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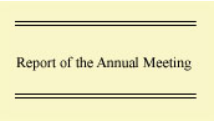

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THE CHOICE OF KINGSTON AS THE CAPITAL OF CANADA, 1839-1841

By D. J. Pierce and J. P. Pritchett

In 1839 there were many obstacles in the way of the Canadian union suggested by Lord Durham to alleviate the political crisis which had been precipitated by the Rebellion of 1837. Not least significant among these was the question of the location of the capital for the United Province. Both Upper and Lower Canada coveted the honour and, perhaps more, the other advantages to be derived from the possession of the political centre. Each had a number of claims to put forward in support of its demand; but one was able to assert itself more effectively than the other.

After the Rebellion the majority of French Canadians were categorically opposed to any union which might locate the capital outside of Lower Canada. To accept such an arrangement, they felt, would be a step towards placing them definitely in political and racial subordination to their western neighbours[1]. On account of the Rebellion they were, however, without effective means of protest: they had been deprived of their arms; their Legislature had been suspended; and they were being ruled by a Council made up of men appointed by the Crown.

Upper Canada, unlike the Lower Province, had retained its Legislature after the Rebellion; and the Council, which represented the Family Compact, was able to control a majority in the Assembly. Thus, it was to the representatives of the official element in the population that proposals to unite the two provinces were, of necessity, submitted. The majority of the officials had good cause to fear union. They were located mainly in Toronto. Here they had built their homes; here they were the elite, politically and socially; and here, too, were their investments and other means by which they augmented their incomes. Were the capital not located in Toronto, they would lose most of these advantages. If it were placed in Lower Canada they might easily fail to hold their respective offices. Accordingly, when political union was under discussion in 1839, both the Council and the Assembly passed resolutions to the effect that they were absolutely opposed to the plan unless certain conditions were embodied in any bill approved by the British government. Conspicuously listed among these conditions was the stipulation that the seat of government be placed in Upper Canada.[2]

In the meantime the new Governor, Charles Poulett Thomson, acting on instructions from Lord John Russell, had drawn up a union bill. Russell and Thomson were intimate friends, and consequently the latter was given a more or less free hand and full support in drafting the measure. The Governor, realizing sufficiently well that the question of fixing the capital was both a major issue and a point of bitter contention[3], skillfully evaded the difficulty, and at the same time avoided alienating either province by simply inserting in the bill a clause which, following the precedent

[1] R. W. Scott: *The Choice of the Capital. Reminiscences Revived on the Fiftieth Anniversary of the Selection of Ottawa as the Capital of Canada by Her Late Majesty*, Ottawa, 1907, 4.

[2] *Copies or Extracts of Correspondence Relative to the Reunion of the Provinces of Upper and Lower Canada*, 24, 27. (British Parliamentary Papers, Commons, 1840, No. 147).

[3] *Ibid*: 46.

set in the Constitutional Act, gave the Crown's representative power to assemble the united legislature at any place upon which he might decide.[4] By this means Thomson left the Lower Canadians in a position where they might well have expected that either Quebec or Montreal would be the favoured city; but at the same time he assurred the people of Upper Canada, through an express agreement with their leaders, that they would be given the preference when the final choice was made. Unless this promise had been given the Upper Canadian Legislature would have refused flatly to agree to the bill.[5] No doubt Lord John Russell's threats of dismissal to office-holders, who expressly opposed the measure, made the official element more amenable to the Governor's wishes;[6] but in regard to fixing the capital the Province as a whole solidly backed up the contentions of its representatives. They were, also, other reasons for the choice being left at the discretion of the Governor. Both political developments and shifts in the centre of population might at any time in the immediate future render it expedient to adopt a new seat of government; and, if it were located by Imperial statute, change would be difficult, if not nearly impossible.[7] Then, too, Thomson expected to be virtually prime minister as well as Governor, and believed that it would be a point of vantage to hold constantly in his own hands the power to designate anew the meeting place of the government. Finally, were a definite site in Upper Canada proposed, inter-city jealousy might delay or prevent the passage of the Union Bill in the Legislature. All things conspired, then, to convince the Governor that the selection of the capital must be left among those powers delegated to the Crown.

Thomson's promise was only partially successful in mitigating the fears of the Legislature. Many members were decidedly unsatisfied; all were much concerned. To conciliate opposition and to reassure everyone, the following appeal was submitted in an address to the Queen:—

"As a matter of justice to your Majesty's subjects in Upper Canada, we earnestly and confidently appeal to your Majesty, to admit their right to have the seat of the Provincial Government established within this Province. It surely cannot be denied to the people of this Colony, that if favour is to be shown to either Upper or Lower Canada, their claim stands pre-eminent; independent of which, the moral and political advantages of the concession are too obvious and undeniable to admit of dispute."[8]

The Governor, after having secured the approval of the Union bill in the Canadas, was forced to consider the attitude which Downing Street would take towards the measure. Lord John Russell, as early as 1839, intimated in the House of Commons that the seat of the new government would be undoubtedly at Montreal; and this was known to officialdom in Canada.[9] If by any chance Montreal were specifically named in an Imperial act, then Thomson would find himself in a peculiar, not to say precarious, position because of his pledge to the Upper Canadians. To forestall such a contingency the Governor set hard to work. A strong pro-

[4] *A bill to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada,* 9 (British Parliamentary Papers, Commons, 1840. No. 339).

[5] *William Morris to C. P. Treadwell,* August 15, 1839. (This letter is in the possession of John Perry Pritchett); Public Archives of Canada: Series Q, *Address to the Queen on behalf of the Citizens of Ottawa,* May 4, 1857; *Copies or Extracts of Correspondence Relative to the Reunion of the Provinces of Upper and Lower Canada, op. cit.,* 24, 27; W. P. M. Kennedy, ed.: *Documents of the Canadian Constitution, 1759-1915,* Toronto, 1919, 534. William Kingsford: *The History of Canada,* Toronto, 1898, X, 518; Scott, *op. cit.,* 4-5.

[6] H. E. Egerton and W. L. Grant: *Canadian Constitutional Development,* London, 1907, 270-2.

[7] *Copies or Extracts of the Correspondence Relative to the Reunion of the Provinces of Upper and Lower Canada, op. cit.,* 46; *Morris to Treadwell,* August 15, 1839.

[8] *Copies or Extracts of the Correspondence Relative to the Reunion of the Provinces of Upper and Lower Canada, op. cit.,* 47.

[9] *Morris to Treadwell,* August 15, 1839.

test against any provision being incorporated in the Act to make Montreal the permanent capital, or to circumscribe in any way the power of the Crown over the matter was drawn up and despatched to the Colonial Office.[10] The Secretary's reply was encouraging but somewhat vague.[11] Thomson then wrote again and at greater length, giving in detail his opinions as to the advantages and disadvantages of each of several possible sites of the future capital. At the same time he reiterated his plea that final decision be left to the Crown. Five places were found worthy of mention—Kingston, Montreal, Toronto, Quebec and Bytown.[12]

Bytown was given little recommendation to the Colonial Office. It had the advantage of being suitable for defence owing to its location at a safe distance from the American border and at the mouth of the Rideau Canal; the canal had been constructed a few years previously to serve essentially as a military water-way between Kingston and Montreal in the event of war with the United States. In 1839, however, Bytown was only a small lumbering village, difficult of access due to the absence of railroads, and remote from the more thickly-populated districts. To have made it the seat of government would have entailed considerable delay and great expense in providing accommodations. There was, nevertheless, among the inhabitants of the Ottawa valley, fond hope that Bytown would be given the honour.[13]

Quebec was represented as being no more suitable than Bytown. Surrounded by a French population, it lay in the most eastern part of the Canadas, almost a thousand miles distant from the settlements of the far West. Moreover, it was difficult of access to Great Britain during the winter. Despite the fact that Quebec possessed a Parliament House and buildings for the offices of the government, Thomson maintained that it was " utterly " unsuited even for the first meeting of the new legislature. Its obvious advantages—historical significance, nearness to the sea and impregnability—were completely passed over.

Toronto received little more approval than did Quebec. It offered moderate accommodations, and any improvements that were necessary could have been perfected at a small cost and without particular bother or inconvenience; but still its disadvantages weighed heavily against it. It lay too far to the west for an efficient administration of government in Lower Canada; it was " a town altogether undefended, and indefensible ". The harbour was bad and the district unhealthy. Communication with Britain in the winter, through the United States, or overland to Halifax, was slow and tedious. There were " many political reasons too ", which made Toronto " an extremely unfit place for the seat of government, and even undesirable as the place where the first Assembly should be holden." Thomson was fully cognizant of the insidious political atmosphere of the stronghold of the old Family Compact; but he told Russell that in an emergency it might be possible to hold the first parliament there, although he " should regret being obliged to do so ".

Montreal and Kingston as seats for government were more or less seriously recommended to the consideration of Downing Street; and of these two, the latter was distinctly favoured by the Governor; and in his arguments employed to persuade the Colonial Secretary to accept his sugges-

[10] *Copies or extracts of Correspondence Relative to the Reunion of the Provinces of Upper and Lower Canada, op. cit.*, 46.
[11] *Ibid*: 50.
[12] Public Archives of Canada, Series Q, Vol. 272, Part 1, *Thomson to Russell*, May 22, 1840. 144-158.
[13] *Morris to Treadwell*, August 15, 1839.

tion, he at times was most vague and inconsistent. The two cities offered about equal accommodation, and there was "little or none in either". It was subtly denied, nevertheless, that the situation in Kingston had actually been examined. Thomson promised to visit and survey that city at a later date. Montreal possessed "the old Government House, of one story only, and of moderate size", containing the Civil Secretary's office and a room in which the Special Council assembled. A government house and the offices for the different departments of state had to be rented. Still this presented no serious difficulty in so populous a centre. In 1839 Montreal had a population of forty thousand.

Kingston contained no government buildings and only six thousand people; but despite these facts it was contended that it held superior attractions. Permanent parliament buildings could be erected in the smaller city at a considerably less expense; and, too, there was an abundance of Crown land "which might be taken advantage of". There was no land in Montreal belonging to the Crown. Thomson, assuming that, of the two cities, Kingston was the more suitable for a permanent establishment, explained to Lord John Russell that there would also be saved an unnecessary expense in rents if the united legislature met for the first time in that city.

The respective natural advantages of the two cities were clearly in favour of the sea port; but the Colonial Office was presented with quite the contrary notion. Contrasted from three points of view—defence, communication with Britain in winter, and position—Kingston was held preferable to Montreal. It was a stronger military centre; closer to the winter port, New York; more nearly midway between the eastern and western parts of Canada; and situated at the head of the lake navigation and the Rideau Canal. Montreal, on the other hand, was acknowledged to be at the head of ocean navigation and twenty-four hours closer to Halifax, the Canadian winter port. No mention, however, was made that it was nearer the centre of population; that it was the commercial metropolis of Canada; that if, in the case of war with the United States, it were captured, Kingston would be completely cut off from communication with the mother country; and that it was further removed from the American frontier. Finally, while it was conceded that the size and age of the larger city gave it certain just claims to pre-eminence in the matter of the capital, and that it was slightly more convenient than its rival for the first meeting of the united legislature, the fact was emphasized that as a permanent seat of government Kingston was superior.

Every attempt was made to persuade the British government that the capital should be placed in Upper Canada. The interests of the latter would be the chief concern of the new administration. This view of the province was upheld by many arguments—the fertility of its soil, the character of its people, the nature of its westward-spreading settlement, its capabilities for improvement, and its room for immigration. And, too, the future of the western province promised to be the chief source of Britain's wealth and greatness on the North American continent.

A comparison of the two dominant races in Canada was stressed to further the claim that it would be most inexpedient to place the new seat of government in the French Province. "Lower Canada," wrote Thomson, "has it is true a numerical majority of Population, but of what does it consist?—of a vast body of French Canadian Peasantry cultivating in the most barbarous way a soil of far less fertility—a People not incapable of improvement, but still only to be very slowly and gradually improved

in the Habits and Education . . . The Eastern Townships indeed exhibit a healthy and thriving Population of British and American Settlers, but the want of water communication and the rigor of the climate as compared with the other Province will make their growth slow and set limits to their improvement. . . The seat of government and above all the sittings of the Legislature should be removed from the presence of a large French Population. Montreal is its centre." On the other hand it was declared that "to bring the French Population to the middle of English Population would instil English Ideas into their minds, destroy the immediate influence upon their actions of the host of little Lawyers, notaries and Doctors —the pest of Lower Canada—who swarm in the District [of Montreal] and shew them the advantages of practical improvements and the working of English habits." Strange to say, no mention was made of the fact that a province so incomparably inferior to Upper Canada ought to have been, far more than the latter, "the utmost concern of the government."

Downing Street proved to be entirely in agreement with the suggestions of the Governor. He was simply instructed to consult men of all parties before he formed his decision. Thanks were expressed to him for his "clear and useful information;" Kingston was strongly favoured as the permanent capital; and a surmise was made that the distance from Quebec to Toronto would make a journey between the two "very burthensome."[14]

Late in 1840 Thomson, who in the same year was made Baron Sydenham, wrote his intentions in a private letter: "I shall fix the capital of the United Province in this one [Upper Canada]. Of course Kingston will be the place."[15] On February 15, 1841, a proclamation was issued summoning the United Legislature to assemble at Kingston.[16] The Governor had redeemed his pledge.

The date set for the first meeting of the Legislature was Monday, the fourteenth of June. The good people of Kingston were enraptured by the prospect. Owners of property dreamed blissfully of future opulence. Rents sky-rocketted. Real-estate knew no bounds. Certainly, too, the appetites of the visitors were considered. Larders were crammed to the bursting point as if famine threatened the land.[17]

Fortune at last had smiled favourably upon the Limestone city; but in many other Canadian centres there was bitter disappointment. Toronto's feelings were described rather badly in the contemporary press under the caption, *Drowning Men Grasp at Straws*: "The Torontowegions are in a queer fix and imagine all possible and impossible means and methods to regain for their Mud Hole, the Seat of Government. Among other chimeras of this nature, Mr. Henry Sherwood, Jun. in an Address to the inhabitants, proposes to petition somebody or other, to hold the Sessions of Parliament alternately at Quebec and Toronto, in order, that a fair proportion of public plunder should still be secured to his intended constituents. A very feasible proposition, and only wants to be carried into effect, to immortalize the proposer." Quebec, Montreal and Bytown were likewise disgruntled.[18]

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14 Public Archives of Canada, Series Q. Vol. 272, Part I, *Russell to Thomson*, June 22, 1840. 159-160.
15 Adam Short: "Lord Sydenham", *The Makers of Canada*, Toronto, 1912, 268.
16 *Correspondence Relative to the Affairs of Canada, 1841*, 28 (British Parliamentary Papers, Commons, 1841. No. 338).
17 *Ibid*: 39-40; *The Quebec Gazette*, February 24, June 6, 1841; *The Chronicle and Gazette* (Kingston), February 17, 1841; John Mercier McMullen: *The History of Canada from its first Discovery to the Present Time*, Brockville, 1892, II, 173.
18 *The Quebec Gazette*, February 22, 24, 1841.

Alas for the vanity of human wishes! Kingston's joy was short-lived. In 1843 the Assembly, finding Kingston unsuitable from almost every point of view, persuaded the New Governor, Sir Charles Metcalfe, to give the coveted prize to Montreal. Here the seat of government remained until 1849, the year of the passing of the Rebellion Losses Bill. The cry was then raised that traitors were being remunerated; and a mob voiced its displeasure and its principles of loyalty by burning the Parliament Buildings, and pelting the Governor with stones and eggs. This seemed to make it clear that Montreal was not a healthy spot for the site of government. Parliament then became migratory, and every few years moved between Toronto and Quebec—an arrangement reminding one of the farcial suggestion made in 1840 that the capital should be placed on a barge and towed around to the chief cities in rotation. This ambulatory system proved to be so expensive that in 1857 the request was made to Queen Victoria to settle the question for good and all. The leading cities were asked to submit their claims. After considering the merits of each, Her Majesty chose Ottawa—until 1855 called Bytown.

Things which in themselves appear to be trivial often influence strongly the destiny of nations. The question as to where the seat of government of a new country should be located would appear to be important, but in most cases not vitally so. When, however, on that decision hangs the possibility of the national unity of two races, the subject may become dangerously involved and worthy of the deepest thought of a statesman. Such was the case in Canada in 1839; but it was the country's misfortune that this problem was not given statesmanlike treatment. Certainly no claim can be made that the advice offered to, and urged upon, the British government in regard to the choice of the capital was impartial. Thomson possessed the mind of a business man, of a political opportunist.[19] Russell had sent him out to Canada to work out Durham's proposals, especially the union of the two provinces; and he had kept his eye on the immediate duty. His first serious task had been to frame a union bill, and persuade the two colonial governments to accept it. Lower Canada, of course, could offer no impediment to his plan. In Upper Canada, however, opposition to his aims was effective, and had to be overcome. Consequently, the Governor made his promise to the Family Compact leaders. In this transaction he considered the people of Lower Canada only to the extent that he tried to inveigle Downing Street into leaving the selection of the political centre at his own discretion, so that union would be a fact long before the French could discover and understand his plans. His fear that the advice would be ignored in England led him to point out emphatically in his second letter on the subject to the Colonial Office what he was wont to consider the advantages possessed by the five Canadian towns and cities. To serve his immediate political needs he tried decidedly to bias opinion in England in favour of the cities of Upper Canada, particularly Kingston; and at the same time urged, sophistically, that the near approach of the first meeting of the United Legislature, and his own ignorance in regard to accommodations offered by Kingston for that meeting, made it incumbent that the new act should leave the settlement to the decision of the Crown. Of the seeds of discord which he was sowing for the statesmen of the future when they should attempt to mould two races into one nation, he seemed to be either oblivious or negligent. When the Act

[19] *The Montreal Herald*, June 14, 1841; Kingsford, *op. cit.*, X, 508-511.

of Union was made public and the capital designated, the French-Canadian realized perfectly well that he had been victimized in the interests of the Anglo-Canadian.[20]

That immediate political expediency dictated Thomson's policy is apparent beyond the shadow of a doubt, not only in the distorted view of the Canadian situation which he presented to the British government, but also in the fact that his decision was quickly reversed. Of the deeper issues at stake he was either ignorant or careless. By adroitness and tact he had achieved his purpose—the union of the Canadas; but only at the price of a further embitterment of the French-Canadian.

[20] *Correspondence Relative to the Affairs of Canada*, 1841, *op. cit.*, 22; *Quebec Mercury* February 27, 1841; *The Quebec Gazette*, March 5, 1841; Duncan McArthur: "Constitutional History, 1763-1840", *Canada and Its Provinces*, Toronto, 1914, IV, 418.