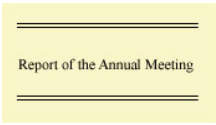
Report of the Annual Meeting of the Canadian Historical Association
Rapport de l'assemblée annuelle de la Société historique du Canada



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Volume 44, numéro 1, 1965

URI : https://id.erudit.org/iderudit/300633ar
DOI : https://doi.org/10.7202/300633ar

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Éditeur(s)

The Canadian Historical Association/La Société historique du Canada

ISSN

0317-0594 (imprimé)
1712-9095 (numérique)

Découvrir la revue

Citer cet article

Hodgins, B. W. (1965). John Sandfield Macdonald and the Crises of 1863. *Report of the Annual Meeting of the Canadian Historical Association / Rapport de l'assemblée annuelle de la Société historique du Canada*, *44*(1), 30–45. https://doi.org/10.7202/300633ar

JOHN SANDFIELD MACDONALD AND THE CRISIS OF 1863

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In May 1863, John Sandfield Macdonald, Premier of Canada and Attorney General West, faced the greatest political crisis of his long and frustrating career. Defeated in the Assembly, largely as a result of a deflection back to George Etienne Cartier on the part of some of the Government's least resolute French-Canadian supporters, Sandfield Macdonald bartered away much of his political position and many constitutional principles. The recipients were George Brown, A. A. Dorion and other sectional leaders. The Premier thus obtained a further time to implement his administrative, military and economic policies — and perhaps a future chance to recoup his political losses. His team faired surprisingly well in the forthcoming elections. It turned out, however, that although he was able to secure the enactment and implementation of many significant items of reform, he had purchased only ten more months in office. His fall in March 1864, was the decisive step in the descent toward impasse in the Province of Canada.

The Reform Government formed in May 1862, following the defeat of Cartier's Conservative regime on the militia bill, was basically a "moderate" ministry led by a nebulous middle party. "Moderate" in this context does not necessarily mean centre of the road, a position between right and left in the traditional sense. It was not economic or administrative policy which prevented Reform ascendancy and drove Reformers apart. It was the cultural and religious cleavages which lay at the base of the Canadian experiment and found their most divisive expression in the impatient, expansive voice of western Upper Canada. Sandfield [1] and George Brown were not deeply divided on economic matters. Sandfield, in fact, probably had somewhat more sympathy for North American democratic tendencies than had the editor of the *Globe* who feared the "ignorant unreasoning mass." [2] The leadership of the ministry was moderate in the sense that it represented a middle ground between the Conservative coalition and the various warring sectional, sectarian and regional Reform groups, especially Grit and Rouge. Ironically, in some areas of Upper Canada the middle party, or the "Baldwinites" as Sandfield liked to call them, represented religious

[1] Macdonalds and Macdonells were so common in and around Glengarry that sub-surnames developed for various members. "Sandfield" was one such sub-surname. Besides being the common practice at the time, the use of "Sandfield" in place of the surname "Macdonald" seems to clarify matters for the student of Canadian history.

[2] The *Globe*, Toronto, September 23, 1857.

moderation between the Orange prejudice of many Tories and the fundamentalism of Calvinist and Arminian Grits. Sandfield, the leader of the moderates, considered himself an "outside pillar" of the Catholic Church. Although he had many deficiencies as a political leader, this champion of the double majority accepted the dual nature of Canadian culture and the pluralism of its society.

From the beginning the middle party had only an outside chance of success. By 1861 it was becoming evident, however, that a Reform Government led by members of the middle party was the only kind of Reform coalition that could possibly sustain power. Despite the simple partisan nomenclature, Canadians actually had created a multi-party system. Although all ministries were coalitions, it was not by mere luck that for most of the time Conservatives sat to the right of Mr. Speaker. Reformers were more divided. Reform alliances were much more difficult, much more ephemeral. Three developments made the Reform ministry of Sandfield Macdonald and Louis V. Sicotte possible. The first was the slow emergence after 1858 of the Baldwinite group in Upper Canada and the Mauve — so called because it was situated between Rouge and Bleu — group in Lower Canada.[3] The second was the split off from Cartier's Bleus of a sixteen-man *bloc* of Lower Canadians who joined themselves to Sicotte's Mauves when Cartier presented his militia bill. The third development was the eleventh hour acceptance by two Grit lieutenants of office in a regime dedicated to resisting the Grit-demanded constitutional change.

The coalition broke when George Brown returned to active politics at Eastertime, 1863. Although the connubial George Brown was a more compatible George Brown, his old reputation, reinforced by fiery editorials in the *Globe* against R. W. Scott's separate school bill, went before him. The reappearance of the old fox in the barnyard sent many of the newly-Mauve-tinted chicks scurrying back to the old reliable Bleu hen, "Mother Cartier."

Between the falling out in early 1859 of the "immortal twelve" who had made up the "Most Ephemeral" Brown-Dorion Government of August 1858, and the first session of the seventh parliament in 1862, Sandfield Macdonald and others including Josiah Blackburn of the *London Free Press* had been striving to build up a moderate Reform party capable of attracting moderate support and holding Rouge support

[3] The rise of the middle alliance is briefly considered by the author and E. H. Jones in "A Letter on the Reform Party, 1860 : Sandfield Macdonald and the *London Free Press*," *Ontario History*, LVII (March, 1965), 39-45. Therein is reprinted the seminal letter of John Sandfield Macdonald to Josiah Blackburn, April 8, 1860. The draft of this letter is in the John Sandfield Macdonald-Langlois Papers at the Public Archives of Canada, and the final version is in the Blackburn Papers in the possession of W. J. Blackburn, London, Ontario. In the letter, Sandfield refers to his position as a Baldwinite.

in Lower Canada. These latter-day Baldwinites were convinced that Brown, far from being the champion of Upper Canada, was the great divisive force which kept Reformers of Canada divided and out of office and enabled Cartier and his friends to misrule the country and frustrate much-needed reform.

Sandfield Macdonald, the Canadian-born Glengarry Highlander, the real estate lawyer who looked upon Montreal as his metropolitan centre and often spoke for what he called "Central Canada," had served in parliament since 1841. Having been Robert Baldwin's Solicitor General and chief political agent in the eastern marches of Upper Canada, Sandfield never lost his admiration for the broad tolerant approach of his former chief. He had first clashed with George Brown in 1856 when the latter chastised him bitterly for urging acceptance of the principle of the double majority — which he erroneously believed had been a principle dear to the heart of Baldwin — as the solution to the sectional ills which bedevilled the country. For Brown at the time, there was something morally degenerate in any Upper Canadian who resisted the panacea of representation by population — the solution which was anathema to Lower Canada.

By the spring of 1860, Sandfield and Blackburn, both of whom endorsed the double majority, thought that they had about ten Upper Canadian Reform Assemblymen who would hold fast against Brown — in his efforts this time to split Canada into a federation. Although the plan miscarried when the key figure, Michael Foley, an imbibing Irish Anglican Reformer, temporarily capitulated, they had laid the basis for the future party. In the election of 1861 the Conservatives gained ground in Upper Canada, probably both because they had declared representation by population an open question and also because of Reform disunity. Brownites fought Baldwinites. Brown was personally defeated. Actually this setback strenghtened Sandfield's position

Meanwhile Cartier's hold on the Bleu *bloc* was faltering; the beneficiary was L. V. Sicotte. Cartier had won over Sicotte, who had originally been a Rouge, only to have him resign from the Cabinet in December 1858. Around Sicotte a group of moderate Oppositionists or Mauves emerged. The group included François Evanturel, T. J. J. Loranger and L. T. Drummond. Sicotte also benefited from the election of 1861 when the Rouge leader A. A. Dorion and his English-speaking lieutenant L. H. Holton failed to secure election.

Talk about a possible middle Government led by Sandfield and Sicotte increased, but so did Reform disunity.[4] The principal business of the session of 1862 concerned defence. Although the Trent crisis had

[4] E.g., PAC, George Brown Papers, Dorion to Brown July 27, 1861; and *LFP* August 12 and 26, July 13 and 16, August 10, 12, 14 and 26, 1861, March 29 and 31, April 1, 2 and 3, 1862.

passed, Anglo-American tension remained high, and a few hundred miles to the south the bloody Civil War was raging. British pressure to have Canadians shore up their own defences was intense. During much of May, a debate on Cartier's relatively expensive militia programme, which involved a possible element of conscription in rural areas, proceeded intermittently with the Opposition led by Sicotte.[5] As late as May 9, however, the *Free Press*, in the light of general Reform disunity, saw no sign that the fall of the Government was imminent. Then it became evident that Cartier's hold over the Bleu *bloc* had broken.

On May 20 1862, sixteen Lower Canadians, who formerly had supported the Government, joined with the Opposition to defeat the militia bill fifty-four to sixty-one.[6] With Brown and Dorion gone it was safer to dissent. On May 21, Cartier, who ironically had carried Upper Canada in the crucial vote, resigned. The next day Viscount Monck called on John Sandfield Macdonald to form a new administration.[7] With Sandfield as Attorney General West and Sicotte as his principal Lower Canadian colleague, the Reform Government was sworn in two days later. Alexander Mackenzie warned the absent Brown that he anticipated some sort of "plot" since the Governor had called upon "the leader of nobody."[8] Yet Sandfield was the only logical choice.

Although disliked by the Grits, the independent and broad minded, if crusty member for Cornwall, with his political and business ties across the whole country and his friendship with several moderate Conservatives and ex-Hincksites, was best suited for carrying on Her Majesty's Canadian Government. More than most other Reformers, he seemed prepared to operate with a minimum of sectional, sectarian and regional motivation. These centrifugal tendencies plus the clash of personalities had been the curse on a Reform party which had paid insufficient heed to Baldwin's admonitions in favour of toleration and patience. Louis Sicotte was to be Sandfield's Lafontaine. For Sandfield the alliance would be knitted together by the old and allegedly once hallowed expedient of the double majority. But neither Sandfield nor Sicotte possessed a large body of dedicated personal followers. Each was cordially hated by large numbers of Reformers from his own section. Neither came from nor represented the regional areas in each section where political, economic and cultural power was concentrated. Sicotte, the member for St. Hyacinthe, formally led a group of people that had not yet been moulded into a real party.

Sandfield Macdonald's ministry was, however, a genuine Reform Government. It was not merely a "we too but better" change from the

[5] *Globe*, May 3, 6, 7 and 9, 1862.
[6] *LFP*, May 20, 1862; and Canada, *Journals of the Legislative Assembly, 1862*, pp. 228-29.
[7] JSM Papers, Monck to JSM, May 23, 1862; *Quebec Mercury*, May 22, 1862; and *LFP*, May 23, 1862.
[8] Brown Papers, May 22, 1862.

previous coalition. There were many institutions and practices which Reformers were determined to reform. To achieve many of these changes Baldwinites and Grits, Mauves and Rouges were prepared to co-operate. When the Government fell in March 1864, much had been accomplished, more reforms were on the way, while others had been paralysed by the succession of political crises.

The majority of ministers in the new Government were from the middle groups. François Evanturel, a Mauve, became Minister of Agriculture and Michael Foley became Postmaster General. J. J. C. Abbott, the English-speaking Lower Canadian who had crossed over on the militia question, became Solicitor General East. Other moderates included the Councillors J. U. Tessier and James Morris. Thomas D'Arcy McGee became President of the Council. But Dorion, the Rouge leader who lacked a seat in the Assembly, accepted the post of Provincial Secretary, and three Upper Canadian positions went to prominent Grits : William McDougall, William Howland and Adam Wilson. [9]

Two other moderates, Lewis Wallbridge and T. J. J. Loranger had the honour of outlining the initial policy of the new Government. "Recognizing the Federal character of the act of Union, and the danger at the present critical emergency of any change of the basis of that Union," the first point emphasized that ministers from each section should primarily be responsible for their own local affairs, leaving the cabinet with matters "necessarily common to both sections." The second point asserted that "local legislation should not be forced on either section of the Province against the wishes of the majority of its representatives, and that the Administration of each section should possess the confidence of a majority of its representatives." Other matters included reorganization and expansion of the volunteer militia, retrenchment, and investigation of the scandals involved in connection with constructing the parliament buildings in Ottawa. The Government proposed that after pressing matters were handled, parliament should be prorogued until the New Year. [10]

The *Globe* reacted with anger and anguish toward the composition and constitutional policy of the Government. It was "enough to sicken a horse," for thanks to the "servile politicians of Upper Canada," Lower Canadians were able to pour "melted lead down our throats." [11] Never, wrote Brown to Holton, had a "greater set of Jackasses" than the five Upper Canadian ministers ever gotten into the Government of a country.[12] Yet he gradually calmed down, and finally decided not to try an immediate

9 *LFP*, May 28, 1862.
10 *Ibid.*, May 28, 1862.
11 *Globe*, May 27, 1862.
12 PAC Microfilm, Alexander Mackenzie Papers, Brown to Holton, May 29, 1862.

overthrow.[13] For its part the *Free Press*, chastising Brown and extolling Sandfield, gave the new regime its total blessing. On June 9, after passing a temporary militia bill which provided for an expenditure of one-quarter of a million dollars — three times the amount spent in 1861 [14] — parliament was prorogued.

It did not reconvene until February 13, 1863. It has been suggested that had the Opposition had the opportunity to move simple want of confidence at any time during the first ten or so months of the Government's existence, that it would have been unable to obtain even a simple majority.[15] The author finds no evidence for this assertion. The Premier, his ministers and his journalistic organs acted throughout as though they continued to have not only a simple but also a double majority. In particular there seems no evidence to suggest that the sixteen converts to the Mauves were deserting Sicotte.

During the eight months between sessions the Government busied itself with a myriad number of pressing problems. The most serious of these concerned the interrelated, inherited questions of defence and the Intercolonial Railway. By the spring of 1863 progress was being made on the question of defence; relations with Britain were improving.

But the Intercolonial was disruptive to the Reform coalition. Sandfield, like the mercantile interests of Montreal, regarded the project as "a work of national importance" which would "be of mutual advantage to the Province." [16] So did the *Free Press* [17] and most moderate journals, as well as T. D. McGee.[18] It was most unpopular with the Rouges because of its cost, its temptation to corruption, and its probable promotion of union between Canada and the Maritimes. It was not popular with the Brownites whose eyes were resolutely turned westward where Britain seemed reluctant to take decisive action against the ineffectual administration of the Hudson's Bay Company.[19] On September 12, two days after an intercolonial conference in Quebec reached agreement on sharing costs and lobbying Britain for support, Dorion ceased attending meetings of the Executive Council.[20] In October, when the cabinet appointed Sicotte and Howland to go to London on the matter, Dorion tendered his resignation,

[13] *Ibid.*, Brown to Holton, June 2, 1862; Brown Papers, Holton to Brown, June 6, 1862; and *Globe*, June 4, 1862.

[14] *LFP*, May 30, 1862; also May 26, 28 and 29, and June 3, 4, 5, 7, 9 and 10, 1862; and C. P. Stacey, *Canada and the British Army, 1846-1871* (London, 1936), p. 143.

[15] Paul Cornell, *The Alignment of Political Groups in Canada, 1841-1867* (Toronto, 1962), p. 52.

[16] *LFP*, October 1, 1862.

[17] *Ibid.*, June 19, September 19, 20 and 30, and October 23, 1862.

[18] JSM Papers, McGee to JSM, October 2, 1862.

[19] Note P. B. Waite, "A Letter from Leonard Tilley on the Intercolonial Railway, 1863," *Canadian Historial Review*, XLV (June, 1964), 125-29.

[20] *LFP*, September 24, 1862; and PAC, Macdonald Papers, Charles Alleyn to John A. Macdonald, September 22, 1862.

accompanied by assurances of "most kindly feeling," and continued "cordial support" on other issues.[21]

Politically, the Premier strengthened his hand by securing the *Quebec Mercury* as an official organ. At first it continued under its old management, but in December Sandfield persuaded Josiah Blackburn to leave his brother in charge of the *Free Press* and come down to run the *Mercury*.[22] As the date for the opening of parliament approached, Government morale was rising. Liberals had succeeded, noted the *Free Press*, only when Brown's influence had lessened and people had turned to Sandfield Macdonald, the man who stood "between the extremes of party and was obnoxious to neither. Moderate in his political principles, he was, at the same time, a constant reformer." His integrity was beyond question. "Throughout his long public life," it exaggerated, "no stain had ever sullied his reputation." [23] To calm Grit concerns, Foley was able to announce that tenders would be called for postal service on the Upper Lakes in expectation of the forthcoming mail link from Fort William to the Red River.[24]

The opening was particularly colourful and martial.[25] The speech from the throne emphasized the progress in various fields that had been made since the Government had assumed office.[26] Serious trouble, however, lay ahead. Although the leaders of the official Opposition were rather quiescent, fiery Orange-type Tories split the Upper Canadian Reformers by moving unsuccessfully the very resolutions in favour of representation by population previously moved by William McDougall.[27] The *Globe* chided the Upper Canadian ministers for disloyalty to their section.[28] More serious was Brown's announcement on February 26 that he had reluctantly decided to seek election for the constituency of South Oxford [29] — which Sandfield had, perhaps precipitously, opened up by appointing its member, the moderate Dr. Connor, to the Bench. Undoubtedly Brown's absence from the Assembly had greatly strengthened the Premier's political position. From July until late December, Brown had been in Great Britain, where he had entered into an extremely happy and engrossing marriage with the vivacious Anne Nelson.[30] He returned to Canada a mellowed and wiser man. For some time he allowed his brother Gordon to continue running the *Globe*.

[21] *LFP*, October 28, 1862.
[22] *Ibid.*, August 11, 1862 and March 21, 1864; and *Quebec Mercury*, November 20 and 29, and December 2 and 27, 1862.
[23] January 13, 1863.
[24] *Quebec Mercury*, February 9, 1863.
[25] *Ibid.*, February 13, 1863.
[26] *Journals of the Assembly, 1863*, pp. 7-8.
[27] *Ibid.*, pp. 28 and 33.
[28] *Globe*, February 20 and 26, 1863.
[29] *Ibid.*, February 26, 1863.
[30] J. M. S. Careless, *Brown of the Globe*, II, *Statesman of Confederation, 1860-1880* (Toronto, 1963), pp. 71-85.

It is possible, however, to over-emphasize the immediate degree of Brown's political mellowing and the immediate effect of this mellowing on the political scene. Cartier and others did their best to emphasize the old fire-eating Brown. In the *Mercury*, Blackburn wished Brown well in his new state and expressed the hope that he would be "less sectional," more concerned with healing the differences "between the two peoples," rather than preying upon men's "passions and prejudices." [31] The tone of editorials in the *Globe* hardly changed. On February 5, 1863, in an editorial presumably written by Gordon but popularly identified with George Brown, the *Globe* bitterly attacked the "wily" Catholic hierarchy, in no uncertain terms, as the enemy of education and progress. It warned Reformers to tolerate absolutely no concessions to the clerical "enemy" on the matter of separate schools in Upper Canada.

It was the innocent-looking separate school bill sponsored by the Catholic Conservative R. W. Scott from Ottawa that set off the chain reaction leading to the defeat of the Government and the humiliation of John Sandfield Macdonald. For some years Scott had been vainly promoting, for the Catholic hierarchy, a bill to tidy up the anomalies of the Taché Act of 1856 and also further to extend separate school rights. In the spring of 1862, soon after the new Government took office, Dr. Egerton Ryerson, Chief Superintendent of Education, and a legislative committee had persuaded Scott to abandon most of his plans to extend the rights and to dwell mainly on the administrative anomalies. Two high ranking agents of the hierarchy assured Ryerson and the new Premier that the revised bill would settle the question permanently.[32] Scott reaffirmed this in the Assembly.[33] So did McGee.[34] Sandfield, who personally opposed separate schools, was extremely grateful to Ryerson, and told him that he was even "amused" that the question was falling to him and his colleagues to settle "with so [little] trouble or action on their part." [35] Although the bill, when reintroduced during the next session, remained a private member's bill, it was backed by the Government. Since it was hardly a measure of substance — except for one clause later deleted — and since it did not involve any new principle, the Premier, Ryerson and McDougall did not seem perturbed.[36] The narrative of what happened is well-known. A political explosion came with the debate and vote on second reading, which took place on March 5, the same day that Brown secured election in South Oxford. Three Orange diehards and the backbench Grit core opposed the bill. Still it did secure a double majority.[37] The

[31] December 30, 1862.
[32] C. B. Sissons, *Egerton Ryerson : His Life and Letters* (2 vols., Toronto, 1947), II, 469-71, Ryerson to J. G. Hodgins [June 1 and 3, 1862].
[33] *Globe*, June 12, 1862.
[34] *Ibid.*, March 13, 1863.
[35] Sissons, *Ryerson*, II, 470-71, Ryerson to Hodgins [June 3, 1862].
[36] *Ibid.*, Ryerson to Hodgins, March 3, 1863.
[37] *Globe*, March 6 and 11, 1863; and *Journals of the Assembly, 1863*, p. 95.

Globe was furious with the bill's Upper Canadian supporters, but almost resigned itself to the loss of the wayward. "We", wrote Brown, "might abandon politics altogether." [38] Meanwhile, the *Mercury* described opponents of the bill as bigots and the disinterested supporters of the bill as liberals; the bigots were refusing Upper Canadian Catholics the rights enjoyed by Lower Canadian Protestants. The *Globe* reported that *Mercury* had its bigots and liberals reversed. The liberals were the opponents of separate schools.[39] Brown fought on.

By the time of third reading the Government was in great agitation. On urgings from the Premier, from McDougall and from Donald Alexander Macdonald (the Premier's brother), Scott deleted a clause giving trustees full power to licence teachers.[40] John A. Macdonald gleefully chided ministers for inconsistency and the *Globe* for deserting the Reform Premier. In the final division, on March 13, the bill carried seventy-four to thirty. The Upper Canadian vote was twenty-three to thirty against passage. The Premier's own brother had found it advisable to be absent for the voting. In Upper Canada only two Reformers who were not in the Government voted with the ministers for the bill.[41] Sandfield for good reason left the Assembly "in great indignation." [42] On much less provocation his old chief, Baldwin, had resigned. Was it in fact true, as so many Conservatives had long been saying, that no Reform administration could govern the country, that there was in fact no Reform cohesion, no Reform party, just numerous Reformers ? When confronted with sectarian and sectional issues, could these Liberals not display enough liberalism to insure their continuance in office so that they could undertake the reforms on which there seemed to be broad agreement ? It appeared not. The *Free Press,* not minimizing the crisis, placed all the blame on the Brownites and asserted that on a question of confidence the Government would still be sustained by a double majority.[43] The *Mercury* implied that Brown had changed the Upper Canadian minority into a majority. Yet what Sandfield and his colleagues accepted in 1863, it argued, was nothing more than what Brown and Dorion had pledged themselves to accept in 1858.[44]

During the next few days, Sandfield vainly tried several devices, including veiled threats involving the Opposition, aimed at bringing enough Brownites to heel.[45] His arguments were weakened when the *Canadian Freemen,* the leading Toronto Catholic newspaper, on its own

38 *Globe,* March 6 and 11, 1863.
39 *Ibid.,* March 10 and 11, 1863 (with reprints from the *Quebec Mercury).*
40 *Ibid.,* March 13, 1863; and *Journals of the Assembly, 1863,* p. 121.
41 *Ibid.,* pp. 127 and 129-30; *Quebec Mercury,* March 12 and 13, 1863; and *Globe,* March 14, 1863.
42 *Ibid.,* March 16, 1863.
43 March 16, 1863.
44 March 16, 1863.
45 Sissons, *Ryerson,* II, 481, Ryerson to Hodgins, March 16, 1863; *Globe,* March 16, 1863; *LFP,* March 17 and 19, 1863; the *Leader,* Toronto, March 16, 17 and 18, 1863.

authority [46] — Bishop Lynch had privately told Scott that the matter was now settled "finally" [47] — declared that Scott's bill was merely an "instalment." The *Mercury* expressed the hope that hotheads would use the Easter recess to think on the "necessity of cultivating moderation and unity." [48]

Soon after the recess, Brown — whose paper was proposing the establishment of a Protestant political league [49] — for the first time took his seat, beside Dorion. The Scott bill became law, but nothing seemed settled except that one of the two facets of the principle of the double majority was now virtually destroyed. A local bill had become law against the wishes of a majority of the representatives from the section affected. For the Government the only excuses were that the bill concerned general finance, that it was hardly substantive, and that it was a private member's bill and not a Government bill. The other facet remained. The administration was still able to command the confidence of majorities in both sections. After midnight on the night of April 22, in a poorly-attended division over a minor issue, the Premier was sustained with a double majority. Of the fifteen French Canadians who had moved from Cartier to Sicotte in May 1862, only nine were present for this vote. Of these, six voted with Sicotte while three were back with Cartier.[50] Yet as time went on, the peak of the animosity between Brownites and Baldwinites declined slightly. They co-operated on several matters. Much of the Reform press supported the stand of the Government which the *Leader* thought was secure.[51] Sandfield regained a degree of optimism.[52] Administrative Reform continued. But as Brown returned to qualified support of the Government, Sicotte's hold over the Mauves became more precarious. McGee said that Brown's mere presence in the Assembly was enough to cause many Lower Canadian backbenchers to scurry back like baby chicks to "mother Cartier." [53]

On May 1, 1863, with galleries crowded, the second stage of the crisis began when John A. Macdonald moved non-confidence. He taunted the various ministers for inconsistency and the ministry generally for its unpopularity in Britain and the Maritimes. Sandfield remarked that John A's criticisms had all been negative and that the member for Kingston was an anomaly as the leader of a group the vast majority of which did not agree with him on vital matters affecting Upper Canada.[54] Both parties

46 *Globe*, March 20, 1863 (with reprints from the *Canadian Freeman)*.
47 PAC, R. W. Scott Papers, Lynch to Scott, March 18, 1863.
48 March 19, 1863.
49 April 17, 1863.
50 *Journals of the Assembly, 1863*, p. 240.
51 *LFP*, April 8, 1863 (with reprints from other journals including the *Leader*).
52 Sissons, *Ryerson*, II, 481, Ryerson to Hodgins, April 13, 1863.
53 E. R. Cameron, *Memoirs of Ralph Vansittart* (Toronto, 1924), pp. 116-17.
54 *Globe*, May 2, 6 and 8, 1863; *Quebec Mercury*, May 2, 1863; and *Leader*, May 2, 1863.

expressed confidence of victory, but the Opposition did so with more conviction. Joseph Cauchon of Quebec told an incredulous Ryerson that he was convinced that the Opposition would obtain thirty-seven of the sixty-four votes in Lower Canada.[55] Slowly the spirit of the Government sagged, even though it was eloquently defended by Dorion, Alexander Mackenzie, Mowat and finally Brown himself.[56] Brown asserted that although he did not like the policy of the present Government he preferred its members to those previously turned out. As for the present ministers, "he would kill them off when he could get better." [57] Who needs enemies when one has friends like that ?

The vote was taken early in the morning of May 8. The Government lost fifty-nine to sixty-four winning thirty-one to twenty-eight in Upper Canada and losing twenty-eight to thirty-six in Lower Canada.[58] Sicotte found that his main support came from the fearless Dorion. Cartier had obtained only one vote less than Cauchon had prophesied. The Premier saw Monck. The latter confidentially agreed to an imminent dissolution.[59]

On the same weekend Sandfield negotiated with Brown, Dorion, Holton and Mowat about a possible reconstruction. The talks were long, difficult, tedious and involved. Sandfield avoided total capitulation to the Grit and Rouge groups both by making use of the inherent divisions still existing among them and also by threatening to deal with the official enemy. For instance, when Brown demanded acceptance of representation by population, Dorion and Holton replied that declaring the matter an open question — as the Conservatives had done in 1861 — was as far as they could go. "There now did I not tell you so!" interjected Sandfield. Brown and Mowat admitted bitter disappointment, but Sandfield's threats, backed this time by Dorion, ultimately forced acceptance. Nevertheless, the Premier had to give up the idea of having the double majority as the fundamental principle of government — although of course Sandfield could hold to it personally as the most desirable way of solving the present problem. He also had to give Dorion carte blanche in Lower Canada. The Intercolonial was, apparently, to be dropped. Dorion and the Premier also agreed that McGee, who had antagonized many French Canadians and probably the Premier himself, would have to go.[60]

The secret talks with Brown placed Sandfield in an impossible position with several of his current ministers. In the summer when all this

55 Sissons, *Ryerson*, II, 486, Ryerson to Hodgins, May 2, 1863.
56 *Quebec Mercury*, May 6, 1863; *Globe*, May 2, 4, 5, 6 and 8, 1863.
57 *Ibid.*, May 8, 1863.
58 *Journals of the Assembly, 1863*, pp. 324-25.
59 *Globe*, May 11, 1863.
60 Brown Papers, George Brown to Gordon Brown, May 11, 1863; also Thomas White to George Brown, April 24, 1864 in *The Chronicle*, Quebec, April 29, 1864; Cameron, *Vansittart*, pp. 119-21; *L'Ordre*, Montréal, les 13 et 15 mai 1863; and *Globe*, August 18 and 22, 1863.

came into the open in a sorry spectacle, each side accused the other of misrepresenting the situation. During the course of consultations Sicotte, who resented Dorion's sudden return to eminence, resisted change and finally refused to serve under the Rouge chief despite the latter's pleading. In the end, the moderate Reformers, Sicotte, McGee, Foley (who had to make way for Mowat), Evanturel and Abbott were out. Two others retired and Wilson went to the bench. Howland gave up Finance in favour of the lesser position of Receiver General; Dorion became Attorney General East. Holton brought the Government great strength as Minister of Finance. Mowat became Postmaster General. Lewis Wallbridge, who had missed the debate on the Scott Bill and was a friend of the Premier's, became Solicitor General West. There were several other new additions.[61] The *Mercury* regretted the absence of Sicotte and expressed the hope and expectation that he, Foley and McGee would remain loyal and work for the Government in the election.[62] The *Globe* rejoiced over the composition of the Government and over the announcement that representation by population would be an open question.[63]

It could hardly have been a time of rejoicing for John Sandfield Macdonald. He had won his battle for survival as Premier. His administrative, financial and militia reforms could still be achieved. But the Government was so much less his than it had been. The moderate Reform group was disappearing. Sicotte,[64] Evanturel, McGee, Abbott and Foley were all angry. The four Lower Canadians were to seek re-election as inimical independents.

In the election which followed, Sandfield concentrated his efforts in eastern Upper Canada, and in areas such as London, Napanee and Hamilton where he had considerable influence. He was particularly effective against the Conservatives in the Ottawa Valley, where, ironically, Scott had been building up a threatening political machine. To avoid trouble in Orange areas, John A. Macdonald did not rush in to help.[65] Scott and his followers were defeated. But then, after accepting the Premier's aid, many of the victorious representatives, true to an old "loose fish" tradition, refused to remain loyal and were won over by John A. before parliament met[66] — probably by emphasis on the old Ottawa question. This loss in the Valley proved disastrous.

Generally, however, the Conservatives in Upper Canada went down in terrible defeat. The victory of Brown and Sandfield resembled a rout,

[61] *Ibid.*, May 18 and 23, August 18 and 22, 1863; *Quebec Mercury*, May 12, 1863; and JSM papers, McGee to Sicotte, May 12, 1863.
[62] May 18 and 20, 1863.
[63] May 18 and 19, 1863.
[64] *L'Ordre*, mai 13, 1863.
[65] Scott Papers, Scott to John A. Macdonald, May 30, and June 11, 12, 14 and 27, 1863 (copies).
[66] As seen by the vote on August 13, 1863.

as they won about forty-five seats, exclusive of those in the Ottawa Valley.[67] John A. Macdonald entered the last parliament of the Province of Canada, the one that was to make his name immortal, with only a remnant of supporters. Of these, the western Upper Canadian members were nearly all pledged to oppose him on the question of representation by population.

In Lower Canada, Dorion and Holton were not able to work miracles. Under the circumstances, however, they did surprisingly well. To clarify his position, Dorion had said that he and his Lower Canadian colleagues would oppose "all propositions to redistribute the representation according to population."[68] He also stated that the Government had abandoned the proposition which had formed the basis of plans for the Intercolonial. In the election of 1861, as judged by the victory (on March 20, 1863) of J. E. Turcotte over Sicotte for the speakership, the Lower Canadian Reformers, both Mauves and Rouges, were able to muster only twenty-three votes.[69] On the division over the militia bill, May 20, 1862, sixteen Lower Canadians[70] switched sides from Cartier to Sicotte whose total strength then voting was thirty-seven.[71] On the vote of non-confidence, May 8, 1863, eleven of the original sixteen converts of May 1862, again voted with Cartier.[72] Five of the converts had remained with the Government.[73] Reform strength was cut to twenty-eight Lower Canadians. Then Sandfield dropped and lost the support of Sicotte, McGee, Evanturel and Abbott.[74] Dorion and Holton approached the election with their support cut to only twenty-three members, including the four surviving converts of 1862. In the election six of the eleven returned "chicks", secured victory as Bleus.[75] In the first division in the new parliament, over the election of Lewis Wallbridge as Speaker, Dorion and Holton delivered twenty-three votes. One Rouge was absent,[76] and one Irish Reformer voted with the Opposi-

[67] *Journals of the Assembly, 1863* (Eighth Parliament), pp. 20-21 and 57-58.

[68] *Quebec Mercury*, May 27, 1863; and *L'Ordre*, mai 22, 1863.

[69] Except where otherwise noted information for this section is taken from the divisions listed in the *Journals of the Assembly*, particularly *1862* pp. 2-3 (March 30), 228-29 (May 20) *1863* (Seventh Parliament), pp. 324-25 (May 8), *1863* (Eighth Parliament), pp. 20-21 (August 13), 57-58 (August 29), 143-44 (September 19 at 12.30 A.M.) and 250-51 (October 8). Varying attendance accounts for the slightly imperfect totals.

[70] Abbott, Beaubien, Beaudreau, Brousseau, Daoust, Dostaler, Fournier, Gagnon, Gaudet, Hébert, Mongenais, Prévost, J. J. Ross, Simard, Sylvain, Taschereau.

[71] But Sicotte had not voted. When Loranger went to the bench, he was replaced by a Bleu. The Government also lost another byelection, but it regained the support of R. B. Somerville who had voted for the militia bill.

[72] The drift back to Cartier of several of these eleven had been noticed during the last three weeks preceding that vote. Charles Boucher De Boucherville, a future Conservative Premier of Quebec, had also by this time moved to the Opposition.

[73] Abbott, Gagnon, Hébert, Prévost and Sylvain.

[74] Abbott had naturally been one of the five converts still supporting the regime. All four former ministers from Lower Canada successfully ran as independent Oppositionists, and they were joined by D. E. Price.

[75] Beaubien, Brousseau, Daoust, Gaudet, Ross, Taschereau.

[76] LaFramboise.

tion but returned to the Government in future votes.[77] This gave the Government twenty-five supporters, two more than before the election. Of these twenty-five, fifteen were veterans of the last parliament, including only two survivors[78] from the converts of 1862. Two members were replacements for Rouge veterans. Four were victories in constituencies formerly held by Mauve converts who had returned to Cartier. Four were outright victories from the Bleus.[79] Only four of the twenty-five seats were held by English Canadians.[80] Dorion had lost six seats and gained eight. Far from sustaining a loss, Dorion and Holton had slightly more than held their own. That they were able to do it is astonishing. Opposition propaganda had depicted the Rouges as enemies of basic French-Canadian traditions and as being in leagues with the arch-enemy George Brown.[81] Twenty-five seats were, of course, eight short of victory.

For Sandfield the double majority was no longer possible. On the first division he had a simple majority of eight (66 to 58). But three of those who voted for Wallbridge soon indicated their general opposition to the Government.[82] The position of the irate Foley, and one or two others was unstable. John Sandfield Macdonald was no longer governing the Province of Canada in the image of Robert Baldwin. When parliament was in session, his regime existed on a day-to-day basis. Great as he was, Dorion could not be Lafontaine. Sandfield was not at the head of a great, truly united, bilingual and bisectional Reform party which subordinated personalities and regional and sectarian differences in favour of moderate reform and economic progress.

Still, John Sandfield Macdonald remained Premier of Canada. Although he appeared "extremely crotchety"[83] at times, he faced up to the continuing problems of government. He remained dedicated to the surviving portions of his Reform programme. Much was accomplished.[84] With the Mauve element in ruins, however, a Lower Canadian majority was virtually impossible. In Upper Canada, Brown had more influence

77 O'Halloran.

78 Gagnon and Sylvain.

79 One of these four seats had only recently been lost to the Bleus in a byelection.

80 Holton, Huntington, O'Halloran and Somerville.

81 *Quebec Mercury*, June 6, July 17, 23, 28 and 31, August 3, 4, 6 and 11, 1863, contradicting and citing from *La Minerve* (Cartier's Montreal organ), *Le Journal de Québec* (Cauchon's paper) and the Quebec *Chronicle;* and *L'Ordre*, mai 13, 1863.

82 Cartwright, Conger and Bown.

83 Sissons, *Ryerson*, II, 489, Ryerson to Hodgins, July 2, 1863.

84 Including the Audit Act which became law shortly after his regime fell. Note J. E. Hodgetts, *Pioneer Public Service: An Administrative History of the United Canadas, 1841-1867* (Toronto, 1955), pp. 96-97, 101-08, 112-15 and 270-74. As Minister of Finance, Holton was very successful. Sandfield won Monck's praise for his revised militia policy, and in the eleventh hour he curbed Maritime criticism by unilaterally hiring Sandford Fleming to undertake the survey for the Intercolonial.

than the Premier. In 1864 he helped frustrate Sandfield's efforts to recatch some of the loose fish in the Ottawa Valley.[85] The Reformers fell.

The Assembly became paralysed by a built-in Opposition majority rather analogous to the fourth French Republic. Deadlock it was, but deadlock from pluralism — not mere dualism. In the parliamentary system, minority government can function when a portion of the majority practices forbearance. In Canada, however, sectionalism, sectarianism and personality had created a multi-party system incapable of operating British responsible government. The power of the moderate Reformers who had fought against extremism was gone; the Liberal-Conservative grouping was fraying at the edges. A temporary coalition of diverse groups to work for permanent constitutional change seemed the only answer.

That the double majority had not succeeded hardly means that the principle was ridiculous. Nor does it mean that John Sandfield Macdonald was a man without vision.[86] Most mid-Victorian Canadian politicians only saw "through a glass, darkly." John A.'s view of the West, like that of Sandfield's, was a limited one. So was Brown's view of the Maritimes. Although Brown's sense of tolerance was improving he could only grasp partially the idea of a pluralistic and relativistic social structure not founded on Calvinist absolutes. Cartier had a limited understanding of his own people.[87] For the time being, however, Sandfield and his concept were relegated to the sidelines of history. Centralized federation, quasi-federalism or the decentralized unitary state — whatever political scientists call the system of 1867 — was tried. It achieved the redivision of Canada and the union of Canada with the Maritimes and the West. But the centralized federalism of John A. Macdonald, Galt, Tupper and even Cartier was changed by Mowat, Fielding, Mercier, Laurier and McCarthy, assisted by the Judicial Committee of the Privy Council, into "classical federalism." By 1937, Canada had become a decentralized federation. Then after the phenomenal centralizing interlude which reached its apogée around 1958, the "quiet revolution" in Quebec, a changed political climate and adventuresome, ambitious premiers have caused an unprecedented reintensification of the earlier trend toward decentralization. Again, as on the past occasions the old question of the relations between the two cultural groups returns to it paramountcy.

[85] *Quebec Mercury*, September 8, October 23 and December 9, 18, 23 and 28, 1863; Macdonald Papers, Robert Bell to John A. Macdonald, two letters undated, one written on a Friday and one on a Tuesday, early in 1864; C. J. Brydges to John A. Macdonald, January 15, 1864, and John Reid to John A. Macdonald, February 10 and 11, 1864, Brown Papers, Holton to Brown, January 24, 1864 and Brown to Anne Brown, February 20 and 22, 1864.

[86] As described by W. L. Morton, *The Critical Years: The Union of British North America, 1857-1873* (Toronto, 1964), in caption under picture following p. 194.

[87] French Canadians were less prepared to migrate West than Cartier had hoped. They were also less prepared to accept Montreal-led moderate, Gallican-Bleu direction than he had anticipated.

Constitutionally this country is a federation, but both Sandfield's Province of Canada and the Confederation of 1867 involved a union without merger of two cultural nationalities. Sandfield Macdonald's form of the double majority was always cumbersome and difficult; since 1864 it has obviously been impractical. But it was the principle of recognizing two majorities, rather than a dominant majority and an unprotected minority,[88] that John Sandfield Macdonald sought. Might not that principle, coupled with the institutional federalism of John A. Macdonald and Cartier, still be valid?

[88] Note the Royal Commission on Bilingualism and Biculturalism, *Preliminary Report* (October, 1965), especially p. 135. Also note Ramsay Cook, "The Canadian Dilemma," *International Journal*, XX (Winter, 1964-65), 1-19; Ramsay Cook, "Quebec: the Ideology of Survival," in A. Rotstein ed., *Prospect of Change : Proposals for Canada's Future* (Toronto, 1965), pp. 40-62; and P. E. Trudeau, "La nouvelle trahison des clercs," *Cité Libre*, XIII, 46 (avril, 1962), 3-16.