Baldwin Papers, A.N. Buell to Baldwin, Montreal, July, 6, 1844, vol. 4, p. 575-6; Buell to Baldwin, Brockville, Aug. 31, 1844, vol. 4, p. 581; J.W. Powell to Baldwin, Port Dover, Sept. 30, 1844, vol. 4, p. 583; F. Hincks to Baldwin, Montreal, Nov. 18, 1844, vol. 4, p. 597; see also Cornell, The Alignment of Political Groups in Canada 1841-1867, p. 17. Some Reformers were blackballed by their own party: see P.A.C. Baldwin Papers, George Brown to Baldwin, Toronto, Oct. 13, 1844, vol. 4, p. 588. Brown reports the blackballing of candidate Hopkins in Halton riding. Baldwin approves this.

⁸⁸ Quebec Gazette, Jan. 5, 1844, cites Isaac Buchanan to J.H. Price and Jas. Leslie, Toronto, Dec. 20, 1843.

⁸⁹ P.A.C. Baldwin Papers, M.P. Emplly to Baldwin, Newmarket, Oct. 1, 1844, vol. 4, p. 585; see also Pilot, May 9, 1845, which claimed that in the elections the Tories capitalized on anti-French Catholic prejudices. "In at least three instances reports were circulated that the candidates were Roman Catholics and that there was danger of a Catholic majority."

⁹⁰ Quebec Gazette, Feb. 21, 1844, cites Hincks' speech in Frontenac.

Some Reformers changed political allegiance because they felt that political intrigue, and not responsible government was the real cause of the resignation.⁹¹ They felt that the Councillors had waited so long to resign not because of the Governor's alleged misdeeds, but because of their own problems.⁹² They had themselves violated responsible government by resigning: "The Governor General could not form his Council from that majority because they would not.- Thus the Resolutions of 1841 were set aside by the House and not by him."⁹³ Many Reformers did not understand the patronage issue very clearly. Many editorials and communiqués in the press illustrate this.⁹⁴ Also, the loyalty question was of great concern to Canadians who feared that a vote against the Governor was a vote against their Sovereign.⁹⁵

⁹¹
Quebec Gazette, Jan. 5, 1844, cites Isaac Buchanan to Jas. Leslie and J.H. Price, Toronto, Dec. 20, 1843; see also P.A.C. Baldwin Papers, James Smith to Baldwin, Dundas, March 29, 1844, vol. 4, p. 536; George Metcalf, "Draper Conservatism in the Canadas," Canadian Historical Review, XLIV (March, 1961), p. 311.

⁹²
Quebec Gazette, Feb. 19, 1844.

⁹³
ibid., Nov. 20, 1844, cites Hamilton Gazette, Nov. 11, 1844. Advocated impeachment of the resigned ministers for violating their compact with the Queen.

⁹⁴
Quebec Gazette, Jan. 12, 1844; also ibid., April 24, 1844, cites Reply of Metcalfe to County of Russell in District of Ottawa; ibid., March 22, July 31, 1844; ibid., June 24, 1844, cites Chas. Buller in House of Commons, May 30, 1844; P.A.C. LaFontaine Papers, Baldwin and Jas. Small to D. Daly, Toronto, Sept. 10, 1844, vol. 5, p. 1003-4.

⁹⁵
Careless, Brown of the Globe, vol. 1, p. 58; see also George E. Wilson, The Life of Robert Baldwin: A Study in the Struggle for Responsible Government, (Toronto: The Ryerson Press, 1933), p. 206-7; P.A.C. Baldwin Papers, James Smith to Baldwin, Port Hope, Dec. 19, 1843, vol. 4, p. 498.

The worsening state of the economy was an important consideration in the election. During the period of the three-man Council, business had either slowed down or halted; few businessmen had the courage to launch new commercial enterprises. The Imperial loan promised by Sydenham had not been received in full, and the Province's credit could be ruined if the Canadian Government lost the faith of its citizens.⁹⁶ It was argued that any government was better than no government. The Reformers themselves had not only left the country in financial difficulties, but apparently considered such matters as economy and retrenchment too insignificant to discuss in their campaigns.⁹⁷ This high-mindedness was galling to commercial-minded Canadians.⁹⁸

In Lower Canada the election issues were pale imitations of those in Upper Canada. Except in a very secondary sense, opposing ideals and political theories were not involved. When the news of the resignation was first announced, the LaFontaine partisans could not imagine what line to take. This matter was settled later by LaFontaine and Hincks. Their position was that they had resigned over the issue of

⁹⁶ Dent, Canada Since the Union of 1841, vol. 1, p. 370.

⁹⁷ Quebec Gazette, Jan. 26, Oct. 2, 1844, are examples of articles by "Citizen", who often discussed this problem; see also ibid., Nov. 6, 1844, cites Robert Christie to the Electors of Gaspé, Oct. 31, 1844.

⁹⁸ W. Stewart Wallace (ed.), The Macmillan Dictionary of Canadian Biography, (Toronto: Macmillan Co., 1963), shows that in a survey of the representatives during this period, the French Canadians were almost without exception not a part of this group. They were lawyers, journalists, or members of other non-commercial professions.

responsible government, and they would fight the election on the same principle.⁹⁹ This choice of issues was not an entirely happy one, since the rival Viger group, and the Governor himself, also professed to support responsible government, and in fact accused the Baldwin-LaFontaine Government of having violated the principles of that system by their resignation.¹⁰⁰ As a result, the LaFontaine partisans further defined their position as support for responsible government "tel qu'entendu par les ex-ministres...."¹⁰¹

Having cleared up the matter of a political platform, the LaFontaine group undertook to seek an electoral endorsement of it by means of journalistic invective, underselling and ignoring rival newspapers, and outright physical intimidation of their opponents by Hincks' formidable combination of French-Canadian and Irish "navvies" bullies. Parades, staged demonstrations, and bribery were essential components of LaFontaine's electoral victory.¹⁰²

99

Jacques Monet, "La Crise Metcalfe and the Montreal Election, 1843-1844," Canadian Historical Review, XLIV (March, 1963), p. 2-3.

100

This is the gist of Viger's pamphlet, La Crise Ministerielle et M. Denis-Benjamin Viger etc., en deux parties, already mentioned. See for example p. 13, 35. See also Quebec Gazette, April 24, 1844, citing Metcalfe's reply to the County of Russell in the District of Ottawa; Kaye, The Life and Correspondence of Charles, Lord Metcalfe, vol. 2, p. 543-5, in reply to the Brock Address: "Responsible Government in all its essentials is acknowledged, adopted and faithfully pursued; and has been in full operation throughout my administration."

101

Chapais, Cours D'Histoire du Canada, vol. 5, p. 191.

102

Monet, "La Crise Metcalfe and the Montreal Election, 1843-1844," Canadian Historical Review, XLIV (March, 1963), p. 5-8, 14-19; see also Morton, The Kingdom of Canada, p. 267.

Opposed to LaFontaine was the Viger group, whose use of these successful tactics was more limited. The Viger campaign was fought more on theory. Viger's endless discussions of responsible government, utterly dull as they were, were based on a most interesting premise. Viger believed that French-Canadian independence was imminent, and his policy was designed to protect French Canada's interests until that independence came. As such his policy was little more than a temporary expediency without much long-range flexibility. Basically, he felt that French Canadians should always be at the source of power to protect the national interests. Viger himself had accepted office after LaFontaine's resignation largely because of his concern for the neglected French-Canadian interests.¹⁰³

In contrast to Viger's temporizing policy, LaFontaine insisted that the French Canadians, in alliance with the Reformers of Upper Canada, could always win and guard all the benefits which independence would bring. This alliance was to be effected on the principles of responsible government. More immediately, he made patronage the issue. This was an idea which the French Canadians could easily grasp and approve; many of them had already been recipients of various types of patronage and appreciated its importance.

Another issue was the amnesty, or lack of it. LaFontaine had concealed Metcalfe's instructions from England to grant individual

¹⁰³ Monet, "La Crise Metcalfe and the Montreal Election, 1843-1844," Canadian Historical Review, XLIV (March, 1963), p. 8.

pardons to all exiled rebels who petitioned for them. Viger, on the other hand, set about getting up the necessary petitions and the transportation money.¹⁰⁴ In this matter, he certainly came out the winner, but his success had no effect on the election results. Clearly the election was primarily an affair of violence tempered by theory, and a contest of personalities and not ideologies. French Canadians found it difficult to understand how it happened that their new leaders, and one of their oldest and most honoured leaders, came to oppose one another.¹⁰⁵ Unlike Upper Canadians who expected political division and controversy, the French Canadians had an ingrained desire for racial unity, and French-Canadian unity was made a rallying cry by the LaFontaine politicians.¹⁰⁶ French Canada responded to this appeal, delivering to LaFontaine a strong sectional majority.

In sectional terms, LaFontaine had won his election, while Baldwin had lost his. However, in the United Assembly, Baldwin's loss was greater than LaFontaine's gain, and together they provided only a simple minority group in opposition to the simple majority of the Conservatives. This was the fruit of LaFontaine's electoral triumph, "une victoire à la Pyrrhus".¹⁰⁷ For the real battle lay elsewhere, and it was in the As-

¹⁰⁴ ibid., p. 11-12.

¹⁰⁵ Antoine Gérin-Lajoie, Dix Ans au Canada, 1840-1850, (Quebec: L.J. Demers et Frères, 1888), p. 195.

¹⁰⁶ Monet, "La Crise Metcalfe and the Montreal Election, 1843-1844," Canadian Historical Review, XLIV (March, 1963), p. 8.

¹⁰⁷ Chapais, Cours D'Histoire du Canada, vol. 5, p. 193. Though this phrase was used to describe Metcalfe's victory, the above usage is more apt.

sembly and not on the hustings that he had to prove his leadership and the value of his policies.

At first the French Canadians supported LaFontaine and the Reform alliance, even though it meant remaining in opposition. Soon, however, it became clear that the Government, unstable as it was, might endure indefinitely. Criticism and vague complaints began to force LaFontaine to defend his policies. As 1844 drew to a close, the reaction against him grew so implacably that it merited a title in the contemporary press: appropriately, "la réaction", or the "Reaction".¹⁰⁸ The

¹⁰⁸ The "Reaction" has been dealt with in Monet's "The Last Cannon Shot: A Study of French Canadian Nationalism 1837-1850," vol. 1, p. 440. Ronald Macdonald, the editor of Le Canadien, began an anti-Montreal campaign, and this was the beginning of the "Reaction" proper. Monet describes the "Reaction" as a Quebec movement against the Montreal leaders and interests. In this study of double majority, it is essential to provide a more detailed description and definition of the "Reaction". It was a political movement, associated with the District of Quebec and Quebec's leaders, directed against LaFontaine and the Montreal leaders and interests. Soon the Districts of Dorchester and Three Rivers became associated with Quebec against Montreal. As a political movement, the "Reaction" had a platform, just as LaFontaine had responsible government and the Reform alliance. The "Reactionists" had a version of double majority as their platform. In other words, their platform was opposed not to the legislative policies advocated by LaFontaine and the Reformers, but to the fundamentals of the nature of the Canadian Union instead. As the "Reaction" gained power, it also gained new supporters, leaders and policies. These are all discussed in later chapters, in their historical context.

The "Reaction" is an old term in history, but a fairly unknown one in historiography, probably because double majority has never before been studied. Therefore the usage of the term itself must be explained. The French Canadians always referred to "la réaction", and called its supporters "les réactionnaires"; see for example P.A.C. Chauveau Papers, Chauveau to Morin, Quebec, March 18, 1847, p. 33; ibid., Chauveau to Morin, Quebec, March 21, 1847, p. 54. The English Canadians of the 1840's called it the "Reaction", and its supporters the "Reactionists". See for example Pilot, March 23, 30, April 2, 16, 1847. In this study, the contemporary English terms are used.

"Reaction" was double edged, for its supporters, the "Reactionists", not only criticized LaFontaine's policies, they provided an alternative system of government. This was double majority. The struggle between responsible government and double majority began in earnest.

The conditions leading to double majority had been continued from pre-Rebellion days. Governments had been criticized for ignoring sectional sensibilities in legislation. Elements of double majority had been incorporated into public administration and into the structure of government. A system very like double majority had been suggested at least twice since the Union, by the Upper Canada Tories, and by Edward Gibbon Wakefield. The general elections of 1844 were important because in leaving the French Canadians in the minority in the Assembly, the interest and the need for such a system was given great impetus. Double majority finally gained public recognition and support in 1844, through a series of articles in the Canadien, entitled "Notre Position en 1844". The first of these articles was written on the same day the election results were published.¹⁰⁹ The long gestation period was over; the double majority was finally delivered in the form in which it is known today.

¹⁰⁹
Le Canadien, Nov. 18, 1844, was the first of these articles.

CHAPTER V

THE HUMBUG DEFINED

As to legislating for the two provinces separately, and by their respective majorities, whosoever tries it, will only add one more to the impracticable humbugs of the day....¹

Unlike many systems of government, double majority was not developed systematically and methodically in the calm of an ivory tower. Instead, it took shape in hundreds of newspaper articles, many of an emotional, and sometimes hysterical, nature. Newspapers representative of all the important Canadian political groups have been chosen to show the development of double majority as a system of government. These include the Reformers and Conservatives from Upper and Lower Canada, and the two rival French-Canadian groups, the LaFontaine partisans and their opponents, the "Reactionists". The press organs of all these groups were edited by men who were often active politicians themselves, or men whose editorial policies were dictated by leading politicians. Little political activity escaped the notice of these editors, even that which was concealed from the public. As a consequence, their articles reflected and were influenced by privileged information, and are more meaningful to the historian than to contemporary readers who were less well-informed.

Because of their very definite political commitments, each of the newspapers reacted least to the theoretical and constitutional implications of double majority. Their reactions, whether favourable or

¹
Quebec Gazette, April 30, 1845.

disapproving, were based more on an appreciation of what their own political positions would become if double majority were actually implemented. Thus the most violent and bitter protests against it came from the Lower Canada Conservative and the Upper Canada Reform press. If the system itself, in its various definitions, was not always logically consistent, the reactions of all the political groups were.

Obviously, then, the system was discussed on more than one level. The papers were certainly concerned with defining double majority and its purpose. However, underlying these rather dry discussions were all sorts of political undercurrents. These found expression through explanations and justifications of double majority, and most important, through the various interpretations of how to put the system into practical operation. The political motivation behind these justifications and interpretations is at least as important for an understanding of the practical aspects of double majority as is the theory in its abstract definition.

In fact, double majority was developed by the "Reactionist" Canadien as a rationalization for supporting the Draper Government, and as an alternative to LaFontaine's policy of alliance with the Reformers of Upper Canada. Like responsible government, double majority was not merely a political theory. It was also a political platform, adopted first by the "Reactionists". The "Reactionists" also opposed LaFontaine's leadership, and at first they pressed Viger's claims very strongly.

Until 1845, double majority was still primarily an issue in the

newspapers. By then the positions of the various groups were crystallized, and double majority entered into the practical political field. The events of this period contributed new and different meanings to double majority, meanings which can only be understood in their historical context. Therefore the post-1845 development of double majority is left to later chapters.

The newspaper responsible for bringing the concept of double majority to culmination, and for christening it, was the Canadien, edited at this time by the bilingual Ronald Macdonald.² Immediately after the 1844 election results were published, Macdonald analysed their unhappy effects for the Reform alliance, now in opposition. After excusing his silence during the campaign on the grounds that electors should be free of journalistic influence, Macdonald enunciated the theory which was to influence Canadian politics for years to come. He began with a racial theory of politics.

The majority of Lower Canada, is composed exclusively of representatives from French Canadian constituencies; so that this majority is the depository of the interests of the French Canadian people; the expression of their thoughts, the agent of their influence- in a word, this majority is, constitutionally

² Le Canadien, May 5, 1845, cites L'Aurore, Viger's organ. L'Aurore supported Macdonald's interpretation of double majority for the obvious reason that it supported his own position. He also attacked the LaFontaine press which insisted that LaFontaine and Morin were necessary to safeguard French-Canadian interests. That, said Viger, was to fight for men and not for principles. (L'Aurore was published in Montreal, and is hereafter cited as L'Aurore).

speaking, the French Canadian people themselves.³

As such, the representatives had two main obligations: to enact beneficial legislation, and to protect those social institutions which guaranteed the continued existence of the French Canadians as a separate and distinct race and nation. This second was a duty unique to representatives of French-Canadian constituencies, and took precedence over any commitments to political theory, including responsible government. "It is not that we would hold lightly political questions and theories", but "for us the national question is the great, the first question; the political question comes after it."⁴

Having established that the French Canadians were primarily responsible for preserving their race and nation in politics, Macdonald rejected all the political alternatives open to them, except his own. To continue to oppose the Government in alliance with the Upper Canadian minority was fruitless, he declared, since the Government would make any concessions to stay in power. The lesson of 1841 had been that government could be carried on without, and despite, the French Canadians. To most parties, a period in opposition meant nothing more than the temporary loss of patronage. However, Macdonald believed that the French Canadians were in a different position, because Upper Canadians unceasingly attacked their vital institutions. It was, from his point of view, essen-

³British Colonist, Nov. 29, 1844, cites Le Canadien, Nov. 18, 1844.

⁴ibid.

tial that French Canadians be in a position to ward off these attacks.

In 1844, there was still a way to achieve this security, said the little editor. None of the four Lower Canadian Executive Councillors were unsympathetic to French Canada; in fact, two of them were distinguished members of the race. Unsupported by their countrymen, they would soon become politically useless, and would be replaced by men totally opposed to French interests.⁵ Therefore, Macdonald explained, the French Canadians had to cease opposition to the Government.⁶ The defection of the Upper Canada Reformers left them no alternative. Macdonald admitted that the Conservative politics of the Upper Canadian Councillors were not defensible; nevertheless, these Councillors possessed the confidence of the majority of Upper Canada.

Could we pretend to impose upon Upper Canada ministers whom it repudiates? Let us adopt the principle that the majority ought to govern in the one and in the other section of the Province respectively: it is for us a principle of safety for the future.⁷

At last he had said what was already clear to many Canadians. Here was the expression of double majority as it is known to posterity.

Macdonald felt justification of his new theory was necessary. If both sections of Canada had been homogeneous in culture, language and religion, government by the simple majority would ensure constitutional rule, he admitted. "But we differ in everything" from the English, "a

⁵ ibid.; Le Canadien, May 5, 1845.

⁶ Le Canadien, Nov. 18, 1844; see also ibid., May 12, Jan. 8, 1845.

⁷ British Colonist, Nov. 29, 1844, cites Le Canadien, Nov. 18, 1844.

rival and encroaching race."⁸ Because of this, Macdonald concluded that government by respective majorities, or double majority, was the only acceptable compromise.⁹

From this new perspective, Macdonald interpreted the main events of the Union period, in order to prove both the inevitability and the necessity for double majority. This interpretation began the "1842 double majority" myth, which included elements of truth and fantasy, as most myths do. Macdonald believed that the Act of Union had been designed so that Lower Canada could be governed by means of English votes.¹⁰ Until 1842, in fact, the government had been carried on without, and despite, French-Canadian votes. If in 1842 the double majority had not been implemented, this injustice would have continued.¹¹ However, at that

⁸ ibid. When the initial reaction of the Quebec Mercury to double majority was favourable because the system was an alternative to the racial war which ruined commercial progress, Le Canadien launched into a bitter tirade against the whole English race: the whole fate of a nation was at stake, yet like all Englishmen, the Mercury's editor could not think beyond speculators, merchants and credit. See Le Canadien, Nov. 29, 1844.

⁹ ibid., Nov. 18, 1844; see also ibid., Dec. 4, 1844; April 25, May 19, 1845.

¹⁰ ibid., Jan. 8, 1845.

¹¹ ibid., May 14, 1845.

time, according to Macdonald, LaFontaine had first insisted publicly that each section had to be governed by its respective Councillors.¹² Moreover, Sir Charles Bagot had sanctioned double majority by inviting Baldwin and LaFontaine to office as representatives of each of the two majorities.¹³

Macdonald's interpretation of the "double majority" Baldwin-LaFontaine Government was reminiscent of Wakefield. Macdonald also felt that the support given the Government by the two overwhelming sectional majorities had made its leaders so confident that they had forgotten the principle of its formation: double majority. They had substituted for double majority the idea of party government, which Macdonald defined as the predominance of one party over the Province as a whole.¹⁴ Still forgetting their obligations to the principle of double majority, they had allowed Hincks, whom Macdonald strongly disliked, to force them into resigning in order to defend a lesser principle, responsible government.¹⁵

¹² See above, p. 66. Le Canadien quoted this speech repeatedly, in an attempt to gain sanction for its double majority theory by attributing its authorship to LaFontaine. For example, see Le Canadien, May 5, 14, Sept. 15, Oct. 3, 1845.

¹³ Le Canadien, May 14, 19, 1845. Macdonald was mistaken about this, since at the time of his accession to office Baldwin was supported by no more than three Upper Canadians. LaFontaine also took this position in La Minerve, Nov. 25, 1844 and May 19, 1845.

¹⁴ Le Canadien, May 14, 1845.

¹⁵ Pilot, Oct. 31, 1845. Macdonald was diplomatic enough to avoid openly blaming LaFontaine for the resignation.

For this principle, Macdonald concluded, the Councillors had left the French Canadians with almost no voice in the Government.¹⁶

Macdonald was soon forced by the rival newspapers to explain his concept of responsible government, for one of the immediate objections to double majority was that it conflicted with the former system.¹⁷ Unfortunately, he was far from consistent in his ideas. To begin, it was evident that he did not truly understand responsible government, for he denied that it involved party government.¹⁸ In his first double majority article, he had stressed that double majority had to take precedence over all other political theories.¹⁹ However, he insisted that no real conflict existed, because responsible government was a fait accompli, the modus operandi of the Viger Government, and had been supported by the Governor in various public addresses.²⁰

¹⁶ Le Canadien, May 12, 1845.

¹⁷ Le Castor (Quebec) repudiated double majority because it conflicted with responsible government, and wrote off Le Canadien's opinion that LaFontaine's 1842 speech had been his "double majority programme" with the words "feuilleter de vieux documents avec lesquels il n'a nulle affaire." - see Le Canadien, May 19, 1845, citing Le Castor; see also Le Canadien, Nov. 29, Dec. 4, 1844, citing Le Castor; Le Canadien, May 5, 1845, cites Le Castor, April 10, 1845. (Hereafter cited as Le Castor).

¹⁸ Le Canadien, May 14, 1845. "Il a consenti à retirer...sur la question du "gouvernement de parti" qu'on avait adroitement confondue avec celle du "gouvernement responsable."

¹⁹ ibid., Nov. 18, 1844.

²⁰ ibid., Nov. 18, 29, 1844, Sept. 15, 1845. The addresses were those by Metcalfe to Gore, Russell and Drummond.

Macdonald did not think that responsible government was anything but a red herring vis à vis double majority. However, LaFontaine's policy of alliance with Baldwin and the Upper Canada Reformers was another question. To Macdonald, the Reform alliance was the most serious obstacle to overcome before double majority could be implemented. He insisted that Baldwin's "debt" to the French Canadians had been repaid when they elevated him to office in 1842, at a time when he was supported by only two or three Upper Canadians.²¹ Finally, Macdonald believed that Baldwin's "one idea" was detrimental to the continued existence of French Canada, and that therefore no amount of esteem for him should force the French Canadians to continue to sacrifice Lower Canada's national interests for him.²²

The other members of the Upper Canada Reform party were not entitled to any consideration whatsoever, in Macdonald's opinion. Even their spokesman, Francis Hincks, had admitted in his Pilot that like all Upper Canadians, Reformers had one main concern: "C'EST DE TROMPER, VOLER ET PILLER LES BAS-CANADIENS; Mettez le main dans la caisse publique, prenez y autant que vous pourrez, et TOUS LES PARTIS du Haut-Canada vous soutiendront."²³ In Macdonald's opinion, the alliance between the Reformers and the French Canadians had never been a happy one:

²¹ ibid., Nov. 29, 1844, May 14, 1845. This was inconsistent with his previous remarks: see above p. 115.

²² ibid., May 14, 1845.

²³ ibid., March 24, 1845; see also ibid., May 19, 1845. Duvernay, editor of La Minerve, dismissed Hincks' statement as the result of his being "dans un moment de mauvaise humeur....": see Le Canadien, May 5, 1845, cites La Minerve.

for example, the French Canadians had interfered in the passage of the University Bill, only to please their allies. They had been repaid with cries of "French domination".²⁴ Macdonald also charged these allies, notably Brown of the Globe and Hincks of the Pilot, with waging a successful campaign to prevent the implementation of double majority.²⁵ He assured French Canadians that they were under no obligation to sacrifice double majority merely to preserve the Union of 1841 which forced them to associate with the English race, which was dedicated to their destruction.²⁶

Having presented this concept and justification of double majority, Macdonald turned to the problem of implementing the system. His interpretation was that the French Canadians would have to cease opposing Viger and Papineau, and instead support them as the official guardians of French Canada.²⁷ In this way, both sections of the Government would be supported by sectional majorities, and the double majority system could be put into operation. To various criticisms of this sug-

²⁴See above p. 87 ; see also Le Canadien, March 24, Sept. 15, 1845.

²⁵Pilot, Nov. 21, 1845. Although Hincks ridiculed this remark, in fact Macdonald had made a good point. Brown and Hincks represented the leadership of the Upper Canada Reform party which was one of the most serious obstacles in the way of double majority.

²⁶Le Canadien, May 19, 1845.

²⁷ibid., Nov. 18, 29, Dec. 4, 1844, March 24, May 12, 1845.

gestion, Macdonald replied that no French-Canadian representative would be required to vote against his conscience, since the Lower Canadian Council would present nothing but Reform measures for legislative approval. Therefore the Conservative policies of the Upper Canadian Council would be of no concern to any but Upper Canadians.²⁸ Macdonald also referred to the 1842 Baldwin-LaFontaine Government, which had included both Reformers, and Conservatives, such as Sullivan, Sydenham's Councilor, and he pointed out that the supporters of this Government of mixed principles had never been required to vote against their consciences.²⁹

Macdonald was prepared to admit that LaFontaine and Morin were the most able French-Canadian leaders. Nevertheless, he would not agree that the French Canadians should therefore oppose Viger and Papineau, because he said that to deny these latter majority support was to sacrifice the principle of double majority to the claims of individuals.³⁰ However justified such claims might be, they were by nature inferior to the exigencies of the whole nation, which required double majority to safeguard it. Macdonald insisted that to sacrifice double majority would

²⁸ ibid., March 24, 1845.

²⁹ ibid., May 5, 14, 1845. This remark was aimed at his critics, most of whom were LaFontaine partisans. He also aimed a telling blow at the Hincks-LaFontaine team: since they disagreed about double majority, how could they work together when according to their own criticism of double majority politicians who could not agree could not work together.

³⁰ ibid., March 24, April 25, May 12, 1845.

be to assent to the dismemberment of the nation.³¹ This point of view led Macdonald to the conclusion that any French Canadian who was offered an official position should accept it, because it was his right, and because he owed it to his nation.³²

Macdonald defended himself against those who opposed his plan of supporting the Government. He argued that it was no different from the Baldwin-LaFontaine Government which had also included only two French Canadians, who had continued in office from 1842 on only because of the aid the Upper Canada Reformers gave them. It seemed inconsistent to refuse to accept the aid of whatever Upper Canadian majority existed in 1844, even if it was a Conservative majority. It was the principle as a principle that mattered: double majority meant a French-Canadian alliance with whatever majority Upper Canada saw fit to return to the Assembly. Macdonald stressed that double majority was not a political alliance, but a political theory. He also tossed aside the criticisms that double majority would, in practice, jeopardize the Union, with the comment that it was of no concern to French Canadians if the Union failed, because their primary obligation was to preserve their race and nation, regardless of consequences. "Nous n'avons pas mission de défend-

³¹ Le Canadien, May 12, 1845: "Le Canadien s'occupe des principes et non des hommes....que ces hommes aient pour nom Pierre ou Paul, cela lui est indifférent. Le Canadien est pour le peuple, il défend les intérêts du peuple et non ceux des particuliers."

³² Journal de Québec, Oct. 28, 1845. This principle was easily mis-interpreted by some, and condemned as money before principle, a non-Christian idea.

re l'union...."³³

This was the "Reactionist" version of double majority. Sectionalism was an integral feature of the system; its intense racism or nationalism was expressed in descriptions of the purpose of double majority and the nature of French-Canadian politics.

Le Castor trouve étrange que le Canadien considère ses compatriotes comme une race, une caste séparée, dont les intérêts politiques sont séparés de ceux des autres colons établis dans ce pays. Mais...nous avons donc quelque chose à conserver qui est à nous et à nous seuls, et par conséquent des intérêts politiques distincts.³⁴

The discrepancies between double majority and responsible government were ironic, for Macdonald had originally devised his theory in order to justify Viger's position, and to win support for him. Yet Viger was the man who claimed to understand responsible government better than anyone else in Canada.³⁵

Many other versions of double majority were propounded, as the system captured the imagination and allegiance of many Canadians. It is important not to confuse the theory of double majority with Macdonald's own particular interpretation of it. In the 1840's, it was a common error to identify the principle with Macdonald's appeal to the French Canadians to support Viger and Papineau.³⁶

³³ Le Canadien, Nov. 29, 1844.

³⁴ ibid.

³⁵ Journal de Québec, Sept. 4, 1845.

³⁶ ibid., Nov. 4, 1845, cites and endorses an article in the Pilot.

The Minerve, edited by Ludger Duvernay, and the Journal de Québec, edited by Joseph Cauchon, were the most important newspapers which supported LaFontaine. Like Macdonald of the Canadien, these two editors were not always internally logical, or even consistent with each other. The worst offender was the Minerve, for several reasons. Firstly, double majority as a political theory was contrary to LaFontaine's political beliefs, and it was supported by men who opposed him personally in his capacity of French-Canadian leader. Secondly, Duvernay was a separatist, and sometimes his sympathy with the nationalistic Canadien led him to stray from the LaFontaine party line. Cauchon had no such conflicting loyalties, but he allowed himself an even less inhibited ruthlessness in his editorials than might be expected from LaFontaine. Unless otherwise indicated, the writings of both editors may be considered to be LaFontaine's own opinions, if not always his personal preference in the choice of words.

LaFontaine's initial reaction to double majority had been to reject it out of hand. The Minerve had therefore answered Macdonald's articles "par des injures gratuites et des accusations aussi peu fondées."³⁷ The LaFontaine press had, in other words, grasped immediately that double majority was intended to depose LaFontaine, at least temporarily. However, Macdonald had no intention of giving up his fight for double majority. He seized upon LaFontaine's speech in the Assembly in 1842, which had dealt with sectional legislation by sectional Councillors,

³⁷ Le Canadien, April 25, 1845.

which had gone almost unnoticed at the time.³⁸ By 1845, Macdonald had widely publicized its relevant sections in his newspaper, in an attempt to force LaFontaine to accept double majority. The strategy worked to some extent; LaFontaine was not the man to lay himself open to a charge of being inconsistent. He was forced to stand by the ideas contained in his speech. He even insisted that any men who questioned the justice of sectional legislation by sectional Councillors "nous auraient déjà prouvé que leurs coeurs sont inaccessibles au sublime sentiment de la justice, et leurs âmes aux convictions les plus évidentes, les plus salutaires."³⁹

In 1845, LaFontaine clarified his ideas which had been expressed first in 1842, and he called his new ideas double majority. Sectional legislation, he said, should be confined to local interests, and a ministerial arrangement should be made in which each sectional majority agreed to accept each other's Councillors, and not to impose measures on each other.⁴⁰

Ce plan est tout simple, modéré et éminemment constitutionnel et conciliant; nous le croyons propre d'assurer le bonheur de la province et la resserrer ses liens avec la metropole. Hors de là, nous le disons en toute sincérité, nous ne voyons que difficultés et embarras insurmontables.⁴¹

³⁸Le Canadien, May 5, 14, Sept. 15, Oct. 3, 1845.

³⁹La Minerve, April 17, 1845.

⁴⁰ibid., May 8, 1845.

⁴¹ibid., April 21, 1845.

Also, he added the idea that a successful implementation of double majority could only be effected if the principle were publicly proclaimed as the principle of government, and clearly understood and accepted by the people and their representatives.⁴² In purely theoretical terms, LaFontaine had both added to the development of double majority, and accepted it.⁴³

However, the problem of his alliance with the Upper Canada Reformers remained, as did the problem of responsible government. LaFontaine was deeply committed to both. He admitted that the Reformers of Upper Canada had by their behaviour alienated the confidence of their Lower Canadian allies,⁴⁴ yet he still insisted that as Reformers, the Lower Canadian opposition had to support Baldwin with a view to reinstating him in power.⁴⁵ Clearly LaFontaine could not accept the practical implications of double majority. In wishing to impose Baldwin on the unwilling majority of Upper Canada, LaFontaine was in effect rejecting double majority, and affirming the principle of party government.⁴⁶

⁴²ibid., May 29, 1845.

⁴³In view of the scorn with which his English allies were welcoming double majority, he must have realized that the imposition of his new requirement of popular and legislative sanction by agreement, was almost incapable of being fulfilled.

⁴⁴La Minerve, April 17, 1845; see also Le Canadien, May 5, 1845, citing Le Journal de Québec. The worst offense, of course, was losing the elections.

⁴⁵Le Canadien, April 25, 1845.

⁴⁶ibid., April 25, May 7, 1845. LaFontaine had reacted exactly the same way in 1842, when he made his famous speech.

In his Journal de Québec, Cauchon arrived at the same conclusion, but he tackled the question from a different point of view. Instead of insisting that a common ideology bound the French Canadians to the Upper Canada Reformers, he agreed that

les libéraux du Haut-Canada avaient annulé le contrat qui les unissaient aux libéraux du Bas-Canada et qu'ils avaient mis ces derniers dans la position de pouvoir les abandonner s'ils y trouvaient leur avantage.⁴⁷

Nevertheless, Cauchon felt that treacherous as they were, they were still the natural allies of the French Canadians, whereas the Tories were not. Despite a desire to preserve the status quo, the Tories merely wanted to use French-Canadian voting strength to maintain power, and Cauchon believed that they cared nothing for the interests of the French-Canadian nation. For these practical reasons, he supported a continued Reform alliance as the lesser of Upper Canadian evils.⁴⁸

When it became clear that none of his journalists' arguments for the Reform alliance were heeded, because the alliance had left the French Canadians out of power, LaFontaine had to make concessions to the double majority in order to keep popular support. So the LaFontaine press began suggesting that a double majority government could be formed by replacing Viger and Papineau with LaFontaine and Morin, who commanded the support of their sectional majority.⁴⁹ In office, they would under-

⁴⁷Le Journal de Québec, April 19, 1845.

⁴⁸ibid., April 10, 12, 1845. This was still an affirmation of LaFontaine's policy.

⁴⁹Quebec Gazette, April 28, 1845, cites La Minerve, April 21, 1845.

take the complete reconstruction of the Lower Canadian Council.⁵⁰ The Journal even insisted that a double majority alliance between the French Canadians and the Conservatives would have to be conditional on the removal of not only Viger and Papineau, but also Draper from the Upper Canadian Council.⁵¹ This was, of course, a contradiction in terms, since by definition each sectional Council was independent of the other from the time of its formation.⁵²

LaFontaine was also hard put to answer the Canadien's charges that in office he had forsaken the double majority principle for that of responsible government. However, in the Minerve, he managed a most ingenious reply. The resignation of 1843 had not been solely for responsible government, he said, but for double majority as well.

Mais cette doctrine est elle inconciliable avec le gouvernement responsable? L'exclut-elle? Et non, c'est tout le contraire. Et M. LaFontaine n'a t-il pas également prouvé, en sortant du pouvoir, qu'il alliait, qu'il identifiait ces deux principes?⁵³

Never, it was added, had LaFontaine forgotten his "double majority programme" of 1842, as Macdonald of the Canadien had so often charged.⁵⁴

⁵⁰ Quebec Gazette, May 14, 1845.

⁵¹ Journal de Québec, April 17, 1845.

⁵² Cauchon was less sensitive to theory, logic and constitutionalism than LaFontaine, and therefore made many excessive statements without flinching.

⁵³ La Minerve, May 23, 1845.

⁵⁴ Journal de Québec, Nov. 6, 1845, cites La Minerve. However, he said that the "programme" meant a majority government for each section: he did not include sectional legislation as a part of the "programme" as did Macdonald.

The next step was to show that LaFontaine was not merely a partisan of double majority, as the Canadien "de pénibles et grotesques efforts" had insinuated,

si tout le monde ne savait pas que M. LaFontaine est non-seulement partisan de cette doctrine, mais qu'il en est encore l'habile auteur, ainsi que le démontre d'une manière victorieuse sa lettre à sir Charles Bagot...dans laquelle M. LaFontaine ⁵⁵ écrivait...par la grande perspicacité et la haute sagesse....

LaFontaine's political ally, Francis Hincks, determined to defend LaFontaine even further, by proving that he had always been in favour of double majority, even before the Canadien thought of it.

For Mr. LaFontaine, he has always been consistently in favour of this principle. He it was, who when the Quebec party were urging a useless agitation against the principle of the Union, avowed the practical policy of endeavouring to prevent any bad result from it by a policy such as we have described.⁵⁶

With these assists from his press, LaFontaine could now claim to have invented, governed according to, and resigned to defend the principles of both responsible government and double majority. However, this reasoning was challenged on the grounds that in accepting office, he had accepted the Union and the legislative power of the simple majority as established by that Act.⁵⁷ This charge required another effort of rationalization, and LaFontaine's press supplied it. The definition of double majority, said Duvernay, was merely the two majorities combined, and the true simple majority of the Province was the re-union of the two major-

⁵⁵La Minerve, May 23, 1845.

⁵⁶Pilot, Sept. 27, 1845.

⁵⁷Quebec Gazette, April 30, 1845.

ities.⁵⁸ There was another problem to tackle, that of undermining Macdonald's interpretation of double majority. This was in fact the most significant part of the entire discussions. Both LaFontaine and Macdonald supported double majority in name, although they defined it differently. It was the differences in interpretation rather than the similarities and agreements which mattered most of all.

As previously mentioned, Macdonald wanted Viger and Papineau to be given sectional majority support so that they would be in a position to implement double majority. LaFontaine, not unnaturally, insisted that a double majority government could be formed by no one except himself and Morin. To support anyone else, he said, was a denial of responsible government, whereas to acknowledge his personal claims to office as leader of the majority political party in Lower Canada was to support both responsible government and double majority.⁵⁹ His press charged that the Government violated responsible government, and both Viger and Papineau had become puppets of the Governor they supported.⁶⁰

Le parti tory aurait dit comme il a dit pendant toute la session: nous choisirons (sic) nos hommes et vous choisirez les vôtres; nous gouvernerons le Haut-Canada et vous gouvernerez le Bas-Canada comme vous l'entendrez. Le Haut-Canada eût choisi,

⁵⁸ La Minerve, May 29, 1845.

⁵⁹ ibid., May 23, 1845.

⁶⁰ Le Journal de Québec, April 12, May 31, Nov. 6, 1845. Viger and Papineau were accused of a "désir du lucre".

le gouverneur-général eût accepté; le Bas-Canada eût choisi, le gouverneur-général eût refusé au risque de tout briser, la constitution même, dans son entêtement et avec ses idées presque innées de despotisme indien....⁶¹

In view of this, LaFontaine's press continued, to support Viger and Papineau was to rely on the Governor's good will, and to accept his personal whims to work with certain men as opposed to others.⁶²

Avec cette doctrine, c'est à M. le gouverneur à former la conscience des Canadiens-français. Ceux-ci ne doivent avoir aucun voix au chapitre. Mais aussi, avec une pareille doctrine, adieu le gouvernement représentatif ou le gouvernement responsable.⁶³

In reply, Macdonald should have said, although he did not, that Metcalfe had merely obeyed the requirements of the simple majority of responsible government in forming the Government, and that had double majority been implemented, LaFontaine and Morin would not have been excluded from the Council.

Another misunderstanding between the Canadien and the LaFontaine press was not reconciled. This concerned LaFontaine's charge that:

Cette doctrine du Canadien, qui est celle de la contrainte, du despotisme, est diamétralement opposée au principe de gouverner le Bas et le Haut-Canada par leur majorité respective, c'est-à-dire par la vraie majorité de la province-unie, car la majorité parlementaire qui n'est pas composée des éléments représentatifs des deux provinces n'est pas la majorité....

Le Canadien veut, d'une part, que l'on gouverne par la majorité respective, ou ce qui est la même chose par les deux majorités réunies, et de l'autre il veut le gouvernement responsable par la seule majorité du Haut-Canada alliée à la minorité

⁶¹ ibid., April 17, 1845.

⁶² Pilot, Sept. 27, 1845.

⁶³ Journal de Québec, May 31, 1845.

du Bas-Canada? C'est-à-dire qu'à la fois il veut et il ne veut pas. Jolie doctrine!⁶⁴

Again, Macdonald could have said that the majority support which he urged the Lower Canadians to entrust to Viger and Papineau would transform the minority-supported Government of Lower Canada into a majority-supported one. With the trappings of a double majority government at least, the system could perhaps have been implemented. However, many of these misunderstandings were wilful, and were not cleared up because it was not the purpose of the various editors to reconcile their different ideas. Rather, it was a contest between rival political factions, who based their arguments on popular opinion more than on purely ideological considerations.

LaFontaine's version of double majority has been presented in all its detail. He accepted the system in name, although without enthusiasm, when it became apparent that popular opinion was running against him. He redefined it so that his previous policies were not open to attack. Most important, he presented his own interpretation of how the system could be implemented. He had soon relented in his support of Baldwin and the Upper Canada Reformers, when the French Canadians made it clear that they resented being left in a minority in the Assembly merely because of adverse election results in Upper Canada. LaFontaine wisely concentrated on consolidating his own position as French-Canadian

⁶⁴La Minerve, May 29, 1845.

leader. In the discussions of his press, he had added to the development of the double majority concept, notably in specifying that the system would require popular and legislative sanction if it were successful.

The real battle against double majority was fought by Francis Hincks in the Pilot. Whereas the French editors in the LaFontaine press had to cater to popular opinion which favoured the system, Hincks faced no such obstacles, for his audience was English. He had therefore no need of the equivocation of the LaFontaine press, and he produced plainly stated practical, constitutional and personal objections to the system. He was also more concerned with a proper and complete definition than his French confrères. In time, Hincks became the main spokesman for those opposed to double majority, and he and Macdonald of the Canadien declared a journalistic war on each other. Hincks made no pretense of ignoring the leadership struggle which raged behind the double majority issue.

The Canadien has for a very long time been straining every nerve to destroy the political reputation of those gentlemen (LaFontaine and Morin) although coward-like he has acted in a covert rather than an open manner. His conduct however he may rest assured has been thoroughly appreciated. He need feel no uneasiness at any further step that he may take. He is looked upon as an enemy, and no hypocritical compliments will avail him.⁶⁵

Hincks' views are what LaFontaine's would have been if the latter had dared to jeopardize his position of command in French Canada still

⁶⁵ Pilot, Oct. 31, 1845.

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further.

No Reform editor condoned the behaviour of the Upper Canada Reformers, least of all Hincks, who equally condemned the electorate which

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P.A.C. Baldwin Papers, LaFontaine to Baldwin, Montreal, Sept. 20, 1846, vol. 4, p. 762. LaFontaine said that if he were an Upper Canadian, he too would reject double majority. However, as a Lower Canadian he was forced to accept it.

The French editors of the LaFontaine press consistently endorsed Hincks' articles on double majority. La Minerve, Sept. 29, 1845, quoted the Pilot, Sept. 27, 1845, describing its comments on double majority as "excellentes remarques". Le Journal de Québec, Oct. 23, 1845, quoted Pilot in order to reply to articles of the Canadien on double majority. Le Journal de Québec, Oct. 25, 1845, quoted and endorsed another Hincks article on double majority "au risque de faire dire au Canadien et aux grands hommes de la presse tory de Montréal que le Pilot est notre patron...." Le Journal de Québec, Nov. 4, 1845, endorsed Pilot's article of Oct. 31, 1845, on double majority, and quoted La Minerve which endorsed another Hincks article on double majority, written in reply to Le Canadien. The Quebec Gazette, May 14, 1845, identified La Minerve and the Pilot as organs of the same political interests. Le Canadien also realized that Hincks was the real voice of the LaFontaine interests, and tried to drive a wedge between them based on inconsistencies in their editorials. He entitled one such article "COALITION DE LA GAZETTE DE QUEBEC, DU CASTOR ET DU PILOT, CONTRE M. LAFONTAINE, LA MINERVE ET LE CANADIEN." See Le Canadien, May 19, 1845. When this was of no avail, he accused Hincks of trying to force him "déclarer une guerre ouverte à M.M. Lafontaine et Morin." See Le Canadien, Oct. 24, 1845. The LaFontaine press encouraged Hincks in this, insinuating that Macdonald was too cowardly and that he hoped always to remain on the winning side in politics: see Le Journal de Québec, Nov. 4, 1845, and the article of La Minerve quoted in the same issue. Macdonald recognized the journalistic strength working against him, and sarcastically acknowledged it: "Deux ou trois colonnes du Pilot, quatre de la Minerve, et nous ne savons combien du Journal de Québec, devront sans doute écraser le Canadien." This was quoted by Le Journal de Québec, Nov. 4, 1845, after Le Canadien's article of Oct. 24, 1845, on double majority, which was a direct rebuttal of Hincks' double majority article of Sept. 27, 1845. It seems clear, therefore, that Hincks' views are of the utmost importance not only because of his excellent analyses of double majority, but because his views were usually coincidental with those of the LaFontaine politicians, who, because of the popular support for double majority, had to rely on Hincks to present their views. The main difference of opinion between them was that Hincks disapproved of sectionalism, while the LaFontaine politicians accepted it as natural.

sent men of such uncertain principles to Parliament.⁶⁷ Still, he felt that Lower Canadians should wait until the erring constituents had remedied their mistakes in another election.⁶⁸ The alternative was to accept the double majority system, which based as it was on sectionalism, would defeat its own purpose. Some of the Upper Canadian defections from the Reform party, Hincks revealed, had been caused by a feeling on the part of many constituents that the Baldwin-LaFontaine Government was overly concerned with Lower Canadian interests. Sectionalism, Hincks assured his readers, upon which the Canadien's theory of double majority was based, contained within itself the seeds of destruction. Thus double majority was an impracticable idea. It was the policy of the Pilot, Hincks declared, and the object of his politics, to frustrate all sectionalism, be it Upper or Lower Canadian.⁶⁹ In this Hincks was at odds with both French-Canadian factions, which seldom questioned the validity of sectional politics.

Hincks admitted that he and LaFontaine disagreed about double majority, although he claimed that this had never had any practical effect on their political relationship.⁷⁰ As proof of this, Hincks point-

⁶⁷ Pilot, Sept. 27, 1845.

⁶⁸ ibid., May 9, 1845.

⁶⁹ ibid., Sept. 27, Oct. 31, 1845.

⁷⁰ ibid., Sept. 27, 1845.

ed out that the Government in which they had been colleagues had both governed, and resigned, supported by two majorities. Moreover, both he and LaFontaine had remained colleagues, and so it was evident that no real antagonism existed between them, and that he had not influenced LaFontaine to cease supporting double majority, as the Canadien charged.⁷¹

Viger and Papineau, however, practiced what Hincks described as the Canadien's double majority, as opposed to the LaFontaine version. Hincks also made the common error of mistaking the principle for the interpretation of that principle. In following the Canadien's advice, he said, they had defied responsible government; humiliated the French Canadians by accepting office as French Canadians; abdicated all honour by sitting with Smith, and all influence by sitting with Daly, who was notorious for spying on his colleagues. Moreover, Hincks charged, they had accepted office at the whim of the Governor, who was completely untrustworthy. In sum, they had committed political suicide, and any French Canadian fool enough to emulate them would find himself in the same position.⁷²

Hincks' arguments against double majority were to no avail. He was practical enough to see that he would have to modify his position if he were to influence Lower Canadian politics at all. Therefore Hincks said that if double majority were to be practiced, it must at any rate

⁷¹ ibid., Sept. 27, Oct. 31, 1845.

⁷² ibid.

not be the Canadien's version. He was aware that the Lower Canadians except the Tories, and the Upper Canadians except the Reformers, supported double majority, and so he reluctantly declared himself prepared to accept the system as inevitable. Should it unexpectedly prove feasible in practice, he would even agree to support it.⁷³ If anyone could make the system palatable, it was the LaFontaine-Morin team.⁷⁴ This was Hincks the practical politician, the LaFontaine partisan, speaking. As a theoretician, Hincks was just as interesting.

The Union had created one political entity, and this fact dictated Hincks' own preference for government by the simple majority.⁷⁵ He admitted that any government was happier if supported by a double majority, but it was certainly not necessary. On the other hand, Hincks realized that double majority as a constitutional principle demanded even more than majority support from each section. Upper Canada's Council would have to be composed of men enjoying the confidence of the majority of Upper Canadian representatives; Lower Canada would be placed in an identical position.⁷⁶ Thus:

The Union should be considered as a sort of federal union, and the two Provinces governed on different principles by their respective representatives who are nevertheless to meet and deliberate in one legislature.⁷⁷

Hincks objected that this political incompatibility in the Government

⁷³ ibid.

⁷⁴ ibid., May 9, 1845.

⁷⁵ Journal de Québec, Oct. 25, 1845, cites Pilot.

⁷⁶ Pilot, Sept. 27, 1845.

⁷⁷ ibid., Oct. 31, 1845.

would force Councillors to vote against their consciences if the Government were not to fall.⁷⁸ There would be, however, even worse consequences. Double majority was a virtual abandonment of the Union. "It is a remarkable fact that we have never met with an advocate for the policy of the Canadien, who was not an avowed opponent of the Union of the two Provinces",⁷⁹ Hincks commented sharply.

Separatism disguised as double majority was pure dishonesty, Hincks charged, and

if the Union is to be dissolved, let the object be distinctly stated- let the opinions of the people be fairly taken - and, what is of the utmost consequence, let them know what they are to get instead of it.⁸⁰

Macdonald had said that if double majority destroyed the Union, it was of no consequence to the French Canadians. In his indignation, Hincks was more forthright. He recognized the separatist-orientation of double majority, and did not hesitate to label it as such. In the theoretical development of the concept, Hincks contributed greatly by clearly defining its purpose. On the practical political level, his open war with the Canadien stripped the leadership fight, which had been fought under the

⁷⁸ Le Canadien, May 19, 1845, cites the Pilot.

⁷⁹ Pilot, May 9, 1845, emphasis added. This is in contrast to LaFontaine whom Hincks described as having advocated double majority in 1841 rather than opposing the Union. In other words, he claimed that LaFontaine wished to preserve the Union by means of double majority. See also ibid., Sept. 27, 1845.

⁸⁰ ibid., Sept. 27, 1845.

cover of double majority, of its masquerade.

John Neilson of the Quebec Gazette, who had supported Viger against LaFontaine in the general elections, had once again made one of his famous political shifts. Logically, he should have supported MacDonald's double majority interpretation which was designed to aid Viger. In fact, he supported neither Viger nor LaFontaine, neither double majority nor responsible government.⁸¹ Said Neilson, LaFontaine and his colleagues had accepted office in 1842 "without remonstrance", and had thereby consented to the Union and "the legislative power of the majority as established by the Act." In other words, they had agreed to govern by means of the simple majority. Therefore double majority was unthinkable because it was unconstitutional. "As to legislating for the two provinces separately, and by their respective majorities, whosoever tries it, will only add one more to the impracticable humbugs of the day...."⁸²

Then, with total disregard for consistency, Neilson in almost the same breath attacked the ex-responsibles for having passed sectional measures by majorities from the other section- in a word, he accused

⁸¹ ibid. "He sneers at "Responsible Government"...." ; see also Le Canadien, May 19, 1845: "C'est dans l'intérêt des Canadiens français ...que le "vieux Nestor" répudie l'un et l'autre."

⁸² Quebec Gazette, April 30, 1845.

them of practising government by the simple majority!⁸³ It is difficult to explain Neilson's position, yet necessary to describe it, for he was one of the grand old men of French-Canadian political life. His contemporaries considered him just a testy old man, and remarked callously that "the most "impracticable humbug of the day" is old Nestor himself."⁸⁴ Yet Neilson, disillusioned with all politicians and systems of government though he was, opposed double majority on the unimpeachable ground that it was unconstitutional. Like Hincks, he had added to the concept by explaining one of its features: it was constitutionally indefensible.

The Conservatives of Upper Canada had disliked the Union at its inception, and had proposed government by double majority, in order to avoid its consequences.⁸⁵ However, after a few years they had found the Union unexpectedly satisfactory. The Canadian credit had been restored; the internal economy revived and expanded; public works had been given impetus by what was euphemistically described as "the unity of action

⁸³ Pilot, May 6, 12, 1845; see also Quebec Gazette, May 9, 1845. To further confuse matters, Hincks insisted that the ex-ministers had never dreamed of passing sectional bills against the majority of the section affected, and proceeded to rationalize the vote on the Assessment Bill, etc. According to his own arguments, Hincks should not have cared at all, as long as a simple majority had been secured.

⁸⁴ Pilot, May 9, 1845.

⁸⁵ See above p. 25, 57.

and concentration of means required to effect" them: in other words, Lower Canada's contribution to the treasury.⁸⁶ Above all, the Conservatives were in power in the Assembly. Therefore, by 1845, their demands for repeal of the Union were on the wane, and they did not give double majority the enthusiastic welcome which might have been expected from them just a few years earlier.

The Conservatives accepted double majority as a necessary evil.⁸⁷ Although familiar with Macdonald's articles on the subject in the Canadien, the Conservative editors accepted only his interpretation, and not the principle of double majority.⁸⁸ One editor expressly rejected the definition that in the Government there should exist two separate independent sectional Councils, each legislating for its own section exclusively, and each responsible only to the majority of its own section.⁸⁹

⁸⁶ British Colonist, April 22, 1845. Specifically, there were the Ottawa and St. Lawrence improvements, which helped the staple trade and promised a prosperous commercial future. This article was entitled "Advantages of the Union."

⁸⁷ Le Canadien, Oct. 22, Nov. 14, 1845, citing Kingston News. During this period, the "Reactionist" and Upper Canada Tory press quoted each other quite often; the LaFontaine and Upper Canada Reform press did the same with each other's articles.

⁸⁸ British Colonist, Nov. 29, 1844, published in English translation the whole of the Canadien's first double majority article, of Nov. 18, 1844, with the comment: "It is a complete exposition of the policy which must govern the conduct of the Lower Canadian members of French origin, and is we presume, decisive of the future state of parties."

⁸⁹ Le Canadien, Nov. 14, 1845, citing Kingston News. This was in fact a good abstract of the Lower Canadian double majority principle.

To the Conservatives, double majority was a coalition between themselves and the French Canadians, which would operate by placing the legislation of each section under the special control of the Ministers from that section.⁹⁰

There were many reasons for this willingness to support such a version of double majority. The most important was that the insecure Conservative Government would be given the additional strength it required to remain in power indefinitely. In this way, explained the Conservatives, Upper Canada would be safe from having Baldwin imposed on its unwilling inhabitants as had been the case in 1842. Those responsible for that, sneered the editors, were "Mr. LaFontaine and his tail."⁹¹ It was clear that the Conservative attitude to the French Canadians was only slightly less contemptuous than it had been prior to the Union.⁹²

The Conservatives brought forward historical justifications for double majority government. They argued that the Union had failed to

⁹⁰ Le Canadien, Nov. 14, 1845, citing Kingston News. This was despite Macdonald's statement that double majority was a political principle, and not a political coalition.

⁹¹ British Colonist, April 8, Nov. 15, 1845.

⁹² This was despite the public apology of their leading political representative, William Henry Draper, in the Assembly, in Sept. 13, 1842. See Dent, Canada Since the Union of 1841, vol. 1, p. 237. "He admitted that at the outset of the previous session he had entertained prejudices against the French Canadians, but added that his prejudice had been removed by the more intimate knowledge which he had since acquired of them by personal intercourse."

unite the French and the English races, and that because of this there was an urgent need for separate legislation for the two peoples. In fact, prior to the Union, double majority or separate legislation had been in effect under the Act of 1791, and time alone would end the need for the system. For the present, they rationalized, double majority would be a temporary expedient, and though separate legislation would continue, the legislators would work under the same roof, and learn from each other's mistakes.⁹³

It was not enough to point out the advantages that a double majority government would gain for the Government. The Conservatives also produced practical arguments for their would-be allies. They pointed out that in such a government, the French Canadians would gain immediate power. A continued alliance with the Reformers, on the other hand, offered them only Baldwin and his political fantasies, and a pre-occupation with theory. And, charged the Conservatives, the Baldwin Reformers needed French-Canadian support desperately, and only opposed double majority because it would free the French Canadians from the Reform alliance.⁹⁴

In sum, the Conservatives of Upper Canada accepted double majority in name, and redefined it as a political alliance between themselves and the French Canadians. They considered it merely a continuation of pre-Union forms of government, and a temporary expedient, which had the

⁹³Le Canadien, Oct. 22, 1845, cites Kingston News.

⁹⁴Le Canadien, Nov. 14, 1845, cites Kingston News.

tremendous advantage of securing for their own Government enough voting strength to maintain its majority for many years in the future. Clearly, the Conservatives' main interest in double majority was in its practical implementation, and not in theory.

The Conservatives' political counterparts in Lower Canada were at first too contemptuous to do more than dismiss it as absurd, and to predict that nothing, even double majority, would prevent the assimilation of the French Canadians.⁹⁵ Their attitude was that the French Canadians under LaFontaine were "utterly incompetent to conduct any government", unlike their own "staunch and well tried British party", which⁹⁶ was then in power.

They were jolted out of their complacency when their Upper Canadian allies announced that they supported double majority. The Lower Canada Conservatives bitterly denounced this as treachery, complaining that in a double majority government, the whole of British Lower Canada would be sold out to LaFontaine and the French Canadians, who were mere⁹⁷ "slaves" to their constituents.

⁹⁵ Le Canadien, Nov. 14, 1845, cites Montreal Courrier; see also Le Canadien, Nov. 29, 1844, cites Montreal Herald; La Minerve, April 21, May 8, 1845, cites Montreal Times. The Times agreed reluctantly that Viger and Papineau did not represent Lower Canada, and that it was unfair to legislate for Lower Canada by means of Upper Canadian votes, and vice versa. Nevertheless, it was unhappy about double majority as a solution.

⁹⁶ Pilot, Oct. 31, 1845, cites Montreal Herald. Three days after this article, the Montreal Courrier came out with a similar one against double majority.

⁹⁷ Pilot, Oct. 31, 1845, cites Montreal Herald.

St. Paul himself would fail in convincing them that it is at all necessary for them to think for themselves, or to hesitate before they give a blind obedience to those⁹⁸ who happen to be their political guides for the time being.

The Lower Canada Conservatives contributed nothing to the definition of double majority. They did point out, however, that any double majority government would result in a French-controlled Lower Canada. This was quite true, for the purpose of double majority was to guarantee French Canadians legislative power in their homeland.

The Upper Canada Reformers disliked double majority almost as much as did the Lower Canadian Tories; under the system, both groups faced political obscurity, the Tories permanently, the Reformers for the foreseeable future. The Upper Canada Reformers grasped at once that double majority meant the perpetuation of French Canadians in isolation from, and uncontrolled by, Upper Canada.⁹⁹ They declared that this was intolerable.¹⁰⁰ One Reform editor even denounced double majority as a means of preventing the assimilation of the French Canadians, which was provided by the Union Act.¹⁰¹ "Better, a thousand times better to dissolve

⁹⁸ British Colonist, April 22, 1845, 1845, cites Montreal Times, April 11, 1845.

⁹⁹ Examiner (Toronto), April 22, 1846. (Hereafter cited as Examiner).

¹⁰⁰ Le Journal de Québec, April 12, 1845, cites Examiner. At first the Examiner was so disgusted with the Upper Canada Reformers that its editor suggested that Baldwin should retire into private life, leaving the party which had betrayed him to the Tories. However, when it became clear that double majority was a serious idea, the editor changed his mind, and defended the Union.

¹⁰¹ Le Canadien, Nov. 14, 1845, cites Gazette of Port Hope. It was claimed that Durham suggested the Union for this reason.

the union at once", than attempt to perpetuate it on the basis of that "absurd and ridiculous", "unprincipled and impracticable", "audacious proposal", cried the Reform editors.¹⁰² For was it not

infinitely more desirable that the two Sections of the Province should form one undivided whole, united in feeling, in mutual affection, and desirous only of extending human liberty equally to all men, of all colours and of all races?¹⁰³

The Reformers had always been favourable to the Union, and were stricken to see it challenged in the way that double majority seemed to do.

Although they despised the idea of French-Canadian separation from Upper Canada, the Reformers dared not attack their wavering allies. Instead, they concentrated their attention on the Upper Canada Tories, who had "smuggled themselves through the back stairs into the Government House...." The Reformers charged that they were so terrified of losing their power that they had agreed to sell out their political allies in Lower Canada in order to retain that power. Moreover, they expected the French Canadians to renounce their Reform principles as well, in order to consummate the bargain.¹⁰⁴ The Reformers insisted that the bargain, as they referred to a double majority agreement, had a false premise, for although the Tories pretended a concern for French Canada and its continued survival, in reality they hoped to destroy all remnants of

¹⁰² Examiner, April 22, 1846; see also Globe (Toronto), Nov. 11, 1845. (Hereafter cited as Globe); Pilot, Nov. 21, 1845, cites Globe.

¹⁰³ Examiner, April 22, 1846.

¹⁰⁴ Globe, Nov. 11, 1845.

it.¹⁰⁵

The constitutional argument was also brought to bear against double majority. How, demanded one editor, could Britain help but despise a system which in metropolitan terms would be equivalent to requiring an Irish majority vote before any legislation passed into law. He concluded that Canada would be subjected to world-wide contempt if the double majority were implemented.¹⁰⁶

The Upper Canada Reform position was unequivocal. The group despised double majority because it would give power for an indefinite time to their political enemies, the Conservatives. It would permit the effective destruction of the Union, and the separation of French Canada. Lastly, it was unconstitutional. Although they contributed little to the definition of the system, the Reformers of Upper Canada emphasized the unconstitutional and separatist-racist character of the system.

From the above it will be seen that a general definition of double majority could be: sectional legislation should be the exclusive concern of the representatives from the affected section, and the maj-

¹⁰⁵Examiner, April 22, 1846. It also pointed out that double majority would have the effect of uniting all English Canada against the French Canadians, "and place the latter forever at the mercy of the former...."

¹⁰⁶Le Canadien, Nov. 14, 1845, cites Globe; also Globe, Nov. 11, 1845. Although Hincks was glad that Brown opposed double majority, he was worried that Brown did not understand the modus operandi. P.A.C. Baldwin Papers, Hincks to Baldwin, Montreal, Oct. 12, 1845, vol. 4, p. 694.

ority from each section should govern only that section. This definition is made more specific when various of its tenets are compared with those of responsible government and the simple majority. (1) Double majority required that representatives be distinguished by membership in a section, rather than by a simple tally for the United Province. Unlike the simple majority, double majority presumed the existence of two majorities and two minorities. (2) Each sectional Council had to possess the confidence of its own section, instead of a United Council requiring support from a simple majority only. (3) Unlike responsible government, double majority did not require political co-operation to be based on common ideals. Co-operation was to be automatic between the two sectional majorities. (4) In the same way, common political policy was not a factor in the formation of the double government, and a double majority government would permit a Conservative sectional Council to govern simultaneously with a Reform sectional Council. However, within each sectional Council common political policy was requisite.¹⁰⁷

¹⁰⁷ Double majority conflicted with the tenets of responsible government only in terms of the Union. If in fact the system's separatist tendencies had been realized in practice, the result would have been two responsible governments, independent of each other. Otherwise, the possible political incompatibility between the two Councils, and between the two majorities, would have negated some of the most important tenets of responsible government: cabinet solidarity and party government. It is clear that LaFontaine had at least a glimpse of this dilemma, for at one point he insisted that he would only accept double majority if the two majorities were politically compatible. This uneasiness remained with him always, until 1847 when it ceased to be an important issue. The Quebec Gazette, May 14, 1845, discusses the attitude of the Pilot and the important La Minerve towards double majority in these terms.

To this definition LaFontaine added the condition that double majority could be implemented only if it were clearly understood and accepted as the rule of government by the Canadian people and their representatives. The Upper Canada Conservatives, however, did not accept any part of this definition. They defined the system not as a principle of government, but as a political coalition specifically between themselves and the French Canadians.

Obviously, there was no one double majority system. This was because the editors of the various newspapers who discussed the system were less interested in abstract definition than with the practical significance of double majority, that is, the interpretation of double majority. Definition was difficult and unrewarding, whereas interpretation provided concrete political policies for the various political groups.

For this reason, many important facets of government were not mentioned in 1845. The most significant omission was the problem of legislation which cut across sectional lines, although such measures were those which could seldom be satisfactorily resolved. "Such are the questions connected with public improvements, the administration of justice expenses, in fact, everything relating to money."¹⁰⁸ For as one Canadian remarked, "Our Parliament are as babies, drawing at the Queen's paps, (chest, I mean.)"¹⁰⁹ Money was a serious Canadian problem, with the

¹⁰⁸ Pilot, May 9, 1845.

¹⁰⁹ Quebec Gazette, April 1, 1854.

Upper section spending easily, the Lower section frugally clutching at
 110
 the purse strings.

All the various definitions of double majority, incomplete as they were, incorporated sectionalism in their structure. In these terms, double majority was merely a logical extension of the trends of the Union period. Another main feature of the Union had been racism. As conceived by Macdonald of the Canadien, double majority sanctioned racism in its purpose. Macdonald urged acceptance of double majority in order to ensure that French Canadians would always control the fate of their nation, which had its physical location in Lower Canada. In fact, Macdonald's version of double majority was separatist-oriented, and he cared not at all if in operation the system might destroy the Union.

In the hands of LaFontaine's editors, and the Upper Canada Conservatives, double majority was redefined in order to rid it of these separatist tendencies, because both groups wished to preserve the Union in some form. Those who rejected double majority, notably the Conservatives of Lower Canada and the Reformers of Upper Canada, emphasized its racist-separatist purpose, for to them these features were at least as objectionable as was its unconstitutionality. By singling out these features, they hoped to undermine the growing support for the system. However, the public remained unimpressed.

By later 1845, double majority had been fully enough developed,

¹¹⁰ Ironically, one of the first attempts to gain legislative sanction for double majority had been in reference to public works. See above, p. 50-51.

and was supported by enough public opinion, to be a serious threat to the older system of responsible government, and to present an equally serious option for dissatisfied Canadians. Constitutional "humbug" that it was, it nevertheless conditioned political thought and political activity for the next two years.

It has been emphasized that interpretation of double majority was of far more importance to the political groups than theory, and therefore the various interpretations have been examined in some detail. The author of double majority, Macdonald of the Canadien, had in fact presented his ideas simply to win French-Canadian support for the Government of which Viger and Papineau were members. At first double majority was nothing but a grand hoax, a complex set of rationalizations for overthrowing LaFontaine as the French-Canadian leader, and replacing him with Viger. However, Macdonald's ideas, so carefully explained and justified, were soon developed into an actual principle of government.

As a principle of government, double majority gained great popular support. Moreover, as a principle, it could be supported without automatically accepting Macdonald's interpretation of it. LaFontaine is a case in point. After an initial reluctance to accept the theory, LaFontaine reversed his position, and appropriated double majority, even claiming to be its author. Then the LaFontaine press, turning Macdonald's theory against him, attacked him by insisting that he did not understand the system. This attack was in reality only an attack on his interpretation, for he was opposed to the idea that only LaFontaine and Morin

could implement the system. Thus a major leadership fight raged behind the issue of double majority, a fight which is glimpsed in the sly remarks made by both Macdonald and the LaFontaine press, and in the less inhibited comments of Francis Hincks. Apparently unified in support of double majority, the French Canadians were in fact engaged in vicious and bitter political battles, which masqueraded as discussions of double majority.

In this chapter, double majority has been examined and analysed through newspapers. Although in no way divorced from reality, or abstracted from its immediate political context, double majority has only been studied as the main issue in a propaganda campaign. It was only in later 1845 that it entered the field of practical politics. It was, by 1845, the conditioning agent of much political thought, and it provided the frame of reference for the main events of the years 1845-1847. In the next chapter, some of these events are studied, including the by-elections of Three Rivers and Dorchester, and the famous Draper-Caron-LaFontaine correspondence, all of which were solidly anchored on double majority.

CHAPTER VI

THE "REACTION": 1845

Loyalty is an odd sort of a word
and really admits of many definitions,
there is for instance a sort which consists
in keeping up a connection with the party¹
that have places to give away.

In the previous chapter, the growing popularity of double majority was mentioned. In this chapter, its practical manifestations are studied. The increased public support of double majority was inseparably linked to the upsurge of the "Reaction", for the new system was the political platform of the "Reactionists". However, even after the LaFontaine press began to support double majority, there was no significant revival of public support for LaFontaine himself, or any reconciliation between his movement and that of the "Reactionists". This was because of the incompatibility of their different interpretations of double majority, both of which implicitly pressed the claims of the leadership contenders. Double majority in reality masked the leadership struggle between LaFontaine on the one hand, and Viger and Papineau on the other.

The "Reaction" had another important feature quite apart from the leadership fight. This was the political rivalry between the District of Montreal and the District of Quebec. As a general rule, Montrealers supported LaFontaine, while Quebecers supported the two French Canadians in the Government, and approved of Macdonald's interpretation of double majority. The District rivalry was economic as well as political, and in

¹Colombe, The Mackenzie Poems, p. 32.

both forms it extended well back into the pre-Union period.² The business groups in the two Districts continued their commercial rivalry without pause after the Union.³ The rivalry was clearly an important feature of Lower Canadian life.

The political rivalry in the Union period had begun when LaFontaine had hampered the Quebecers in their efforts to have the Union repealed. It had gained strength when LaFontaine won out over the Quebec leadership contenders such as Neilson, and when Montreal was chosen as the Canadian capital, gaining all the contingent advantages.⁴ Quebecers argued that after the Rebellion leaders had been dispersed, new men, whose idealism outstripped their wisdom, assumed leadership. Even after the fight for Reform principles had been won, they continued to fight for responsible government at the expense of the material interests of Quebec. These young men, "le jeune Canada", were identified as LaFontaine and his political lieutenants.⁵ Meant one dissatisfied Quebecer:

Yes! In Quebec there is life and honour. In Montreal it is the contrary.- the Seat of Responsible Government is there- there we find statesmen, of politics profound as an abyss, as silent as the tomb, who crush every measure nascent in Quebec.⁶

²Pilot, Sept. 3, 1846; see also Quebec Gazette, May 2, 1848, citing Dunbar Ross to the electors of the City of Quebec. The rivalry was primarily economic, involving allegedly unfair distribution of roads and schools etc.

³ibid., see also Quebec Gazette, Jan. 27, March 1, May 3, 1847. For example, Montreal agitated for repeal of the Navigation Laws, while Quebec did not.

⁴ibid., May 2, 1848.

⁵Journal de Québec, Sept. 4, 1845, cites Le Canadien.

⁶Quebec Gazette, May 24, 1848.

At election time, the Montreal leaders were also charged with imposing political candidates on Quebec whom they "could lead by the nose."⁷ The Montrealers were even accused of interfering with Quebec's politicians, such as Austin Cuvillier. Cauchon of the Journal de Québec⁸ had worked to defeat Cuvillier in an election in Rimouski. Another LaFontaine man, T.C. Aylwin, had broken his promise to support Cuvillier on instructions from the Montrealers. "I maintained my opinion with regard to Mr. Cuvillier, and I yet maintain it, but in politics we ought not to separate from our allies", explained Aylwin.⁹

The resentment of the Quebecers grew even more bitter after the 1844 elections, when LaFontaine's Reform alliance had left the French Canadians in opposition to the Government. It was immediately after this that Macdonald had begun his double majority articles. For a time, LaFontaine was able to curb the "Reaction". He encouraged French Canadians to believe that upon Metcalfe's imminent return to England, he would be called to office by the new Governor. In the LaFontaine press, various of Metcalfe's remarks to the Assembly were purposefully mis-translated to "your next session" from "our next meeting", etc., which

⁷ British Colonist, Nov. 8, 1844, T.C. Aylwin to the editor of the Canadien.

⁸ Le Journal de Québec, Oct. 19, 1844.

⁹ British Colonist, Nov. 8, 1844, T.C. Aylwin to the editor of the Canadien. However, Cuvillier retaliated and donated paintings of great ugliness to the Assembly, which reproached the politicians from the walls of the House- see Le Journal de Québec, April 18, 1846.

implied that Metcalfe was planning to leave Canada very soon.¹⁰ It was well known that "the anti-Britishers still cling to the hope of a change of Governors...."¹¹

There also remained the possibility that LaFontaine would be able to overthrow the Government. He concentrated on the language question, and was supported in his attacks on the Government by all but three French Canadians.¹² Metcalfe and his Council countered this nationalistic appeal with an even more poignant one. Metcalfe held a well-publicized reception for the returned rebels, and was rewarded with a most touching display of gratitude on the part of the men and their reunited families.¹³ And so the plays and counter plays continued. It soon became clear that the prophecies of the Canadien were correct; the Government was not going to fall. The failure of LaFontaine's "repeated assaults" was humiliating, and merely irritated the Government. "The cup of conciliation has few drops left in it", warned the Governor's Secretary.¹⁴

¹⁰ Kaye, The Life and Correspondence of Charles, Lord Metcalfe, vol. 2, p. 395.

¹¹ P.A.C. Buchanan Papers, Capt. Higginson to I. Buchanan, Government House, May 6, 1845, vol. 31, p. 025638.

¹² Monet, "The Last Cannon Shot: A Study of French-Canadian Nationalism 1837-1850," vol. 1, p. 372-4. These were De Bleury, D.B. Papineau, and Louis Guillet. D.B. Viger was not in the Assembly. See also Le Canadien, Nov. 18, 1844.

¹³ Monet, "The Last Cannon Shot: A Study in French-Canadian Nationalism 1837-1850," vol. 1, p. 386-389.

¹⁴ P.A.C. Buchanan Papers, Higginson to I. Buchanan, Government House, Feb. 16, 1845, vol. 31, p. 025631-3.

It was soon after LaFontaine's repeated failures to overthrow the Government that the "Reaction" reached its peak. Macdonald of the Canadien appropriated and encouraged the "Reaction" because he believed that it was identical with support for his own interpretation of double majority.¹⁵ His first great triumph came when Viger, who had in 1844¹⁶ lost two elections, won a seat in the by-election of Three Rivers. Macdonald believed that the victory was proof of popular support for his version of double majority. An analysis of this election is required in order to judge whether Macdonald was justified in this opinion.

Three Rivers was controlled by the owner of the St. Maurice Ironworks, whose son-in-law, Edward Grieve, represented the constituency in the Assembly. In the Three Rivers tradition, Grieve had supported the Government.¹⁷ After his death on June 2, 1845, more than a hundred constituents, "Patriotes" and Tories together, invited Viger to contest the seat.¹⁸ His opponent was an unknown young lawyer named Burns.¹⁹ Viger left his campaign in the able hands of young Joseph-Edeuard Turcotte, and made only two visits to the constituency himself.²⁰

¹⁵ Le Canadien, Sept. 15, 1845.

¹⁶ Montreal and Richelieu Counties.

¹⁷ Monet, "The Last Cannon Shot: A Study of French-Canadian Nationalism 1837-1850," vol. 1, p. 401. Cornell, in The Alignment of Political Groups in Canada 1841-1867, p. 16, classes Grieve as probably, but not certainly, a government supporter.

¹⁸ Le Canadien, July 7, 1845.

¹⁹ Monet, "The Last Cannon Shot: A Study of French-Canadian Nationalism 1837-1850," vol. 1, p. 401-2.

²⁰ ibid. 16 years later, Turcotte won the riding himself.

As a candidate, Viger had many advantages: his white hair, his patriotic record, and above all, his name and family. Many French Canadians believed that "Hon. L.J. Papineau and all his family approved of the conduct of Mr. Viger", and that Viger was merely waiting for Papineau's return to give up his position in the Executive Council.²¹ The psychological effect of these rumors was greatly in Viger's favour. Moreover, even in 1844 LaFontaine had realized that the electors "would not like to hurt his feelings without being forced to do it", so great was Viger's emotional bond with the French Canadians.²² To this psychological factor must be added the facts that almost half the electorate had invited Viger to run; his opponent was unknown; he was supported by very influential persons, and he had the added prestige of being the President of the Executive Council in a constituency which had a history of electing government supporters. Therefore it is surprising that Viger was unable to boast an unanimous victory, or at the very least an overwhelming majority in this smallest of Lower Canadian constituencies.²³

On July 7, over 250 electors presented themselves at the polls.

²¹ Pilot, Oct. 24, 1845, cites La Minerve.

²² Monet, "The Last Cannon Shot: A Study of French-Canadian Nationalism 1837-1850," vol. 1, p. 322, cites LaFontaine to Baldwin, March 15, 1844.

²³ Le Journal de Québec, July 17, 1845; see also Pilot, July 17, 1845, in which Hincks claimed that Viger owed his election to bribery "to an extent never practiced on any former occasion not even by Mr. Ogden." Also, Viger's election caused little stir in Montreal, where LaFontaine remained securely in the position of French-Canadian leader.

A preliminary show of hands gave neither candidate a majority, and so Viger and Burns both addressed the audience in order to gain more votes.²⁴ Viger, this "septuagénaire canadien, qui a blanchi ses cheveux au service de son pays et qui a sacrifié et sacrifie encore repos, patience et réputation sur l'autel des libertés canadiennes...." was an impressive sight as he delivered his address.²⁵ The gist of his speech was merely an interpretation of Macdonald's version of double majority. As President of the Council, said Viger, he wanted only to protect French-Canadian rights and interests. He regretted the division among the French Canadians, and urged the electors to heal it by supporting him.²⁶ On the next show of hands, Viger had a majority of 52 votes, and his opponent retired under protest.²⁷ This was the story of the Three-Rivers by-election.

It is clear that Viger's victory was not in reality a proof of support for the "Reaction" or for double majority, which was never mentioned by name by either candidate. It became a great triumph because Macdonald repeatedly referred to it as such, and his readers appeared to believe him. Macdonald's delight in the election results is proof of his

²⁴ Le Journal de Québec, July 10, 1845, cites Morning Courier. Viger and Burns each urged the other to speak first, probably hoping that the psychological "law of recency" would prevail. It is not clear who won the argument.

²⁵ Le Canadien, July 7, 1845.

²⁶ Le Journal de Québec, July 10, 1845.

²⁷ ibid., July 15, 1845.

greater interest in pleading the leadership case for Viger than in seeing the principle of double majority implemented.

Viger's victory had little effect on the actual parliamentary situation. It was clear to the Executive Council and to the Governor that something more constructive had to be done. Good use could be made of the rift in the French party, which had been widened by Viger's victory. However, Metcalfe was personally appalled at double majority.

The French party seems to assume that Upper Canada must be governed by the majority of Upper Canada, but claims at the same time that French Canadians ought to govern Lower Canada, which there would have the effect of completely drowning the English party, to establish French dominion, to which they ceaselessly aim. In these conditions the French party would voluntarily unite, I believe, with the Conservative party of Upper²⁸ Canada, but such conditions are, in my view, unthinkable....

However, Metcalfe hoped to secure the "conversion" of several influential French Canadians, who in joining his Council would break up the French party, "whose object and motives are equally bad...."²⁹

To this end, the real Government leader, William Henry Draper, travelled to Quebec less than a week after Viger's success in Three Rivers.³⁰ There he met with René Edouard Caren, to whom he confided his desire to induce some French Canadians to join the Government. He suggested Morin as the President of the Council, but specifically excluded LaFontaine "owing to the personal differences" between LaFontaine and

²⁸ Gérin-Lajoie, Dix Ans au Canada, p. 297, Metcalfe to Stanley, May 13, 1845.

²⁹ ibid.

³⁰ Chapais, Cours D'Histoire du Canada, vol. 5, p. 209. July 12, 1845 was the date of Draper's meeting with Caren.

Metcalfe. However, he proposed to provide for LaFontaine with a judgeship, and he hinted that the LaFontaine alter-ego, Robert Baldwin, would retire without any trouble. The retirement of these two men from politics would remove one of the greatest obstacles from the plan.

Draper arranged another meeting with Caron in Montreal, August 1st, to discuss the possible difficulties in his plan.³² At that meeting, Draper admitted that Lower Canadian representation in the Council was inadequate, and he outlined his plans to remedy this injustice.³³ These plans included appointing a Lower Canadian Solicitor-General who would have great influence, although he would not be a member of the Executive Council. A French Canadian from the District of Quebec would be appointed Assistant Secretary, and Viger, who could easily be prevailed upon to retire, and Papineau, who longed to do so, would be replaced by two other French Canadians.³⁴

The Draper-Caron negotiations were most significant. True to

³¹ Quebec Gazette, April 13, 1846, Caron to LaFontaine, Quebec, Sept. 7, 1845. This entire correspondence has also been checked with the copies in the P.A.C. LaFontaine Papers, vol. 6, and with the pamphlet, Correspondence between the Hon. W.H. Draper & the Hon. R.E. Caron; and, between the Hon. R.E. Caron and the Honbles. L.H. LaFontaine & A.N. Merin, (Montreal: Desbarats & Derbishire, 1846). The correspondence is hereafter taken from the Quebec Gazette except in a few instances when various items have been omitted from it.

³² Chapais, Cours D'Histoire du Canada, vol. 5, p. 209.

³³ Quebec Gazette, April 13, 1846, Caron to LaFontaine, Quebec, Sept. 7, 1845.

³⁴ ibid.

Metcalf's plan to break up the French party, Draper had sought out not LaFontaine, the recognized if insecure French-Canadian leader, but Caron, an influential Quebec "Reactionist". In fact, Draper specifically rejected the possibility of LaFontaine's participation in the Government. Clearly Draper was siding with the Quebecers, their "Reaction" and their leadership struggle. He specified that the Assistant Secretary be from Quebec, and other men mentioned for office were also Quebecers. However, Draper was prepared to compensate Montreal by giving the popular Morin a position.³⁵

The other important point was Draper's frankness in revealing that he hoped to get rid of Viger and Papineau, and Caron's ready compliance with this plan. Macdonald of the Canadien had encouraged the "Reaction" with its associated policy of double majority to gain support for Viger and Papineau, yet Draper was prepared to use the "Reaction" to get rid not only of LaFontaine, but of Viger and Papineau as well. The thing was getting out of hand. It was equally clear that Caron was willing to avail himself of the "Reaction" to present his own claims for leadership. And in none of this planning was double majority even mentioned, although the "Reaction" was identified with that principle.

³⁵ Longley, Sir Francis Hincks: A Study of Canadian Politics, Railways & Finance in the Nineteenth Century, p. 146-7. The men mentioned were Morin, Caron, Taché and Aylwin. Morin was a former Quebecer, but his association with LaFontaine identified him with Montreal, and presumably he could have undermined LaFontaine's following if he had so desired because he was very popular, while LaFontaine was not.

Draper had terminated his discussion by giving Caron permission to discuss the plan with these French Canadians whom he thought might be willing to assist in implementing it.³⁶ Caron waited five weeks to make use of this permission. During that time, Draper confided at least part of his plan to Viger. As a result, Viger offered the Solicitor-Generalship of Lower Canada to Jacques André Taschereau on the condition that he contest the by-election scheduled to be held in Dorchester. Taschereau accepted.³⁷

The Dorchester election became the focal point of the double majority discussions. It was written up in all the important Lower Canadian papers, and many members of the Upper Canadian press also followed it with interest.³⁸ The same alignment of forces which had crystallized during the first double majority debates continued. Therefore, the Canadien supported Taschereau, as did the Upper Canada Conservative papers, while the LaFontaine press and their allies in Upper Canada bitterly denounced him.³⁹ An erroneous rumour at first reversed all these positions, for it was said that Taschereau had refused the Solicitor Generalship so that a member of the bar of Montreal could accept it.

³⁶ Quebec Gazette, April 13, 1846, Caron to LaFontaine, Quebec, Sept. 7, 1845.

³⁷ Taschereau was sworn in as Solicitor-General for Lower Canada on August 21, 1845. See Côté, Political Appointments and Elections in the Province of Canada, 1841-1865, p. 5.

³⁸ Especially the Conservative press, such as the British Colonist.

³⁹ Le Canadien, Aug. 20, 1845.

Macdonald raved in the Canadien about this betrayal of the District of Quebec.⁴⁰ Cauchon in his Journal de Québec wrote that Taschereau's refusal to join the Government to which the Lower Canadian majority was opposed meant that he supported LaFontaine and LaFontaine's concept of double majority.⁴¹ When Taschereau's appointment was officially confirmed, these papers reversed themselves.

Dorchester was the largest constituency in Lower Canada. The deceased incumbent had been André Taschereau's brother Elzéar, a LaFontaine man. In the general election of 1844, it was rumoured that André intended to oppose his brother, and that he had visited the Governor to seek a position in the Government. His refusal to discuss, much less criticize the Government, was taken as confirmation of this rumour,⁴² despite his indignant denial.⁴³ At any rate, as soon as his brother died, André Taschereau accepted Viger's invitation with alacrity.

⁴⁰ Le Journal de Québec, May 31, 1845, cites Le Canadien, May 26, 1845.

⁴¹ Le Journal de Québec, May 31, 1845.

⁴² British Colonist, Nov. 8, 1844, cites Quebec Mercury, Oct. 29, 1844, T.C. Aylwin to Nazaire Larue, Oct. 23, 1844. The article was entitled "Another Peep into the Den of Iniquity!"

⁴³ British Colonist, Nov. 8, 1844, cites Quebec Mercury, Oct. 29, 1844, André Taschereau to T.C. Aylwin, Quebec, Oct. 25, 1844. Taschereau in turn accused Aylwin of persuading his uncle, Antoine Charles Taschereau, to resign from Dorchester by promising to resign in his favour in Portneuf, and then of duping him by supporting another candidate.

The history of this constituency is very revealing. For generations the Taschereaus had had great influence, and were either representatives or seigneurs. By their public activities they had associated Dorchester with the District of Quebec.⁴⁴ Elzéar Taschereau had carried the riding by a vote of 1104 to 116 against his opponent, a Mr. Oliva, whose first name is not known.⁴⁵ Despite this overwhelming majority, however, Taschereau did not have the unlimited confidence of his constituents, six-sevenths of whom had not bothered to vote.⁴⁶ His period in office had been spent in opposition under the direction of LaFontaine. André Taschereau himself seemed to share his constituents' opinion that as a representative his brother had been quite unexceptionable, for to questions about his brother's political career, he replied lamely that one must speak justly of the dead.⁴⁷ Clearly the electors could have had no doubt that André Taschereau would not support his brother's policies, especially since he had already accepted office in the Government.

⁴⁴Wallace, The Macmillan Dictionary of Canadian Biography, p. 736-7; see also L. Le Jeune, Dictionnaire Général de Biographie, Histoire, Littérature, Agriculture, Commerce, Industrie et des Arts, Sciences, Moeurs, Coutumes, Institutions Politiques et Religieuses du Canada, (2 vols., Ottawa: Université d'Ottawa, 1931), vol. 2, p. 697-700. (Hereafter cited as Dictionnaire Général). André's grandfather Gabriel-Elzéar Taschereau sat for Dorchester in the old Quebec Assembly from 1792 to 1794, when he became "grand voyer" of the District of Quebec. André's father Thomas-Pierre-Joseph Taschereau was the seigneur of Ste. Marie, and on his death in 1826 the seignury was taken over by another close relative. Already mentioned were André's brother and uncle.

⁴⁵Le Canadien, Nov. 18, 1844.

⁴⁶ibid., Nov. 18, 1844; see also ibid., Sept. 10, 1845; Le Journal de Québec, Aug. 21, 1845; Aug. 26, 1845.

⁴⁷Le Journal de Québec, Aug. 21, 1845.

Cauchon of the Journal de Québec had unsuccessfully scouted the riding for an opponent who would represent the LaFontaine group.⁴⁸ His failure was in itself indicative of LaFontaine's growing unpopularity in the constituency. Nevertheless, attempts were made by various constituents to find opponents even when they were not LaFontaine partisans. Various names were mentioned.⁴⁹ Cauchon received a further humiliation when a man whom he recommended as a good candidate unexpectedly supported Taschereau's candidacy.⁵⁰ A Dorchester business man, Horatio Patton, decided to oppose Taschereau as an independent, but it was clear that he had almost no influence among the many French-Canadian farmers.⁵¹ So the anti-Taschereau faction despairingly asked Oliva, the losing candidate in 1844, to run, and he accepted despite his previous experience. His political views were uncertain, and his main drawing cards were his wealth and the large business that he owned.⁵² In effect,

⁴⁸ Monet, "The Last Cannon Shot: A Study of French-Canadian Nationalism 1837-1850," vol. 1, p. 404-5.

⁴⁹ Le Journal de Québec, Aug. 28, 1845; see also ibid., Aug. 26, 1845. M. Pelette of Three Rivers, and M. Dallaire of Dorchester.

⁵⁰ ibid., Aug. 26, 1845. This was Dallaire, whom Taschereau was said to fear "autant que l'épée du grand Turc."

⁵¹ British Colonist, Sept. 16, 1845, quotes Montreal Gazette, Sept. 12, 1845; see also British Colonist, Sept. 9, 1845, cites Quebec Mercury, Sept. 2, 1845. The constituency was almost entirely French. Patton, from Pointe-Lévi, had great commercial influence.

⁵² Le Journal de Québec, Aug. 26, 1845. The nature of this business is not clear. It was described only as "un grand établissement sur le chemin Kennebec...."

Taschereau had little competition, and he was challenged more because he was a Taschereau than because of his political views.

Both Taschereau and Oliva campaigned hard, although Patton did not. Oliva staged large demonstrations against the Taschereau influence in Dorchester.⁵³ André Taschereau's campaign was even more intense. On August 20th, a Sunday, he visited most of the churches in the riding, in a fine carriage drawn by two smart horses. With him were men who told the crowds that Taschereau was "capable, bien capable, très-capable." Taschereau himself urged the electors to accompany him to all the church doors in the parishes of Dorchester, and to speak to their friends on his behalf. At each church door he whispered promises to all who spoke to him.⁵⁴ In those parishes where the lands were dependencies of seigneuries owned by the Government, he promised land contracts in return for votes.⁵⁵ There is also some evidence that he promised at least one railroad, for after the election the parishioners of St. Nicholas petitioned the Assembly for the railroad which had been promised them.⁵⁶ The seigneur of the very largest parish was Taschereau's cousin, and his influence extended into several peripheral parishes as well. And

⁵³ ibid., Sept. 6, 1845.

⁵⁴ ibid., Aug. 21, 1845.

⁵⁵ ibid. For example, St. Isidore, dependency of Lanzen, and St. Nicholas, Pointe-Lévi.

⁵⁶ ibid., April 2, 1846.

M. Le Seigneur entered the campaign in support of his cousin André.⁵⁷

On the 1st of September, Taschereau formally addressed his constituents. Having taken care of patronage, he turned to political ideas. His politics he described as "liberal as it is possible for them to be under a monarchical constitution."⁵⁸ He claimed that he had accepted office as a French Canadian, but on a certain "condition". Although he did not elaborate on this, he probably meant a successful election campaign.⁵⁹ Taschereau's main argument was identical to Macdonald's interpretation of double majority.

If there be any now out of power whose names are dear to the country, let us hope that they may soon obtain it: but let not men of our origin refuse to take part in the government because these men are excluded from it....⁶⁰

The Government of which he was a member included the names Viger and Papineau, "whose patriotism and past conduct constitute a sure guaranty for the proper administration of government...." Taschereau commented. He claimed that he had personally accepted office because of the

⁵⁷ ibid., Aug. 21, 1845; see also ibid., Aug. 26, 1845. Ste. Marie was the largest parish, and seigneur Taschereau's influence extended into the parishes of St. Joseph where another relative was seigneur, and into St. François.

⁵⁸ British Colonist, Sept. 9, 1845, André Taschereau to the electors of Dorchester, Sept. 1, 1845; see also Pilot, Sept. 12; Le Canadien, Sept. 3, 1845. An ironic if unintentional comment on his opinion of monarchies.

⁵⁹ British Colonist, Sept. 9, 1845, André Taschereau to the electors of Dorchester, Sept. 1, 1845. See above, p. 161.

⁶⁰ British Colonist, Sept. 9, 1845, André Taschereau to the electors of Dorchester, Sept. 1, 1845. Referring to LaFontaine and Morin, and implying that he would like them back in power, although they were in opposition to the Government of which he was a member!

principle "my country before all...."⁶¹ The LaFontaine press mocked the sincerity of this patriotism. "His friends at Quebec have placarded their foreheads with-"For Sale to the highest bidder!" Mr. Taschereau has obtained his price."⁶²

Taschereau also made a direct reference to the District rivalry, saying that to protect the "long neglected interests of his district" was one of his principal objects. His speech was influenced completely by the doctrines and policies of the "Reaction", and he justified his acceptance of office for the same reasons that Macdonald had been preaching for almost a year. There is no doubt that Taschereau was a "Reactionist". Unfortunately for his associates, he was not very bright, and when he tried to think independently, emphasized his dullness. For example, he concluded his speech with, "I am opposed to taxation, persuaded as I am that our population is too poor to endure it."⁶³ The LaFontaine press seized on this.

Then most consistent Solicitor you are opposed to the School Act carried by the Ministry which you have just joined and equally opposed to Municipal Institutions. Pray will your conscience require you to resign unless you obtain repeal of these acts?⁶⁴

⁶¹
ibid.

⁶²
Pilot, Sept. 19, 1845.

⁶³
British Colonist, Sept. 9, 1845, André Taschereau to the electors of Dorchester, Sept. 1, 1845. This was an unintentional criticism of Viger and Papineau. If they were unable to protect French-Canadian interests, how could Taschereau expect to? If, on the other hand, they had merely neglected to do so, how could he ask electors to support them? Luckily for him, neither question was asked.

⁶⁴
Pilot, Sept. 12, 1845.

However, humiliating as it was for the LaFontaine group, they had been unable to find an opponent to Taschereau, and all their sarcasm was wasted.

On September 2nd, after mass at Ste. Marie, the largest parish, both Patton and Taschereau held a political rally in the public square. Each was praised by lawyers, who belittled their opponents, and this led to an embroiled debate.⁶⁵ In halting French, Patton spoke gravely, politely, and according to a partisan, briefly. Unfortunately, he neglected to discuss his political opinions and principles, or to comment on the Government. This omission lessened his otherwise favourable impact on the audience, most of whom had not known him by sight until he spoke.⁶⁶ He was followed by Taschereau, who had brought along many influential lawyers, notaries and one seigneur to support his candidacy.⁶⁷ The most exciting event was the resignation of the third candidate, Oliva, in favour of Taschereau. After a lively rally, most of the houses in Ste. Marie became informal polls, and inexhaustible supplies of wine and liquor flowed, lulling the parishioners into a stupor. The treat was on the Taschereau clan.⁶⁸

⁶⁵

Le Journal de Québec, Sept. 4, 1845.

⁶⁶

ibid., Sept. 6, 1845; see also Le Canadien, Sept. 10, 1845. Patton merely wished for great improvements and offered to do his best.

⁶⁷

Le Journal de Québec, Sept. 6, 1845. The seigneur was Thomas Taschereau, of St. Joseph.

⁶⁸

ibid.

The campaign was over, and all of Lower Canada, and much of Upper Canada awaited the election results with open concern. Caron wrote to Draper about the feeling in Lower Canada.

Men's minds here, moreover, appear to be much better disposed, and there is no doubt that a change or reaction is gradually taking place, from which I hope much for the arrangement and realization of our plan. If, as I believe, the new Solicitor General succeeds in his election, this success will have a good effect and will be a proof of the re-action of which I have spoken.⁶⁹

Caron's prediction was correct. Twice the number of electors turned out to vote for Taschereau than in the 1844 election, and by September 10th, he was leading Patton 2154-288.⁷⁰ By the final count, he polled more than five-sixths of the total vote.⁷¹ The Government had won a victory, as had the "Reactionists", and for the second time during the summer of 1845, LaFontaine had been dealt a mighty blow. Although his press organs dismissed the victory as unimportant, the inevitable result of a contest in which the candidates held identical political views, this argument convinced no one.⁷² It was Macdonald of the Can-

⁶⁹ Quebec Gazette, April 13, 1846, Caron to Draper, Quebec, Sept. 8, 1845.

⁷⁰ Le Canadien, Sept. 10, 1845.

⁷¹ British Colonist, Sept. 16, 1845, cites Montreal Gazette, Sept. 12, 1845.

⁷² La Minerve, Sept. 11, 15, 1845. In reality it was difficult to really know if his principles were the same as Taschereau's or not since he had not enlightened the electorate about them. However, the LaFontaine press was probably right, in view of Patton's commercial interests, and his main concern which was to end the Taschereau influence in his riding.

⁷³
adien who was the gleating victor.

An analysis of the election reveals the true causes of Taschereau's victory. On the one hand, he was a "Reactionist", and his speeches were drawn straight from the pages of the Canadien. The LaFontaine people had been unable in this enormous constituency to find anyone to represent their party in the contest. These facts support the claim that the "Reaction" was an important consideration in the election.

On the other hand, Taschereaus had often represented Dorchester in the past, and their influence was strong. This particular Taschereau had the prestige and the power of his official position, and had clearly indicated his anxiety to use both on behalf of his constituents. Obviously land contracts and railroads were of immense interest to the farming community. Moreover, the only alternative to Taschereau was Patton, relatively unknown, of uncertain political caste, and without the influence of office. Also, Patton was an Englishman, whereas Taschereau was the scion of an illustrious French-Canadian family, and he was intimately acquainted with the problems and the needs of his constituency.

⁷⁴
 One must conclude that although his victory was a victory

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Le Journal de Québec, Sept. 4, 6, Oct. 14, 1845; see also Pilot, Sept. 12, 19, 1845; Le Journal de Québec, Sept. 4, 1845, cites La Minerve; La Minerve, Oct. 27, 1845; Le Canadien, Sept. 15, 26, 1845; British Colonist, Sept. 16, 1845, cites Montreal Gazette, Sept. 12, 1845; British Colonist, Sept. 9, 1845. The Conservative press of both Upper and Lower Canada joined Le Canadien in the triumph.

⁷⁴
Le Canadien, Sept. 26, 1845; see also Le Journal de Québec, Sept. 13, 1845, cites La Minerve. Taschereau's whole campaign strategy showed a good knowledge of the desires of his constituents.

for the "Reaction" and for Macdonald's interpretation of double majority, and a defeat for the LaFontaine group, it was not so much Taschereau's political platform as his name, and above all his election promises, which secured his majority. In fact, it is not unreasonable to suggest that he would have won no matter what side he represented.⁷⁵

Nevertheless, in 1845 it was generally accepted that the Dorchester election was proof that the new Solicitor General accepted double majority, and that his constituents had voted for him because of this.⁷⁶ Once again the interpretation of double majority was given far more attention than the principle, which was never mentioned by name in this election. This imbalance was corrected somewhat in the next major development in Lower Canada, the Draper-Caron-LaFontaine correspondence.

Caron had been content to watch the subtle change of popular opinion before he went ahead with the Draper scheme. When Taschereau's election seemed certain, Caron felt that the success of the "Reaction" had made LaFontaine's position untenable, and that he could easily be forced to give in to public opinion. It was in this frame of mind that Caron first approached LaFontaine. He faithfully reported the substance of his talks with Draper, including the offer of a judgeship to compensate LaFontaine. In this matter Caron was rather tactless, saying

⁷⁵ Had the "Reaction" been of the utmost importance, over half the eligible voters would not have abstained from voting. The summer weather gave no excuse.

⁷⁶ Le Canadien, Sept. 15, 26, 1845.

It would be unjust to sacrifice a man of your influence and merit...your friends would be highly censurable...but this difficulty could easily be made, ⁷⁷to disappear by giving you an appointment....on the bench.

He concluded by urging LaFontaine to accept the plan, even though it involved supporting a Government which included many Council-
⁷⁸lers to whom the French Canadians had always been opposed. "What is offered is indeed little but it might be a beginning of something better."⁷⁹ Caron sent out similar letters to two other influential
⁸⁰French Canadians. One day later, Caron wrote again, merely to assure LaFontaine that "the motives by which I am actuated are honest and dis-
⁸¹interested." No doubt he was alarmed at having revealed his "Reaction-ist" sympathies so frankly to the man against whom the "Reaction" was directed, and whose policies it challenged.

Caron also informed Draper of his progress.

Although I am not very far advanced in the business.... I am happy to inform you, that the few persons with whom I have had any communication on the subject, see matters quite in the same point of view as I do....

⁷⁷Quebec Gazette, April 13, 1846, Caron to LaFontaine, Quebec, Sept. 7, 1845; see also P.A.C. LaFontaine Papers, Caron to LaFontaine, Quebec, Sept. 7, 1845, vol. 6, p. 1150. Certain sentences have been omitted from the newspapers.

⁷⁸P.A.C. LaFontaine Papers, Caron to LaFontaine, Quebec, Sept. 7, 1845, vol. 6, p. 1151.

⁷⁹Quebec Gazette, April 13, 1846, Caron to LaFontaine, Quebec, Sept. 7, 1845.

⁸⁰P.A.C. LaFontaine Papers, Caron to LaFontaine, Quebec, Sept. 8, 1845, vol. 6, p. 1163. These were Huot and Bédard.

⁸¹Quebec Gazette, April 13, 1846, Caron to LaFontaine, Quebec, Sept. 8, 1845.

However, Caron was not able to guarantee sure success because "those on whom the success of our plan mainly depends reside in the District of Montreal...."⁸²

Despite the fact that Taschereau's victory had been confirmed, despite Caron's naive advice to "look upon this matter as if it had reference to another, and not to yourself personally", LaFontaine refused to tamely relinquish the position he had fought for ever since the Act of Union, his position as French-Canadian leader.⁸³ In what has been described as "un document capital pour l'histoire constitutionnelle de cette époque", LaFontaine tried to use double majority to upset the Draper-Caron plan.⁸⁴ His first reaction to Caron's letter had been to ignore it, but Morin had coaxed him to write a letter designed to destroy Draper's obvious influence on Caron, and to summon up every possible argument against the proposals.⁸⁵ Double majority was therefore very convenient. "I infer", wrote LaFontaine,

....that you are of opinion that in the circumstances of the country the majority of each Province should respectively in the sense that we attach to that idea- that is to say, that Upper Canada should be represented in the administration of

⁸² Quebec Gazette, April 13, 1846, Caron to Draper, Quebec, Sept. 8, 1845.

⁸³ ibid., April 13, 1846, Caron to LaFontaine, Quebec, Sept. 8, 1845.

⁸⁴ Chapais, Cours D'Histoire du Canada, vol. 5, p. 210. Chapais' admiration for LaFontaine led him to mention the "Reaction" and its strength in the most euphemistic terms.

⁸⁵ T.P.L. Baldwin Papers, LaFontaine to Baldwin, Montreal, Sept. 23, 1845, vol. A55, p. 81-84.

the day by men possessing the confidence of the political party in that section of the province which has the majority in the House of Assembly, and that it should be the same for Lower Canada.⁸⁶

LaFontaine agreed that only the Upper Canadian Council was based on this principle, but he insisted that Draper's plan could only achieve a replâtrage and not a truly double majority government.⁸⁷ For one thing, Draper's methods were "unconstitutional". He delegated no responsibility to Caron in the matter of re-organizing the Lower Canadian Council, and he seemed prepared to permit only a partial re-organization. "Why according to your principles not form a new administration for Lower Canada with the aid of someone constitutionally charged to do so?" demanded LaFontaine. Also, the Englishmen Daly and Smith were to remain in office, while the French Canadians of glorious past if tarnished present, were to be given the sack.⁸⁸ LaFontaine expressed his feelings about this more openly to another friend: "In other words, (that is my conclusion) His Excellency is willing to give them a kick out!! What a reward!"⁸⁹

LaFontaine also attacked the basis of Draper's invitation, which

⁸⁶ Quebec Gazette, April 13, 1846, LaFontaine to Caron, Montreal, Sept. 10, 1845. Emphasis added.

⁸⁷ The word replâtrage was extremely common in this period, and meant the patching-up of the government rather than a re-construction. For example, negotiations were said to be aimed at achieving a replâtrage rather than a double majority government.

⁸⁸ Quebec Gazette, April 13, 1846, LaFontaine to Caron, Montreal, Sept. 10, 1845.

⁸⁹ T.P.L. Baldwin Papers, LaFontaine to Baldwin, Montreal, Sept. 23, 1845, vol. A55, p. 82.

was extended to French Canadians "as French Canadians" and "not in consequence of a constitutional right, nor by the action of the opinion of their countrymen...." This, LaFontaine argued, could lead only to the loss of their influence. Viger and Papineau had proved this; and Taschereau "only enters into the administration under the same title, and by the same door....The same fate awaits him." If this was not a clear enough challenge to the "Reactionists", LaFontaine gave them no chance to misunderstand him.

A little more division among the Canadians, with all its unfortunate effects; this is all we have to expect from a system which a Quebec journal has just sanctioned in broad day, and which I cannot describe otherwise than as a system of "office seekers".⁹⁰

This letter was not merely a reply to Caron the individual. It was LaFontaine's challenge to the "Reactionists", and above all, to Macdonald of the Canadien. All LaFontaine's arguments had already been expressed in his newspapers in general terms; this time he translated them into specifics. He even continued to make double majority the issue, although nothing had really changed. It was still his own interpretation of double majority against Macdonald's. It was still more than ever a leadership fight, although Viger and Papineau were no longer the main rivals. The field appeared open even to LaFontaine's own lieutenant Morin, if he were willing, and to any number of "Reactionists", particularly Caron himself.

⁹⁰ Quebec Gazette, April 13, 1846, LaFontaine to Caron, Montreal, Sept. 10, 1845.

Double majority became the central issue as it had been made the issue of the Dorchester election. In fact, in neither case was anything more lofty than a leadership struggle involved. LaFontaine agreed that the Lower Canadian Council should possess the confidence of the Lower Canadian majority. For several months his newspapers had specified that only he and Morin could form such an administration. He insisted that no French Canadians should accept office "as French Canadians"; Councillors had to be "men possessing the confidence of the political party" to which the majority of Lower Canadian representatives belonged. LaFontaine himself was the leader of the only political party which was supported by the majority of Lower Canada, whereas if racial membership were to be the criterion for office, his claim for recognition was only equal to those of all influential French Canadians.⁹¹ LaFontaine's dislike of division in French-Canadian ranks was an attack on the "Reactionists" who opposed him. His scornful references to Taschereau and the Canadien were his declaration of war on their version of double majority, and therefore on themselves. It was his own interpretation of the principle on which he staked his leadership, and he chose to use double majority so that no one could accuse him of refusing to aid in the formation of a government based on the system. Macdonald had first suggested double majority to attack LaFontaine; in 1845, LaFontaine reversed the process.

⁹¹ Although in 1842 LaFontaine accepted office on the basis of racial origin, the consequences of this only became clear in 1845. As a principle, LaFontaine opposed racial origin as a test for political power.

LaFontaine's letter made a strong impression on Caron.⁹² As a result, Caron wrote to Draper that only a total reconstruction of the Lower Canadian Council, rather than the substitution of two French Canadians for Viger and Papineau, would be acceptable. And this reconstruction had to be undertaken by someone constitutionally charged to undertake it. Also, the double majority had to be the principle of government :

the administration ought no more to govern Lower Canada by means of a majority drawn from Upper Canada, than it ought to govern Upper Canada by the aid of Lower Canada...any administration ought to remain in power so long only as it should be supported ⁹³ by the majority in each section of the province, respectively....

Caron added one new idea, that the minority should be given some representation in the Council. The problems which the plan entailed were making vacancies for the new men, getting rid of incumbent Councilors repugnant to the new men, and excluding certain other men who could not take part in any government until Metcalfe ceased to be Governor. One principle applied to all these problems, said Caron. It was generally agreed that "the interest or personal convenience of those whom the change would affect ought not to be taken into consideration...." In other words, if it were necessary to get rid of incumbent Councilors either to make room for new men, or because of political incompatibility with the new men, it would be in the public interest to do so without

⁹² T.P.L. Baldwin Papers, LaFontaine to Baldwin, Montreal, Sept. 23, 1845, vol. A55, p. 83.

⁹³ Quebec Gazette, April 13, 1846, Caron to Draper, Quebec, Sept. 17, 1845.

reference to personal considerations. This principle also applied to those who would have to be excluded from office, and Caron informed Draper that even LaFontaine was agreed that:

the persons in question will know how to appreciate the motives by which their friends are actuated, and that they will not consider themselves abandoned, because these friends, yield to a necessity which they all regret.⁹⁴

This was certainly a clever rationalization of LaFontaine's remarks, but apparently Caron felt that LaFontaine's influence grew less as the "Reaction" grew stronger, so that his claims to leadership could be overlooked. Therefore, apart from the problem of LaFontaine's leadership, Caron had faithfully supported his views on double majority, when in fact the main issue was not double majority, but the leadership question. So despite the apparent harmony of opinion between these two supporters of double majority, there arose such animosity over the real issue that LaFontaine even changed his customary form of address from "My Dear Friend" to "My Dear Sir", for which Caron reproached him.⁹⁵ Nevertheless, Caron was not deterred by this pointed unfriendliness, for he believed that "The realization of the desired coalition is not without difficulty, but it is possible, - and if it offers the only means of putting an end to our troubles, it must be accomplished."⁹⁶

⁹⁴ ibid. No politician, especially such a serious and proud man as LaFontaine, could be expected to take this sportingly.

⁹⁵ P.A.C. LaFontaine Papers, Caron to LaFontaine, Quebec, Sept. 19, 1845, vol. 6, p. 1205.

⁹⁶ Quebec Gazette, April 13, 1846, Caron to Draper, Sept. 17, 1845.

Although LaFontaine had showed Caron no signs of weakening, he confided his deep anxieties to his friend Baldwin. This was partly out of loyalty, partly because Baldwin's position would be materially worsened if Draper and Caron succeeded in their plan.⁹⁷ LaFontaine summed up what he ironically described as the "impressions produced upon Caron's mind by his interview with Mr. Draper-". He predicted to Baldwin that the negotiation could very well succeed, because Caron had accepted his own recommendations. The only advantage which could be expected if indeed the plan succeeded, was that "it would immediately crush the reaction in Quebec, and would strengthen you in Upper Canada-". Still, LaFontaine thought it unlikely that Metcalfe would agree to sacrifice Daly, which a complete reconstruction of the Lower Canadian Council meant, and "Morin, however fond of botany he may be, will never consent to cultivate such a plant (as) the "lilly of the valley"...." The issue seemed to LaFontaine to revolve around whether or not Draper would insist that Caron's conditions be met.⁹⁸

It appeared that LaFontaine was prepared to relegate leadership to Morin, so that he could assume it again when Metcalfe left Canada.⁹⁹

⁹⁷ Chapais, Cours D'Histoire du Canada, vol. 5, p. 215.

⁹⁸ T.P.L. Baldwin Papers, LaFontaine to Baldwin, Montreal, Sept. 23, 1845, vol. A55, p. 81-84. It was unlikely that Baldwin would have been at all helped if the plan had succeeded.

⁹⁹ He had done this in 1841, before he left Lower Canada and won a seat in Upper Canada. See Monet, "The Last Cannon Shot: A Study of French-Canadian Nationalism 1837-1850," vol. 1, p. 146-9.

In this way he hoped to avoid losing complete control of the parliamentary situation to the "Reactionists". He was, however, hoping that nothing would come of the negotiations. His letter to Caren had been filled with conditions which the Governor would find almost impossible to accept. However, since these conditions had been associated with double majority, he believed that if they caused the negotiation to fail, the "Reactionists" would have to agree that he had merely insisted on a strict application of their own system.

This view is strengthened by the fact that LaFontaine summoned Hincks to Montreal to consult with him, although he knew that Hincks was opposed to double majority. Hincks told Baldwin that the plan to form a government on the basis of the "quite awkward" principle of double majority would certainly fail, since "the Gov. Gen. will never take the constitutional course of sending for a man like Morin & entrusting him to form an administration for L.C.", unless "driven to do so by Draper." However, if such a government were actually formed,

it would drive the Tories here mad, effect a breach between them, and their allies in U.C.- reunite the liberal party & give a lesson to the L.C. "Loose Fish" that would not be forgotten & would prove salutary in U.C.¹⁰⁰

Hincks felt that the primary advantage of a double majority government would be that various difficult measures could be disposed of in the Assembly, and then when the government broke up as it inevitably would after a few months, the French Canadians would have had an object

¹⁰⁰ T.P.L. Baldwin Papers, Hincks to Baldwin, Montreal, Sept. 23, 1845, vol. A51, p. 49-50.

lesson in the absurdity of double majority. And if it were true that Viger and Papineau were to be fired, but that Daly and Smith were not, this should crush the "Reaction" if nothing else would.¹⁰¹

With these two analyses of the political situation in Lower Canada to guide him, Baldwin wrote to LaFontaine that the LaFontaine version of double majority, by which he meant double cabinets supported by double majorities, was the only version which in any way conformed to responsible government. Nevertheless, as a principle it was "inadmissible and indeed wholly impracticable", and it conflicted with Canadian political institutions. Moreover, once formed, the proposed government would govern by any majority it could secure, and double majority would be forsaken. Baldwin's own concession to the differences between the sections was a "certain deference" in the matter of forcing measures against "the decided opinion of a considerable majority of the representatives from such section."¹⁰² Clearly Baldwin was not familiar with the principles of double majority advocated in the LaFontaine press, which had specified that the system had to receive popular and legislative sanction in order to become the rule of government. This requirement would have done away with the possibility of a reversion to the simple majority such as Baldwin predicted.¹⁰³

¹⁰¹ ibid. This distinction in the treatment of French and English Councillors was a sore point with the French Canadians. Hincks and the Upper Canada Reformers were to play on it to produce a dislike for the Conservatives on the part of the French Canadians.

¹⁰² P.A.C. LaFontaine Papers, Baldwin to LaFontaine, Toronto, Oct. 16, 1845, vol. 6, p. 1215-6.

¹⁰³ Baldwin seemed to know only the double majority as mentioned in LaFontaine's letter.

Baldwin also sought to reassure his friend that double majority was a fly-by-night idea, and that responsible government would prevail.

We may justly console ourselves with the reflection that such a resignation as ours was a necessary step in the establishment of our principles and has with all its attendant circumstances greatly advanced them-¹⁰⁴

Baldwin could not understand that the "Reaction" in Lower Canada was directed against the resignation, against "our principles", as well as being a movement in favour of double majority. He did not grasp that LaFontaine had to support double majority if he were to continue to engage in politics. The influence of Baldwin and of Hincks on LaFontaine, in this negotiation and on the double majority issue, was very significant, and their opposition to Lower Canadian public opinion explains in part LaFontaine's agonies of indecision and his inconsistencies.

At this point, both LaFontaine and Caron took precautions against a possible publication of the substance of their negotiation. LaFontaine asked for a copy of Caron's letter to Draper explaining LaFontaine's views. He also asked permission to acquaint several influential Quebecers with the nature of the talks, or "at least of my answers."¹⁰⁵ He reiterated that he was free from all responsibility for the outcome of

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P.A.C. LaFontaine Papers, Baldwin to LaFontaine, Toronto, Oct. 16, 1845, vol. 6, p. 1217.

¹⁰⁵

Quebec Gazette, April 17, 1846, LaFontaine to Caron, Montreal, Oct. 20, 1845. The men mentioned were Aylwin, Taché, Chauveau and Cauchon.

the negotiation, since he was not to be included, but he added his opinion that "Mr. Draper ought to insist on the entire reconstruction of the Ministry for Lower Canada, or resign: otherwise his step is a blunder."¹⁰⁶ LaFontaine conceded not an inch, but he defended himself from the "Reactionists" by asking that his own letter, which insisted that double majority be implemented, be shown to leading Quebecers.

Caron was just as astute. He agreed to give the requested letter to the men mentioned, but only if LaFontaine or Morin spoke to them first, "as to the chief of the former administration, and chief of the party with which there appeared to be a desire to form an alliance."¹⁰⁷ In this way Caron protected himself from possible charges of trying to wrest the leadership away from LaFontaine. Caron also enclosed a copy of his letter to Draper, assuring LaFontaine that Draper was giving it the "most serious consideration" with a view to "replying with the unreservedness" which had characterized Caron's own correspondence.¹⁰⁸

LaFontaine was furious with Caron's letter, especially the idea that "a political party...ought to sacrifice one of its members when the caprice of a Governor demands it." Said the sacrificial goat grimly, "that opinion is not mine." LaFontaine also took exception to Caron's

¹⁰⁶

ibid.

¹⁰⁷

Quebec Gazette, April 17, 1846, Caron to LaFontaine, Quebec, Oct. 25, 1845.

¹⁰⁸

ibid.

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opinion that the minority should have its share in government. This conflicted entirely with the principles of party government, to which he was totally committed, and without which he had little chance of political survival. As the correspondence progressed, leadership and responsible party government became more and more the overt issues.

William Henry Draper, who started the whole affair, never mentioned double majority at all, although the system was supposedly the whole point of the negotiation. In fact, his contemporaries believed that Draper never subscribed to the principle at any time. 110 It was rumoured that his inclination to work with the Lower Canada Reformers was not because of his support for double majority, but because he was growing more and more unpopular with his own Conservative party. 111 Draper concerned himself only with straight political questions. After making a mysterious allusion to "those with, as well as those under"

¹⁰⁹ Quebec Gazette, April 17, 1846, LaFontaine to Caron, Montreal, Oct. 26, 1845.

¹¹⁰ Le Journal de Québec, March 30, 1847, cites Pilot; see also Dent, Canada Since the Union of 1841, (Dent's copy), vol. 4, Hincks to Dent, Montreal, June 6, 1882. "I dont (sic) think Draper would have committed himself to double majority on the contrary he refused to recognize it...."

¹¹¹ T.P.L. Baldwin Papers, LaFontaine to Baldwin, Montreal, Sept. 23, 1845, vol. A55, p. 81-84; see also George Metcalf, "Draper Conservatism in the Canadas," Canadian Historical Review, XLIV (March, 1961), p. 302, in which he points out that Draper accepted the Union unlike his party as a whole; p. 304, Draper was opposed by his party for his position on the Clergy Reserves; p. 305, also King's College; p. 309, he hated theoretical differences, and disliked party feeling; p. 301, his main Conservative tastes were social.

whom he was acting, he finally replied to Caron's letter in detail.¹¹²
 He informed Caron that he, Morris and Cayley would resign immediately if the general good required it. Daly and Papineau, and probably Smith, were equally willing to retire. Although Viger deserved "every possible consideration on my part", he would have to be retired. The only problem was "the mode of effecting it...."¹¹³

The most important part of Draper's letter was his request for Caron to provide him with a general list of offices or changes in the Government desired by the French Canadians. "If I can state distinctly what is expected as the sine qua non- I am in a position to lay the case fairly before the proper parties", including the Governor, he explained.¹¹⁴
 In this way, of course, the burden of responsibility for the substance of the negotiations was transferred to Caron's shoulders.

Back home in Montreal, LaFontaine had appointed Morin his agent in the proceedings. He collaborated with Morin on a letter to Caron, in which they accused Draper of shifting from placing the "two contracting parties on a footing of equality", based on the principle "that the position to be held by each results from the support they respectively receive from their friends." In other words, Draper was retreating from the LaFontaine version of a double majority government based on party

¹¹² Quebec Gazette, April 13, 1846, Draper to Caron, Montreal, Oct. 16, 1845 (wrongly dated 1846 in source).

¹¹³ ibid., April 10, 1846, Draper to Caron, Montreal, Nov. 19, 1845.

¹¹⁴ ibid.

government, to the replâtrage idea, which corresponded more to the "Reactionist" interpretation of double majority. Moreover, the letter continued, Draper invited Caron and the French Canadians to voice opinions on the Upper Canadian section of the Government, which was contrary to the principles of double majority.¹¹⁵ The only acceptable piece of news was that Caron was to be made the principal in the affair.¹¹⁶ After writing this letter, Morin heard news of the Governor's resignation, and suggested that the negotiation should be postponed.¹¹⁷

Caron had heard the news, and was ready with his defense against usurping LaFontaine's leadership.

I never understood that I was charged with the formation of an administration, and in fact I have never been charged with it, either directly or indirectly; and I think also I told you that if the thing were proposed to me, I should refuse it, and certainly I should have done so.¹¹⁸

For with Metcalfe gone, the negotiations could be conducted between the Government and those who had previously been excluded. "I allude to Lafontaine, to you, and to the rest of your former colleagues to whom the satisfaction is due, and to whom it belongs, to say how it should

¹¹⁵ Quebec Gazette, April 17, 1846, Morin to Caron, Montreal, Nov. 24, 1845. This is in contradiction to LaFontaine's famous speech in 1842 in which he justified his interference in Upper Canada's Council because of Baldwin.

¹¹⁶ ibid. This must be taken as Morin's opinion only.

¹¹⁷ Quebec Gazette, April 17, 1846, Morin to Caron, Montreal, Nov. 24, 1845.

¹¹⁸ ibid., April 17, 1846, Caron to Morin, Quebec, Nov. 25, 1845.

be made."¹¹⁹ Caron also repeated to Draper that he had never pretended to be the head of a party, but had only acted as an intermediary between recognized party heads, and the Government.¹²⁰ Caron's letter crossed the mails with one from Draper, informing him that the Governor's departure altered his position, but that he would communicate with Caron in the future.¹²¹ It was clear that Draper had been acting with Metcalfe's knowledge, and that he feared that the next Governor might not authorize him to continue the negotiation on the same basis, or with the same freedom.¹²² The negotiation was over, but the post-mortems were just beginning, and the leadership struggle was even less well concealed than before.

At just this time, there was another development in the political situation. Louis Joseph Papineau, who was believed to support the policies of his cousin and brother, D.B. Viger and D.B. Papineau, and whose supposed approval had had such an effect on the "Reaction", indicated privately to LaFontaine that in fact he was sympathetic to his policy of opposition. LaFontaine in turn confided to Papineau the problems in-

¹¹⁹ ibid.

¹²⁰ P.A.C. LaFontaine Papers, Caron to Draper, Quebec, Nov. 26, 1845, vol. 6, p. 1245-6.

¹²¹ Quebec Gazette, April 10, 1846, Draper to Caron, Nov. 26, 1845.

¹²² P.A.C. Baldwin Papers, LaFontaine to Baldwin, Montreal, Dec. 2, 1845, vol. 3, p. 83-4.

involved in the negotiation.¹²³ Papineau was unable to give any clear-cut advice, for he was torn between a desire to end what he believed was the persecution of the French Canadians by advising them to accept the offers, or to remain in opposition to the Government he despised.¹²⁴

In the new year, the negotiation degenerated into squabbles over publication or non-publication of the correspondence. Since it seemed that LaFontaine would soon be back in power now that Metcalfe had gone, Caron was worried about his attempts to persuade LaFontaine to give up his claims to office. He therefore requested LaFontaine not to publish the correspondence.¹²⁵ LaFontaine had his little revenge: since Caron, by his own account, had merely been an "intermediary" between Draper and LaFontaine, then the correspondence, including Caron's letters, belonged to LaFontaine to do with as he saw fit.¹²⁶ Caron soon found that it was dangerous to cross LaFontaine, who never forgot and seldom forgave.¹²⁷

¹²³P.A.C. LaFontaine Papers, LaFontaine to L.J. Papineau, Montreal, Dec. 6, 1845, vol. 6, p. 1252. However, Papineau remained silent in public to spare his family.

¹²⁴P.A.C. O'Callaghan Papers, Papineau to O'Callaghan, Montreal, May 12, 1846.

¹²⁵Quebec Gazette, April 17, 1846, Caron to LaFontaine, Quebec, Feb. 6, 1846.

¹²⁶ibid., Caron to LaFontaine, Montreal, March 10, 1846.

¹²⁷The classic exception to this is LaFontaine's book Les Deux Girouettes, ou L'Hypocrisie Démasquée, (Montreal: Ludger Duvernay, 1834), written against the Mondelet brothers Charles and Dominique. Later he had a reconciliation with Charles.

Caron was then forced to concede LaFontaine's right to make the correspondence public if constitutional usage required it.¹²⁸ This in turn meant that he had the unpleasant task of telling Draper that copies of all the letters were in LaFontaine's hands. Since LaFontaine lived in Montreal, and he lived in Quebec, he had had to rely on letters to conduct the negotiation. Draper's reply to this was such that "he was not ashamed of the manner in which he had expressed himself...but it was in a manner in which he would be sorry to express himself again."¹²⁹ He insisted untruthfully that he had not realized that LaFontaine was one of Caron's correspondents, and truthfully that he had been secretive about the whole affair himself.¹³⁰ The real truth was that Draper was horrified to learn that LaFontaine had copies of his own letters in which he discussed his plans for the compulsory retirement of Viger and Papineau.

Caron was caught in the centre of a fierce political battle, on the one hand accused by Draper of being loose-mouthed and indiscreet, and on the other hand the victim of LaFontaine's anger for having attempted to replace him as leader of the French Canadians. He was reduced

¹²⁸ Quebec Gazette, April 17, 1846, LaFontaine to Caron, Montreal, March 11, 1846; see also ibid., Caron to LaFontaine, Montreal, March 16, 1846.

¹²⁹ ibid., April 13, 1846.

¹³⁰ ibid., April 10, 1846, Draper to Caron, March 19, 1846.

to begging LaFontaine to omit certain passages when he published the correspondence, "not because I think I have written what is not true, but because all truths are not to be spoken at all times."¹³¹ This prompted LaFontaine to return to a "Dear Sir" basis of address to Caron.¹³² Under great pressure, Caron also decided to publish the whole correspondence.¹³³ Draper too would not be left silent, and he also decided to publish.¹³⁴ By April 15, 1846, the newspapers carried the whole correspondence in closely-printed columns, accompanied by suitable editorial venom. This journalistic involvement in the affair had been previewed when Caron insinuated that LaFontaine had allowed the Pilot and the Minerve to hint at the substance of the negotiation at a time when all parties were sworn to secrecy.¹³⁵

In 1845 double majority entered the field of practical politics. More accurately, different versions of double majority disguised the battles of the rival LaFontaine-"Reactionist" political groups. The victory seemed to go to the "Reactionists" for several months. Viger's

¹³¹ Quebec Gazette, April 17, 1846, Caron to LaFontaine, Montreal, March 23, 1846.

¹³² ibid., LaFontaine to Caron, Montreal, April 6, 1846.

¹³³ ibid., Caron to LaFontaine, Montreal, April 6, 1846.

¹³⁴ ibid., April 10, 1846, Draper to Caron, Montreal, April 6, 1846.

¹³⁵ ibid., April 17, 1846, Caron to LaFontaine, Quebec, Oct. 25, 1845; see also ibid., LaFontaine to Caron, Montreal, Oct. 26, 1845.

victory in Three Rivers, and Taschereau's in Dorchester were publicly credited to the forces of the "Reaction", which was in turn identified with the Canadien's version of double majority. Analyses of both elections suggest that in reality double majority was not of prime concern to either the candidates or the electorate. At most, the election results indicated disapproval of LaFontaine's policy of opposition to the Government, and approval of the policies of the "Reactionist" leadership contenders. The two men owed their victories to promises of patronage and other successful campaign strategies far more than to their support of double majority. In fact, the press organs of the rival factions, particularly Macdonald's Canadien, merely imposed double majority as the issue on these political events in bids for public support of their own candidates.

After the two elections, LaFontaine was in an unenviable position. His popular support was draining away, and his feud with the Governor precluded his re-entry into the Government. Both the Governor and his favourite, Draper, decided to take advantage of this situation to strengthen the Government. Draper addressed himself to a leading "Reactionist" and devised a plan which would rid him of Viger and probably Papineau, and replace them with extremely popular French Canadians, all of whom were "Reactionists", except LaFontaine's friend Morin. Since neither Draper nor Metcalfe supported double majority, no mention was made of the system. It was LaFontaine's own decision to insist on the implementation of his own version of the system in his letter to Caron, which

he admitted had been written merely to persuade Caron to disregard Draper's plan. Caron agreed substantially with LaFontaine's ideas, but interpreted them to mean that LaFontaine was prepared to forfeit office. LaFontaine denied this interpretation most bitterly. Caron also managed to interpret double majority so that French Canadians other than LaFontaine, Viger and Papineau were leadership contenders.

The LaFontaine-Caron exchange of letters was characterized by undercurrents of deep-seated hostility, an overt attack by LaFontaine on the Canadien's double majority and on the "Reactionists" as a group, and an obvious willingness by Caron to get rid of LaFontaine as the French-Canadian leader. These undercurrents were glossed over by protestations of mutual esteem, respect and affection from which, however, LaFontaine lapsed from time to time. LaFontaine's letters to Baldwin, unvarnished with the diplomatic niceties, revealed his opposition to the Draper plan even more openly. His imposition of conditions which the Governor would be hard put to concede was due more to his desire to prevent the success of the plan than his desire to see double majority implemented.

Suddenly the news of the Governor's departure was confirmed. The balance of the political see-saw was shifted, and LaFontaine was on the rise, the "Reactionists" on the wane. The substance of the correspondence at this time is proof of this. LaFontaine took the offensive, and decided to publish the letters to show the world, or at least the renegade Quebecers, that he had not made himself an obstacle to the Draper plan, but had merely insisted on a strict application of double majority.

Caron, on the other hand, hastened to put into writing his allegiance to LaFontaine's leadership, and to affirm his position as an intermediary. Draper, furious that his devious plans to get rid of Viger and Papineau would be revealed, turned on Caron, so that the former allies against LaFontaine turned against each other instead.

All this is evidence that double majority again disguised a leadership battle in the elections and in the correspondence, just as it had in the editorial war preceding these events. This idea is tested further in the next chapter, through a study of the journalistic reaction to the negotiation, and an analysis of the negotiation which followed close on the heels of the first.

CHAPTER VII

THE CANADIAN PRESS, THE "REACTION" AND THE DRAPER-CATHCART PLAN

The mountain has been in labour, and lo! it has brought forth a mouse.¹

The fate of double majority was inextricably linked to the fortunes of the various political groups. Each of these groups used it as a pawn and a vehicle through which to conduct their political battles. As a result, the study of double majority is the study of the changing political balances. In particular, it is the study of the LaFontaine-"Reactionist" struggle. This theme has several variants and sub-themes, the most important of which are the leadership fight, the nature of the Lower Canada-Upper Canada political alliances, and the District rivalry. All of these had an effect on the concept, practice and above all the fate, of double majority.

The inter-sectional alliances became increasingly important in the development of the double majority. LaFontaine's commitment to the Reform alliance had first made him hesitate about accepting double majority; it was the renewed strength of the alliance which was to confirm his hesitations. The Upper Canada partners of the "Reactionists" had given support to a form of double majority; the "Reactionists" were prepared to modify their own version to conform more to that of their allies.

From 1846 to 1847, the history of double majority revolved around

¹Pilot, April 9, 1846, quotes Col. Prince on the negotiations.

negotiations between the Government and the opposition. Equally important in its development were the debates and newspaper discussions which followed each of these negotiations. These newspaper discussions were in fact dialogues between the political groups. Often the most biting and angry dialogues were masked behind discussions of double majority, but sometimes they were not. The omission of the double majority mask contributes much to an understanding of the political balances and nuances, which in turn contribute much to an understanding of the history of double majority. The inter-acting relationship between political balances and double majority was and is inseparable.

Soon after the first negotiation ended, rumours about what it had involved threw both the public and the back-benchers into a state of great excitement.² The Reformers were summoned to a caucus at which the actual substance of the correspondence was revealed.³ Resolutions were adopted in which LaFontaine's behaviour throughout the negotiation was described as ultra-patriotic and was warmly praised.⁴ This caucus was more than a routine meeting at which wild rumours were cleared up. It was part of a strategy to re-assert the ties between LaFontaine and the

²Examiner, March 11, 1846, reports rumours that L.J. Papineau and LaFontaine would replace the French-Canadian Councillors; see also Le Journal de Québec, Oct. 28, 1845, dismisses the current rumours that L.J. Papineau and Morin would join the Government.

³Le Journal de Québec, April 14, 1846; see also Le Canadien, April 13, 1846. The meeting was on April 2, 1846.

⁴Le Canadien, April 13, 1846.

Upper Canada Reformers, all of whom attended.⁵ Baldwin himself chaired the meeting.⁶ As a political party undistinguished by section, the Reform party gave LaFontaine the most gratifyingly solid support for his part in refusing the offers. It became Upper Canadian Reform policy to withhold all criticism of LaFontaine, and to lavish compliments on him. As a means of encouraging him to remain firm in his opposition to alliance with the Conservatives, this policy was not unsuccessful.

A few days after the caucus, LaFontaine read to the entire Assembly his exchange of letters with Caron.⁷ During the ensuing debate, the united Reformers seemed to have a tacit agreement to ignore double majority, the putative basis of the negotiation. The debate was centred instead on the merits of publication, and on the behaviour of the principals of the negotiation. LaFontaine exonerated himself from all blame or responsibility for the affair, for the same reasons he had given Caron during their correspondence.⁸ Baldwin, however, insisted that he

⁵ Missing: T.C. Aylwin, Quebec City; L. Bertrand, Rimouski; T. Franchère, Rouville; B.H. Le Moine, Huntingdon; A. Jobin, Montreal County; see lists of members present in Le Journal de Québec, April 14, 1846, and Le Canadien, April 13, 1846. This was compared with list of opposition members taken from Cornell, Alignment of Political Groups in Canada, 1841-1867, p. 15-16. Cornell's list of opposition members has been accepted when it differs from that of Le Canadien, Nov. 18, 1844.

⁶ Le Canadien, April 13, 1846. The secretary was LaFontaine's Lower Canadian follower and friend, the English L.T. Drummond.

⁷ Quebec Gazette, April 10, 1846. On the evening of April 7, LaFontaine waited till adjournment, and read the LaFontaine-Caron letters. Draper followed with the Draper-Caron letters.

⁸ Pilot, April 9, 1846.

was personally prepared to accept all responsibility, so correct had LaFontaine's behaviour been. The rest of his defense of his friend was long, complex, and considering Baldwin, witty and imaginative.⁹

The Upper Canadian Conservatives defended Draper, "a man who is an honour to Upper Canada...."¹⁰ Draper was foremost in his own defense. He insisted that since 1841 he had supported the "principle" of alliance between the Upper Canada Conservatives and the Lower Canada Reformers, but that in the negotiation he had not reached the point of making an actual offer. Therefore publication of the correspondence was wrong.¹¹ Nevertheless, he re-iterated his wish to see the French Canadians have their "just share" in the Executive Council.¹²

Draper's Conservatives were almost unanimously against the publication of the correspondence.¹³ Obviously they were not happy to see their weaknesses as a government, and their plans for Viger, Papineau and even Daly, broadcast to the public. They need not, however, have

⁹ Pilot, April 9, 1846. Wit: If Viger was glad of publication, "all he (Mr. B.) would say was that the hon. member was thankful for small favours-(much laughter)." Imagination: If LaFontaine had not read the letters, his friends would suspect forgery as "the natural consequence" of his silence.

¹⁰ ibid.

¹¹ ibid. This was not double majority, for he never mentioned separate or even special sectional legislative powers.

¹² ibid.

¹³ La Revue Canadienne (Montreal), April 3, 1846. Prior to the reading of the letters, motions had been made to read them. Such Tories as Hale, Prince and Sherwood voted against them. (Hereafter cited as La Revue Canadienne).

worried about Viger, who in reply to opposition taunts, insisted that if he had known of the correspondence, he would willingly have resigned.

He had been taunted with being ambitious and guilty of other crimes. Hon. gentlemen might insult him, they had destroyed his character with his countrymen (Hear, hear from the opposition), but he trusted to Providence for justice. (Cheers from the Ministerial benches)....¹⁴

Exclaimed the old man with the greatest dignity, "Sir, I will not repeat the worse than despicable reproaches...I can do better, I can forgive them...."¹⁵

The Tories from Lower Canada were not as amenable as Viger. They deeply resented the negotiation, and were not at all interested in the question of publication.¹⁶ In an able speech, one of their representatives insisted that the Government had been formed because it had majority support, and therefore it had no right "to sell a portion of that majority- to adopt a course that would kick a number of members into opposition."¹⁷ The whole negotiation had been designed to strengthen the Government at the expense of the Lower Canada Tories, and had therefore been conducted without their knowledge.

If two Generals in the charge of adverse armies, were, without the knowledge and consent of their respective governments, caught in secret correspondence to betray the troops under their command, 18 we all know the punishment they would receive for their treachery....

¹⁴ Pilot, April 9, 1846.

¹⁵ British Colonist, April 21, 1846.

¹⁶ ibid. When one Tory, Watts, said this he was greeted with cries of "oh! oh!" He was going to spoil the fun.

¹⁷ Pilot, April 9, 1846.

¹⁸ ibid.; see also British Colonist, April 21, 1846.

Through this analogy the Tories of British Lower Canada sounded an ominous warning to their Upper Canadian political "allies".

In Parliament the representatives had shown "unprecedented" interest in the negotiation.¹⁹ Almost without exception the newspapers shared this interest. There was little pretense at disguising the leadership fight. The LaFontaine editors continued to defend LaFontaine and to attack his rivals, especially Caron. Macdonald of the Canadien adapted easily to the new rivalry, and took Caron under his wing. It was clear that Viger and Papineau were finished. Macdonald therefore insisted that he had only supported them as a means of implementing double majority, and because they were French Canadians, not because of their superiority over other politicians.²⁰ In Caron, Macdonald found a far more defensible leadership contender: a young, vigorous, popular "Reactionist".

No one had spoken up for Caron in the debates in the Assembly, and as he was not a member of that House, he could not defend himself there.²¹ His opinions on the matter were voiced through Macdonald of the Canadien. Macdonald defended Caron's decision to publish the correspondence on the grounds that LaFontaine had forced him into it by read-

¹⁹ Quebec Gazette, April 10, 1846; see also British Colonist, April 14, 1846.

²⁰ Le Canadien, June 22, 1846; see also ibid., July 1, 1846, in which readers were referred to numbers of Nov. 18, Dec. 4, 23, 1844, March 24, 1845, where the paper had said the same thing.

²¹ Le Journal de Québec, April 14, 1846; see also Pilot, April 9, 1846 - LaFontaine did say in the Assembly that Caron had acted honourably although he implied otherwise.

ing their exchange of letters to the Assembly.²² In thus violating the confidential nature of the correspondence, Macdonald continued,²³ LaFontaine had compromised Draper in the public mind, and created an unbridgeable chasm between Draper and the whole Lower Canadian opposition.²⁴ Moaned Macdonald despairingly, "Les anglais du Haut et du Bas-Canada, grâce à la marche suivie par l'opposition, ont appris qu'ils pouvaient nous gouverner sans nous et malgré nous."²⁵

Il ne nous reste plus aujourd'hui qu'à nous confier en la générosité de nos adversaires politiques, et nous savons qu'elle vaut; accepter dans l'administration tels Canadiens-français qu'ils voudront nous donner par charité....²⁶

Part of Macdonald's strategy in his fight against LaFontaine was to publish vicious letters to himself as the editor of the newspaper. One of these argued that from 1841 on, LaFontaine had established a pattern of treachery. He had betrayed Lord Sydenham's offer in 1841, Sullivan's of 1842, his conversation with Capt. Higginson in 1843, and in his letter to Caron he betrayed his friendships with many French Canadians whom he labelled vendus. "Aujourd'hui c'est un canadien, un libéral, un chaud et sincère ami de son pays qui est tombé dans l'embûche et

²² Le Canadien, April 13, 22, May 20, 1846. The great Nova Scotian radical, Joseph Howe, also took Caron's part versus LaFontaine in this.

²³ ibid., April 27, 29, 1846.

²⁴ ibid., July 1, 1846.

²⁵ ibid., June 22, 1846.

²⁶ ibid., July 1, 1846.

qui en est la victime...."²⁷ This latter was Caron, and by association, Draper. Indeed, said Macdonald, LaFontaine had even betrayed his Upper Canadian friends by at first rejecting double majority, and then supporting it in his letters to Caron, although he knew the Upper Canadian Reform position on the subject.²⁸

Macdonald continued at length his "betrayal" theme. He wrote that LaFontaine betrayed his friends as individuals, and his countrymen as a nation. "L'idole de la Minerve" had begun his treachery by refusing to aid the District of Quebec which "en masse" had fought "courageusement contre le projet inique de l'Union des Canadas...." After he had committed the "première sottise" of resigning,²⁹ he had deviated from the double majority programme of 1842 by trying unceasingly to impose Baldwin on the Conservative Upper Canadian majority.³⁰ Henceforth, said Macdonald, he had shifted his position on double majority first one way, and then the other, although its implementation would have greatly improved French-Canadian affairs.

Macdonald insisted that LaFontaine had refused to accept the double majority offer in the negotiation because of his alliance with the

²⁷ ibid., May 27, 1846. Macdonald left the responsibility for the opinions to the writer!

²⁸ ibid., May 4, 1846.

²⁹ ibid.

³⁰ ibid., July 1, 1846. Cites other articles: Sept. 25, Nov. 18, 27, 29, Dec. 4, 23, 1844, March 24, April 25, May 5, 12, 1845 for the same position.

Upper Canada Reformers.³¹ As a group, they had supported his decision, because they were intent on basing their alliance on political principles and the simple majority. Yet anything but double majority, and alliances based strictly on race, were tantamount to committing national French-Canadian suicide, said Macdonald. In 1846, he explained, this meant that the French Canadians had to abandon the Reform alliance, and accept the "Reactionist"- Upper Canadian Conservative alliance. Only in this way could double majority, the national salvation, be implemented. Demanded Macdonald:

Le Canada-français a-t-il donc tort, est-ce une utopie, un rêve réalisable que de baser sa politique sur le fondement même de sa nationalité, ou plutôt ne serait-ce pas pour lui le dernier degré d'aberration que d'y renoncer?³²

Macdonald had always justified his concept of double majority by appeals to French-Canadian nationalism, but in 1846 the violence of his appeals was in part a response to the LaFontaine press which became less nationalistic than ever. This was largely because of the Reform alliance, which greatly influenced the nature of the newspaper discussions. There was a far greater coincidence of opinion between the LaFontaine press and the Upper Canada Reform press than there had been when double majority was first made a journalistic issue. To achieve this editorial harmony, LaFontaine's editors made several concessions. In relation to double majority and the double majority negotiation, the spirit of the Re-

³¹ ibid., July 10, 1846.

³² ibid., June 1, 1846.

form party caucus survived the less rarified air of journalism.

The combined Reform policy was designed to ignore double majority as much as possible, and to concentrate instead on personalities and on technicalities. The papers defended LaFontaine's right to publicize the correspondence on the grounds that Draper's object had been merely "tirer, comme on dit vulgairement, les vers du nez de l'opposition...."³³ With tongue in cheek, they cited Draper's exposé of the LaFontaine-Bagot letters in 1842 as a precedent.³⁴ Also, the new Reform harmony was emphasized: the whole party accepted responsibility for LaFontaine's actions.³⁵

To the united Reform press, the real villain was at first Draper, the "Artful Dodger". The editors claimed that he had betrayed his own colleagues in his letters to Caron, and for that reason attempted to suppress the correspondence.³⁶ He feared most of all the wrath of the Lower Canada Tories, who as a group would be sacrificed to the French Canadians whom they despised.³⁷ And, commented the Reform editors,

³³ Le Canadien, July 10, 1846, quotes La Minerve; see also La Minerve, April 30, 1846, quotes and endorses Le Courrier des Etats-Unis.

³⁴ Le Journal de Québec, April 14, 1846; see also Pilot, April 9, 1846, in which Hincks defended Caron's right to publish.

³⁵ Pilot, April 9, 1846; see also Le Journal de Québec, April 9, 11, 1846.

³⁶ Le Journal de Québec, April 9, 1846. Except Smith, and Cauchon quotes Draper saying "Smith is such a d... good fellow, that really we cannot make our mind (sic) to give him his congé." See ibid., April 11, 1846; Examiner, April 22, 1846.

³⁷ Le Journal de Québec, April 11, 14, 1846.

Draper's fears were justified. The Tories felt that the publication of the correspondence put the French Canadians "below the level of London blacklegs",³⁸ and the Tory papers "ont vomi les plus sales injures contre le parti libéral et surtout contre M. Caron, à cause de la publication qu'il a laissé donner à ces lettres...." The Reformers insisted that Draper himself was spared from Tory attacks only because his own party in Lower Canada feared his revenge.³⁹ However, Reform opinion was divided on the question of which was the worst of the vipers: Draper or Caron.

The LaFontaine press was unanimous in casting Caron in this role. To begin, they insisted that he had spied on the Lower Canadian opposition on behalf of Draper;⁴⁰ this was clearly proved, in their eyes at least, by Draper's comment to Caron: "Your last letter contains a frank and interesting exposé of the general views of yourself and political friends."⁴¹ Moreover, it seemed obvious that some of the correspondence between Caron and Draper had been concealed from the Reformers.⁴² "I have looked upon many of your notes as destined for my eye alone: they

³⁸ Pilot, April 16, 1846, quotes Montreal Transcript.

³⁹ Le Journal de Québec, April 14, 1846.

⁴⁰ La Revue Canadienne, April 14, 1846; see also Pilot, April 9, 16, 1846 - Hincks thought Draper was the spy.

⁴¹ La Revue Canadienne, April 14, 1846.

⁴² Le Journal de Québec, April 18, 1846; see also La Revue Canadienne, April 14, 1846; Pilot, April 14, 1846.

have never been shewn, and have never gone out of my hands", Caron had written.⁴³ This concealment was wrong, but worse still was the content which the LaFontaine editors imagined must have referred to Caron's "Reactionist" activities. Herein lay their real quarrel with him.

Caron's worst sin was that he was a "Reactionist". He had thus exposed himself in his letter to Draper in which he discussed Taschereau's election in Dorchester. The LaFontaine editors pointed out that on the very same day that he wrote his "Reactionist" letter, he had hypocritically written to LaFontaine asking him to sacrifice himself. The LaFontaine press had been stunned to read this letter, which was first published in the Montreal Herald.⁴⁴ Before this, the editors had occasionally eased up in their attacks,⁴⁵ but when the letter was published they were merciless, and one of them gloated, "Je parierais tout au monde que M. Caron voudrait n'avoir jamais tracé les lignes ci-dessus."⁴⁶ LaFontaine personally wrote a letter to the editor of the

⁴³Quebec Gazette, April 13, 1846, Caron to Draper, Montreal, April 6, 1846; see also ibid., April 10, 1846, Draper to Caron, April 6, 1846, saying that with reference to all their letters and notes being in other hands: "I assume all that has been written is not."

⁴⁴La Minerve, April 13, 30, 1846; see also Le Journal de Québec, April 14, 18, 1846; La Revue Canadienne, April 14, 1846; P.A.C. LaFontaine Papers, LaFontaine to editor of the Montreal Herald, April 1846, vol. 7, p. 1278. This was in reference to Caron's letter to Draper of Sept. 8, 1845.

⁴⁵Le Journal de Québec, April 14, 1846; see also Pilot, April 9, 1846; also ibid., April 14, 1846- "Caron has proved himself totally unfit to undertake any political negotiation, and he has ended by giving dissatisfaction to all parties...."

⁴⁶Le Journal de Québec, April 18, 1846.

Herald saying that had he ever discovered Caron's letter during the negotiation, he would immediately have stopped all communication with him.⁴⁷ The LaFontaine press took special delight in announcing that because of his break-up with Draper, Caron went in fear of losing his job.⁴⁸

The "Reaction" was really LaFontaine's main problem, since it was directed against his leadership and policies. His papers tried to ridicule it out of existence. "Où était donc la réaction mentionnée dans la lettre...? S'est-elle jamais étendue plus loin que M. Taschereau et quelques brillants jeunes canadiens pleins d'espérances...?"⁴⁹ In fact, they said, the "Reaction" was mere fantasy, and did not exist at all.⁵⁰ The LaFontaine policy also included belittling the men whom the "Reactionists" favoured as leaders. The long experience of LaFontaine and Morin in public service was compared with that of Taschereau, who had had but one session in Parliament in the old Quebec Assembly.⁵¹ Moreover, the LaFontaine-Morin achievements were compared to those of D.B. Papineau, who had twice voted against the official use of his language, once as a point of law;⁵² Daly, who never uttered a word in Parliament from the

⁴⁷ La Minerve, April 13, 30, 1846; see also Le Journal de Québec, April 14, 18, 1846; La Revue Canadienne, April 14, 1846; Pilot, April 14, 1846; P.A.C. LaFontaine Papers, LaFontaine to editor of the Montreal Herald, April 1846, vol. 7, p. 1278. He knew Caron was a "Reactionist" but not quite so openly as he proved to be. In this letter, LaFontaine was made to look foolish by Caron, a political cuckold.

⁴⁸ Le Journal de Québec, April 14, 1846.

⁴⁹ La Revue Canadienne, April 14, 1846.

⁵⁰ Le Journal de Québec, April 28, 1846.

⁵¹ ibid., Sept. 4, 6, 1845.

⁵² ibid., Sept. 4, 1845.

very first session of the Union Parliament;⁵³ Smith, noted for nothing but his knowledge of the British constitution.⁵⁴

The worst attacks were reserved for Taschereau and Viger. When the magistrates list was published soon after Taschereau's election, the new Solicitor-General was held solely responsible for it by his opponents. Montreal had three times the number of names as had Quebec, and of the Quebec list, 13 were French, 39 English.⁵⁵ Of 52 promotions, only 13 were for French Canadians.⁵⁶ Moreover, many Reformers' names were struck off. Growled Hincks in his Pilot, "We shall not speak of the extreme littleness which induced the erasure of the name of the Hon. F. Hincks."⁵⁷

Taschereau's parliamentary behaviour seldom escaped the watchful eyes of the LaFontaine editors, who attributed his many absences to his reluctance to vote with the Government, and they described him as uneasy and remorseful when he did take his seat on the Ministerial benches.⁵⁸ Taschereau refused to vote on two Conservative motions, and

⁵³ Monet, "The Last Cannon Shot: A Study of French-Canadian Nationalism 1837-1850," vol. 1, p. 371. When he first whispered a few words in the Assembly, Dr. Taché challenged him to a duel.

⁵⁴ Le Journal de Québec, Sept. 4, 1845.

⁵⁵ ibid., Oct. 14, 1845; see also La Minerve, Oct. 27, 1845.

⁵⁶ Le Journal de Québec, April 2, 1846.

⁵⁷ Pilot, Nov. 14, 1845.

⁵⁸ Le Journal de Québec, April 11, 1846; see also ibid., April 28, 1846, cites Montreal Gazette: "Comment se fait-il que M. le Solliciteur-général du Bas-Canada s'abstient de voter si souvent?"

slipped out of the House when one motion was read.⁵⁹ On another measure of direct concern to his own constituency, he maintained "un profond silence" when called upon to explain the official position on the question.⁶⁰

The most vicious attacks of all were directed at Viger, who finally retired on June 17, little more than a week after his cousin D.B. Papineau.⁶¹

Si, pour être grand ministre, il faut perdre l'estime et le support de ses concitoyens, s'il faut endurer toute sorte d'humiliations, être obligé d'écrire sans cesse pour sa propre défense, tromper tous ses amis, paraître ridicule, et exciter la pitié générale, alors, M. Viger a été un grand ministre, et sa mémoire chère à la postérité.⁶²

At this time the French Canadians who had strayed from the LaFontaine fold appeared anything but successful. LaFontaine's press emphasized this, and warned against popular support of these "Reactionists" and their interpretation of double majority. Only

une race abjecte et servile adopterait la politique du Canadien, succomberait sous ses tyrans, et deviendrait à jamais ses victimes, parce que le sort de patriote qu'ils auraient abandonné, serait pour les autres ministres un avis de ne pas combattre pour un peuple ingrat.⁶³

⁵⁹ Le Journal de Québec, March 31, April 2, 4, 1846. This was the Oxford contested election issue.

⁶⁰ ibid., April 18, 1846. This was the question of purchasing the Dorchester Bridge.

⁶¹ Côté, Political Appointments and Elections in the Province of Canada, from 1841 to 1865, p. 49, 54; see also Hincks, Reminiscences of His Public Life, p. 21, quotes Supplement to Pilot, Oct. 24, 1846. Papineau retired June 8, 1846, but was requested to return to office temporarily until a successor could be found.

⁶² Le Canadien, June 26, 1846, quotes La Minerve.

⁶³ Le Canadien, July 10, 1846, cites La Minerve, endorsing Pilot.

The people were to be left no choice. Either they supported LaFontaine entirely, or he would cease guarding their interests. This threat, however, went unheeded, and the "Reaction" continued to exist.

Therefore the LaFontaine press' next step was to show that double majority as preached by the Canadien was in fact not double majority but the theory of "just share". This idea had been picked up from a letter in which Caron spoke of the necessity of giving representation in the Councils to the minority, and from Draper's speech in the Assembly in which he insisted that the French Canadians must have their "just share" of representation. This principle, said the LaFontaine press, had already led to the absurd situation whereby Smith represented the Eastern Townships, Daly the Irish Catholics, Morris the Presbyterians, Cayley the Family Compact, etc. As the French-Canadian representatives, Viger and Papineau had long ago demonstrated the uselessness of the "just share" theory.⁶⁴ The editors also pointed out that a "just share" government would give representation to the Lower Canada Tories, who despised the French Canadians, and who sought always to subjugate them.⁶⁵ This system would therefore preclude the implementation of double majority, for the Lower Canada Tories condemned it.⁶⁶

The public appeared unresponsive to these attacks on "just share";

⁶⁴ ibid.

⁶⁵ Pilot, April 16, 1846.

⁶⁶ ibid.

therefore the LaFontaine press turned its attention to showing that the double majority of Caron and the Canadien and also the alleged double majority involved in the negotiation was not double majority, but an attempt by "la clique de Québec" to reinstate the "petite famille" group into office.⁶⁷ The plan was for Caron to convince LaFontaine to sacrifice himself, and then to use the "Reaction" to elevate his Quebec friends whom he had consulted in the negotiation. Moreover, said the LaFontaine editors, this "petite famille" theory emphasized the national origin cry, and was based on sectionalism. If it was implemented into governmental structure, it would be fatal to the French Canadians.⁶⁸ LaFontaine, on the other hand, was far more patriotic than the Quebecers, for

profondément attaché, et nous lui en rendons hommage, à la langue de ses ancêtres, sa politique comme ministre serait de promouvoir les intérêts de toute la population du Canada, et non d'une seule section en particulier....⁶⁹

In this latest idea emanating from the LaFontaine press, the strong influence of the Upper Canadian Reformers rang through. In denouncing the cry of national origin, or racism, and the sectionalist perspective, LaFontaine was denouncing those two features upon which all versions of double majority were based, including his own. He had tried to prove that the Canadien's double majority was not double majority,

⁶⁷ Le Canadien, July 10, 1846, quotes La Minerve; see also Le Journal de Québec, April 21, 1846; P.A.C. O'Callaghan Papers, Jno Ryan to O'Callaghan, Quebec, Sept. 3, 1846- "As to Politics nothing save Caron's attempt at forming Cabinets on the petit(sic) famille or just (sic) millieu plan but it is no go...."

⁶⁸ Le Journal de Québec, April 21, 1846.

⁶⁹ Le Canadien, July 10, 1846, quotes La Minerve.

and that the negotiation had not been based on double majority. He had ended by rejecting the fundamentals of all systems of double majority. This trend was to continue more or less consistently until double majority at last ceased to be a threat to LaFontaine's leadership.

At this time, double majority seemed to be no longer necessary to LaFontaine, because it appeared that the new Governor would call him to office as the rightful French-Canadian leader, since Viger and Papineau had gone. As a result, an optimistic mood permeated the LaFontaine press, which was greatly in contrast to Macdonald's gloomy articles in the Canadien in the first few months after the failure of the negotiation.

Quant à nous, nous avons foi dans l'avenir. Nous ne comprenons pas que l'influence canadienne-française soit nulle et qu'il ne nous reste rien; au contraire, nous la voyons grandir autour de nous....⁷⁰

Hincks used the discussion of the correspondence to heal the much publicized rift over double majority between himself and LaFontaine. He also concentrated on Upper Canadian problems, as did the other Upper Canada Reform papers. They all emphasized that the negotiation had revealed the weakness of the Government, and that the proceedings were "so monstrous that every lover of British principles must feel intense disgust...."⁷¹ This was largely because Draper had tried to put the burden of responsibility on Caron by demanding a list of changes required by the French Canadians, after having assured Caron that he and

⁷⁰ La Revue Canadienne, July 10, 1846. Underlined sentence is in direct reply to a pessimistic article in Le Canadien.

⁷¹ Pilot, April 16, 1846.

his Upper Canadian colleagues would resign if necessary. This, Hincks commented acidly, was so that when he received Caron's list, he would be prepared for the next Council meeting, at which he would say,

My dear Smith,- My dear Daly it is absolutely necessary our Administration should be strengthened, and we must be patriotic enough to make great sacrifices. I offered the Opposition to resign, so did Morris and Cayley, but they will not permit us to do so, whereas they insist on your doing so. When we last spoke on the subject I had hoped that the sacrifice of Viger and Papineau alone would have been sufficient, but I find you also must go. I am sincerely sorry- but believe me it is not my fault.⁷²

This absurdity of a government being so weak that it had to obey the dictates of its opposition led the Upper Canada Reformers to press for the Government's resignation.⁷³ The Upper Canada Conservatives were their traditional enemies, and there was also the fact that if they could be publicly discredited, the Reformers would swing back into power, and double majority would, hopefully from their point of view, become a dead issue for the French Canadians.

In Upper Canadian Reform opinion, Draper "has given himself up to intriguing, over-reaching, dividing, wheedling and victimizing both the opposition and the Government of which he is a member."⁷⁴ His success in compromising various of the French Canadians such as "the incapable Viger, the forsaken Papineau, and the compromised (!) Caron",⁷⁵ had been achieved by his "capital plan" of avoiding the incorruptible

⁷²ibid., April 9, 1846.

⁷³ibid., see also Examiner, April 22, 1846.

⁷⁴Examiner, April 22, 1846.

⁷⁵ibid., Sept. 2, 1846.

LaFontaine by excluding him from the proposed arrangement.⁷⁶ Praise of LaFontaine sounded loudly and consistently in Reform papers; it was used to publicly heal the rift over double majority, and to consolidate the newfound Reform unity. Whereas LaFontaine's French editors always lauded their chief as a matter of course, the Upper Canadians did so more as a matter of policy.⁷⁷

The press discussions also indicated another difference between the French and English editors. Although the French editors had attempted to prove that the basis of the negotiation had not been double majority, the English editors were almost unanimous in their belief that it had been. Even Hincks and Neilson, whose knowledge of Lower Canadian affairs was comprehensive, seemed to accept this.⁷⁸ In discussing the negotiation, Neilson published a letter in which double majority and its supporters were defined:

The establishment of one little government within another, an imperium in imperio, is a doctrine which, if a man do entertain, is better understood than expressed, because it can do him no credit as a statesman, but would, the rather, stamp him as a man of limited understanding, whose mind could, perhaps, grasp the momentous questions involved in the government of a parish and there stop....⁷⁹

⁷⁶ ibid., April 22, 1846.

⁷⁷ P.A.C. Baldwin Papers, R.B. Sullivan to Baldwin, Toronto, May 7, 1846, vol. 4, p. 734-5. Sullivan forgives LaFontaine for revealing his own offers to him and Caron in 1842.

⁷⁸ Pilot, April 9, 1846; see also Quebec Gazette, April 17, 20, 1846.

⁷⁹ Quebec Gazette, April 20, 1846, letter to the editor from "Statu Quo".

Neilson, who supported neither the "Reaction" nor LaFontaine, noted acidly that the negotiation had degenerated into one of party interest, to the detriment of the public weal.⁸⁰ He believed that neither the basis of the negotiation, which he understood to have been double majority, nor the means of conducting the negotiation, had brought credit to anyone involved.⁸¹

Unlike Neilson, the Upper Canada Reformers were concerned less with the constitutionality than with the consequences of double majority. "If this scheme were to be carried out, why continue the name of the Union? Why have two wrangling majorities, with separate interests, in one House?"⁸² To them double majority was wrong, not only because it would inevitably lead to French-Canadian separatism, but because the Upper Canada Tories supported it. Thus it was intrinsically bad, and by association it was totally unacceptable.⁸³

The Conservatives of Lower Canada, as has been mentioned, were universal in denouncing the negotiation. However, their Upper Canada "allies" publicly supported Draper. They were all agreed that "he has had to deal with impracticable men who have refused the most liberal

⁸⁰ ibid., April 10, 1846.

⁸¹ ibid., April 10, 12, 17, 1846. The correspondence was "a sorry affair".

⁸² Examiner, April 22, 1846.

⁸³ ibid.

offers."⁸⁴ The Ministerial press as a whole managed to avoid discussing double majority, and confined themselves to harping on "the gross violation of confidence displayed in the publication of the correspondence."⁸⁵ However, they were apparently willing to try again, and Draper accordingly patched up his interrupted friendship with Caron. Soon they were again each other's "Honourable Friend".⁸⁶ The "forsaken Papineau" was persuaded to return to office temporarily until a successor could be found.⁸⁷

All these developments were eagerly watched. The new Governor General, Earl Cathcart, was appointed.⁸⁸ It was rumoured even in the Ministerial press that the Government was about to fall; that Draper had resigned; that Cathcart had refused to accept his resignation.⁸⁹ And then nothing happened. The Government continued as it was; so did the opposition. LaFontaine was not called to office, and he still faced the "Reaction". He gradually began to lose his position of superiority gain-

⁸⁴ Pilot, April 14, 1846.

⁸⁵ ibid., April 16, 1846, reviews official press, including Montreal Gazette, Montreal Herald, Montreal Transcript.

⁸⁶ Quebec Gazette, April 17, 1846.

⁸⁷ Hincks, Reminiscences of His Public Life, p. 21, quotes supplement to Pilot, Oct. 24, 1846.

⁸⁸ Coté, Political Appointments and Elections in the Province of Canada, from 1841 to 1865, p. 1. Cathcart was Administrator from Nov. 26, 1845 to April 23, 1846, and Governor General from April 24, 1846 to Jan. 29, 1847.

⁸⁹ Le Journal de Québec, April 2, 21, 1846.

ed when Metcalfe had gone home and the negotiation had been abruptly broken off. Pessimism and complaints became the order of the day.⁹⁰

Even in the scholarly world the permeating depression was evident. The second volume of Garneau's Histoire du Canada was published, and many of the newspapers printed large extracts from it. He wrote about the invincible French soul, and laid many of French Canada's difficulties at the door of English Canada. Conservation was the keynote of his history.⁹¹ The Institut Canadien, formed on December 17, 1844, was instrumental in the intellectual revival of French Canada.⁹² By 1846, "la

⁹⁰For complaints about the civil service, see La Revue Canadienne, July 3, 1846; Pilot, July 17, 1845; Le Canadien, May 15, 1846; Le Journal de Québec, Aug. 1, 1846. The funniest complaint was reported by the British Colonist, June 18, 1847: "Dr. Nelson presented a petition from William Henry, (Sorel) complaining of the Post Master of that place, who was said to be in the habit of writing anonymous and libellous letters." Complaints about the economy were rife in this year of the Canadian Commercial Revolution. See Gilbert N. Tucker, The Canadian Commercial Revolution 1845-1851, (Toronto: McClelland and Stewart Ltd., 1964), p. 30-61; see also Quebec Gazette, March 22, 1847; Kaye, The Life and Correspondence of Charles, Lord Metcalfe, p. 381: Men's minds were being unsettled and unhinged- and....that vague apprehension of evil were beginning to paralyse the industrial energies of the country." There was also the beginning of the Irish Starvation, and Mills-Ferrier legal battle for the Montreal mayoralty. For comments on the latter see Le Journal de Québec, April 4, 1846.

⁹¹La Revue Canadienne, May 1846, published large extracts from Garneau; see also Gustave Lanctot, "Garneau, Fondateur de L'Histoire Scientifique au Canada," Canadian Historical Association Report, (1925); Francois-Xavier Garneau, Histoire du Canada, (9 vols., Montreal: Editions de l'Arbre, 1946).

⁹²Michel Brunet, Guy Frégault et Marcel Trudel, Histoire du Canada par les Textes, (Montreal: Fides, 1956), p. 171.

pensée ou l'illusion progressiste est complètement formulée."⁹³ The French-Canadian intellectuals became introspective, and sought to discover the cause of their economic inferiority. For the most part, they blamed themselves.⁹⁴ French Canada's melancholia was deepened by the tragic fires of Quebec,⁹⁵ which made Quebec "une ville ravagée par les plus affreuses calamités qui aient étonné le monde dans une année toute de calamités et de désastres inouis."⁹⁶

The depressive mood of French Canada and the reversion to a more virulent form of French-Canadian nationalism served to swell the ranks of the "Reactionists", and to cause French Canada to eye English Canada even more suspiciously than before. Yet LaFontaine ran counter to this trend, and he held his ground more or less consistently against it. Although the Upper Canadian Reform party was in shreds, and its few members rumoured to be in revolt, LaFontaine and Baldwin still kept in close contact, and Baldwin was still able to exert his influence over

⁹³ Maurice Séguin, "Genèse et historique de l'idée séparatiste au Canada français," Laurentie, (June 1962), reprinted from a series of radio talks on the programme "Conférences," March 18, 25, April 1, 1962, p. 984.

⁹⁴ ibid., p. 982-4.

⁹⁵ Shortt and Doughty (eds.), Canada and its Provinces, vol. 23, p. 363. From May 28, 1845 to June 12, 1846, 1,630 houses were burned in the St. Roch suburbs. Later 70 people died in a fire at the St. Louis Theatre.

⁹⁶ Le Journal de Québec, April 2, 1846, P.J.O. Chauveau speaking in the Assembly on the Address in reply to the Speech from the Throne.

⁹⁷
LaFontaine.

The Upper Canada Reformers also tried to shrug off the disorganization in their ranks in Parliament by referring to the changed popular opinion in Upper Canada. They claimed that the people had realized their error in returning a Conservative majority, and belatedly decided to support Reform principles.⁹⁸ An Upper Canadian "Reaction" was spoken of, which favoured the Reformers, and was directed against the Government.⁹⁹ Rumours of new life and plans among the Reformers were printed¹⁰⁰ in the newspapers. In these ways the Upper Canada Reformers attempted to encourage their Lower Canada allies about the wisdom of maintaining the alliance.

In point of fact, LaFontaine had little choice. The new Governor had not sent for him and asked him to form a government, even a double majority one. Cathcart felt as strongly about double majority as Metcalfe had. "The evils of (it) are too manifest to require notice from me", he wrote.¹⁰¹ Still, he agreed with Draper about the necessity and

⁹⁷
P.A.C. Baldwin Papers, John Ross to Baldwin, Belleville, Feb. 20, 1846, vol. 4, p. 712; see also *ibid.*, Alfred Carter to Baldwin, London, Feb. 9, 1846, vol. 4, p. 709; E.C. Thomas to Baldwin, Hamilton, Feb. 19, 1846, vol. 4, p. 711.

⁹⁸
Pilot, May 9, 1845; see also Globe, Nov. 11, 1845.

⁹⁹
Le Journal de Québec, April 4, 1846, quotes John Sandfield Macdonald in the Assembly.

¹⁰⁰
Quebec Gazette, Oct. 9, 1846.

¹⁰¹
Kylie, "Constitutional Development, 1840-1867," Canada and its Provinces, (eds.) Shortt and Doughty, vol. 5, p. 149, Cathcart to Gladstone, April 24, 1846.

the means of acquiring for the Government an "infusion of gentlemen of the French Canadian party...."¹⁰² Cathcart was even willing to make Daly the Civil Secretary for "while he remained in the administration he was a formidable obstacle to union with the French-"¹⁰³ At the beginning of August, Cathcart and Draper had completed their plans, and the Governor authorized a letter which Draper sent to Caron and Morin, enjoining them to consult with each other about an offer to dispose of two places in the Executive Council. The hope was expressed that they would personally fill these two seats.¹⁰⁴

Upon receipt of these letters, Morin and Caron met in Montreal, where Caron assured Morin that he would only consent to accept office if public opinion demanded it.¹⁰⁵ No doubt the vicious criticism levelled at him after the first negotiation led him to place greater value on his "all but sinecure office of L 1000 per annum without any responsibility" as Speaker of the Legislative Council.¹⁰⁶ Therefore Caron attempted to make other provisions for filling the two Council posts, and offered the Presidency of the Council to Judge Joseph R. Vallières de Saint-Réal.¹⁰⁷

¹⁰²P.A.C. Macdonald Papers, Draper to Cathcart, Montreal, June 10, 1846, vol. 209, p. 89094; see also *ibid.*, Cathcart to Draper, Govt. House, June 10, 1846, vol. 209, p. 89098.

¹⁰³Doughty (ed.), The Elgin-Grey Papers 1846-1852, vol. 1, p. 27, Elgin to Grey, Montreal, April 26, 1847.

¹⁰⁴Pilot, Aug. 28, 1846, quotes Le Canadien.

¹⁰⁵Quebec Gazette, Sept. 2, 1846.

¹⁰⁶Pilot, Aug. 28, 1846.

¹⁰⁷P.A.C. Baldwin Papers, LaFontaine to Baldwin, Montreal, July 26, 1846, vol. 3, p. 98.

At first it was rumoured that the Judge had accepted the offer, and that LaFontaine would succeed him on the bench.¹⁰⁸ In fact, however, the "Chief" had "laughed very much at the proposition", and rejected it.¹⁰⁹

Once again opening himself up to spy charges, Caron insisted that Morin consult his political friends about the feasibility of accepting the Draper offers. Morin complied with this request, and discussed the problem with most of the influential French Canadians from both the Districts of Montreal and Quebec.¹¹⁰ LaFontaine, still furious with Caron, refused to even utter a word of advice or to involve himself in any way with anything in which Caron was associated. LaFontaine believed first of all that Caron wished to accept office himself, and secondly, that since he personally was leader of the French Canadians, the offers should have been made to him.¹¹¹ In this negotiation as in the first, LaFontaine was overlooked, and his lieutenant and the leading "Reactionist" were made the principals.

Despite LaFontaine's intransigence, Morin took the opinions of other leading French Canadians. The Montrealers decided that the offer was not based on double majority, and that a mere coalition, or replâtrage

¹⁰⁸ Le Journal de Québec, May 5, 1846.

¹⁰⁹ P.A.C. Baldwin Papers, LaFontaine to Baldwin, Montreal, July 26, 1846, vol. 3, p. 98.

¹¹⁰ ibid., Hincks to Baldwin, Montreal, Aug. 16, 1846, vol. 4, p. 755-7. The most important present were: Cartier, Drummond, De Witte, Nelson, Holmes, and Taché.

¹¹¹ ibid.

was contemplated.¹¹² Privately, LaFontaine agreed. He felt that despite their reconciliation, Draper and Caron were acting "upon a totally different principle...." Caron subscribed to a version of double majority, while Draper hoped only for a political coalition, LaFontaine believed.¹¹³ This was not, however, the "Reactionist" opinion: "Taché and the Quebec influence leaned the other way", and urged Morin to accept the offer.¹¹⁴ Once again, the interpretations of double majority were the source of the difference of opinion, for the offers satisfied only the requirements of the "Reactionist" double majority. Needless to say, the leadership question was of far greater importance, for the "Reactionists" were delighted to sacrifice LaFontaine, while the Montrealers were not.

Hincks, who participated actively in the discussions, advised Morin to reject the offers. He also insisted that Caron should not be told of the conflicting opinions among the French Canadians, because Caron would just rush off and tell Draper exactly how serious the split was.¹¹⁵ However, unlike Hincks and LaFontaine, Morin was fond of Caron, and he trusted him, and was in an agony of indecision. He vacillated between accepting or rejecting the offers, and at one point seemed about to accept them. He and LaFontaine developed a mutual suspicion of each

¹¹² ibid.

¹¹³ P.A.C. Baldwin Papers, LaFontaine to Baldwin, Montreal, July 26, 1846, vol. 3, p. 98.

¹¹⁴ ibid., Hincks to Baldwin, Montreal, Aug. 16, vol. 4, p. 755-7.

¹¹⁵ ibid.

other, and Morin even considered breaking with his friend.¹¹⁶ At no time was LaFontaine ever nearer to losing the leadership struggle than at that moment.

At odds with the French Canadians, LaFontaine found solace in his friendship with Baldwin, who encouraged him to refuse his consent to Draper's proposals. The French Canadians, declared Baldwin, would be foolish to grasp at power before they were in a position to exercise it properly.¹¹⁷ He also gladdened LaFontaine's heart by belittling Caron.¹¹⁸ However, LaFontaine was by this time prepared to compromise and consider proposals made directly to himself to form a government based on double majority. Baldwin, still foggy about double majority and the many interpretations of it, firmly denounced the system as dangerous to both the country and to French-Canadian survival, for inevitably the French Canadians would end up at the mercy of the Upper Canada Tories. Double majority would result in political alliances based on racial lines, he noted, "will perpetuate distinctions, invite animosities, sever the bonds of political sympathy and sap the foundation of political moral-

¹¹⁶ ibid.; see also P.A.C. Chauveau Papers, Morin to Chauveau, March 14, 1847, p. 23, explains how in 1846, at the time of the Draper offers, he had felt that the French Canadians should accept office in order to be in a better position to win the next general elections.

¹¹⁷ P.A.C. Baldwin Papers, Baldwin to LaFontaine, Aug. 10, 1846, vol. 4, p. 753.

¹¹⁸ ibid., Baldwin to LaFontaine, July 29, 1846, vol. 4, p. 749; see also ibid., Baldwin to LaFontaine, July 29, 1846, vol. 3, p. 100-2.

ity-"¹¹⁹

LaFontaine's reply showed more clearly than ever his mental conflict over double majority. He told Baldwin that if he were an Upper Canadian, he would be in perfect agreement with him, but that as a Lower Canadian, he was forced to accept double majority.¹²⁰ Certainly he supported double majority, and at that only his own version, only because he felt he had to. Otherwise his leadership, his plans, hopes and ambitions were futile. This is evident from the fact that as soon as his own personal political problems with the "Reactionists" came to an end, he would drop double majority completely. In the meantime, LaFontaine had to worry about immediate problems such as his uneasy relations with Morin, who held his political fate in his hands. The moment of crisis passed, however, and Morin told Caron that his friends found the offers unacceptable. Both men therefore communicated the news of the failure to Earl Cathcart.¹²¹ Thus ended the Draper- Caron-Morin negotiation, or as Hincks called it, "this last dodge of "the Artful"...."¹²²

The Upper Canadian Reformers were delighted that they had once more been granted a reprieve, and they praised LaFontaine's behaviour. They felt it was understandable that the French Canadians had been tempted to accept office, but they believed that the Government would soon

¹¹⁹ ibid.

¹²⁰ P.A.C. Baldwin Papers, LaFontaine to Baldwin, Montreal, Sept. 20, 1846, vol. 4, p. 762.

¹²¹ Pilot, Aug. 28, 1846, quotes Le Canadien.

¹²² Pilot, Aug. 28, 1846.

fall, and as Reformers they and the French Canadians would form a government.¹²³ Baldwin's cousin, the Robert Baldwin Sullivan of the 1842 offers, took LaFontaine's part, and denounced Caron as a "false sneaking knave", who undermined the French Canadians and tried to corrupt them. However, Sullivan also told Baldwin that he should not confine himself to LaFontaine, but should also correspond with French Canadians such as L.J. Papineau and Dr. Nelson, who would try to overthrow the Government rather than treat with it.¹²⁴

In Lower Canada, the end of the negotiation had less happy repercussions, for Morin was caught in a pressure play between Caron and LaFontaine. He attempted to solve his dilemma by justifying both men in a letter to the editor of the Revue Canadienne, a LaFontaine paper. He insisted that Caron had never wished to accept office, nor had he or Caron ever considered accepting a replâtrage rather than double majority.¹²⁵ This was not true, of course, for it had been a close thing as to whether the advice of the LaFontaine partisans or that of the Quebecers would prevail. However, unlike the Canadien, Morin's policy was to

¹²³ P.A.C. Baldwin Papers, J.H. Dunn to Baldwin, London, Aug. 28, 1846, vol. 4, p. 758.

¹²⁴ ibid., R.B. Sullivan to Baldwin, Aug. 29, 1846, vol. 4, p. 732. Such men as Papineau and Nelson were always less flexible when it came to opposing the Government, especially Papineau, to whom authority was British, and therefore to be hated.

¹²⁵ Quebec Gazette, Sept. 2, 1846, A.N. Morin to the editor of La Revue Canadienne.

ignore all rivalry, both leadership and District. He believed that the division which such rivalry engendered among the French Canadians would "render impossible in practice, should circumstances hereafter bring it about, the system of which that journal is the advocate."¹²⁶ In other words, Morin blamed the Canadien and the "Reactionists" for preventing the implementation of double majority, because they engaged in both District and leadership rivalries. Although the misunderstanding about interpretations of double majority remained, Morin's challenge to the "Reactionists" was clear and decisive.

Morin also wished to clear LaFontaine of charges made by the "Reactionists" that he had caused the negotiation to fail. In the same letter to the Revue Canadienne, he insisted that LaFontaine had not been involved in the affair, and therefore incurred no responsibility for its failure.¹²⁷ This did not appease LaFontaine, who complained to Baldwin that "there was no necessity for Morin...to say that he had in the matter acted not against me, but without me-you know what I mean by that. It was giving our adversaries a hope that there might be division between us."¹²⁸ Needless to say, there had been a very real division between them, but ultimately the Montreal influence had prevailed, and Morin had remained loyal to LaFontaine.

¹²⁶
ibid.

¹²⁷
ibid.

¹²⁸

P.A.C. Baldwin Papers, LaFontaine to Baldwin, Montreal, Sept. 20, 1846, vol. 3, p. 33.

The LaFontaine-Morin split was not to be forgotten immediately; the Canadien made good propaganda use of it. Macdonald's version of double majority had been offered by Draper, and he was furious that the LaFontaine interests had prevented the system's implementation. He said that LaFontaine and his Montrealers had been bitterly jealous that Caron and Morin had been offered some of the fruits of office, because they were Quebecers. Montreal, he declared, which had previously had a monopoly on all power, had lost it only because it had refused to oppose the Union. And even then it had been LaFontaine and his Reform allies who had influenced Montreal to accept the Union.¹²⁹ Then, said Macdonald grimly, LaFontaine, by agreeing to resign when Baldwin wanted to, had even lost what little influence the French Canadians enjoyed under the 1841 régime. He added that the Canadien had proposed double majority to save the nation, but LaFontaine ruined all chances of implementing it,¹³⁰ His main reason for doing so, according to Macdonald, was because it was Quebec which took the lead in supporting double majority.¹³¹ Macdonald even justified his exposé of the District rivalry on the grounds that it proved that even though LaFontaine had Montreal in the palm of his hand,

¹²⁹ Le Canadien, Aug. 21, 1846.

¹³⁰ ibid., Aug. 26, 1846; see also Pilot, Aug. 28, 1846, quotes Le Canadien, Aug. 21, 1846: "The Pilot terminates his article by saying that the responsibility of the refusal of the offers of His Excellency must rest on Messrs. Caron and Morin alone, and that this time the Canadien could not accuse Mr. LaFontaine of having put any obstacle in the way. The Canadien would not wish to swear about this; but we bide our time."

¹³¹ Le Canadien, Aug. 21, 28, 31, 1846.

Quebec still cared about the fate of the French-Canadian nation.¹³²

The LaFontaine press avoided much discussion of double majority in its comments on the negotiation. Instead, the leadership struggle was emphasized, and Caron became the object of merciless attacks. Once again, the Upper Canada Reform papers were in line with the LaFontaine editors on most points. Caron, charged the Reform editors, was not a member of the opposition. This was evident from his behaviour, and had been proved when he asked Morin to consult his political friends, as opposed to his own, who were obviously members of the party which he had formed.¹³³ In view of this, the Reform press expressed a wish to know something about this party.

Où est-il ce parti? quelle couleur a-t-il? Quel est son programme? Le Canadien aurait-il l'obligeance de nous dire s'il y a des membres de parlement dans ce parti et s'ils appartiennent à la population françaises? S'ils ont été consultés sur cette négociation? Vraiment M. Caron prend une part assez active à notre politique depuis quelque temps, pour nous justifier de lui demander son programme.¹³⁴

The Reform editors said that they were certain that Caron had consulted none of the Quebec representatives in the negotiation: to their knowledge, he had only talked with Jacques Crémazie, the Quebec correspondent of Etienne Parent, "the principal instigator of what is

¹³²

ibid., Aug. 31, 1846.

¹³³

La Minerve, Aug. 27, 1846; see also Pilot, Aug. 28, 1846.

¹³⁴

La Minerve, Aug. 27, 1846, cites La Revue Canadienne.

called the Quebec reaction."¹³⁵ Yet, said the editors, the "Reactionists" claimed to support double majority, as Caron himself had done in 1845. In 1846, however, he had compromised, and was willing to accept a mere replâtreage.¹³⁶ Once again the different interpretations of double majority obscured the discussions. The Reform editors also accused Caron of thrusting all responsibility for the outcome of the negotiation onto the Montrealers, just for the purpose of fostering the District rivalry. "Strange that such a zealous Quebecois should voluntarily put himself under the pilotage of the selfish Montreal politicians!" was Hincks' acid comment.¹³⁷

Yet Caron's worst crime, in the eyes of his political foes, was

¹³⁵Pilot, Sept. 3, 1846. There is some evidence to suggest that Parent really was one of the leading "Reactionists". One day after the 1843 resignation, he had written to LaFontaine defending Viger, and expressing his desire for reconciliation between all French Canadians. See Chapais, Cours D'Histoire du Canada, vol. 5, p. 208. The French-Canadian press certainly identified Parent with the "Reaction": with reference to Caron's pamphlet, La Minerve, April 30, 1846, wrote, "Ceux qui ont lu la préface du pamphlet, et qui auront le courage de lire l'article formidable, (in the Canadien) se convaincront facilement que l'un est parent de l'autre." Also "Ni le père naturel, (Parent) ni le père putatif (Macdonald), de ces colonnes injures contre M. La Fontaine" Another "Reactionist" mentioned in connection with Parent was Joseph-Jacques Crémazie, brother of the poet. He was a lawyer, dean of law at Laval University, and editor, from 1847 to 1849, of L'Ami de la Religion et de la Patrie. Another "Reactionist" identified by the La-Fontaine press at this time was Robert Christie, member for Gaspé. See Le Journal de Québec, April 14, 1846; see also Cornell, The Alignment of Political Groups in Canada 1841-1867, p. 99. Christie crossed the floor from the opposition seats to support the Government on March 23, 1846. In reality, this was probably because of personal reasons rather than support for double majority or the "Reaction", which still professed Reform principles.

¹³⁶Le Journal de Québec, Aug. 29, 1846; also Pilot, Aug. 28, 1846.

¹³⁷Pilot, Aug. 28, 1846.

that "the basis of all the Caron negotiations has been the exclusion of Mr. LaFontaine", although LaFontaine "is at present the acknowledged leader of the opposition." After this treachery on Caron's part, the Reformers declared, it was no wonder that they "generally distrust Mr. Caron's sincerity....If ever a man aspiring to be a political leader was called on to define his position clearly and distinctly Mr. Caron is that man."¹³⁸ Caron might have compromised about the LaFontaine version of double majority, and weakened the opposition by his role in the two negotiations, but over and above all these charges, the Reform press was concerned with his overt attempts to wrest the leadership from LaFontaine.¹³⁹

It was also charged that Caron had acted as a stooge for the "Artful Dodger". "M. Caron était-il de bonne foi ou était-il le jouet de deux ou trois intriguants à la tête desquels était M. Draper? Voilà la question."¹⁴⁰ Needless to say, it was a rhetorical question. To the Upper Canadians, on the other hand, the worst of the two men was not the "jouet" but the Upper Canadian Conservative leader, Draper. Caron's role in the negotiation had only been to make a "pilgrimage" for Draper, who hoped to divide the "united phalanx of French Canadian liberals..." the Reformers said. LaFontaine, however, had seen through Draper's in-

¹³⁸ ibid. emphasis added.

¹³⁹ La Revue Canadienne, Aug. 28, 1846.

¹⁴⁰ Le Journal de Québec, Aug. 22, 1846, cites La Minerve.

tentions, and his "inflexible adherence to principles" had permitted no compromise. As a result, the French Canadians remained "tolerably well united...."¹⁴¹

The Upper Canadian Reformers also dealt with double majority, which they claimed Draper had never even offered. He merely sought a coalition which would preserve him in power. "All this is exceedingly modest", they remarked, hastening to add that even if double majority had been offered, it would fail due to the "discordant elements" which would result in the Council. They felt that the obvious solution was to wait until a new Governor replaced Cathcart, who was in their opinion no better than Metcalfe. At "the worst we may hope that the new governor will insist on the government being carried on in accordance with the principles of the constitution...."¹⁴² To the Upper Canada Reformers, these principles were responsible government carried on by simple majority, and under the guardianship of a Reform government.

The Conservatives of both Upper and Lower Canada were displeased with this second exposé of the weaknesses of their Government. It was difficult to continue asserting that their overtures were designed only to do justice to the French Canadians. Therefore their press organs maintained a disapproving silence, for the most part.¹⁴³

¹⁴¹ Examiner, Sept. 2, 1846.

¹⁴² ibid.

¹⁴³ Globe, April 17, 1847, quotes Hamilton Spectator; see also Pilot, March 26, 1847, cites Kingston News. These articles refer to the 1846 negotiation.

The most notable trend in 1846 was the increasing unity of thought among the LaFontaine partisans and the Upper Canada Reformers. This was obvious in their caucus, and it continued in the press discussions. The two groups ignored double majority as much as possible, and concentrated instead on such issues as the right to publish; LaFontaine's commendable behaviour; the evils of the "Reaction" and of the "Reactionist" double majority, racism and sectionalism; and the weakness of the Government. The Upper Canada Reformers emphasized the latter point, for the Conservatives were their traditional enemies.

The "Reactionist" newspaper, the Canadien, supported Caron where it had previously supported Viger and Papineau, and continued its defense of its own version of double majority. Nationalism, or racism, District rivalry and LaFontaine's alleged treachery to French Canada because of his alliance with the Upper Canada Reformers were the main "Reactionist" themes. The would-be allies of the "Reactionists", the Conservatives of both Upper and Lower Canada, agreed on one point: that the publication of the correspondences involved in the two negotiations was indefensible. The Lower Canada Conservatives condemned the substance of the negotiations; the Upper Canadians defended their leader and their Government, but without enthusiasm.

It is obvious that none of the political groups were very interested in double majority as a principle of government. They were concerned mainly with how its implementation would affect their own positions. The leadership struggles in Lower Canada, which increasingly

involved the District rivalry, were complicated by the different systems of alliances with Upper Canadians. The Upper Canadian influence on the two French-Canadian groups determined in large degree the potential success or failure of the negotiations.

In view of the great amount of space which the newspapers devoted to discussing double majority and the negotiations, it might have been supposed that some positive effect on sectional legislation might have resulted. In the Assembly, the supporters of double majority could have given evidence of their sincerity in supporting the system. However, the practical aspect of double majority, sectional legislation by sectional majorities, was constantly violated. A survey of examples of non-double majority legislation demonstrates this.¹⁴⁴

No political group followed a policy of voting according to the dictates of double majority. This was true even of both French-Canadian groups, the "Reactionists" and the LaFontaine partisans. In fact, it is impossible to distinguish between these two groups by examining the voting records. Both professed Reform principles; their theoretical differences involved a more fundamental issue. This was the problem of the nature of government, and the positions of each group vis-à-vis this question have already been discussed in detail. Their practical differences of opinion, as their activities in both the negotiations and in the legislative area show, concerned leadership above all, and the question of whether or not to forego the fruits of office under the Union, when

¹⁴⁴ See Appendix B.

the Government gave them a choice as it had twice in 1845 and 1846. In the next chapter, these themes are studied in connection with the last of the negotiations.

CHAPTER VIII

THE END OF THE "REACTION": OBITUARY FOR A TWO-FACED MONSTER

The English people...have invented for our benefit the Parliamentary system. Our M.P.'s arrange rebellions and coups d'état for us, which leaves the rest of the nation time to play cricket. The Press completes the system by enabling us to take our share in these tumults by proxy. All these things form a part of modern comfort....¹

Half a year elapsed after the failure of the Cathcart negotiation before there was any change in Canadian politics. This change came when Lord Elgin arrived in Canada at the beginning of 1847.² By this time, the ill-fated resignation was over three years old; two Governors and two negotiations had been disposed of; and double majority itself was no longer a novelty. LaFontaine was still the acknowledged leader of the French Canadians, and the "Reactionists" continued to wish that he were not. However, the failure of the "Reactionists" to make their policies prevail had given LaFontaine an edge, and it was generally believed that as soon as the new Governor settled in Canada, he would dissolve Parliament, and call an election. The LaFontaine partisans, "in the Expectation of an Early dissolution of Parliament,...had already strengthened the Connection with the Upper Canada Liberals, & commenced a Canvas of Several

¹ André Maurois, The Silence of Colonel Bramble, (New York: D. Appleton and Co., 1930), p. 28.

² J.G. Bourinot, Lord Elgin, (Toronto: Morang & Co., Ltd., 1906), p. 203. Lord Elgin took office on Jan. 30, 1847, and remained until Dec. 19, 1854.

Constituencies."³

LaFontaine had commented that Lord Metcalfe was like Lord Sydenham, and that he would be succeeded by a Governor like Bagot.⁴ Cathcart had belied this prophecy, but when the young and vigorous Elgin arrived in Canada, the LaFontaine partisans believed that at last England had sent someone to play the Bagot role. From the beginning of his Governorship, Elgin refused to conform to the behaviour pattern expected of him. He reacted to the political situation in almost the same way his predecessors had. The main difference was that the Government leader, Draper, had lost interest in the French Canadians, even his old friends the "Reactionists", and he suggested to Elgin that the best way to strengthen the Government was by re-organizing the Upper Canadian section only, for "it was quite hopeless for him to attempt to Conciliate the French Party."⁵ He told Elgin that his last offers had been rejected "without any reason assigned...."⁶ Draper also recommended that Caron, who had been one of the French-Canadian principals, should be removed from the Speakership of the Legislative Council. This way the French Canadians would

³ Doughty (ed.), The Elgin-Grey Papers 1846-1852, Elgin to Grey, Feb. 10, 1847, enclosed in letter of Feb. 24, 1847, from Monklands, vol. 1, p. 17.

⁴ Quebec Gazette, April 13, 1846, LaFontaine to Caron, Montreal, Sept. 10, 1845.

⁵ Doughty (ed.), The Elgin-Grey Papers 1846-1852, Elgin to Grey, Feb. 10, 1847, enclosed in letter of Feb. 24, 1847, from Monklands, vol. 1, p. 17.

⁶ ibid.

"distinctly perceive, that their union with Mr. Baldwin & his friends, in no way favours the objects, whether personal or political, which they are believed to desire...."⁷

Elgin disagreed with Draper about the wisdom of firing Caron, for that would be "to take a Step against the French Canadian Party much more decided and offensive than any which my Predecessors had adopted-"⁸ In fact, he preferred to imitate his predecessors in negotiating with the French Canadians.⁹ As both Metcalfe and Cathcart had done, Elgin came out firmly against double majority; like them, he merely wanted some French Canadians to join the Government "as individuals...."¹⁰ At a Council meeting called to discuss a new negotiation, Cayley alone of the Councillors came out in favour of basing the offers on double majority.¹¹ Morris was in complete agreement with his other colleagues and the Governor, and he commented:

As to the double majorities he spoke of, what would it be in effect but a division of the Province? That no question could be determined without taking the opinions of the members of each section distinctively, and not passing any bill which was not a-

⁷ ibid., p. 16.

⁸ ibid., p. 17.

⁹ Since his Council did not believe that even the prestige of a new Governor would aid them in the Assembly.

¹⁰ Longley, Sir Francis Hincks, A Study of Canadian Politics, Railways & Finance in the Nineteenth Century, p. 151.

¹¹ ibid.

greed on by a majority on each side. The idea was absurd.¹²
 This was D.B. Papineau's opinion as well.¹³ Therefore the Councillors
 and the Governor composed a memorandum which was to form the basis of
 the offers to the French Canadians. Elgin hoped that it would accomplish
 many things. Among others, it was designed to break up "the unnatural
 alliance between the Baldwin & French factions...."¹⁴ He also hoped that
 he would succeed in splitting the French Canadians as well, although his
 predecessors had failed to do so. "The national element wd be merged in
 the political if the split to w(h) I refer were accomplished", Elgin ex-
 plained.¹⁵ He chose the same means to effect this as both Metcalfe and
 Cathcart had; he capitalized on the existence of the "Reaction", and
 made Caron one of the principals in the negotiation. Once again LaFon-
 taine was ignored. Elgin disapproved of his policy of maintaining the
 Reform alliance; also, Draper and most of the Council refused to work
 with LaFontaine.¹⁶ Morin, who was known to have wavered in his loyalty

¹² Pilot, April 20, 1846, quotes Morris' speech during the debate
 on the Administration of Justice expenses, June 4, 1846, in reply to
 De Boucherville, Mirror of Parliament, p. 220.

¹³ P.A.C. Papineau Papers, D.B. Papineau to J.B.N. Papineau,
 Montreal, April 22, 1847, vol. 16, p. 166-7.

¹⁴ Doughty (ed.), The Elgin-Grey Papers 1846-1852, Elgin to Grey,
 Monklands, Feb. 24, 1847, vol. 1, p. 14.

¹⁵ ibid., Elgin to Grey, Govt. House, Montreal, March 27, 1847,
 vol. 1, p. 20.

¹⁶ ibid., Elgin to Grey, Montreal, Feb. 10, 1847, enclosed in
 letter from Elgin to Grey, Monklands, Feb. 24, 1847, vol. 1, p. 17.

to LaFontaine in the 1846 negotiation, was also approached. Elgin had received information from Draper that his negotiation had a good chance of success.

They, (meaning the Canadian Party, & their Upper Canada ally Mr. Hincks) are getting uneasy. They fully Expected that they would have been Sent for by Lord Elgin to form a new Administration - and now they begin to doubt whether they have any present chance.

Continued Draper:

My informant alluded to the pecuniary Embarassment of Some of the parties, as one reason for great anxiety and impatience, & finished by Stating his Conviction, that though the Canadians (French) would in the first instance fight for bringing in their U. Canada allies, they would give way, if they found that impossible.¹⁷

With this information in hand, Elgin was not discouraged when Morin replied to the memorandum with a firm refusal. He had first consulted his friends, and on their advice wrote that:

L'idée d'un Conseil Executif où ne régneraient pas une parfaite confiance et une entière unité de Sentimens et d'action, Serait Contraire à celle d'un Gouvernement fondé Sur l'opinion publique, présentant dans sa marche toute l'harmonie et la force que donne cette opinion, et calqué ainsi Sur les bases mêmes d'institutions qui Sont déclarées nous régir et auxquelles nous Sommes fermement attachés.¹⁸

Clearly then, the grounds for Morin's refusal precluded anything but a responsible government. Draper, however, believed that Morin's reply was only a cover-up for the fact that LaFontaine would never enter the Gov-

¹⁷ ibid., Draper to Elgin, Recd. Feb. 14, 1847, enclosed in letter from Elgin to Grey, Monklands, Feb. 27, 1847, vol. 1, p. 18.

¹⁸ ibid., Morin to Elgin, Montreal, Feb. 27, 1847, enclosed in letter from Elgin to Grey, Govt. House, Montreal, March 27, 1847, vol. 1, p. 22.

ernment without Baldwin and his friends. Draper was also aware that the "Reactionists" had had no part in the refusal. "I am not without a suspicion that Morin has presumed to express this conclusion without direct communication with the Quebec section of his Party- If so, it may have¹⁹ ulterior consequences", he confided to a colleague.

Draper's opinion was entirely justified, and he made certain that there would be "ulterior consequences". Etienne Parent, alleged instigator of the "Reaction", and D.B. Papineau, visited Caron in Quebec with the news that Morin had refused an offer without consulting the Quebecers. They told Caron that the Government thought this unjust to the District, and had decided to give Caron the memorandum so that the Quebecers could also have a say in the matter. However, before Caron could commit himself, they had to leave Quebec, and Papineau lost all interest when the plan was not immediately successful.²⁰ So did Draper, who had already suffered through two other negotiations. He began to nurse one ambition: a judgeship. "Afraid of being shamed by...(his colleagues)...he has continued to absent himself from the Seat of Gov while discussions most vital to the administration were in progress", Elgin

¹⁹ P.A.C. Macdonald Papers, Draper to J.A. Macdonald, Montreal, March 4, 1847, vol. 209, p. 89102-3. "For such is the terms of a reply of the latter (Morin) to some sort of overtures which he received-"

²⁰ Quebec Gazette, June 11, 1847; see also Pilot, June 10, 1847; Le Canadien, June 14, 1847; P.A.C. Chauveau Papers, p. 134-139.

reported with disgust.²¹ Draper returned to Upper Canada, and had little more to do with the negotiation.²²

Elgin, however, was prepared to wait and see what the French Canadians would do. He believed that his offers had "thrown upon them the responsibility of Such Steps as I may now be obliged to have recourse to to Strengthen my administration", but he also tried to find a French-Canadian leader willing to accept his offers.²³ He approached Dr. Taché, who in 1846 had wanted to defy LaFontaine and accept Cathcart's offers. However, after three days in Montreal, Taché returned to Elgin with the news that nobody wanted to accept. Believing Taché "a good but weak man, easily cowed by any "esprit fort" he chances to meet", Elgin turned to Caron, whose opposition to LaFontaine was obvious.²⁴ Moreover, Caron had written to Parent that Quebec had to use the Elgin offers to rid itself of the "intolerable tyranny" of Montreal.²⁵ The official memorandum was therefore returned to Caron, who became the principal French-Canadian

²¹ Doughty (ed.) The Elgin-Grey Papers 1846-1852, Elgin to Grey, Montreal, May 27, 1847, vol. 1, p. 46.

²² Pilot, April 16, 1847. His whereabouts were unknown: "we know not, and the public probably care not...." The specific judgeship was that of Justice Hagerman, who "has been at the point of death for the last 4 weeks." See Doughty (ed.), The Elgin-Grey Papers 1846-1852, Elgin to Grey, Govt. House, Montreal, March 27, 1847, vol. 1, p. 21.

²³ Doughty (ed.), The Elgin-Grey Papers 1846-1852, Elgin to Grey, March 11, 1847, enclosed in letter from Elgin to Grey, March 27, 1847, vol. 1, p. 23.

²⁴ ibid.

²⁵ ibid., Elgin to Grey, March 20, 1847, enclosed in letter from Elgin to Grey, March 27, 1847, vol. 1, p. 24.

²⁶
negotiator.

Up to this time, double majority was not involved in any way. However, the French Canadians soon made it an issue, as they had so often done in the past. Double majority first became involved when Morin began to correspond with an influential Quebecer, P.J.O. Chauveau, in order to justify his refusal of the Elgin offers. He turned to Chauveau because he was a LaFontaine supporter in the heart of "Reactionist" territory, and he wanted Chauveau to understand his reasons for refusing the offers. In an exchange of letters, Morin explained his position in detail, even though his ideas were not always consistent. His basic idea was that "contrairement à ce que j'aurais cru faisable l'an dernier, Je suis²⁷ contre une pareille coalition avant une nouvelle élection générale...."

At all costs, the French Canadians had to remain in opposition until they were invited to form an entirely new administration. With this as his basic premise, Morin developed his argument. He told Chauveau that dou-²⁸ble majority was the only possible basis of negotiation, and that in the Governor's memorandum he and his friends had been unable to find²⁹ even a hint of the system. He believed that Elgin was no different from

²⁶
ibid.

²⁷
P.A.C. Chauveau Papers, Morin to Chauveau, Montreal, March 14, 1847, p. 23.

²⁸
ibid., p. 26.

²⁹
ibid., Morin to Aylwin, Montreal, March 29, 1847, p. 81-96.

Metcalf, and that his offers were just as unacceptable. Morin was also inclined to think that the incumbent Councillors had no intention of resigning to permit new Councillors to fill their seats: "Draper Daly et Smith ont tout l'aire de vouloir se caser confortablement...."³⁰ He felt that implicit in the Elgin offers was the idea of the racial criterion as a test for political office, and that French Canadians were invited to accept office

comme canadien-français seulement, c'est-à-dire par la même porte et pour jouer le même rôle que Viger et Papineau. S'il est quelqu'un à Montréal ou à Québec qui soit prêt à entrer sur ce pied, il a donc oublié tout ce qui s'est passé durant les dernières années.³¹

Morin thus rejected the racist premise which was an essential feature of double majority. He even admitted that

J'ai eu mes répugnances pour les doubles majorités, elles ont été partagées à Québec aussi; et nous aurions mieux une administration unique et fondée sur des principes surs. Mais nous avons toujours regardé la question comme ouverte, et puisque aujourd'hui vous ne voyez d'espoire (sic) d'union que dans ce principe, nous y adhérons franchement.³²

In Quebec, these rationalizations for refusing office seemed to Chauveau politically indefensible. He tried to explain to Morin the feeling in Quebec. "Tout est de la plus pitoyable intrigue...." he wrote, and "l'esprit réactionnaire" prevailed.³³ One of the most serious prob-

³⁰ ibid., Morin to Chauveau, Montreal, March 14, 1847, p. 20.

³¹ ibid., Morin to Chauveau, Montreal, March 19, 1847, p. 40.

³² ibid., Morin to Chauveau, Montreal, March 29, 1847, p. 102-3.

³³ ibid., Chauveau to Morin, Quebec, March 18, 1847, p. 33-34.

lems was an increasing hatred of Montreal, which had committed the "impardonnable" offense of neglecting to consult Quebec about the Elgin offers. "Nos propres partisans et les meilleurs des true blues nous jet-
arent à la figure que nous n'étions que les jouets de Montréal, et en apparence ils avaient raison. L'ennemi était mieux informé que nous."³⁴

The other problem was "une grande agitation populaire ayant pour base les iniquités de l'Acte d'Union, et leurs conséquences politiques, le pillage des deniers publics (sic)...." The result of this was that Quebecers clung to the hope of obtaining the double majority system as a means of preventing what they conceived to be the destruction of their District, and even their nation.³⁵

Je vous dirai en deux mots ce que nous voulons. Nous voudrions que notre parti fit à son profit ce que la réaction essaie à faire à son propre profit. Il est évident que si la réaction venait au pouvoir, le district de Québec serait perdu pour nous.

Therefore, Chauveau advised Morin, "Négociez sur le principe des deux majorités sans trop s'occuper si le mode de négociation est strictement ou non constitutionnel...."³⁶ Otherwise, "nous sommes finis!"³⁷ Chauveau's main plea to Morin was that he absolutely had to accept office before the "Reactionists" did, because whoever was in office would win the next general elections. Chauveau also tried to impress upon Morin the

³⁴ ibid., Chauveau to Morin, March 25, 1847, p. 77.

³⁵ ibid., Chauveau to Morin, Quebec, March 18, 1847, p. 35-37. At this time, another "Reactionist" identified: Louis-Joseph Massue, Legislative Councillor, wealthy merchant of Quebec.

³⁶ ibid., Chauveau to Morin, Quebec, March 19, 1847, p. 43.

³⁷ ibid., p. 45.

urgency of the matter. He told him that a few of the LaFontaine supporters in Quebec had written a collective letter to Morin advising him to accept office before the "Reactionists" could do so, and he added that the letter had not been mailed because its authors believed that the "Reactionists" would win out over the LaFontaine group, and they were afraid of being on the losing side.³⁸ In effect, Chauveau and Morin differed mainly about the wisdom or impolicy of accepting office before the elections. All other factors, including double majority, were of secondary importance.

Chauveau's vivid description of the state of feeling in Quebec upset Morin so badly that his friends began to comment on his nervous condition.³⁹ Chauveau wanted him to suggest double majority to the Government; his Montreal friends warned him that when LaFontaine had done this in 1845, nothing had come of the matter.⁴⁰ The Quebecers, both LaFontaine supporters and "Reactionists", urged him to accept the Elgin offers; the Montrealers and the Upper Canada Reformers insisted that he

³⁸ ibid., Chauveau to Morin, Quebec, March 20, 1847, p. 50-52. Chauveau also told Morin that all the representatives of the District of Quebec were "Reactionists".

³⁹ P.A.C. Baldwin Papers, Hincks to Baldwin, March 25, 1847, vol. 4, p. 785. Hincks said that timidity rather than conviction led Morin to support double majority at all. See also P.A.C. Chauveau Papers, LaFontaine to Joseph Cauchon, Montreal, April 2, 1847, p. 127-8: "Morin qui vous savez est très impressionnable, fut jeté dans un état d'excitation assez vive et que Je n'aimais pas à voir en lui...."

⁴⁰ P.A.C. Chauveau Papers, Morin to Chauveau, Montreal, March 20, 1847, p. 46-7.

stick to his original refusal.⁴¹ He seemed to have nowhere to turn for guidance, and as he continued to procrastinate, his friends began to reproach him. Trying to compromise, he soon "condescended to join his countrymen in discussing the terms on which power should be partitioned between them & the existing Council."⁴²

Morin hated the division among the French Canadians, and "dans mon vif espoir de voir renaître l'union et les jours où nous agissions tous comme un seul homme", he tried to reconcile the LaFontaine partisans with the "Reactionists".⁴³ He did this in the face of obstacles which even a more hardened politician would have found overwhelming. He found out that one of his friends, T.C. Aylwin, had had a reconciliation with Caron, and Aylwin insisted that unless the Elgin offers were accepted, the "Reactionists", whose ranks he had just joined, would completely split the French Canadians. However, he confused Morin by saying that double majority was a meaningless issue, since the average French Canadian could not understand it, and he insisted that immediate power was the real issue. Aylwin turned completely against the Upper Canada Re-

⁴¹ The Lower Canada Tories, certain that the negotiation was about to be realized, and that it was based on double majority, taunted the Upper Canada Reformers about the end of their "sainte alliance". Presumably they hoped that the Reformers would react by pressuring their Lower Canada allies to put a halt to the negotiations, which in fact they tried to do. See Le Canadien, April 16, 1847, cites La Minerve, the Pilot, Montreal Transcript, Quebec Mercury and La Revue Canadienne.

⁴² Doughty (ed.), The Elgin-Grey Papers 1846-1852, Elgin to Grey, Montreal, April 26, 1847, vol. 1, p. 28.

⁴³ P.A.C. Chauveau Papers, Morin to Aylwin, Montreal, March 29, 1847, p. 90-91.

formers, and warned Morin against rejecting the offers because they were not included in them.⁴⁴ Not only was Morin disturbed and confused by Aylwin's reconciliation with the "Reactionists",⁴⁵ but he also discovered that their exchange of letters was being intercepted in the mail, because one of Aylwin's letters had been forwarded to him already opened.⁴⁶ He knew that this meant that the Government had arranged to spy on the internal affairs of the French Canadians, in order to play one faction against the other. At this time, Morin also suffered a blow when the Canadien published both the official memorandum and Morin's reply to it, although both were supposed to be confidential. Now all Quebec knew for certain that Morin had refused Elgin's offers without consulting in their District. Chauveau tried to undermine the Canadien's coup d'état by an article in the Journal de Québec, but the damage was done.⁴⁷

Still Morin tried to maintain friendly relations with everyone. He told Aylwin to reconcile the "Reactionists" by telling them that he and his friends would accept double majority if they absolutely had to,⁴⁸ and to Chauveau he gave the same advice: "Marchez maintenant à Québec et embrassez-vous."⁴⁹ By this he alienated even that staunch LaFontaine

⁴⁴ ibid., Aylwin to Morin, Quebec, March 26, 1847, p. 81-85.

⁴⁵ ibid., Morin to Aylwin, Montreal, March 22, 1847, p. 61-64.

⁴⁶ ibid., Morin to Aylwin, Montreal, March 29, 1847, p. 89-90.

⁴⁷ ibid., Chauveau to Morin, Quebec, March 27, 1847, p. 86. This letter was not signed, but internal evidence proves it to be from Chauveau.

⁴⁸ ibid., Morin to Aylwin, Montreal, March 29, 1847, p. 89-96.

⁴⁹ ibid., Morin to Chauveau, Montreal, March 29, 1847, p. 99-103.

supporter. Chauveau wrote back in a fury that he could hardly believe his eyes when he read Morin's "ordre d'aller embrasser M. Caron qui vient de nous cracher à la figure!"⁵⁰

Je disais que vous agissez dans un but de réconciliation avec les réactionnaires! Mais cela est inconcevable! C'est à faire venir fou! J'ai pris ma tête à deux mains pour voir si elle était encore sur mon cou et si mon cou était encore sur mes épaules! Vous n'avez donc point compris que l'article du Canadien c'était la guerre! la guerre à mort! Que nous sommes engagés et que si au lieu de vous montrer dans l'arène contre les réactionnaires vous faites un pas vers eux, après que nous avons tout sacrifié, vous, vous nous laissez à leur discrétion. Vous nous trahissez! Vous nous perdez, vous perdez le pays.⁵¹

Strong words, and more were to come from Joseph Cauchon, who had seen Morin's letters to both Aylwin and Chauveau. Cauchon scolded Morin severely for trying to play both sides of the field, and blamed him in part for the strength of the "Reaction", because he did not fight against the "Reactionists".

Morin was more upset than ever, and he hurried to LaFontaine's law office with the accusative letters in his hand. LaFontaine agreed with Cauchon and Chauveau that the "Reactionists" should be treated

⁵⁰ ibid., Chauveau to Morin, Quebec, March 21, 1847, p. 56.

⁵¹ ibid., p. 54. Chauveau also named two other "Reactionists": Jean Baptiste Chabot, and Charles Clément Sabrevois de Bleury. Chabot was a representative for Quebec in the Assembly, and was once described as "that shattered relic of a life of inebriation...." See Quebec Gazette, Oct. 10, 1854. De Bleury was a representative of Montreal, who campaigned with George Moffatt, a Tory. In fact, De Bleury was always considered a vendu, probably because he was a Tory. Except for the matters of the French language, and Jesuit Estates, he voted in the main with the Draper-Viger Government. He was probably better described as a Government supporter, or a Conservative, than as a "Reactionist", and he never, as far as is known, came out in support of double majority. See Francis J. Audet, Les Députés de Montréal (ville et comtés), 1792-1867, (Montreal: Les Editions des Dix, 1943), p. 271.

harshly, and not conciliated, but he tried to explain to Cauchon that Merin was different from other politicians. "Tous rapports entre Caron et moi ont du cesser...." he wrote, but "Merin a voulu faire l'un et l'autre. Il a pardonné et oublié." In sum, he reproached Cauchon, "vous n'avez point d'idée de la peine que vous lui avez causée."⁵² Merin himself tried to make amends with Chauveau, by informing him that perhaps the best thing was to wait until Parliament was convened. In Parliament, the opposition could use its strength far more effectively than was possible in interminable negotiations.⁵³ Chauveau replied that he had no objections to negotiations and offers, but "J'en serais content moi aussi pourvu qu'elles fussent faites à l'opposition directement et non point par l'entremise de la réaction. Timee Danaos", he added cryptically.⁵⁴

Merin was not alone in his desire to reconcile the LaFontaine factions with the "Reactionists". Aylwin also attempted this by writing to LaFontaine that Caron really wanted to see him in office, but since the Government hoped to make him Judge LaFontaine, Caron was prohibited

⁵² P.A.C. Chauveau Papers, LaFontaine to Cauchon, Montreal, April 2, 1847, p. 121-33.

⁵³ ibid., Merin to Chauveau, Montreal, March 30, 1847, p. 111.

⁵⁴ ibid., Chauveau to Merin, Quebec, April 2, 1847, p. 114-6. It is unclear whether Chauveau was referring to the "Reactionists", or to the Councillors, particularly the French-Canadian ones like Papineau, who were also involved in the negotiation.

from approaching him about political matters.⁵⁵ However, this was the same story that LaFontaine had heard in 1845, and he still refused to have anything to do with Caron.

This was one side of the story, the Montreal side. In Quebec, among the "Reactionists", there was an equal amount of activity, and of consulting back and forth. Caron, the leading "Reactionist", had gladly responded to Morin's friendly gestures, and when Morin made a trip to Quebec, the two men discussed the Elgin offers together. Then Caron hurried to Montreal to continue his discussions, this time with the Government.⁵⁶ D.B. Papineau, whom he had hoped to see, was in the country.

Therefore Cayley, the one Councillor who supported double majority, substituted for Papineau. Caron wished for a clarification of the Government's proposals, which had only mentioned that three portfolios were available to the French Canadians. He gave Cayley a list of seven questions, and Cayley's replies provided a new and detailed description of the Government's proposals.

(1) The Presidency of the Council was vacant; Papineau wished to place his own portfolio of Crown Lands unconditionally at Caron's dis-

⁵⁵ P.A.C. LaFontaine Papers, Aylwin to LaFontaine, Quebec, April 5, 1847, vol. 7, p. 1322-3. Aylwin also commented on double majority: "Quant à la pratique Britannique, il sera tems d'en parler lorsqu'il y aura en Angleterre une Union à la Sydenham, et les double majorités." Yet this cynical attitude about the system did not prevent him from becoming a "Reactionist"!

⁵⁶ *ibid.*; see also Quebec Gazette, June 11, 1847; Pilot, June 10, 1847; Le Canadien, June 14, 1847.

posal; and the Attorney Generalship for Lower Canada would be vacated by promoting Smith to the Bench. Therefore the Government had three portfolios to offer the French Canadians. (2) The Provincial Secretaryship, Daly's position, was not placed at the disposal of the French Canadians. (3) The Government wanted to authorize Caron to make all the official arrangements with respect to the proposals. (4) No French Canadian was excluded from the negotiation.⁵⁷ (5) The Government insisted that Caron himself accept office. (6) And, should he succeed in the negotiation, he would retain the Speakership of the Legislative Council as well as the new position in the Executive Council: the Presidency of the Council. (7) If, on the other hand, he was not successful, he was not guaranteed the latter position.⁵⁸

Caron was quite well satisfied with the offers, except that he was a little worried that his friends would refuse to sit with Daly. Cayley replied that if he had objections to any part of the Government's proposals, he could present a counter-offer.⁵⁹ Caron seemed satisfied with this, and from Quebec wrote Cayley that as soon as he had an official statement of the "basis and conditions" of the arrangement, he would almost certainly succeed in finding suitable men to accept.⁶⁰ In a priv-

⁵⁷ LaFontaine was still in the running, at least theoretically.

⁵⁸ Pilot, June 10, 1847; see also Le Canadien, June 16, 18, 1847; Quebec Gazette, June 11, 1847.

⁵⁹ ibid.

⁶⁰ Pilot, June 10, 1847, Caron to Cayley, no date.

ate verbal communication, he named three men who would join him in the Government: Morin, LaFontaine and Henry Black.⁶¹ He guaranteed that Morin would accept; but told Cayley that LaFontaine could not be approached until the Government's answer arrived; and Black would not listen to any offers until the two French Canadians were committed.⁶² Caron continued to worry about the possibility that these men would object to sitting with Daly. In a meeting in Quebec, held to consider the new proposals, all those present had agreed that they could not sit with Daly. Although this was forced from them by Cauchon, who had managed to manoeuvre himself into chairing the meeting, Caron realized that it represented the opinion of the Montrealers, and that they were not likely to change their minds after going to so much trouble to inveigle the "Reactionists" into accepting this condition.⁶³ Although this was reminiscent of the stalemate reached in 1845, just prior to Metcalfe's departure, Caron thought he still held a trump card. He believed that since he had compromised by permitting Smith to be elevated to the Bench, the Government must in

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Doughty (ed.), The Elgin-Grey Papers 1846-1852, Elgin to Grey, April 26, 1847, vol. 1, p. 33; see also Le Canadien, April 16, 1847, which in an article entitled "Rumeurs", cites other papers and mentions Henry Black, Aylwin and Morin; Quesnel or Caron, LaFontaine or Black, Aylwin or Drummond; see also Le Journal de Québec, April 17, 1847, which mentions Leslie, Chabot, Drummond and Taché.

62

Quebec Gazette, June 11, 1847, Caron to Cayley, no date.

63

P.A.C. Baldwin Papers, LaFontaine to Baldwin, Montreal, April 21, 1847, vol. 4, p. 797-8.

return accede to his request to remove Daly.⁶⁴

Implicit in Caron's letter to Cayley was the idea that four, rather than three, portfolios had been offered to him. He also made it plain that he believed the "basis and conditions" of the Government's proposals were nothing less than the implementation of double majority.⁶⁵ In his meeting with Morin, he had agreed that unless all the Lower Canadian seats in the Council were made available to him, he would accept the responsibility for refusing the offers.⁶⁶ Equally certain was that both he and Morin believed that this would constitute double majority, and that Morin, feeling he had no choice, had agreed to accept office in a double majority government.

At approximately the same time that Caron was so optimistically planning out the new government, the Montrealers were also occupied with making a careful study of the Caron-Cayley questions and answers. In a meeting at which LaFontaine took a leading part, the general consensus was, in his words, that:

⁶⁴ P.A.C. LaFontaine Papers, Caron to LaFontaine, April 16, 1847, vol. 7, p. 1325-7; see also Pilot, June 10, 1847, Caron to Cayley, Montreal, April 9, 1847; ibid., Cayley to Caron, Montreal, April 10, 1847. This was reminiscent of LaFontaine and Baldwin in the 1842 negotiation, when they covered their desire to bring down the Government and totally reconstruct it with excuses about pensioning off Councillors.

⁶⁵ This assumption that he had four seats to dispose of was based on the idea that he was charged with the complete reconstruction of the Lower Canada Council. He believed that this constituted double majority.

⁶⁶ P.A.C. LaFontaine Papers, Caron to LaFontaine, April 16, 1847, vol. 7, p. 1325-7.

Mr. Cayley's proposals were prepared with a precaution and cunningness such as to make the proposals appear to the eyes of the Mass of the People particularly in the District of Quebec, as being equivalent to the adoption, in practice, of the system of the double majority, and calculated to create, in that District and that also of 3 Rivers and in some parts of our own District, a great excitement against us, if by any step on our part, we were going to give to Mr. Caren and his friends a pretext to throw upon the Montreal Members the responsibility of the refusal which for my part, I thought Mr. Caren himself was disposed to give.⁶⁷

This analysis of the Government's proposals was certainly very different from the "Reactionist" analysis, represented by Caren's opinions. The LaFontaine group in Montreal, rather than attempting to discover some way of wresting double majority from the Government, were instead most anxious because the Government appeared to offer double majority. Moreover, they refused to suggest double majority in a counter-offer, although in the first years of the Union, they had been ready to demand, to force, responsible government from an unwilling Executive Council. They dismissed the idea that the Government in fact really wished to offer the system, although a rumour to this effect was printed in several newspapers at that time.⁶⁸ Despite their verbal support of double major-

⁶⁷ P.A.C. Baldwin Papers, LaFontaine to Baldwin, Montreal, April 11, 1847, vol. 3, p. 73.

⁶⁸ There were many rumours which suggested that the Government was prepared to offer double majority. See Le Canadien, April 16, 1847, citing the Montreal Transcript, and the Quebec Mercury, which as Tory papers could be considered demi-official. See also Le Canadien, April 23, citing another demi-official paper, the Montreal Gazette. Naturally, it was the "Reactionist" Canadien which faithfully reported all these rumours, for it was usually the policy of the LaFontaine press to ignore that which was distasteful. The present rumours were examples of this attitude.

ity in their press, and even when it seemed to be within their grasp, their main concern was that Caron and not LaFontaine would be blamed for refusing the offers. In this way they hoped that the "Reaction" would
⁶⁹
 be ended.

The "Reactionists", however, did not know the results of the Montreal meeting, and so Caron remained optimistic about his chances of reconstructing the Lower Canadian Council. He even approached the hostile
⁷⁰
 LaFontaine, and invited him to accept a portfolio. In the meantime, before LaFontaine had a chance to reply, Caron's happy letter to Cayley had been received and discussed by the Government. Lord Elgin was outraged.

Their demands have been considered unreasonable - and, I think, justly so. They insisted that as a preliminary measure a member of the existing Government should be sacrificed, and that they should virtually have the nomination of four out of seven seats in the Council. As they are, even with the assistance of their Upper Canada Allies, in a minority in the Assembly, such concessions could hardly have been made to them with propriety-
⁷¹

⁶⁹
 P.A.C. Baldwin Papers, LaFontaine to Baldwin, Montreal, April 11, 1847, vol. 3, p. 73. The "Reaction" would be ended, it was generally believed, if Caron personally refused the offers, because his followers, the "Reactionists", would not blame their own leader for his actions. This would in effect reconcile LaFontaine and Caron.

⁷⁰
 P.A.C. LaFontaine Papers, Caron to LaFontaine, April 16, 1847, vol. 7, p. 1325-7.

⁷¹
 Doughty (ed.), The Elgin-Grey Papers 1846-1852, Elgin to Grey, Montreal, April 26, 1847, vol. 1, p. 27. The opposition very often acted as if they had forgotten this point: that they composed only a minority, albeit a large one, in the Assembly.

It was Cayley who broke off the negotiations. The Government had decided not to make personal exceptions to any French Canadians, and so the French Canadians had no right to demand Daly's "prescription from office....".⁷²

Besides the Daly problem, Caron's insistence on four rather than the proposed three seats was "tantamount to a rejection of the coalition....".⁷³

Caron's answer was that the British of Lower Canada were to be provided for under his own arrangements, and Daly was not the only person capable of protecting their interests.⁷⁴

⁷² Pilot, June 10, 1847, Cayley to Caron, no date. The personal exceptions, of course, referred to LaFontaine. It is difficult to say why the Councillors had decided not to object to LaFontaine, as they had done in 1845, and again in 1846, and even at the beginning of the 1847 negotiation. Perhaps they believed that Caron would never consent to invite him to office, and so they could rely on him to keep LaFontaine out; perhaps they felt that the negotiation could not succeed without him. The third possibility is that they did not want the negotiation to succeed, but merely wanted to show the public how difficult and impractical the French Canadians were to deal with. If that was the case, they made themselves seem most liberal by not objecting to any one individual. See below, p. 273, when this theme is taken up by the Lower Canada Conservative press.

⁷³ Pilot, June 10, 1847, Cayley to Caron, no date.

⁷⁴ ibid., Caron to Cayley, Quebec, May 6, 1847. Caron also replied that he agreed with Cayley that the Canadian people would be able to see for themselves just what the circumstances were when the Government and the opposition became involved in negotiations. He implied that the public would at once grasp that the Government refused to be liberal and conciliatory enough, and so the opposition in general, and the French Canadians in particular, would be cleared of all charges of obstructing the formation of a strong government. Another very significant point which arose in this tail-end of the correspondence was the racial issue: in 1847, as in 1842, it was considered necessary to provide for the British of Lower Canada with an Englishman, whatever political party that Englishman belonged to. This was noticeable in all the rumours about the new government: in association with the French Canadians, an English name was always mentioned. See above p. 251, footnote 61.

The negotiation was finished, and the newspapers were already printing the news. Nevertheless, LaFontaine replied to Caron's invitation to office. His health was so bad, he said, that even if Daly had been removed from the Council, he would not have accepted office, although he would have supported the Government.

Au reste, j'ai la certitude que si l'on vous avait mis dans la position de former une Administration Bas-Canadienne, il vous aurait été facile de le faire sans que j'en fisse moi-même partie; et quant à la conduite que j'aurais tenue vis-à-vis de cette Administration, elle est clairement indiquée dans la lettre que je vous écrivis le 10 Septembre 1845.⁷⁵

In this tongue-in-cheek letter, LaFontaine, secure in victory, let Caron know of his displeasure. At the same time he emphasized that he had personally always been consistent in his conduct, and he implied that Caron had not.⁷⁶

The third and last negotiation was over, "abortive as usual...."⁷⁷

In 1847, the press played such an active role during the negotiation that the press articles were an integral feature of the negotiation.⁷⁸

⁷⁵ P.A.C. LaFontaine Papers, LaFontaine to Caron, Montreal, April 19, 1847, vol. 7, p. 1329.

⁷⁶ LaFontaine also meant to emphasize that in fact Caron had not been able to form an administration without him.

⁷⁷ Pilot, Aug. 28, 1846, cites Montreal Gazette; see also Globe, April 17, 1847, cites Hamilton Spectator. The first article refers to the first two negotiations only.

⁷⁸ As Morin, Chauveau and LaFontaine had all mentioned during the course of the negotiation. See P.A.C. Chauveau Papers, L.H. LaFontaine to Cauchon, Montreal, April 2, 1847, p. 121-133; ibid., Chauveau to Morin, Quebec, March 27, 1847, p. 86. This letter is not signed but internal evidence proves it to be from Chauveau. See also p. 246-7.

The themes which were emphasized by the press reveal even more plainly than the manoeuvring what the real interests, policies and purposes of each group were. These articles were written both during and after the negotiation; they include both journalistic attempts to influence the course of the negotiation, and reactions to its failure.

The almost desperate tone of the "Reactionist" press, and the lack of that caution which had previously characterized the entire French-Canadian press, may be explained by the fact that the negotiation was correctly assumed to be the very last opportunity to resolve the conflicts between the various political factions. These factions also realized that the consequences of the negotiation's outcome would be irrevocable. It was the last battle in the war.

The "Reactionist" press, hitherto represented by the Canadien, was reinforced by the Gazette des Trois-Rivières, edited by the young "Reactionist", Joseph Edouard Turcotte.⁷⁹ "Nous devons dire, une fois pour toutes, que la question qui nous occupe maintenant est pour le pays de la haute importance, et que de sa solution dépend l'avenir des Canadiens-français", warned the "Reactionists".⁸⁰ "La question" was, of course,

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For comments on Turcotte see above p. 155; see also Le Canadien, March 29, 1847; Pilot, April 20, 1847.

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Le Canadien, March 29, 1847; see also La Minerve, April 5, 1847, cites Le Canadien; Le Journal de Québec, April 10, 1847, cites Le Canadien; Le Canadien, April 12, 1847; ibid., April 2, 1847, cites La Gazette des Trois-Rivières, March 29, 1847: "C'est l'heure de combattre avec l'arme qui reste, Et de défendre au moins de la voix et du geste, Rome, les Dieux, la Liberté."

the negotiation. The "Reactionists" insisted that it was based on double majority,⁸¹ and was not intended merely to form a replâtrage, because the offers were made not to a political party, but to the political arm of a race.⁸² This French-Canadian party, whose existence the LaFontaine press denied,⁸³ had accepted office in 1842 as French Canadians, the "Reactionists" emphasized, after negotiations with Draper's Government which had been in exactly the same position in 1842 as it was in 1847.⁸⁴ Lord Elgin, commented the "Reactionists", recognized this party,⁸⁵ and its existence provided the sole explanation for Canada's fundamental duality: dual law codes; judicial, educational, agricultural and municipal systems; duplicated Cabinet functions; and professional separation in everything from medicine to law to midwifery.⁸⁶

The "Reactionist" press believed that the LaFontaine partisans denied the existence of the French-Canadian party merely because of their alliance with the English Reformers.⁸⁷ This alliance was based on the

⁸¹ Le Canadien, April 16, 23, 1847.

⁸² ibid., April 2, 1847.

⁸³ ibid., April 12, 1847.

⁸⁴ ibid., March 29, April 2, 1847.

⁸⁵ ibid., April 12, 1847.

⁸⁶ ibid., March 31, 1847; see also ibid., April 2, 1847, cites La Gazette des Trois-Rivières, March 29, 1847.

⁸⁷ Le Canadien, April 12, 16, 1847; see also ibid., March 29, 1847, cites La Gazette des Trois-Rivières, March 20, 1847; Le Canadien, April 2, 1847, cites La Gazette des Trois-Rivières, March 29, 1847.

idea that Canada should be governed by responsible, or party government:

C'est-à-dire le gouvernement ou l'oppression de la minorité par la majorité, suivant que le parti dominant par le nombre est d'humeur à se contenter⁸⁸ de la simple domination ou veut y ajouter l'oppression....

Government by party involved the accession to power of Baldwin and the Upper Canada Reformers, and the Lower Canadian English Reformers.⁸⁹ The spokesman for both these groups, the "Reactionists" noted, was Francis Hincks of the Pilot.⁹⁰ Yet to the "Reactionists", the French-Canadian alliance with the Reformers of Upper Canada was the only serious problem. This was because they were English, while according to "Reactionist" definition, the English Reformers of Lower Canada represented French-Canadian constituencies, and were therefore "politiquement parlant"⁹¹ French Canadians.

The "Reactionists" therefore levelled their attacks only on the English Reformers of Upper Canada. Specifically, they attacked Hincks,⁹² who was the spokesman for this group. Hincks, they claimed, had been

⁸⁸ Le Canadien, March 31, 1847. Again Macdonald showed his lack of understanding of party government.

⁸⁹ ibid., April 2, 1847; see also ibid., cites La Gazette des Trois-Rivières, March 29, 1847; Le Canadien, March 29, 1847, cites La Gazette des Trois-Rivières, March 20, 1847.

⁹⁰ Le Canadien, March 31, April 2, 7, 12, 1847.

⁹¹ ibid., April 2, 1847. Such men were: Leslie, De Witt, Nelson, Drummond, Armstrong, Aylwin.

⁹² Le Canadien, May 5, 1847. On the day his "resignation" was announced, Macdonald entitled his last article "Adieux au Pilot", which was the most bitter of all his attacks against Hincks.

favourable to the Union of the Canadas, and had only participated in the "double majority" governmental arrangements of 1842 with a view

d'obtenir la ratification volontaire du contrat et la consommation du mariage. Ce but une fois atteint, il ne pense plus qu'à exploiter la communauté dans l'intérêt du parti politique auquel il appartient.⁹³

In "Reactionist" opinion, Hincks had always hated French-Canadian racial unity, and double majority, because only the French-Canadian alliance with the Reformers would keep him politically influential.⁹⁴ However, the "Reactionists" declared, they were astonished that he had hypnotized the French Canadians into agreeing with him.

EXISTE-T-IL UN PARTI CANADIEN-FRANCAIS? - Non! s'écrit le journal de M. Hincks; et la Revue Canadienne, la Minerve, et le Journal de Québec, ses échos, de répéter: NON! NON! NON! il n'existe plus, le parti canadien-français, depuis que nous sommes ligüés avec M. Hincks les libéraux d'une autre origine, dont M. Hincks est l'organe....⁹⁵

⁹³

ibid., April 7, 1847; see also ibid., April 23, 1847.

⁹⁴

ibid., April 14, 1847, cites Quebec Mercury. To which the Upper Canada Reformers replied: "If the double majority scheme...be tried as an experiment, we should be apt to cry - "Oh the Poor Lower Canada Tories"! "Poor Moffatt! Poor DeBleury!" - see Pilot, April 16, 1847. Under double majority, "the Lower Canadian Tories are all offered in a lot to the Liberals - as Mr. Bumble would say, dirt cheap...." See Globe, April 17, 1847.

⁹⁵

Le Canadien, April 12, 1847. Hincks credited the authorship of this article to Jacques Crémazie, Parent's "tool". See Pilot, April 20, 1847. See also Le Canadien, March 29, 1847, cites La Gazette des Trois-Rivières, March 20, 1847. Turcotte said that the LaFontaine-Reform allies would say that French Canada was represented by the names Baldwin, LaFontaine, Hincks, Morin, and by the Pilot, the Minerve, and the Revue Canadienne.

According to their "Reactionist" foes, the LaFontaine politicians, by rejecting double majority, sacrificed their nation to the ambitions of one man: Francis Hincks.⁹⁶ The "Reactionists" lamented sadly about this rejection of double majority, for they were certain that two governments were better than one for two peoples,⁹⁷ and equally certain that double majority would have given the French Canadians guarantees for their institutions and interests, such as the English already had in the Act of Union.⁹⁸

The "Reactionists" also touched upon the nature of their own political movement, the "Reaction". It was nothing but a return to the double majority principles of the 1842 Baldwin-LaFontaine Government,⁹⁹ principles which they claimed LaFontaine had abandoned in 1847.¹⁰⁰ He had made flimsy excuses about his reasons for rejecting Elgin's proposals, they commented, adding that the nation that he sacrificed cared not at all whether it was correct etiquette to consult LaFontaine rather than Morin, or whether it was Baldwin or Draper who headed the Upper Canadian section of the Council.¹⁰¹ The "Reactionist" press concluded that as a

⁹⁶ Le Canadien, April 23, 1847.

⁹⁷ ibid., April 7, 1847.

⁹⁸ ibid., April 28, 1847.

⁹⁹ ibid., May 5, 1847.

¹⁰⁰ La Revue Canadienne, March 26, 1847, cites La Gazette des Trois-Rivières.

¹⁰¹ Le Canadien, March 29, 1847, cites La Gazette des Trois-Rivières, March 20, 1847.

result of LaFontaine's policies, only one hope remained for the French Canadians:

RAPPEL DE L'UNION....L'Union a fait de Montréal la capitale du Canada. Mais nous soutenir (sic) qu'il n'y a plus de parti canadien-français? nous pouvons prédire sans crainte que d'ici à bien long-temps cette doctrine ne fera pas fortune, au moins dans le district de Québec.¹⁰²

The LaFontaine men had rejected three governmental proposals because of their alliance with Englishmen, which to the "Reactionists" proved that they cared nothing for their nationality. They should, despaired the Canadien, convince their people to erect on the front of the St. Jean Baptiste Society building an inscription reading "A la memoire de la nationalité franco-canadienne morte en 1847."¹⁰³

In its final struggle, the "Reactionist" press had made clear its purposes: to strengthen French-Canadian racism in politics; to use the French-Canadian party to implement double majority à la "Reaction"; to rid itself of Montreal's and LaFontaine's political leadership; to cling to double majority as a guarantee of constant power for the French Canadians. The corollaries of this policy were to end the Reform alliance, government by party and the simple majority, and the consequences of the Union. The united Reform press opposed all these aims, and scorned all the arguments produced by the defeated "Reactionists". These editors,

¹⁰² Le Canadien, April 23, 1847; see also ibid., April 7, 12, 1847; ibid., April 7, 1847, cites La Gazette des Trois-Rivières; for remarks on anti-Union sentiments, and the District rivalry of Quebec and Three Rivers against Montreal, see Le Canadien, March 29, 1847, citing La Gazette des Trois-Rivières, March 20, 1847.

¹⁰³ Le Canadien, April 12, 1847.

now as certain of victory as the "Reactionists" were of defeat, no longer attempted to disguise their position so carefully, although some of the more prudent editors maintained a position consistent with their articles of previous years.

The Minerve took the first plunge: "Nous ne nous arrogerons pas comme journaliste la mission de l'accepter ou de rejeter au nom de nos compatriotes...le principe des deux majorités....".¹⁰⁴ Cauchon in his Journal de Québec added that double majority was a "système pour lequel nous avons dès longtemps avoué nos répugnances....".¹⁰⁵ It soon became evident, however, that these admissions were too dangerous and premature, so the LaFontaine press modified its remarks to mean that double majority was the least acceptable offer, and if it were offered, it would be con-¹⁰⁶
sidered. The version had to be their own, however, not the "place-seeking" version of the "Reactionists".¹⁰⁷ Once again, the LaFontaine

¹⁰⁴ Le Canadien, March 31, 1847, cites La Minerve.

¹⁰⁵ Le Journal de Québec, March 23, 1847.

¹⁰⁶ Le Canadien, April 23, 1847, cites La Minerve; see also Le Canadien, March 31, 1847, cites La Minerve; Le Journal de Québec, March 23, 1847; La Revue Canadienne, March 26, 1847; Pilot, April 9, 1847; Le Canadien, April 23, 1847, cites Pilot, in which Hincks claimed that Morin and LaFontaine were disposed to accept double majority, which Caron had made the touchstone of the Government's sincerity.

¹⁰⁷ Le Journal de Québec, April 10, 1847, cites La Minerve; see also Le Journal de Québec, March 30, April 1, April 3, 1847. In the 1845 negotiation, LaFontaine had called the "Reactionist" double majority a system of "place-seeking": see Quebec Gazette, April 13, 1846, LaFontaine to Caron, Montreal, Sept. 10, 1845, and he had not since changed his mind.

editors attempted to show that the Canadien did not really support or
 108
 even understand double majority.

The Reform press as a whole made it clear that no offer, double
 majority or otherwise, would be accepted on the basis of national orig-
 109
 in. The French-Canadian party did not exist; merely, French Canadians
 were members of a united Reform party, and racial origin applied to pol-
 110
 itics was a disgusting concept to the Reformers of both sections.
 Indeed, the Reformers exclaimed, to form a French-Canadian party, "N'est-
 ce pas là conseiller évidemment une démarche suicide! N'est-ce pas de-
 111
 mander notre ruine complète!" Therefore, they said, the Montrealers
 had been very wise to refuse the Elgin offers, because they excluded

108
Le Journal de Québec, April 3, 1847, cites La Minerve; see
 also Le Canadien, March 29, 1847, cites Le Journal de Québec; Le Journal
de Québec, March 27, 1847, in which Cauchon insisted that any French
 Canadian who accepted an offer which was not double majority, but which
 had as a criterion racial origin as a test for political office, would
 renounce all principles and also his party. Cauchon apparently considered
 this point so significant that he printed it in enormous typescript, us-
 ually reserved for headlines. See also Le Journal de Québec, April 24,
 1847, cites La Revue Canadienne; Le Canadien, April 5, 1847, cites the
Pilot.

109
Le Canadien, April 5, 1847, cites La Minerve; see also Le
Journal de Québec, April 8, 1847; La Revue Canadienne, March 23, 26,
 April 2, 1847; Pilot, March 16, 1847, in which Hincks said that national
 origin in politics was "fiendish"; Pilot, April 9, 1847; Globe, April
 7, 1847, endorsing Hincks' articles against making national origin a test
 for political office.

110
Le Canadien, April 5, 1847, cites La Minerve; Le Journal de
Québec, April 10, 1847, cites La Minerve, April 5, 1847; Le Journal de
Québec, April 3, 17, 1847; La Revue Canadienne, April 2, 1847; Pilot,
 March 16, 1847.

111
Le Journal de Québec, April 10, 1847, cites La Minerve, April
 5, 1847.

the English Reformers of Lower Canada.¹¹² Mocked Francis Hincks, even the nationalistic

Canadien has discovered that it will not do to abandon the Reformers of British origin in Lower Canada, and he therefore declares that "politically speaking" they are all French Canadians.¹¹³ The term French Canadian, therefore, is a political designation....

The Upper Canada Reformers were quick to point out that under double majority they too "in fact, would have been completely sold."¹¹⁴ However, the LaFontaine press insisted that the "Reactionists" lied in saying that the Montreal leaders had made commitments to the Baldwinites which precluded their acceptance of office without them.¹¹⁵ And they defended Baldwin:

Did he after Mr. Lafontaine had been cheated into an avowal of sentiments, calculated to injure him with the only party in Upper Canada that has ever stood by the Lower Canada liberals, - did he, we say, or his friends, make any complaint?¹¹⁶

It was not, they said, the Upper Canada Reformers who prevented the implementation of double majority. The Reformers were in fact not "inclined to blame those who were willing to try the experiment of the peculiar

¹¹² Le Canadien, March 31, 1847, cites La Minerve; see also Le Journal de Québec, April 3, 1847.

¹¹³ Pilot, April 6, 1847. This was true; see the Canadien's first double majority articles, p. 111-112 above.

¹¹⁴ Examiner, June 16, 1847.

¹¹⁵ Le Canadien, March 31, 1847, cites La Minerve; see also Pilot, March 30, 1847; P.A.C. Chauveau Papers, Morin to Chauveau, Montreal, March 29, 1847, p. 99-103.

¹¹⁶ Pilot, March 30, 1847. This refers to the 1845 negotiation, when the letters were read in the Assembly, and the Upper Canada Reformers first heard of LaFontaine's "double majority" letter to Caron of September 10, 1845.

coalition known as the double majority."¹¹⁷ Nonetheless, the English Reformers of both sections made it clear that no Englishman could be expected to support double majority,¹¹⁸ which to them was separatism,¹¹⁹ and totally unprincipled.

Despite their opposition to double majority, the Reformers of English origin pointed out that the Upper Canada Conservatives were the real obstacles to the implementation of the system. "M. Draper gardait le système des deux majorités depuis deux ans dans son museum d'antiquités, au nombre des curiosités les plus intéressantes (sic)", and "The "double majority" system is not a recognized principle of government, and cannot be, unless the Upper Canada Conservative party give it their support, which they have not done up to this moment."¹²⁰ The Reformers believed that a mere coalition or replâtrage had been offered, which would divide the opposition, and maintain the feeble Conservatives in power.¹²¹

¹¹⁷ Pilot, June 12, 1847; see also ibid., April 2, 20, 1847.

¹¹⁸ ibid., March 30, 1847.

¹¹⁹ Le Canadien, April 7, 1847, cites Pilot; Pilot, April 2, 1847; Globe, March 17, 1847.

¹²⁰ Le Journal de Québec, April 3, 1847, cites La Minerve; second quote is from Pilot, April 9, 1847. See also Le Journal de Québec, March 23, 1847; Pilot, March 30, 1847; Le Journal de Québec, April 10, 1847, citing La Minerve, April 5, 1847; Pilot, April 2, 20, 1847; Globe, April 17, 1847.

¹²¹ La Revue Canadienne, March 23, 1847; Pilot, March 16, 23, 1847; Globe, March 10, 1847; Examiner, March 17, 1847.

They complain like blubbering boys of that mischievous opposition which makes faces at them, which shakes its fist at them, they pray their papa to put an end to all this...they go about knocking at all doors, supplicating charity every where until they shall find some one willing to assist in driving away this rascally opposition which frightens them so much.¹²²

However, "papa" Elgin did not want to aid them by offering double majority, insisted the Reformers, for he had not mentioned it, and it was certainly not up to the opposition to make suggestions when they were requested.¹²³ The Government had merely appeared to offer double majority, and one Reform editor wrote caustically:

Mr. Caron may tell his friends - "Oh the double majority cannot be formally admitted, but it is tacitly understood between the Dodger and me that it will be acted on." The Dodger on the other hand may tell Mr. Moffatt - "Oh, my dear sir, rely on it I would never abandon the Lower Canada Conservatives; don't believe a word of it. I have only brought in two or three more decoy ducks as I did Viger and Papineau. We must humbug these Frenchmen."¹²⁴

The Reform press did not neglect personalities any more than it had in previous negotiations. Morin's behaviour was defended as constitutionally correct,¹²⁵ although one of the Upper Canada Reform papers made the embarrassing mistake of attributing the refusal of the offers not to Morin, but to "the firmness and patriotism of Mr. LaFontaine."¹²⁶ In

¹²² Pilot, March 30, 1847, cites Le Journal de Québec.

¹²³ Because Draper had never answered LaFontaine's ideas which Caron had communicated to him in 1845. See Le Journal de Québec, April 3, 1847, cites La Minerve; La Revue Canadienne, March 26, 1847; Pilot March 30, April 2, 1847.

¹²⁴ Pilot, April 16, 1847; see also footnote 123, p. 267.

¹²⁵ Le Journal de Québec, April 3, 1847, cites La Minerve; see also Le Journal de Québec, April 10, 1847, cites La Minerve, April 5, 1847; Le Journal de Québec, March 27, April 8, 1847; La Revue Canadienne, March 23, 1847; Pilot, March 23, 1847.

¹²⁶ Globe, March 10, 1847.

Lower Canada, the fact that LaFontaine had always been ignored in the negotiations was again noted.¹²⁷ Caron's ineffective politicking was mocked.¹²⁸ Hincks alone foresaw that it was more politic to treat Caron as an errant child rather than as a renegade politician, although he could not resist remarking that the Canadians were so aristocratic that "none but a Legislative Councillor can be thought of....This is another improvement on British practice."¹²⁹ The "Reactionists" were also attacked through their newspapers. Neither the Canadien nor the Gazette des Trois-Rivières was spared at all: "Nous connaissons des petits enfants qui ne vont encore à l'école, et qui, pris de court, auraient trouvé le moyen de faire une aussi bonne réponse", was Cauchon's spiteful comment on a Canadien article.¹³⁰ The Canadien was not only stupid, but a traitor, a vendu, and a Tory, while the Gazette was a "nouvel Arnold".¹³¹

The LaFontaine press took the opportunity to redefine the basis of the 1842 Government, and in so doing to destroy the 1842 "double majority" myth which it had previously supported. "Il n'agissait pas à cette époque du système de gouverner par le moyen des majorités respectives": this was the first denial of the claim that LaFontaine had invented double majority in 1842, and then governed and even resigned in

¹²⁷ Pilot, March 16, 1847; see also Le Journal de Québec, March 23, 1847; Pilot, March 23, 1847.

¹²⁸ Le Journal de Québec, March 27, 30, April 8, 1847.

¹²⁹ Pilot, April 13, 1847.

¹³⁰ Le Journal de Québec, April 1, 1847.

¹³¹ La Revue Canadienne, March 26, April 9, 1847.

accordance with the principle.¹³² For the first time it seemed safe to make such an admission. "Ce qui arriva en 1842 arrivera encore si nous savons attendre et rester unis."¹³³ And this was not double majority; it was the accession to power of the Reform party.

An issue of great importance to the English Reformers was the unconstitutionality of the negotiation, and of the Draper Government's refusal to resign.¹³⁴ In order to further discourage their Lower Canada allies from accepting office with Draper, the English Reformers also pointed out that the Draper Government, "that motley crew which run (sic) the Metcalfe vessel aground", was willing to provide properly for the English Councillors, whereas the French Councillors were merely to be fired.¹³⁵ The whole point of the negotiation had not been double majority but "shelving work" to replace the "soiled French cards...." and an attempt to convince other French Canadians to enter the "no-Principle Cabinet...on the doors of that retreat are inscribed, "Who enters here,¹³⁶ leaves hope behind.""

¹³² Le Journal de Québec, April 10, 1847, cites La Minerve, April 5, 1847; see also Pilot, March 26, 1847.

¹³³ La Revue Canadienne, April 9, 1847.

¹³⁴ Globe, April 17, 1847; see also Examiner, March 17, 1847; Pilot, March 16, 23, 26, April 2, 9, 13, June 12, 1847.

¹³⁵ Globe, March 17, 1847; see also ibid., March 10, April 24, 1847; Examiner, April 17, 1847; Pilot, April 20, 1847.

¹³⁶ Globe, March 17, 1847; also ibid., March 10, April 24, 1847.

These Upper Canada allies also warned the French Canadians about the evils of double majority:

Let us further suppose that the "Dodger" should succeed in involving the French Canadians in a quarrel with the Upper Canadian, ay and the Lower Canadian liberals of British origin, what would then be the position of the former? Committed to a theory which would obviously be impracticable, if opposed by the entire British population of United Canada, they would justly be the objects of universal scorn.¹³⁷

The scorn poured forth on any French Canadians wishing either to accept double majority or the Elgin proposals was followed by demands for the resignation of the Government, at which time the Reformers would form a truly responsible government.¹³⁸

Even the renegade Reformer, John Neilson, dismissed double majority. It was to him a "fancy of some of those who fancied that they could have, in a Province of a Monarchy, a Government of the local majority, an independent state in a dependency of a great Empire...."¹³⁹ He believed that the separate French-Canadian state resulting from double majority would break down within one year, for it would be attacked by the United States. Also, the representatives from both sections "could not be prevented from voting on every question", even sectional ones. French Canadians had but one hope, Neilson concluded gloomily and constitutionally: to trust to their Sovereign to dispense justice.¹⁴⁰

¹³⁷ Pilot, March 30, 1847.

¹³⁸ ibid., April 16, 1847; see also Globe, April 17, 1847; Examiner, March 17, 1847.

¹³⁹ Quebec Gazette, April 5, 1847.

¹⁴⁰ ibid.

All English Reformers came out strongly against double majority, as Macdonald of the Canadien noted unhappily, especially the influential Hincks and Neilson, who:

Placés dos à dos, partent en sens opposés; mais au lieu de suivre la ligne droite, ils décrivent chacun une courbe formant un demi-cercle, au bout de laquelle ils se rencontrent face à face et se donnent la main en disant tous deux anathème au système des deux majorités.¹⁴¹

The Conservative press of both sections reflected the disorganization of their Government. The Upper Canada Conservatives seemed to agree that double majority had been offered to the French Canadians, who had nevertheless been right to refuse the offers.¹⁴² Nevertheless, the Conservatives believed that the negotiations were as wrong in 1847 as they had been in 1842, and they felt that the whole affair was nothing but a horrible humiliation to the Conservatives, although they continued to support double majority as a temporary expedient to use until the French Canadians were assimilated.¹⁴³ "A conservative administration had evidently determined to sacrifice the Conservative party. This fact is self-evident."¹⁴⁴ This sentiment is representative of the entire Upper Canadian Conservative press.

The Lower Canada Tories were unanimous about very little. They

¹⁴¹ Le Canadien, April 7, 1847.

¹⁴² ibid., April 30, 1847, cites Kingston News; see also Globe, April 17, 1847, cites Hamilton Spectator.

¹⁴³ Le Canadien, April 30, 1847, cites Kingston News.

¹⁴⁴ Globe, April 17, 1847, cites Hamilton Spectator.

did agree with the "Reactionists" that a French-Canadian party, an "overbearing and intolerable" one, existed. Nor could they understand why any French Canadian denied its existence, and one editor wrote that:

We have puzzled our brain, but without success, to discover what there is so very inept in the idea that Lord Elgin seemed to have entertained, that the French party would find it disagreeable to be invited to take office.¹⁴⁵

During the actual negotiation, the Lower Canadian Tories had refrained from committing themselves much, but as soon as the failure was confirmed, they began to attack double majority, since it apparently meant the removal from office of their own special representatives, Smith and Daly.¹⁴⁶ Double majority had been offered, they said, but they despised the system which "in all its naked deformity" was "profoundly immoral".¹⁴⁷ The Elgin offers had been refused because LaFontaine, whom they loathed, wanted all or nothing, and this they defined as "nothing short of absolute and uncontested supremacy...."¹⁴⁸ They added that LaFontaine's dream was to impose Baldwin, Sullivan and Hincks on the unwilling Upper Canadian

¹⁴⁵ British Colonist, April 2, 1847, cites Montreal Gazette, March 9, 1847; see also Pilot, March 30, 1847, cites Montreal Gazette.

¹⁴⁶ Pilot, April 2, 20, 1847.

¹⁴⁷ Pilot, April 16, 1847, cites Montreal Herald and Montreal Gazette; see also Pilot, March 30, 1847, cites Montreal Gazette; Pilot, April 2, 1847, argues against and cites Lower Canadian Ministerial press; Le Canadien, April 14, 16, 1847, cites Quebec Mercury: "Ce serait l'anéantissement virtuel de l'acte d'union des deux provinces."

¹⁴⁸ Pilot, March 26, 1847, cites Montreal Gazette.

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majority.

The Tories insisted that LaFontaine's arrogance had led him to believe that no government could function without him, and that this in turn caused him to sacrifice his entire nation to his own idea of "his personal importance and dignity."¹⁵⁰ This was not all he had done, for according to the Tories he had set "his mouth-piece to menace and cry down, with every vulgar imputation of ignorance, ill-breeding and un-constitutionality, a nobleman who, if he have sinned, has sinned in excess of kindness to the race." Added one Tory editor viciously:

It would be better principle, better manners, more manly altogether, if the head of the French Canadians would admit that he is in spiritual fetters to Mr. Baldwin for the remainder of his life, that they are the Siamese twins, inseparable, and we might add-

"sure such a pair were never seen."¹⁵¹

However, warned the Tories, LaFontaine had had his last chance, for Draper was obviously going to have to forget "buying off the impracticables...."¹⁵² In fact, the Government would either have to resign, or find someone to replace Draper, who had betrayed his party.¹⁵³ This was

¹⁴⁹ British Colonist, April 2, 1847, cites Montreal Gazette, March 9, 1847; Pilot, March 16, 1847, cites Montreal Times, March 12, 1847; Le Canadien, March 15, 1847, cites Montreal Times.

¹⁵⁰ Pilot, March 23, 1847, cites Montreal Times.

¹⁵¹ British Colonist, April 2, 1847, cites Montreal Gazette, March 9, 1847.

¹⁵² Pilot, March 26, 1847, cites Montreal Courrier.

¹⁵³ ibid.; see also Pilot, March 26, 1847, cites Montreal Transcript, March 25, 1847; also Upper Canadian Hamilton Spectator, cited by the Pilot in the same issue.

the Tories' final word.

The 1847 negotiation was almost a repetition of its 1845 predecessor, although it was conducted on a far more intensified level, especially in the newspapers. The circumstances of Canadian politics were not much different in the Elgin era than they had been in the post-resignation Metcalfe period. However, by 1847 the issues were more sharply defined; the principals experienced; the conflicts more bitter; and the outcome was considered to be irrevocable. The most important feature of the negotiation was the purposeful imposition of double majority as the great issue, although it is clear from the analysis of the negotiation and the press articles that the real issue was power; how that power was going to be obtained; and who was going to obtain it.

By 1847 the LaFontaine partisans had virtually committed themselves to remaining in opposition until the forthcoming elections. They had reaffirmed their alliance with the Upper Canadian Reformers, who alternately encouraged them to denounce double majority, and warned them about the evils of the system. Moreover, LaFontaine had not been personally approached, his rivals had, and if the negotiation had succeeded, it would have ended the Reform alliance. LaFontaine therefore brought up the double majority issue, but instead of trying to force the Government to concede the principle, as he had done with responsible government, he attempted to prove that it had not been offered. He acted as if he did not want double majority to be offered, particularly if he were not the recipient of the offer. His friend Merin acted the same way, and was, moreover,

greatly influenced in this by both LaFontaine and the omnipresent Hincks. Morin's initial rejection of the offers had been based on grounds which precluded the acceptance of any version of double majority, for which he showed, and indeed admitted, a fundamental aversion.

This conclusion is proved beyond doubt by the whole tone of the LaFontaine press, which more than ever followed Hincks' lead, often referring its critics to Pilot articles, and quoting Hincks' comments endlessly. The anti-racism of these articles, the insistence on maintaining ties with the English Reformers of Lower Canada, were admissions of dislike for double majority. Equally significant was the destruction of the myth that 1842 had been the first double majority year, in which LaFontaine had governed according to the system which he had invented. Having held out for two negotiations, the LaFontaine party was obviously determined not to weaken during the third, when electoral victory and a united Reform government were so near to hand.

The "Reactionists", however, had alienated themselves from the Reform alliance, and hoped to gain power before the Reform alliance could do so. They were influenced by what they regarded as the sacrifice of French Canada by the District of Montreal leaders, specifically LaFontaine, whom they accused of consistently defying popular Quebec opinion by accepting the Union, resigning from office over the issue of party government, and by refusing to accept the various governmental offers. As usual, the District rivalry was associated with the leadership issue. In order to gain immediate power for their own leadership

contenders, the "Reactionists" were prepared to compromise their version of double majority, and to accept what was in effect little more than a replâtrage, although they continued to call it double majority. Had they been successful, and gained power in this way, the whole issue of the nature of Upper Canada-Lower Canada alliances would have become a dead issue, because under double majority such alliances would be automatic between the two sectional majorities. This would have solved the problems entailed by the "Reactionist" antagonism towards the Upper Canada Reformers in particular, and the Reform alliance in general. There was also the fact that double majority, even the modified "Reactionist" version, would have guaranteed uninterrupted power for the French Canadians for as long as they maintained a population larger than their English countrymen in Lower Canada. For all these reasons, the "Reactionists" wanted desperately to see the negotiation succeed.

It is difficult to say whether or not the Government wanted it to succeed. Certain men, such as Cayley, did; others hoped to be given sinecures in return for resigning in favour of the French Canadians;¹⁵⁴ still others wanted the public to see how hopelessly demanding the French

¹⁵⁴

Many of the Councillors had offered to resign: see Doughty (ed.), The Elgin-Grey Papers 1846-1852, Elgin to Grey, Feb. 19, 1847, enclosed in letter from Elgin to Grey, Monklands, Feb. 24, 1847, vol. 1, p. 19. The Upper Canada Reformers claimed that the only Councillors who wanted the negotiation to succeed were those who wanted to resign in order to secure a "snug berth" and places "of safety and emolument" in return for the uncertainties of political life. See Examiner, April 7, June 16, 1847.

Canadians were when they refused to accept the terms offered to them by the Government to which they were in opposition! Elgin himself explained that

My principal object in making these overtures was not the formation of a mixed administration (however desirable a modification of existing parties might be) but to shew the French that I do not distrust them -¹⁵⁵

Guided by such men as Draper, Papineau and Parent, Elgin had conducted the negotiation so that the "Reactionists" were made recognized principals. This policy was a great success, and for a while the "Reaction" was so fortified that the negotiation was almost effected. Morin's muddling did the Government no end of good, as did the change of allegiance from LaFontaine to Caron of such influential politicians as Aylwin. Many unrelated factors contributed to the ultimate defeat: Draper's attacks on Caron, who needed support; Elgin's neglect of Caron whom he did not interview as he had Morin and Taché; Papineau's unconcern or disgust with the whole affair; and above all, the manoeuvres of the LaFontaine politicians.

Dominick Daly was made the issue once again as he had been in 1845; it was said that if he remained in office, double majority was impossible. Cauchon had forced the "Reactionists" to agree with him, and to bow to this condition. Elgin refused to accept it. "To place a person particularly obnoxious to an influential party in such a situation as this, in order to put him beyond the reach of Parliamentary con-

¹⁵⁵ Doughty (ed.), The Elgin-Grey Papers 1846-1852, Elgin to Grey, Montreal, April 26, 1847, vol. 1, p. 28.

trol, would seem to be very questionable Policy."¹⁵⁶ Ostensibly over Daly, the negotiation was broken off. As LaFontaine had hoped, Caron and the "Reactionists" were forced to take the responsibility for the refusal, and in this way the "Reaction" was ended.¹⁵⁷

Notre position sera plus forte, nous serons un parti uni, M. Caron sera avec nous, le Canadien changé de mains prêchera sans doute les bonnes doctrines, et les réactionnaires essaieront s'ils osent de faire du replâtrage.... Je ne vois pas quelle objection il pourra y avoir à continuer la bonne intelligence avec M. Caron, qui a eu le mérite de faire préciser la position, et dont J'ai été tout à fait satisfait à notre réunion.¹⁵⁸

Morin wrote happily, when he heard the news of the negotiation's failure.

LaFontaine was the victor. He knew that Caron would have to return penitently to the fold, but that was not quite enough. Hopefully he would also lose his job as Speaker of the Legislative Council. This, LaFontaine informed Baldwin, would be excellent, for then the remnants of "Reactionist" feeling would be destroyed by the revelation that the Government hoped to ruin French Canada.¹⁵⁹ LaFontaine's wish came true,

¹⁵⁶ ibid., p. 27-28.

¹⁵⁷ P.A.C. Baldwin Papers, LaFontaine to Baldwin, Montreal, April 21, 1847, vol. 4, p. 797-8.

¹⁵⁸ P.A.C. Chauveau Papers, Morin to Chauveau, Montreal, April 17, 1847, p. 150-1.

¹⁵⁹ P.A.C. Baldwin Papers, LaFontaine to Baldwin, Montreal, May 13, 1847, vol. 4, p. 805; see also Le Journal de Québec, Aug. 5, 1847, which used Caron's removal from office as anti-Government propaganda.

and Caron was fired and replaced by a Lower Canadian Tory.¹⁶⁰ The man symbolic of the "Reaction", André Taschereau, moved from uneasy office to the Bench of the circuit courts.¹⁶¹ After six months, he was replaced as Solicitor General for Lower Canada by another "Reactionist", J.E. Turcotte, who held the portfolio for only three months.¹⁶² Macdonald's "resignation" from the Canadien was announced soon after the negotiation had ended.¹⁶³ As Morin had commented, the change of ownership and of editors would presumably lead the Canadien to allow the bothersome doctrine of double majority to fade away, and how much easier would French-Canadian politics become!

Morin's opinion was shared by many other politicians. One of La-Fontaine's friends commented wryly that "il est donc à peu près que ce monstre à deux figures dont l'une regarde le passé et l'autre l'avenirCe système de la double majorité ne verra pas le jour."¹⁶⁴ The Upper

¹⁶⁰ Quebec Gazette, May 19, 1847; see also Le Canadien, May 24, 1847. At the same time Caron's 18 year old son died of an intestinal inflammation, and Madame Caron gave birth to still-born twins. See Quebec Gazette, June 2, 1847. Caron was replaced by Peter McGill, heir of the banking and railway magnate John McGill. McGill was also given a seat in the Executive Council.

¹⁶¹ Le Journal de Québec, May 8, 1847.

¹⁶² Cernell, The Alignment of Political Groups in Canada 1841-1867, p. 21.

¹⁶³ Le Canadien, May 5, 1847. From Nov. 7, 1842 to May 5, 1847, Macdonald was the editor. His final remark: "S'il a eu des discussions un peu vives avec quelques-uns de ses confrères, il les assure avec la même sincérité qu'il n'a jamais eu de fiel dans le cœur, et qu'il ne conserve ni ressentiment ni rancune contre eux." He also mentioned the re-born harmony among the French Canadians, and thanked the clergy for their support during "des temps difficiles."

¹⁶⁴ P.A.C. Chauveau Papers, Drummond to Chauveau, Montreal, April 19, 1847, p. 155.

Canadian Reformers were equally delighted that the negotiation had failed, and made no attempt at concealing their feelings.¹⁶⁵ Baldwin shared their relief.

All thoughts to make the double majority the basis of a system was as completely abandoned by our own friends as it is evident it was ever distant from the thought of those who sought to entrap them.¹⁶⁶

The double majority as an issue was finished. Cauchon's Journal de Québec went so far as to warn that "une manifestation d'opinions sur une pareille proposition pouvait être compromettante pour l'avenir."¹⁶⁷ There was no longer any need for the system because the French Canadians were certain of gaining power through a responsible Reform government in the immediate future. Its only real value had been as a mask beneath which to fight other political battles. D.B. Papineau, whose position in government had led the "Reactionists" to develop double majority in the first place, and who was defended by the "Reactionist" press as a proponent of double majority, confided the real truth about the principle to his son. Referring to the Canadien, he said that "un système des deux majorités est absurde." However, the whole opposition press, both "Reactionist" and LaFontaine, had been able to blind the public to the real issues by centring their editorials and articles on double majority. He revealed that

¹⁶⁵ P.A.C. Baldwin Papers, John Ross to Baldwin, Belleville, April 13, 1847, vol. 4, p. 793; see also ibid., H.J. Boulton to Baldwin, Holland House, June 13, 1847, vol. 3, p. 1.

¹⁶⁶ Chapais, Cours D'Histoire du Canada, vol. 6, p. 215, Baldwin to LaFontaine, May 8, 1847.

¹⁶⁷ Le Journal de Québec, June 22, 1847.

in private conversations, these same politicians admitted that the system was ridiculous, and the LaFontaine interests had purposefully brought about the failure of the negotiation not because of double majority, but because LaFontaine was not approached.¹⁶⁸

Papineau's confidence to his son is but one more confirmation of the truth of the conclusion that double majority was of little interest to anyone. As Lord Elgin commented:

You will observe that no question of principle or of public policy has been mooted by either party during this negotiation, unless indeed you except M(r) Morin's letter in which he condemns in terms that are perfectly general and commit him to nothing the proceedings....The whole discussion has turned upon personal considerations. This is I fancy a pretty fair sample of Canadian Politics.¹⁶⁹

Elgin also had the final word. "Part (sic) is summoned for the 2d June - then our work will begin."¹⁷⁰ This was the moment so eagerly awaited by the Reformers. They were certain of their power to defeat the Government, certain of success in the ensuing election, delighted that they would soon be back in power with their Upper Canada allies. The stagnant position of Canadian politics was about to change; the conflicts disguised under double majority were to be resolved; and the background for double majority's demise to be effected. Anticipating these events, Baldwin wrote to LaFontaine:

¹⁶⁸ P.A.C. Papineau Papers, D.B. Papineau to J.B.N. Papineau, Montreal, April 22, 1847, vol. 16, p. 166-67.

¹⁶⁹ Doughty (ed.), The Elgin-Grey Papers 1846-1852, Elgin to Grey, Montreal, April 26, 1847, vol. 1, p. 28.

¹⁷⁰ ibid., p. 29.

Our preparations for the electoral contest are advancing satisfactory....We should, of course, were our party in power, carry everything swimming; but even under the disadvantage of being on the left of the chair I think we shall give a tolerable account of Upper Canada when the time comes.¹⁷¹

The election preparations were somewhat premature, for the Government continued to drag on despite its great weaknesses. There was intense rivalry among the Conservative leaders. It was rumoured that Sir Allan MacNab refused to help Draper by accepting a position in the Government, and that when the Grand Master of the Orange Lodge, Ogle R. Gowan, was proposed for the Crown Lands Department, one Executive Councillor "actually blushed at the mention of his name."¹⁷² Draper himself continued to¹⁷³ haunt the death-bed of Judge Hagerman.

However, before Parliament met, the Government was strengthened at the last moment by various appointments.¹⁷⁴ Thus fortified, it prepared to meet Parliament.

¹⁷¹ Chapais, Cours D'Histoire du Canada, vol. 6, p. 216-18, Baldwin to LaFontaine, May 8, 1847.

¹⁷² Examiner, April 7, 1847; see also La Revue Canadienne, April 9, 1847; Pilot, March 23, April 2, 1847, cites Montreal Herald, Montreal Courier, Montreal Transcript, Toronto Herald, on internal Conservative rivalries. Specific mention was made of Allan MacNab, W.H. Draper, J. Smith, H. Sherwood, and Ogle Gowan.

¹⁷³ Doughty (ed.), The Elgin-Grey Papers 1846-1852, Elgin to Grey, May 18, 1847, vol. 1, p. 39.

¹⁷⁴ Côté, Political Appointments and Elections in the Province of Canada, p. 26-8. May 11: J.A. Macdonald; May 22, J.H. Cameron, and William Badgely. Also, as noted, Peter McGill. When Draper assumed his place on the Bench before dissolution of Parliament, he was replaced by Henry Sherwood.

"The question can the present administration stand? or will it be replaced by Mess. La Fontaine & Baldwin" is more momentous by far in the judgement of the mass of our local politicians than any other which you can raise.-

¹⁷⁵
commented Lord Elgin.

Nevertheless, the Government managed to maintain a majority of about four or five, and MacNab remained the Speaker.¹⁷⁶ On the Address in reply to the Speech from the Throne, Baldwin, seconded by LaFontaine, proposed an amendment which expressed the hope that because Lord Elgin was related to Lord Durham,

We cannot but indulge the pleasing confidence, that under one so nearly connected with him, and to whom his memory must necessarily be dear, we shall witness the practical application of this great principle, (of responsible government) and realize the benefits which it is calculated to secure.¹⁷⁷

Although this motion was defeated, its significance is great by reason of its actual content.¹⁷⁸ The united Reformers, having forgotten double majority, were again concentrating on winning a full measure of responsible

¹⁷⁵
Doughty (ed.), The Elgin-Grey Papers 1846-1852, Elgin to Grey, Montreal, May 27, 1847, vol. 1, p. 45.

¹⁷⁶
ibid., Elgin to Grey, Montreal, June 13, 1847, vol. 1, p. 49. See also Quebec Gazette, July 5, 1847, which estimated the Government supporters at 42, opposition members at 38, disenfranchised, 2, Town of London, 1, Speaker, 1, for a total of 84.

¹⁷⁷
Doughty (ed.), The Elgin-Grey Papers 1846-1852, cites Canada, Journals of the Legislative Assembly, 1847, vol. 1, p. 49. Considering the French-Canadian attitude to Durham, this was quite a concession on LaFontaine's part.

¹⁷⁸
Quebec Gazette, June 14, 1847; see also British Colonist, June 18, 1847; Le Canadien, June 18, 1847. The Government won by only two votes, one of which was Draper's, who had put off officially accepting his Judgeship until the vote was taken.

government.¹⁷⁹ Even the Canadien, once so nationalistic and such a strong supporter of double majority, had changed its tune. It reported that Morin, in discussing in Parliament his rejection of Elgin's proposals, spoke "avec dignité, et avec cette modestie qu'on ne lui connaît trop." He was also heard by the representatives "dans un religieux silence."¹⁸⁰

Nonetheless, the French Canadians were very impatient that they were still denied the fruits of power. This led Elgin to comment:

I suspect that more is going on than meets the eye, and I should not be surprised if I were enabled before long to report to you that an arrangement with the French on the basis of my memorandum to M. Morin had been consummated.¹⁸¹

Although this was an erroneous assumption, Elgin's awareness of the French-Canadian impatience was quite correct. In the Legislative Council, John Neilson presented a series of ten Resolutions protesting the inadequate French-Canadian representation in the Executive Council, which he "humbly conceives to be inconsistent with Justice, and of dangerous tendency."¹⁸²

¹⁷⁹ The opposition concentrated on votes of non-confidence: Scott-Chabot motion for an address requesting the Governor to form a "strong and efficient administration," M. Cameron-Baldwin objection to the competence of the commissioner of Crown Lands, D.B. Papineau, for examples. See Cornell, The Alignment of Political Groups in Canada 1841-1867, footnote 21 to Chapter 1, p. 88; see also Quebec Gazette, July 9, 1847.

¹⁸⁰ Le Canadien, June 18, 1847; see also ibid., June 11, 1847.

¹⁸¹ Doughty (ed.), The Elgin-Grey Papers 1846-1852, Elgin to Grey, Montreal, June 13, 1847, vol. 1, p. 49.

¹⁸² Quebec Gazette, June 16, 1847; see also ibid., June 11, 1847; Le Journal de Québec, June 17, 1847. Cauchon approved the Resolutions, but added that Neilson presented them merely because his colonial popularity was at an all-time low, and he wished to recover some of his previous influence in Canadian politics.

These Resolutions were defeated, but only by the casting vote of the Speaker, the Hon. Peter McGill.¹⁸³

On July 28, the session was prorogued.¹⁸⁴ For several months the battles between the political parties continued unabated in the press. By November, the Governor was writing, "My ministers are thinking seriously of a dissolution during the winter...and I have told them that if they advise it I shall not refuse my assent."¹⁸⁵ Soon afterwards, the dissolution became official, and the elections were announced.¹⁸⁶

In Lower Canada, there were two important manifestos. The gist of the first one, directed by Caron, was that Metcalfe had forced the legitimate Executive Council to resign in 1843; had formed one which defied popular opinion; and had made improper overtures to the opposition to help maintain itself in power. Thus did Caron publicly recant his "Reactionist" activities during the period after the resignation. The manifesto contained several Resolutions, which dealt with the necessity of

¹⁸³ Le Journal de Québec, June 22, 1847. McGill was so horrified as each of the individual Resolutions came close to passage that he insisted on several recounts. He also felt obliged, for no apparent reason, to pronounce himself against double majority, which was not at issue. See also Doughty (ed.), The Elgin-Grey Papers 1846-1852, Elgin to Grey, Montreal, June 28, 1847, vol. 1, p. 51; Le Journal de Québec, Aug. 5, 1847.

¹⁸⁴ Doughty (ed.), The Elgin-Grey Papers 1846-1852, Elgin to Grey, Montreal, July 28, 1847, vol. 1, p. 60.

¹⁸⁵ ibid., Elgin to Grey, Montreal, Nov. 12, 1847, vol. 1, p. 80.

¹⁸⁶ ibid., Elgin to Grey, Montreal, Dec. 9, 1847, vol. 1, p. 101.

electoral reform by increasing Lower Canada's representation vis-à-vis Upper Canada, and the pressing need for responsible government and various other reforms. The most important statement was:

Pour nous, pour les libéraux des deux sections de la province, un effort commun et énergique devra nous assurer à jamais les droits que nous réclamons tous ensemble comme sujets britanniques. Les talents déployés dans cette noble lutte par les chefs du parti libéral dans le Haut-Canada, et les nombreuses manifestations publiques, qui ont eu lieu dans cette partie de la province, sont un indice assuré du succès qui nous attend.¹⁸⁷

This public affirmation of the ties with the Upper Canada Reformers, and the concentration on responsible government, was the final proof of the triumph of LaFontaine's policy. One contemporary analysed the manifesto as follows:

The rejection of these overtures, coupled with the pretensions of that party, now disclosed and avowed in the Quebec Manifesto, compels the reluctant belief, that it is the determination of those leaders not to unite with the Conservatives, though composing a majority of Western Canada; but to ally themselves solely with the minority of that section of the Province to secure their own tenure of office, by changing the system of representation....Monstrous as such a proposition appears, when plainly stated, it is nevertheless, the obvious meaning of the Quebec Manifesto; and is, though covertly, distinctly assented to by a leading member of the Opposition, in Upper Canada, in his recent address to the Fourth Riding of York.¹⁸⁸

The other manifesto was written by Louis Joseph Papineau, who had

¹⁸⁷ *ibid.*, cites La Minerve, Nov. 15, 1847, Manifeste Addressé au peuple du Canada par le comité constitutionnel de la réforme et du progrès, enclosed in letter from Elgin to Grey, Montreal, Nov. 12, 1847, vol. 1, p. 100.

¹⁸⁸ Quebec Gazette, Dec. 24, 1847, cites Montreal Patriot; see also Quebec Gazette, Nov. 24, 1847, which among other acid comments, remarks on the absence of any mention of double majority in the Quebec manifesto.

begun to attract a political following soon after his return to Canada.

Said Papineau unequivocally,

The repeal of the Act of Union must be demanded, because it is the wish of the people.... Besides, since the Union, men the most enlightened, the most worthy of the title and of the functions of legislators, have almost invariably abstained from voting with those of Lower Canada on questions relating to Upper Canada, and vice versa. This is just, and proves the folly of the Legislative Union....¹⁹⁰

Papineau, however, was not concerned with promoting double majority, but with destroying the Union and the brand of responsible government practiced under it. Reported Elgin:

The French Liberals are a good deal disconcerted by the tone of his address - on the one hand they do not like to proclaim that their sentiments are at variance with those of this redoubtable chief who still has a hold on Canadian sympathies - on the other hand it is awkward to profess antimonarchical doctrines and a contempt for Responsible Govt. at the time when the said Responsible Govt. is likely to bring them into place - Besides it is doubtful whether Upper Canada liberalism may not be alienated by the assertion of such principles-¹⁹¹

Faced with yet another manifestation of racism, this time Papineau-style, LaFontaine still clung to responsible government and the Reform alliance. Soon LaFontaine and his group came out against Papineau openly. "There is a growing feeling of dislike of Mr. Papineau on the part of those who

¹⁸⁹ P.A.C. O'Callaghan Papers, Jno. Ryan to O'Callaghan, Quebec, Sept. 3, 1846.

¹⁹⁰ Quebec Gazette, Dec. 29, 1847, cites Pilot, Dec. 24, 1847. Papineau's address to the Electors of the County of Huntingdon. Papineau was, of course, wrong about the customary practice of sectional legislative measures. See Appendix B.

¹⁹¹ Doughty (ed.), The Elgin-Grey Papers 1846-1852, Elgin to Grey, Montreal, Dec. 24, 1847, vol. 1, p. 102. Emphasis added.

have usually acted with Mr. Lafontaine in Montreal", reported one
¹⁹²
 source.

In December, 1847, the elections were held.¹⁹³ Baldwin's support-
¹⁹⁴
 ers won 26 seats; LaFontaine's supporters won 30 seats. Only one im-
 mediate problem lessened LaFontaine's triumph: the return by acclamation
 of his old leader, L.J. Papineau, because Papineau, "who has more person-
 al influence than any other individual in Lower Canada returns into pub-
 lic life with the avowed object of proving....Responsible Govt. a delus-
 ion and a snare." And Papineau also continued to encourage Quebec's riv-
¹⁹⁵
 alry with the District of Montreal.

Parliament was summoned for February 25, 1848. "A division took
 place on the Speakership in which Sir A. McNab the Ministerial candidate
 was beaten by 54-19!! Mr. Morin (French) elected-"¹⁹⁶ On March 4th, the
¹⁹⁷
 Ministers resigned in a body. On March 10th, Lord Elgin sent for Bald-
 win and LaFontaine. "Told them, that I thought there was a fair prospect,

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¹⁹³ Quebec Gazette, March 8, 1847; see also ibid., March 3, 1847.

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¹⁹⁴ Wade, The French Canadians 1760-1945, p. 253.

¹⁹⁴
¹⁹⁵ Cornell, The Alignment of Political Groups in Canada 1841-1867,
 p. 25.

¹⁹⁵
¹⁹⁶ Doughty (ed.), The Elgin Grey Papers 1846-1852, Elgin to Grey,
 Montreal, Jan. 22, 1848, vol. 1, p. 119; see also ibid., Elgin to Grey,
 Montreal, May 18, 1848, vol. 1, p. 166.

¹⁹⁶
¹⁹⁷ ibid., Elgin to Grey, Monklands, March 2, 1848, vol. 1, p. 127.

¹⁹⁷
ibid., Elgin to Grey, Montreal, March 17, 1848, vol. 1, p. 134.
 Elgin says March 4th; Cornell, in The Alignment of Political Groups in
 Canada 1841-1867, p. 25, says March 10th.

if they were moderate and firm, of forming an administration deserving & enjoying the confidence of Part (sic)", reported Lord Elgin. At this wonderful and triumphant moment, LaFontaine was "somewhat stiff, but he soon thawed...." As for Baldwin, who shared as well in the triumph, he "seemed desirous to yield the first place" to his friend and colleague.¹⁹⁸ Baldwin refused to accept a position of equality with LaFontaine, for that would have been in effect to sanction sectional leadership. He believed that United Canada could have but one leader, and in 1848 that leader was LaFontaine. With LaFontaine taking a firm stand against racism, and Baldwin maintaining an equally firm stand against sectionalism, double majority had no chance at all in the new Government. Ironically, this Government was ideally situated to implement the principle because it was supported by two sectional majorities, just as had been the case in 1842.¹⁹⁹

The formation of the new Ministry was a final step in the reconciliation of the "Reactionists". Said Hincks many years later with his accustomed euphemism: "Caron joined LaFontaine's Govt. so there was no serious misunderstanding."²⁰⁰ Other Councillors were Louis Michel Viger,

¹⁹⁸ Doughty (ed.), The Elgin-Grey Papers 1846-1852, Elgin to Grey, Montreal, March 17, 1848, vol. 1, p. 135; see also Wilson, The Life of Robert Baldwin: A Study in the Struggle for Responsible Government, who discussed this attitude of Baldwin's in great detail and by referring to many incidents and documents.

¹⁹⁹ P.A.C. Baldwin Papers, Baldwin to LaFontaine, Toronto, Jan. 25, 1848, vol. 4, p. 890-1, expressed concern that the Reform majority was too large. This is reminiscent of Wakefield's comments on the 1842 Government. See also ibid., LaFontaine to Baldwin, Montreal, Feb. 2, 1848, vol. 4, p. 895: "Let not numerical strength be a cause of weakness."²⁰⁰

Dent, Canada Since the Union of 1841, (Dent's copy), Hincks to Dent, Montreal, Nov. 17, 1881, vol. 4.

relative of the two Denis Benjamins in the Draper Government; Dr. Taché, who after wavering from LaFontaine's leadership in 1846 had redeemed himself the next year; and Aylwin, the 1847 "Reactionist". Hincks was naturally given a place, as were LaFontaine's two friends, James Leslie and Lewis T. Drummond. The "Reactionist" appointments destroyed most of the "Reactionists" justification for double majority, although they were forced to compromise by accepting LaFontaine's leadership. The other Councillors were two English Lower Canadian Reformers, both of whom disliked double majority; LaFontaine himself, who once in power had no need for it; Baldwin and Hincks, both self-declared opponents of the principle; and James Hervey Price and Malcolm Cameron and R.B. Sullivan, Upper Canada Reformers who were equally opposed to it.²⁰¹

Double majority was finished, and the Reform theme became once again responsible government. "Responsible Government is no longer a theory admitted in the abstract, but disowned in reality", rejoiced one Upper Canadian Reformer.²⁰² Another Reformer commented, "Party government we have achieved for ourselves though it was accounted a desperate experiment only

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Côté, Political Appointments and Elections in the Province of Canada, from 1841 to 1865, p. 28; see also Quebec Gazette, March 13, 1848. "As to Mr. Viger....some trace this appointment to the remaining influence of the old family compact between the Vigers and the Papineaus...." However, it must be mentioned that L.M. Viger, unlike some of his relatives, had not sided with those of his family who took office after the 1843 resignation. Instead, he appeared to side with LaFontaine.

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Doughty (ed.), The Elgin-Grey Papers 1846-1852, cites Toronto Globe, in letter from Elgin to Grey, Montreal, March 27, 1848, vol. 1, p. 141.

four years ago."²⁰³ And in the course of the famous Papineau-LaFontaine duel, carried on until the defeat of Papineau in 1849, LaFontaine's Revue Canadienne trumpeted:

The union was accomplished with the object of ruining us!
But the union has saved us....At present all right thinking
men, the Parliamentary majority, the entire country, desires
to give a fair trial to the principle of "Responsible Gov-
ernment".²⁰⁴

The Revue even reversed the LaFontaine line maintained throughout the Draper Government's administration, and thereby adopted as a justification for responsible government one of the "Reactionist" arguments in favour of double majority! "No one ought to separate himself from those who are in power: on the contrary it is necessary to give them a cordial and generous support." The reaffirmation of the Reform alliance was enthusiastically praised, for at last it had been vindicated as a successful policy:

Our party has recruited its ranks with men of all origins....
our friends, the liberals of Upper Canada, and those of Lower
Canada of foreign origin, have made prodigious efforts to
carry the elections, and...altogether we have gained the most
signal victory-²⁰⁵

LaFontaine fought racism, and to a lesser extent, sectionalism,
the fundamentals of double majority. His Reform alliance precluded the

²⁰³ P.A.C. LaFontaine Papers, Baldwin to LaFontaine, Toronto, Jan. 25, 1848, vol. 8, p. 1421-22. Baldwin was quoting Mr. Young.

²⁰⁴ Doughty (ed.), The Elgin-Grey Papers 1846-1852, Elgin to Grey, Montreal, May 4, 1848, vol. 1, p. 157-8, cites La Revue Canadienne as translated by an English Conservative paper which was not identified.

²⁰⁵ ibid., p. 158.

possibility of implementing the principle of double majority. His prudence in forming his Council gained him the allegiance of the "Reactionists", and his new political enemies were not at all concerned with double majority. Most important, LaFontaine's rise to power had destroyed the problems which double majority was supposed to solve. Final proof of this was provided by an article in the Quebec Gazette which, in the course of a discussion reminiscent of the year 1847, denied the existence of a French-Canadian party, and upheld the validity of the Reform alliance.

When the few gentlemen of French descent, who now compose a minority of the Executive Council, were invited to take office, not as representatives of a "French party," but of an important portion of their fellow-subjects of the same national origin as themselves, who had till then been isolated from the government of their country, they refused to do so; they would not stand on any other than political ground common to them and the majority of the population, of British as well as French origin.- When Mr. Lafontaine first came into power, it was through election by a constituency of British birth or descent, in Upper Canada, where but very few Canadians of French origin are to be found; and he has ever since faithfully adhered to his alliance with the political party of British origin, in that section of the province, of which Mr. Baldwin is the head; he has even been more than once reproached with sacrificing his own interests, and those of his fellow-countrymen of the same origin as himself, to that alliance.²⁰⁶

The author of these lines was none other than Ronald Macdonald, lately editor of the Canadien, inventor of double majority as it is known

²⁰⁶ Quebec Gazette, Sept. 21, 1848. In this article, the fundamentals of double majority, racism and sectionalism, are violently denounced. The racism had, in 1847, culminated in attempts to prove the existence of a French-Canadian party: here this party is denied. Sectionalism had always manifested itself as the premise that Lower Canada had to be considered an entity separate from Upper Canada, especially politically. This premise is also denied.

today, and once LaFontaine's bitter enemy.²⁰⁷ There is a famous addage which reads, "Defend me from my friends; I can defend myself from my enemies."²⁰⁸ In the final analysis, the "friends" of double majority proved not only the truth of the addage, but the truth of the hypothesis that double majority was nothing more than a system which was used by the various contending political factions to further their own ends, and their own interests, and beneath which to conduct their political battles.

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Jean Hamelin et André Beaulieu, Les Journaux du Québec de 1764 à 1964, (Quebec: Les Presses de L'Université Laval, 1965), p. 179, 211-212. Ronald Macdonald, whom Hamelin and Beaulieu always erroneously refer to as Roland Macdonald, left the Canadien on May 5, 1847, and became editor of the Quebec Gazette in Feb. 1848, replacing John Neilson. Macdonald had also worked at this paper's French edition from May 3 to Oct. 29, 1842, when he left for the Canadien.

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Attributed to Maréchal Villars when he took leave of Louis XIV.

CHAPTER IX

CONCLUSION

The system of double majority had many facets. Historically, the most important of these were the embryonic, the journalistic and the practical-political. Today, the purely theoretical aspect of double majority is considered the most significant. Each of these dimensions of double majority was different, yet all were inter-acting. It is only by studying each aspect in relation to, and in combination with, the others, that a multi-dimensional view of double majority emerges. In this work such a study has been undertaken.

In its embryonic form, double majority had no name or conscious existence. It existed only as expressions of sectionalism and racism, which became increasingly prominent after the Union. These trends were manifested in several forms. The first of these was the attempt to have the Union repealed. The structure of the public administration, in so far as it was based on sectionalism and racism, was another manifestation of embryonic double majority. The third most important way in which the trends were given expression was by the development of sectional exclusivity as a criterion for legislation. These were therefore some of the features of embryonic double majority.

While still in this nascent stage, double majority had both support and opposition, as early as 1841. The support came in the form of the proposed Upper Canada Conservative-French-Canadian alliance. The purpose of this proposed alliance was to obtain legislative power, which

would be used to undo the effects of the Union. The plan was to revert to the old provincial divisions as areas of legislative authority. Then each group would rule its own section as it pleased. A corollary of this proposal was therefore the absence of party government and a tacit agreement to ignore the Act of Union.

The opposition to embryonic double majority developed out of the Reform alliance between the French Canadians and the Upper Canada Reformers. The members of this alliance hoped to gain legislative power in order to liberalize rather than repeal the Union, and to enforce the implementation of responsible government. Racism and sectionalism were thus subordinated to a political goal, for the French Canadians involved believed that responsible government under the Reform alliance would guarantee French-Canadian interests better than the alternative alliance.

These two conflicting plans were constantly interacting, and exercised a great influence on each other. At first the main interaction came in the form of a leadership fight between representatives of each group, specifically LaFontaine and Morin against Viger and Neilson. Another form of interaction was brought about by the policies of the Governors. The results of such interaction produced the first great watershed event in the history of double majority: the LaFontaine-Baldwin Government of 1842.

The nature of this Government was at first considered to be a great triumph for responsible government, and thus for the Reform alliance. In choosing LaFontaine over the other leadership contenders, the

Governor had given the Reform alliance and its policies a great boost. However, the new members of the Government had been forced by the racist French Canadians to make several compromises. The LaFontaine-Baldwin Government was a modified rather than a reconstructed government, and among its Councillors there existed a degree of political incompatibility. Secondly, the Governor had invited LaFontaine to office as the leader of the French-Canadian race, and had thus sanctioned the racial criterion in politics. LaFontaine perpetuated sectionalism in his famous 1842 speech to the Assembly, and in office he did so by referring to the Upper Canadian Baldwin as his equal in the Government. Moreover, LaFontaine had been forced into office by the French-Canadian members of Parliament, against his and Baldwin's inclination. In order to secure his own leadership, he had been forced to compromise his policies in favour of those of the racist politicians.

Once in power, Baldwin and LaFontaine practiced government by simple majority. Public reaction to this had increased demands for government by sectional majorities for sectional measures. At the same time, this reaction influenced the decision of the Councillors to resign, both to escape the possibility of defeat on several important sectional measures, and to force truly responsible government. In fact, however, the resignation had just the opposite effect.

The 1843 resignation provided the conditions under which double majority not only grew increasingly important, but entered into its second and most influential stage: the journalistic. When the French Canad-

ians found themselves in opposition because of the resignation of the Reformers, their support of the Reform alliance, and of responsible government, was greatly weakened. In turn, their support of LaFontaine was weakened. Alternative leaders, D.B. Viger and D.B. Papineau, were found already in the Government. They, however, were powerless, because they enjoyed almost no support from the representatives from Lower Canada. The problem was to discover a means to win support for these leaders, and thus to place them in the same position as LaFontaine and Morin had occupied in 1842. The problem was solved by creating the 1842 myth, and by rationalizing it into a system of government.

On this new journalistic level, double majority won a name; a whole political movement, the "Reaction"; and an increasing number of "Reactionists" who appropriated it as their political platform. Double majority also gained public support. As it was interpreted by the "Reactionists", it presented a grave challenge to LaFontaine, the Reform alliance, and responsible party government by the simple majority. Therefore the LaFontaine partisans also appropriated double majority, and gave it their own interpretation. In practice, this interpretation meant that only their own leaders could enforce the system. LaFontaine's men also subscribed to the 1842 double majority myth, and in reply to charges that they had forsaken double majority in practice, they claimed to have resigned to defend both responsible and double majority government. On this journalistic level, double majority really consisted of political dialogues between the rival groups, which were also directed

to the public as political propaganda. As double majority entered into the field of practical politics, the newspapers made subtle adjustments in view of the changing political situations, and so changed the meaning of double majority as well.

Since double majority was designed to gain power for its supporters, political groups in Canada reacted to it in terms of the effect its implementation would have on their own positions. The Upper Canada Conservatives supported it, not as a theory of government, but as a political alliance between themselves and the French Canadians, whom they needed to maintain office. Their Lower Canada Conservative allies, however, realized that double majority would ensure French-Canadian supremacy in Lower Canada, and so they denounced it violently. The traditional foes of the Upper Canada Conservatives, the Upper Canada Reformers, also denounced the system. It would give power to their enemies, perhaps indefinitely; and it would effect a separation of the two sections of the Union. It would also end the Reform alliance as a policy, because under double majority, alliances would be automatic between the sectional majorities. Last and not least, double majority was unconstitutional.

On its journalistic level, double majority was a crystallization and a simplification of Union trends and policies. This was its public level. The system was also involved in practical politics. Historically, this was the most important of all its aspects. There were two by-elections which were considered indicative of public reaction to double maj-

ority. From 1845 to 1847, under each of the three successive Governors, there was a negotiation involving the Government and the French Canadians, designed to gain French-Canadian support for the Government. Double majority became an essential feature of each of these negotiations, because it was imposed as the central issue. Under its guise, the real political fights were carried on. These were a leadership struggle which was increasingly associated with the Montreal-Quebec rivalry; political differences between the politically-oriented Reform alliance and the racist-oriented "Reactionists"; and different inter-sectional alliances, which consisted of the LaFontaine-Reform alliance, and the "Reactionist"-Conservative alliance.

The real stake in all these battles was power: who was going to obtain power, and by what means. Therefore an essential condition for double majority was that the French Canadians had to be in opposition to the government, rather than in power. Once in power, they had no need to question the means of obtaining it. Almost as important were the positions of the Upper Canadian Conservatives and the Reformers vis-à-vis the government. Unless the Reformers had a majority in Upper Canada, the French Canadians challenged the validity of the Reform alliance and its policies. Lord Elgin's comments on French-Canadian politics are both perceptive and witty.

They adopt at second hand the political dogmas of the English liberals and assert them, whenever it is convenient to do so, with becoming force. But they are unwilling to admit - I might almost say they seem incapable of comprehending - that the principles of constitutional Govt must be applied against them as well as for them - and whenever there appears to be a chance

of things taking this turn, they revive the ancient cry of nationality, and insist on their right to have a share in the administration, not because the Party with which they have chosen to connect themselves is in the ascendant, but because they represent a people of distinct origin - As the theories of Govt on which their claims to office respectively rest contradict each other, it is almost always possible for them when they are out of power to demonstrate, on one or other hypothesis, that they are unconstitutionally treated.¹

During the period under consideration, the two conflicting theories were responsible government, that is government by party, as opposed to double majority. Associated with the first system was the Reform alliance under LaFontaine and non-sectional government. The concomitants of double majority were the leadership of Viger and Papineau, later changed to Caron; sectional government, and political alliances based not on common ideology but on majority status in each section. Double majority was of course in the ascendant when the French Canadians were in opposition. As a racist-oriented system, which identified French-Canadianism with Lower Canada, its implementation would have permitted the French Canadians to gain power over their section by virtue of their majority in Lower Canada, regardless of their status within the total representation in the Assembly. However, various events gave LaFontaine's policy the edge even during the period of French-Canadian opposition. With the departure of both Metcalfe and Cathcart, it was generally believed that the French Canadians would again be called to office, and so double majority was more or less forsaken. This was also true after the

¹ Doughty (ed.), The Elgin-Grey Papers 1846-1852, Elgin to Grey, Montreal, June 28, 1847, vol. 1, p. 52.

failure of each of the three negotiations.

LaFontaine also had his set-backs, and these always came in the form of "Reactionist" triumphs. The victory of Viger in Three Rivers, and of André Taschereau in Dorchester, were taken to mean that the policies, leaders and the double majority of the "Reaction" were popularly supported. Immediately after the Dorchester election, the first negotiation was begun. Largely because the Government of Upper Canada was Conservative, the French-Canadian principals were chosen from "Reactionist" ranks. These men were expected to react favourably to the proposals, in view of their opposition to the Reform alliance, and to LaFontaine. Morin was the one exception. LaFontaine, invited by Caron to sacrifice himself, made double majority the issue of the negotiation, but in such a strict and developed form that the Government was unable to accept it.

The same principals, Morin and Caron, were also approached in the second and third negotiations. Each time double majority was made the overt issue; each time the real issue was leadership and the associated District rivalry, and the Reform alliance. The last negotiation was the most interesting, and came closest to success. As it was reflected on both the practical and journalistic levels, it crystallized the main themes of double majority, of the other two negotiations, and of the political nuances and balances. More than ever before, the journalistic and practical aspects were interactive. The main "Reactionist" theme was the rationalization of racism, into the idea of the existence of a French-Canadian party. This political party was described as the political arm

of the French-Canadian race. The 1842 myth, composed of truth as well as fancy, was used to show that this party had won power on the basis of race, sanctioned by both the Governor and LaFontaine, and in fact by all those who had participated in the governmental arrangements. This racist theme was emphasized by the interpretation of the role of English Reformers in Lower Canada. Because they represented French-Canadian constituencies, they were "politiquement parlant" French Canadians, and their primary obligations were to French-Canadian interests, and not to Reform objectives. Francis Hincks correctly described this as making the term "French Canadian" a political designation.

The second main "Reactionist" theme was that the Reform alliance, symbolized by Francis Hincks and his Pilot, had hypnotized the LaFontaine group into denying the French-Canadian party in order to preserve the alliance intact. Again the 1842 myth was brought to bear upon the subject: the Reformers of Upper Canada had destroyed the double majority basis of the 1842 Government, and in so doing they sabotaged French Canada itself, which required double majority to safeguard its interests.

The third most important theme was the leadership and District rivalry issue. The Montreal leaders, specifically LaFontaine, had usurped leadership and consistently used their power to defy popular Quebec opinion in the matter of repealing the Union; resigning in 1843; and rejecting three offers of double majority. To the "Reactionists" these offers were double majority because they recognized Quebec "Reactionists" as principals, and because if French Canadians could be persuaded to sup-

port the new Councillors, the Government would be supported by double majorities.

The LaFontaine press, on the other hand, emphasized such themes as the value of the Reform alliance. The LaFontaine editors said that the negotiations were not based on double majority, and that the "Reactionist" double majority was nothing more than place-seeking. Moreover, they insisted that although double majority was fundamentally unattractive, they would consider it if it were offered. However, no offer would be acceptable if it were based on racism, because the LaFontaine policy was to ally with English Reformers on political grounds. The LaFontaine politicians defended their refusal to suggest double majority to the Government, and consistently tried to prove that it had not been offered. This was in striking contrast to their attitude to responsible government, which they had attempted to force from a reluctant government. It was also in this year that LaFontaine's press first rejected the 1842 myth, and in so doing undermined much of the rationalization for double majority.

In the negotiations themselves, these themes were repeated on the practical rather than the journalistic level. It became clear that the real issue was whether or not it was wiser to accept office in order to win the anticipated elections, or whether it was politic to remain in opposition. This was true of both groups. For example, one "Reactionist", T.C. Aylwin, who did not even believe in double majority at all, wanted to accept the offers merely to gain power. Merin, the LaFontaine man,

did not want to accept the 1847 offers because he preferred to remain in opposition until the elections. His attitude to double majority was one of fundamental repulsion, tempered by timidity and indecision. The negotiation failed largely because the LaFontaine men forced the "Reactionists" to agree that unless Dominick Daly were fired, double majority could not be implemented. Ostensibly over this issue, the affair was ended. The other reasons for the negotiation's failure were personal ones.

Since double majority on its most important level was mainly a reflection of the political balances of Canadian life, the personal element was most significant. The role of the various individuals has been discussed throughout this study as an integral feature of the events of the period. The dramatis personae included LaFontaine, Morin, Caren, D.B. Papineau, Taschereau, Hincks, Baldwin, Cayley, Draper, Chauveau and the Governors, among others. Their relationships with each other, and the degree to which they influenced each other, were of vital importance. For example, Hincks and Baldwin, especially the former, exercised a great influence on LaFontaine and Morin. During all the important events, Hincks was almost ubiquitous: consulting here, arguing there, convincing, pleading and interfering. And Hincks was the personification of the Reform alliance, a fact which the "Reactionist" press proved time and time again. Hincks intensely disliked double majority. He was also the bridge between the Upper and Lower Canada Reformers, thoroughly informed of the activities of both groups. Baldwin, less intelligent, less flexible, less well-informed, was nevertheless very important to LaFontaine. His fix-

ation about responsible party government conducted in a non-sectionalized government made a great impression on LaFontaine, who had a deep respect and affection for the cold and unyielding Upper Canadian. As a politician, it was natural that LaFontaine also had negative relationships, notably with Metcalfe, Draper and later, with Caron. Metcalfe could not bear him; Draper and most of his Council refused to work with him; and LaFontaine and Caron were alienated when Caron challenged his leadership. He even had difficulty with his friend Morin, although they soon reconciled.

Caron and Draper, for a while, were very friendly, and this was as important for double majority as was their subsequent cooling-off. Draper's easy relations with both Metcalfe and Cathcart allowed him his own head with reference to the French Canadians and his negotiations with them. The negotiations in turn involved, or were made to involve, double majority. Viger and D.B. Papineau, whose positions in government had been the immediate cause of the formalization of double majority, were greatly influenced by their affection for Governor Metcalfe, who reciprocated it. Even the fact that Lord Elgin did not return to England after the third negotiation, or die, was very significant. The list goes on and on. Its content is indispensable for an understanding of the personal factors which contributed to the nature and fate of double majority. Double majority, as has been shown throughout this study, was a mask behind which the political battles of Canada were fought. A study of the system reveals above all the nature of the real, as opposed to the theoretical, life of the period.

The 1847 negotiations were considered to be irrevocable in consequence. There was an almost literary beauty to the situation. The "Reactionists" felt that thrice the olive branch of double majority had been extended to the French Canadians, and thrice refused. The rooster had crowed for the last time in that political dawn. LaFontaine and his policies had triumphed. The "Reaction" was abruptly ended, and LaFontaine ensured that it would no longer challenge him. This he did by allowing "Reactionists", including his main rival Caron, into the Government formed in 1848. He also conciliated the influential Viger-Papineau family complex by giving one of them a post. Two Lower Canadian English Reformers, both LaFontaine supporters who disliked double majority, were also given seats in the Council. Since the main object of double majority had been to gain power, LaFontaine's success and his allotment of some of this power to ex-"Reactionists" obviated most of the justification for double majority. Certainly the problems of leadership and District rivalry were not ended, but with Quebecers such as Caron and Aylwin in the Government, enjoying secondary positions in the French-Canadian leadership hierarchy, complaints were almost entirely unheeded.

No sooner had LaFontaine's victory been acknowledged, and the "Reaction" ended, than he was faced with yet another challenge. This gauntlet was tossed down by Louis-Joseph Papineau, who channelled the racist and sectionalist currents of the Union into yet another movement. First had come repeal attempts; second the double majority of the "Reaction"; and third Papineau's movement. LaFontaine and the ex-"React-

ionists" who had joined him responded to the racist and sectionalist appeals by denouncing them, and by emphasizing in their stead the Reform alliance, and responsible party government. Double majority was forgotten. Its fundamentals were decried by those who could have effected it, if indeed anyone could have done so. The opposition status of the French Canadians, a necessary condition for double majority in this period, was removed. The post-1847 negotiation predictions of its demise were proved correct.

Therefore the choice of 1848 as the terminal date of this study is entirely justified. That is not to say that double majority ceased to exist in 1848; rather, the conditions necessary for its implementation ceased to exist. Certainly a form of double majority was a feature of Union politics under Sandfield Macdonald. Yet by then its character had changed because of the radically different political context, especially with the French Canadians divided formally into opposed political parties. This double majority bore but little resemblance to the double majority of the 1840's. A totally different historical perspective is required to study the system of the later Union period which also went under the name of double majority.

Historically, double majority was a kind of political hoax, designed to further various opposed political interests. At no time was it practiced with any consistency by those who gave it public support. Its most important physical locale was in French Canada; its development was intimately related to its constitutional locale of the legislative Union.

Despite this, double majority exercises a fascination even today. In present form, double majority is abstracted from its context, and is discussed on the theoretical level. Historically, of course, this was the least important aspect of the system. The attraction of double majority lies in the fact that it is primarily a system designed to regulate French-English political relations. To this day, these relations have not been solved, and various solutions, including double majority, are considered. However, double majority is not understood in any aspect, including its theoretical one. This study would therefore be incomplete if a definition were not attempted.

This definition has to be drawn from double majority on its journalistic level. Since the system was defined differently by every political group in order to further their own interests, it is also necessary to eclecticize from all the double majority systems to provide the most developed definition. Basically, double majority was a principle of government. It required the existence of two majorities, one from each of the two sections of Canada. As a racist-oriented system, one of these majorities was presumed to be a French-Canadian one. The Upper Canadian majority, on the other hand, was distinguished by political ideology rather than by race. From these two majorities were to be selected two separate governments, enjoying the support of their respective majorities. Between these two governments there was no need for political compatibility. By the same token, there was no need for political compatibility between the two majorities. Legislative measures prepared for each

section were to be within the exclusive competence of the government and the majority from the section concerned. A sectional majority was to be required for the passage of such measures. Each sectional government was to be responsible to its own sectional majority. The system had to receive popular and legislative sanction in order to become the rule of government. Whether a double majority or a simple majority were to be required to effect this was never mentioned.

Other facets of government were never mentioned in relation to double majority. One of these was the case of legislation involving both sections. The most obvious example is that of money. Logically, the answer would be that two sectional majorities would be required for the passage of inter-sectional measures. However, no one cared enough to consider this problem.

Another point which a definition must consider is the nature of a double majority government. The two systems with which it has at least superficial similarities are federalism and separatism. These should therefore be examined in relation to a double majority government. "By the federal principle", says one expert, "I mean the method of dividing powers so that the general and regional governments are each, within a sphere, co-ordinate and independent."² A federal system therefore requires both the existence of general and regional governments, and

²K.C. Wheare, Federal Government, (London: Oxford University Press, 1963), p. 10; see also R. MacGregor Dawson, Democratic Government in Canada, (Toronto: University of Toronto Press, 1965), p. 9-10.

methods of dividing powers. Under a double majority government, Canada would have had no central government; merely two regional ones. Unless Britain functioned as the central government, and it is most unlikely that the Canadians would have permitted this, the central government could only be formed by the combination of the two regional governments. This would be most unusual, even for Canada.

Another expert said that

the natural and literal interpretation of the word "federal" confined its application to cases in which states, while agreeing on a measure of delegation of their power to a common government, yet in the main continue to preserve their original constitutions. The word could only be used loosely, he thought, to describe states which agree to delegate their powers with a view to entirely new constitutions....³

A double majority government certainly had the character of a new constitution, since it changed the nature of the Union and responsible government. Moreover, it was the only existing government which would have agreed to delegate all powers to regional governments, rather than vice versa. Since the authors of double majority never mentioned matter common to both sections, there were in fact no powers to delegate to a central government. Again double majority does not conform to federalism.

The other main point is of course the purpose of federalism, which is

to preserve diversities either where they are worth preserving...

³ Wheare, Federal Government, p. 12, cites Lord Haldane in the case of the Attorney-General for the Commonwealth of Australia v. Colonial Sugar Refining Company Ltd. in 1914.

or where they cannot be eradicated even if they are not desirable, and at the same time to introduce a measure of unity as will prevent clashes and facilitate co-operation.⁴

The purpose of double majority was in direct conflict with the purpose of federalism. The two majorities were united, and it was the purpose of double majority to undo the effects of their union. It was also supposed to perpetuate diversities, and to revert to the separate states of the Constitutional Act of 1791. One of the Conservative justifications for double majority was that it was in fact merely a reversion to the situation before the Union. Clearly, double majority was not federal, or even quasi-federal.

Many characteristics of double majority are fundamentally different from federalism and its properties. They are, however, akin to separatism. Two governments supported by sectional majorities, concerned with sectional measures, incapable of interfering with the other section; in these features are all the elements of separatism. Again, the purpose of double majority was to disassociate the two Canadas from each other, and to encourage their differences. Historically, this is also logical, for double majority was merely the repository of trends which were also separatist-oriented: repeal; and the republican-separatism of Louis Joseph Papineau who wished to join the American Union as a sovereign state. However, the two governments of double majority were apparently to continue acting together in one House; at least, no suggestions were made to suggest otherwise. Therefore double majority may be said to be

⁴ ibid., p. 244-245.

modified separatism.

As a separatist system, double majority had little meaning in its actual historical context, except that the separatist element in French Canada gave support to the "Reaction" more readily than did the Union supporters. In the 1840's, it was the interpretations of double majority which were all-important, and this was because the object was to gain power for specific groups. In implementation, this was all the system was meant to accomplish. Only as a secondary and related object was the nature of the government to be changed. The proof of this is of course in the behaviour of the "Reactionists" when they lost out to LaFontaine in 1847. Power had been gained, and the means was speedily forgotten. And the object of this power was to keep it as long as possible; each legislator and each political group relied on their own capacities to protect their special interests. Another proof was that at no time was double majority ever practiced consistently in the area of legislation.

The history of double majority, therefore, has little value as an object lesson for the 20th Century, and for Confederation. What value there is consists of the negative fact that the LaFontaine-Baldwin policy, which was opposed to the "Reactionist" policy, did not solve the English-French problem; and that power was as important to 19th Century politicians as it is today.

APPENDIX A

A LETTER ON THE MINISTERIAL CRISIS¹

Accounts (sic) will reach you by this mail, calculated to make a very false impression with respect to the state of affairs here. It will appear to you that SIR CHARLES METCALFE has entered upon a violent quarrel with the Assembly; that he has no chance of gaining the victory in this contest with the representatives of the people; that we have suddenly reverted to the old system of collision between the Executive and the popular branch of the Legislature; that the Union won't work; and that the Mother-country has now to determine whether she will alter the Provincial constitution, and rule the Colonists by force, or have done with troublesome Canada for ever. Do not believe a word of it. Nothing more has happened than one of those Ministerial crises or changes of Ministry, which must be frequent under the British Constitution wherever it may be established, and which, all experience tells us, instead of proving fatal to the Constitution itself, are the main cause of its stability: MONTESQUIEU must have had these in view when he spoke of the English King as "un roi toujours chancelant sur un trône inébranlable." Nothing more, I say, has happened than one of those political storms which have the effect of clearing the atmosphere and improving the weather under a free Constitution. You will agree with me after having attended to the following narrative of recent events.

SIR CHARLES BAGOT's determination to admit the French Canadians

¹ Quebec Gazette, Dec. 22, 1843, quotes "A Letter on the Ministerial Crisis", to the editor of the Colonial Gazette (London), Kingston, Dec. 11, 1843, known to have been written by E.G. Wakefield.

to a share in the government of their country, produced an Administration enjoying the confidence of a very large majority of the people of United Canada; a majority which at the opening of the Session of Parliament just closed was represented by more than 60 of the 84 members composing the Assembly. Lord GREY's administration in 1833 was hardly so strong as respects the constituencies, whilst the cordial adoption of Sir CHARLES BAGOT's policy by Sir CHARLES METCALFE gave a degree of security to the LAFONTAINE-BALDWIN Ministry on the side of the Crown, which Lord GREY never enjoyed after 1832. Most people said of this Provincial Administration, "How strong it is!": only a few expressed some vague fear of its being in danger, by asking whether it was not a little too strong. Such was the aspect of our politics when the late Session commenced. The Opposition in the Assembly, numbering hardly 20 votes, were manifestly without a policy either for the country or for themselves as a party; their utmost efforts were confined to a muttered repetition of old stories about disaffection and loyalty: and the Government introduced a mass of legislative measures, with every prospect of having its own way with respect to them, and indeed with respect to every thing besides.

Yet even then there were not wanting careful observers who saw the possibility of the very shock which has occurred. I am speaking now of those who said, that perhaps the Ministry was "a little too strong." These, while they acknowledged that the bulk of the measures promised by the Ministry were likely to be of service to the country and agreeable to the people, perceived nevertheless that some of them had been

prepared without regard to circumstances of great importance which no statesman would have overlooked. Believing that the downfall of the LAFONTAINE-BALDWIN Ministry has been mainly occasioned by their disregard of these circumstances, I would draw your particular attention to them.

The Union of the two Canadas has brought under the control of one Legislature two nations, so to speak, which widely differ in origin, language, laws, customs, and habits of thought. One law for these two different races would be as unjust and intolerable, as two different laws for one and the same people. It follows that in order to content the whole people of Canada, legislation under the Union must for a long while be carried on in that federal spirit, which has marked the proceedings of the Parliament of Great Britain as respects England and Scotland since the legislative union of those differing countries. Of this all-important principle the late Canadian Ministry appears never to have had any clear view, or even a glimpse. For, though what may be termed a practical necessity obliged them to frame some of their measures, not for the whole Province, but for one or other of its recent divisions exclusively- to propose this law for what was formerly Upper Canada, and that for what was formerly Lower Canada- yet they had the inconceivable folly to depend upon their Lower Canadian majority as a means of carrying through Parliament measures for Upper Canada alone, which were repugnant to the Upper Canada majority. The case is the same as if the Ministry at home, in proposing measures applicable to Scotland alone, should

disregard opinion in that part of the United Kingdom, turn a deaf ear to the remonstrances of the Scottish Members of Parliament against such measures, and carry those measures through by means of English members no less ignorant than careless of the peculiar wants and wishes of Scotland. This is what the LAFONTAINE-BALDWIN Ministry attempted with respect to an Assessment Bill for Upper Canada alone, which that part of the Province greatly disliked, and which was opposed by a majority of the Representatives of Upper Canada in the Assembly. They attempted this; but in vain, because a good many of the members for Lower Canada, perceiving the extreme inpolicy (sic) of the Ministers in this respect, threatened to vote with the Upper Canada majority; and the obnoxious Bill was accordingly withdrawn. This was a deep mortification to Mr. BALDWIN, as you will better understand when I shall come to speak of certain peculiarities in his character. It was probable that other measures of a like nature would share the same fate. In particular, there was a Bill for the establishment of a University in Upper Canada, which interfered with endowments and chartered rights in that part of the Province, and which the French Canadian members, accordingly, who are strongly disposed to preserve such property and privileges, would probably have declined to support. This measure was Mr. BALDWIN's own, and a great favorite: he would probably have been compelled to withdraw it on the Monday after the Sunday on which he resigned. You must now comprehend that there were reasons for his resignation besides those which have been told to the public.

In fact it was a common saying, just before the resignation took place, that the Administration might perhaps not last through the Session. This doubt of their stability was founded on a variety of circumstances besides those to which I have already adverted. In the first place, Mr. LAFONTAINE had been successfully opposed by a body of his own especial adherents in the Assembly, led by Mr. VIGER, whose experience, patriotism, and political accomplishments give him great weight with his countrymen. This opposition was directed against one of the most important features of a set of Bills for the improvement of the Judicature of Lower Canada, on which Mr. LAFONTAINE had bestowed uncommon pains, and for which he felt the affection of a parent; and its success, by an open vote in the Assembly, could not but have annoyed him exceedingly. Secondly, it was town-talk down to the day of the Ministers' resignation, that they had offended their adherents in Parliament by a degree of reserve with respect to contemplated measures, and of arrogance in personal intercourse, which nothing could excuse; nor any thing explain, save the supposition that they were intoxicated by the novel enjoyment of almost unlimited power. Thirdly, one of the Members of Parliament, Mr. HINCKS, had managed to render himself so very unpopular by a curiously offensive method of exercising authority, that the Assembly could no longer listen to him with patience. Fourthly, this Ministry had received "a severe blow and greater discouragement" in the defeat of an attempt, which they appeared to view with favour, to fix upon one of their colleagues, Mr. DALY, a charge of peculation and gross delinquency, which a Select Com-

mittee of the Assembly declared to be utterly without foundation. And lastly, the secession of a number of Upper Canadian Members of the Legislative Council (or Upper House) occasioned, as it would be easy to show, by a course of general disrespect towards that House on the part of the Executive, and by particular bungling and intemperance towards them displayed by the only Member of the Executive having a seat there, had brought matters to such a pass in this branch of the Legislature, that all measures, not excepting those relating exclusively to Upper Canada, were assented to by not more than three Upper Canada Members, the remainder being nearly all French Canadians; while there was every prospect that Legislation would be stopped by the failure of a quorum. Put all these things together, in addition to the Upper Canada difficulties in the Lower House, and it will be plain to you that a quarrel with the Governor General was by no means necessary in order to upset the LAFONTAINE-BALDWIN Ministry before the close of the Session. If you have any doubt on the subject, be so good as to recur to the Seat of Government question, the decision of which against Upper Canada, however just and politic as regards the whole Province, had occasioned a state of feeling in this section of it, which would have induced a wise administration to exercise the utmost prudence, forbearance, and even gentleness, in the treatment of every other matter relating to Upper Canada.

These, however, are not the only grounds on which I imagine that the difference with the Governor General, on which the ex-Ministers resigned, was sought by them as a way of escaping from insurmountable dif-

ficulties in Parliament. The demand made upon the Head of the Government was of such a nature, was so thoroughly unconstitutional and absurd in itself, that those who made it must have been sure beforehand of the Governor's positive refusal to comply with it. Nor, accordingly, has any one of them ever pretended that they had the least hope of his yielding the point to them. They went to him with the certainty that their visit would end in his acceptance of their resignation. The evil consequences for the Province were manifest: a Session of Parliament unexampled in this country for the amount and importance of the measures in hand, would come to an end at the most critical moment; nearly the whole of its past labours would be wasted; and the people would be bitterly disappointed. Why did not Messrs. LAFONTAINE and BALDWIN postpone for a few weeks their quarrel with the Governor General, so as to let the more important measures of the Session pass into law? The true answer is obvious: because whatever had come of the measures, their Ministry was in great danger of a blow from Parliament, which would have left those incompetent leaders without a party in the country: they retired from office, in order to save themselves from being turned out: however blinded previously by having been "too strong," they discovered their danger in the nick of time, and averted the mortification of sinking for want of popular support, by forcing upon the Governor General a quarrel in which they expected all the popular sympathies to be on their side. Mr. BALDWIN has often boasted that he is a strong party man, and now he has proved it effectually.

This view of the subject is confirmed by another consideration. Mr. BALDWIN's political character is composed almost entirely of self-esteem, so sincere as to be properly termed honest or conscientious, and perfectly inordinate in degree. Every body believes him when he says, that he cares little for power, and nothing at all for office. Now, this gentleman's position in the late ministry was by no means an agreeable one for a man of his peculiar temperament. He was brought into power in September, 1842, not as a leader of an important party in Upper Canada, (for at that time he led an opposition in the Assembly composed of four members including himself,) but as a gentleman who had conferred obligations on the French Canadians by taking part with them against Lord SYDENHAM, and whom their strong sense of political honor led them to repay, by refusing Sir CHARLES BAGOT's proposal of office except on condition that this Upper Canadian friend were admitted to power along with them. Politically, therefore, Mr. BALDWIN was a French Canadian Member of the late administration, and he, necessarily, in the estimation of the public, played second fiddle to Mr. LAFONTAINE. To such a man as Mr. BALDWIN such a position must have been perpetual wormwood. Even the ascendancy which he acquired over Mr. LAFONTAINE in the Executive Council, though it gave him the opportunity of carrying out his own views of policy for Upper Canada by means of French Canadian votes, was but poor compensation for the want of that prominence, that first and highest place among one's associates and in the public eye, which is always the desire of excessive self-esteem. His position at this moment must be far more

agreable (sic) to him. The late Government was formed on the principle of "justice to the French Canadians:" Mr. BALDWIN has broken it up on that of "responsible government," which is almost his one idea in politics, and of which he now figures as the martyr. His particular subject is now in everybody's mouth: he is now the observed of all observers. The LAFONTAINE-BALDWIN Ministry has become the BALDWIN-LAFONTAINE Opposition; and Mr. BALDWIN's smiling countenance in the Assembly has expressed his satisfaction at the change.

But the main reason of all for believing that the ex-ministers went out of their way to pick a quarrel with the Governor General, is to be found in the dispute itself. According to their own statement of the facts, (see the written communications between them and Sir CHARLES METCALFE) there existed at the time no one subject of difference between the Head of Government and themselves- no case of an appointment just then made without their advice- no project of an appointment against which they protested: but in consequence of some past differences with the Governor respecting appointments, which at the time they had not deemed it of sufficient importance to call for their resignation, they went to him one fine morning, and tendered their resignation because he refused to give them any assurance as to the future disposal of appointments under the Crown. Imagine Sir ROBERT PEEL or Lord JOHN RUSSELL, going on such an errand to the Queen, and coming back to tell the House of Commons that he had resigned because he found Her Majesty unwilling to proclaim the Crown subordinate to the Cabinet! Would not all the world believe in that

case, that the Minister had other reasons for wishing to retire from office, and had made an utterly inadmissible proposal to the Crown for the purpose of retiring on the ground of its rejection?

I cannot doubt, however, that Messrs. BALDWIN & LAFONTAINE had managed to get upon bad terms with the Governor some time before their resignation. No Governor of a Colony, most assuredly, ever carried out the principle of "Responsible Government," so far as SIR CHARLES METCALFE has done in Canada; nor was there ever before in any Colony a "Provincial Administration," which, while they possessed on the one hand the confidence of the Representative-body, enjoyed on the other so much executive power- had their own way so entirely in their capacity of Ministers- as this said LAFONTAINE-BALDWIN Administration. Yet it appears by all accounts, that the two leaders were not content with substantial power, but also wanted to play the part of masters over the Governor; that they carried on their whole intercourse with him in an exacting, domineering, spirit; that they perpetually whipped and goaded the willing horse. Such monstrous impolicy may be accounted for in Mr. BALDWIN, by reference to his boundless good opinion of himself: in Mr. LAFONTAINE it probably arose, in part from a habit of suspicion and opposition, engendered by the long subjection of his people to every species of injustice, but still more from a haughty and overbearing temper, which is matter of complaint against him, even among his own particular followers. Be this, however, as it may, there can be no doubt of the fact, that these two Members of the Executive Council did to Sir CHARLES METCALFE what is vulgarly called

"stroking the dog the wrong way of the hair." The sang-froid and wariness of the veteran Governor prevented him from repaying such caresses with an inopportune bite, but his growl was often heard in the Council Room. So the ex-Ministers themselves have told us, by their use of the word "antagonism." It follows that they had not the least prospect of being assisted by the Governor, if the Parliament should frown upon them. And the final conclusion is, that, upon the whole, their resignation upon a ground which was sure to obtain for them much popular sympathy, was about the most politic of their Ministerial acts.

This popular sympathy they have spared no pains to secure. They represent Sir CHARLES METCALFE as an old Indian, disliking and incapable of understanding free institutions. They paint him mounted on an elephant, the despotic ruler of oriental slaves. They boldly assert that he is a foe to "Responsible Government"; and then, forgetting their oath of secrecy (sic) as Executive Councillors, they tell in the Assembly a variety of stories about appointments to office, which he has no means of contradicting, and which go to make out that he systematically endeavoured to dispose of the patronage of the Crown without consulting his responsible advisers. Because a new administration is not instantly formed, they assert that we have reverted to the old plan of irresponsible rule; and Mr. LAFONTAINE enforces the complaint, by pettishly attacking the Governor's Civil Secretary for wearing his official uniform when he delivers a message to the Assembly from the Head of the Government. In a word, the whole aim of the ex-Ministers, since their resignation, seems to have

been, in utter defiance of those constitutional notions which they profess, under the name of attachment to "Responsible Government, " to excite fear, and jealousy, and dislike of the Governor General personally, and to persuade the country that unless Messrs. BALDWIN and LAFONTAINE be supported against Sir CHARLES METCALFE, this colony will be deprived of the proper consequences of its representative system.

And further, the doers of dirty work for the party, (all parties have instruments suitable for such work) have been indefatigable in spreading reports to the effect, that Sir CHARLES METCALFE is unwell, and tired of Canada; that his once-powerful intellect has succumbed to climate and labour; that he is timid and incapable of resisting a vigorous assault; that the ex-Ministers resigned with a certainty of getting into office with more power than ever; and that overtures have already been made to them, with a view of their returning to office on their own terms.

By these and such like tales, added to the misrepresentation described in the last paragraph but one, a large majority of the Assembly (including most of my old friends, the "loose fish," who always swim with the stream), were hurried into supporting the ex-ministers by a vote of confidence. Most people thought it was all over with the Governor General, and that he would either retire from Canada, or convulse the Province like Sir FRANCIS HEAD, by throwing himself into the arms of the opponents of the late Ministry. It is evident that he has never for a moment contemplated any thing of the sort. His personal demeanour throughout this "Ministerial crisis" has been singularly calm, patient, and good-humour-

ed. Instead of discarding "responsible government" as impracticable, he emphatically declares to the Assembly that no other system is practicable in this colony: instead of denouncing the Upper Canada Reformers, who hastily voted against him, he invites them to assist in forming a new administration as liberal as the last: instead of encouraging the Upper Canada Conservatives to get into a passion of loyalty, he begs of them to avoid extreme courses, and to support him with only a moderate zeal: instead of quarrelling with the French Canadians, he proclaims the justice and wisdom of giving them a due share in the executive government of their country, and pledges himself to form no permanent administration without offering power to several of the most prominent of their leaders. Above all, he has intimated, by his Speech when proroguing the Parliament, that he has no thought of retreating from the difficulties of his position. The natural fruits of such presence of mind and deliberation of purpose are already beginning to appear. Men of all parties, with the exception of the late Ministers and their immediate partisans, ask what the quarrel has been about, and talk of the possibility (of) forming a Government supported by a majority of the present Assembly. Mr. VIGER, who in the absence of Mr. PAPINEAU may be deemed the leader of the French Canadians, is understood to have overcome his repugnance to the troubles and responsibilities of office, and to have accepted the first place in a new Administration. It is expected that tomorrow will not pass over without the acceptance of office by several other leading members of the Assembly and Legislative Council. In less than a month, probably, a strong Administration will be

completed, likely to enjoy the confidence of both Houses of Parliament, and qualified to carry into effect a popular system of Government without offensive arrogance towards the Governor General or any body else, and without falling into any of the other errors of Messrs. BALDWIN & LAFONTAINE. This is my own expectation. Should it be realized, the public voice will pronounce that the incompetence of its leaders was the true cause of the downfall of the late Ministry, and that the shock of their resignation occasioned was but one of those evils out of which good com-
eth in abundance.²

² There is a great deal of truth in Wakefield's letter. Where he fell short was in his analysis of Baldwin's relationship with LaFontaine. Although he understood their individual characters very well, he did not understand their relationship. There is no evidence to suggest that Baldwin was jealous of his friend's position in government; rather, he encouraged LaFontaine to take first place in accordance with his own views of responsible government, and the benefits of a non-sectionalized government, which have been discussed in detail. One well-known Canadian historian, Chester Martin, has written in Empire and Commonwealth: Studies in Governance and Self-Government in Canada, p. 293, footnote 3, that "La Fontaine's personal estimates with a few conspicuous exceptions- Baldwin's "noble character, public and private" among them - are almost uniformly uncharitable, sometimes egregiously so." Had there been any jealousy between Baldwin and LaFontaine, there is little doubt that LaFontaine would have spoken of Baldwin as he did almost everyone else. A letter written by LaFontaine at the time he first heard of Baldwin's death in 1858 is indicative of the quality of their friendship. It might be argued that such a letter is bound to be laudatory, except that in LaFontaine's case this is false. Even in death he found nothing good to say about those he did not like. See for example his comments on Lord Metcalfe and John Neilson in Monet, "The Last Cannon Shot: A Study of French-Canadian Nationalism 1837-1850," vol. 1, p. 421, vol. 2, p. 551. Yet about Baldwin, LaFontaine wrote: "I cannot find words to express my feelings. Death has already deprived me of many friends, but in this painful & cruel moment I have to deplore the loss of a friend whom I looked upon as my brother. He, the best, the most honest man & most affectionate friend is no more! It has pleased the Divine will that I shall see him no more! Him, "honest Robert", the best of my friends. We must submit...." Dent, Canada Since the Union of 1841, (Dent's copy), vol. 2, LaFontaine to Heyden, Montreal, Dec. 22, 1858.

APPENDIX B

VIOLATIONS OF DOUBLE MAJORITY LEGISLATION, AND COMMENTS

LaFontaine's list of Lower Canadian sectional measures passed
by Upper Canada against Lower Canadian majorities follows.¹

<u>year - 1844.</u>	<u>Measure.</u>	<u>Division.</u>	<u>Majority.</u>		<u>Minority.</u>	
			<u>U.C.</u>	<u>L.C.</u>	<u>U.C.</u>	<u>L.C.</u>
Dec. 11.	Reference to a Special Comtee. of Petition of Revd. <u>J.O. Archambault</u> & others of the Parsh. of <u>St. Timothée</u> & <u>St. Clément</u> , complaining of damages by construction of Beauharnois Canal- - - -	51-22	34	17	1	22
Dec. 19.	Postponement of consideration of P. <u>Dunn's</u> petition (<u>Montreal election.</u>) ²	32-31	23	9	6	25
<u>1845.</u>						
Jan. 16	Motion to <u>set aside</u> P. <u>Dunn's</u> petition.	37-35	26	11	10	25
Jan. 27.	Postponement of consideration of Report of Special Committee on petition of <u>Revd. J. Paquin</u> of St. Eustache.	35-18	24	11	5	13
Jan. 27.	Report on peton. of Lindsay Tanquay and Wicksteed rejected.	30-22	23	7	4	18
Feb. 6.	Second reading of Lower C. Election Bill negd.	37-30	26	11	10	20
Feb. 17.	Refusal of Speaker to receive Fr. Peton. maintained.	31-30	25	6	5	25

¹P.A.C. LaFontaine Papers, vol. 23, p. 5241-2.

²Pilot, Nov. 14, 1845. This was a Ministerial measure.

<u>year. 1845.</u>	<u>Measure.</u>	<u>Division.</u>	<u>Majority.</u>		<u>Minority.</u>	
			U.C.	L.C.	U.C.	L.C.
Feb. 28.	Mr. LaFontaine's motion relative to payment of Rebellion Losses in Lower C. negatd.	42-30	30	12	6	24
Mar. 3.	Motion to refer to Comte. Amendment to L. Can. Winter Roads Bill negatived.	36-31	28	8	8	23
Mar. 3.	Mr. LaFontaine's motion to read D. in 6 mos. lost.	43-23	28	15	6	17
Mar. 3.	Mr. LaFontaine's motion to recommit in 6 mos. lost.	42-22	29	13	4	18
Mar. 13.	Second reading "Bill to quiet title to lands in L.C. of persons naturalized under L.C. Act 1st Will. LV, C.53.	33-18	21	12	2	16
Mar. 27.	Report of Comte. recommending payment of claim of W.M. Andres, Contractors on Chambly Canal L 10616	31-20	17	14	4	16
<u>1846.</u>						
May 26.	Proviso, added to 26 sect. of L.C. School Bill.	23-22	14	9	3	19
May 28.	Mr. Morin's motion that Jesuits Estates ought to be vested in Catholic Clergy of L. Canada negatived.	29-18	21	8	-	18
May 28.	Mr. LaFontaine's motion to strike out part of Resolution relating to Jesuits Estates, that divides the proceeds thereof among certain classes.	28-21	19	9	3	18
Apr. 23.	Quebec Trinity Bill. 2nd. reading.	35-20	22	13	2	18

A few more Bills may be added to the list. On the second reading of a Bill according more ample powers to the Irish Colonial Society in authorizing a loan on a mortgage, the Upper Canadians overrode the Lower Canadian majority and secured passage for the Bill.³ An Upper Canadian majority also deprived Lower Canada of a modification of the election laws.⁴ Two principal measures of the 1845 session were the Municipal and School Bills, of which the Lower Canadian majority approved. However, they wished to offer certain amendments. Papineau and Smith, on behalf of the Government, threatened to pass the Bills by an Upper Canadian majority if the amendments were presented.⁵ Thus did the Government, which the Canadien urged the French Canadians to support on the basis of double majority, show its unconcern for the principle.

Lower Canada also attempted to pass various Upper Canadian measures against the Upper Canadian majority. The most important was the University Bill, which the Government withdrew after second reading, in view of Upper Canadian opposition to it.⁶ On second reading, however, the vote analysis showed 23 Lower Canadians and 11 Upper Canadians voting for the Bill, while almost the entire Upper Canadian contingent

³ Le Canadien, March 24, 1845.

⁴ Globe, Nov. 25, 1845, cites La Minerve.

⁵ Pilot, Nov. 14, 1845, cites La Minerve, Oct. 27, 1845.

⁶ Le Canadien, March 24, 1845.

voted in the negative.⁷ Another Upper Canadian measure was the contested Oxford election question. Although not intrinsically important, it occupied three sittings of the Assembly in 1846. On a motion to postpone the question, the vote was 26 Lower Canadians and 8 Upper Canadians against 5 Lower Canadians and 29 Upper Canadians.⁸ A few days later, on a motion to dissolve the Oxford election committee, a majority of 27 Lower Canadians and 11 Upper Canadians voted down the measure against a minority of 27 Upper Canadians and 6 Lower Canadians.⁹ In both cases, Lower Canada overrode the Upper Canadian majority on Upper Canadian measures. The Lower Canada opposition press even congratulated the Assembly on its fine work in this matter. However, when the shoe was on the other foot, this same press was acid in its comments.

M. Gowan nous aime tant qu'il ne peut s'empêcher de se mêler de nos affaires; vous le voyez occupé à s'informer de la manière dont ont été dépensés les L 58,000 pour le creusement du lac Saint-Pierre.¹⁰

Despite the record, one of the LaFontaine group's Upper Canada allies believed that the French Canadians had practiced double majority.

⁷ ibid. In this amazing vote, LaFontaine and Baldwin, leaders of the opposition, voted for the Ministerial measure, while D.B. Papineau, a member of the Government, voted against it.

⁸ Journal de Québec, March 31, 1846. The casting vote of the Speaker caused the motion to pass. The measure concerned Francis Hincks, who had lost his seat in the 1844 general election.

⁹ Le Journal de Québec, April 4, 1846.

¹⁰ ibid., April 30, 1846.

"The French members voted, if not in sympathy, at least acquiesced in their views when Upper Canada measures were to be decided."¹¹ On the other hand, at least one would-be ally of the French Canadians disagreed, charging them with pressing for legislation for the special benefit of Montreal, at the expense of Upper Canadian interests.¹²

The simple majority was employed in the passage of sectional measures, and the practice of double majority was neglected. Nevertheless, certain types of legislation reduced the French Canadians to a raging fury, and according to Francis Hincks, into the arms of double majority. The most obvious examples of this type of sectional legislation are the separate justice Bills for the two sections. In Lower Canada, the Government announced, the erection of a House of Justice for Montreal would be paid by taxation on judicial processes in that District, although in Upper Canada the same expenses were provided for by distillery taxes.¹³ Then the Government presented a Bill to establish more equitable taxation for the upkeep and erection of courts and prisons in Upper Canada, although no similar Bill for Lower Canada was pre-

¹¹ Merritt, Biography of the Hon. W.H. Merritt, M.P., p. 306. Merritt's specific example was the Municipal Bill amendment, an Upper Canadian measure, which was allowed by the Government as a popularity bid, since it permitted the election of the wardens, treasurers, clerks and surveyors, and payment for their services.

¹² British Colonist, May 8, 1846.

¹³ Le Journal de Québec, April 18, 1846.

pared.¹⁴ This was deemed particularly unfair to Lower Canada which had not only to pay for Upper Canada's public works, but for her twenty prisons and twenty courts , when there were only three of each in Lower

Canada.¹⁵ Raged T.C. Aylwin in the Assembly:

With reference to this ill fated and unfortunate province, bad as are the terms granted to it by the Union Act, are they to be made still worse?...Now here was the marriage of a weel tochered lass- yes, and a beautiful lass- (hear)- with Upper Canada, where they were all bankrupts and beggars.¹⁶

Francis Hincks tried to explain to the Upper Canadians just how deeply such injustices as the Administration of Justice Expenses for Upper Canada affected the Lower Canadians.

It is the agitation of this and similar questions...that has induced a conviction in the minds of the representatives... that they can best promote the welfare of their constituents by coalescing with any Upper Canada party which will give them a due share of influence in the Councils of the Province. It cannot be too strongly impressed on the people of Upper Canada that there is an all but universal feeling of dissatisfaction in this Section of the Province at the financial arrangements of the Union and those which have been subsequently made. Every day's experience tends more and more to convince the Lower Canadians that....the general rule with Upper Canadians is to get hold of all the money they can.¹⁷

Double majority was not practiced in the Assembly by any party. However, when the Lower Canadians, specifically the French Canadians, felt that their pecuniary interests suffered at the hands of the Upper

¹⁴Le Journal de Québec, April 4, 1846.

¹⁵ibid.

¹⁶Pilot, May 12, 1846. Aylwin speaking on May 8, 1846.

¹⁷ibid., May 12, 1846.

Canadians, they relapsed into advocacy of double majority applied to legislation, and despaired at the value of the Reform alliance. Their anger was directed at both Upper Canadians and the Union which had wed them with "bankrupts and beggars"; sometimes they seized upon double majority as the means of undoing the Union. Yet these depressive moods had far less influence on their political behaviour than did their political alliances, loyalties and interests.

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