

# Mary Ann Shadd and the *Provincial Freeman*

*To promote harmony—not based on complexional differences—among Her Majesty’s subjects*

—SLOGAN OF THE *PROVINCIAL FREEMAN*

By mid-century, the interests of Black Canadians were represented by the *Provincial Freeman*, a newspaper founded in Windsor, Ontario, by Samuel Ringgold Ward in 1853. Mary Ann Shadd was its first editor, and the first woman editor of a Canadian newspaper. Like other newspapers of the time, the *Freeman* was supported by advertisements and often had poetry on the front page and featured helpful hints and opinions, as well as local and international news.

Mary Ann Shadd was well-educated. She had escaped from the United States after a law was

passed that might have returned her to slave status. An advocate for Black education, women’s rights, and the abolition of slavery, she even founded a school before becoming the editor of the *Freeman*. This remarkable woman, widowed when her children were still small, also attended law school in the United States, at age forty-six. Denied graduation because she was a woman, Mary Shadd continued to write and speak on important issues. She finally was accepted to the bar and began to practise law when she was sixty.

**mentor:** a coach and advisor, often in business



**Figure 1–23** Today in Ontario, more Black Canadians are being drawn to journalism. Suzanne Boyd, editor-in-chief of *Flare* (left), is **mentor** to Cassandra Leader (right), through the Canadian Association of Black Journalists program.

## Women in Upper Canada

*I had just finished the first stage of my cooking and was about to shift my character from cook to gentlewoman ...*

—MARY O’BRIEN

Women in Upper Canada defined themselves in large part according to their social class. Like men, their expectations, lifestyle, prejudices, and beliefs depended on the class to which they belonged—a mark of their English heritage. But because

women did not usually own property, or work outside of the home, they tended to think of their own success or failure in terms of the successes or failures of their fathers and husbands.

In pioneer society, almost all women of marriageable age were married. **Spinsters**, or unmarried women, were often pitied, in part because they had to rely on relatives for support and a place to live. A good marriage gave a woman status in ways it is difficult to understand today. Even intelligent, resourceful, pioneer women such as Susanna

**spinster:** out-of-date language for an unmarried woman

Moodie, Catherine Parr Traill, Anna Jamieson, and Mary O'Brien wrote often about the activities of their husbands. It was assumed, at least among the gentry, that women would idolize their husbands. Finding a good marriage prospect for a young woman was of great interest to all the family members. Less importance was attached to romantic love than today, and more emphasis was placed on the duty to make the right match.

Of course, no upper-class woman was idle in Upper Canada. Cutting new farms out of the wilderness was hard work, and it often depended upon the help of women from the lower classes, with whom they worked cooperatively. This tended to break down social barriers, which many found quite refreshing. Mary O'Brien, for example, was a pioneer woman who knew the governor and most high government officials in Upper Canada personally, and visited them in their homes.

Nevertheless, she took part in the running of the farm, along with some hired staff, as she records in a diary entry for November 13:



It was very busy again until twelve o'clock, first in directing my old Yorkshire man how to cut up a fat pig which was slaughtered last night, and then in assisting the old Irishwoman to salt and pack away the same. I value myself on being able to put more into a barrel than anybody else except Southby, though this part of the business is usually the province of the man.

Mary also had a keen sense of justice. She felt it was her duty, and the duty of the men of her social class, to maintain community standards. Spousal and child abuse were not uncommon in the colony, although many people were shocked when it came to light. Mary O'Brien mentions one such incident in her diary:

**Figure 1-24** Anne Langton (shown near the fire) was able to maintain a genteel life in Upper Canada. She settled in Sturgeon Lake in 1837 and later penned *A Gentlewoman in Upper Canada*, published by her nephew in 1950. What upper-class English traditions are evident in this painting?





Her husband had used her so ill so as to drive her away from him about two years since, and he has just taken another wife. Not content with that, on her return to the neighbourhood he seeks out to abuse her by threatening her life. Edward has for some time had his eye on the culprit and urges her to prosecute him ... as the crime is fearfully common ... Edward has been out to consult and stimulate the magistrate on account of the deserted wife ...

For poor immigrant women, hard work and long hours were the norm. Although there was a division of labour, it was one-sided. Men never

looked after the household jobs, but women did the housework, planting, and harvesting. All pioneer women worked to preserve the harvest, and they made candles and soap. They were expected to have large families because this was a rural society where children were required to do chores as soon as they were able.

Childbirth was hazardous for all women because of a shortage of medical care and little knowledge of proper hygiene during birthing. The overcrowding and poor sanitation in small cabins probably made the process even more dangerous for poor women, who, of course, could not afford the midwives or servants hired by the upper classes.

## ACTIVITIES

1. Create an organizer to show who came to Upper Canada in the early nineteenth century and why. Some possible headings are Country of Origin and Means of Transport.
2. Table 1–2 on page 24 shows British immigration to Canada from 1815 to 1850. Can you find any pattern in the figures? In several years, the number of immigrants changes dramatically. Select one year, 1837, for example, and explain what event or events in Canada, Britain, or the United States might account for the change. Consult this chapter and an encyclopedia for background information.
3. Imagine it is 1830 and you have immigrated to Upper Canada. Write a short letter to a family member you have left behind in Ireland. Your letter should report what life is like in the colony and convey your feelings, hopes, and disappointments.
4.
  - a) Create an organizer to show the starting point of African-Americans fleeing slavery in the US, and their final destination. Which seems to be the most popular destination? Explain why.
  - b) Name the non-Canadian and non-US destinations of some slaves.
  - c) Why did people fleeing Missouri take a detour through Kansas and Nebraska to get to Iowa?
5. What do you think were the three greatest risks a fugitive slave might face on the Underground Railroad? Keeping these in mind, imagine that you are a father or mother explaining the need to escape to your children. Write a short dialogue about your plans and the family's reaction to them.
6. Why might Black Americans look towards Canada for a better life? Give three reasons, after you have thought about economic, legal, and social factors.
7. Using the slogan of the *Provincial Freeman* as your model, develop a five-point editorial policy for a newspaper. Your policy should describe the paper's mission, the type of articles it will publish, and the kind of advertising you hope to attract.
8. The painting of Anne Langton (Figure 1–24) and the painting of the Robinson sisters that introduces this chapter (page 9) differ in many ways from the other images of pioneer life presented in Chapter 1. Select one image that seems to contrast with these two paintings (see, for example, page 4 or page 14) and write a paragraph about the differences that strike you the most.

# COLONIAL GOVERNMENT AND THE NEED FOR REFORM

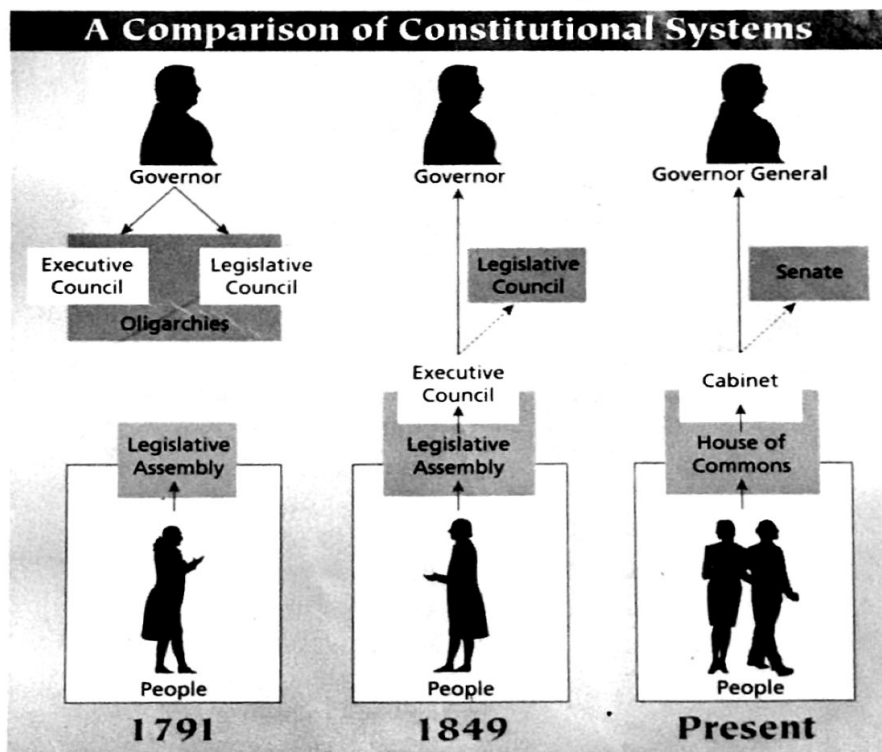
Government in the colonies of British North America was neither representative nor responsible. These are important terms. A representative government is one in which representatives are elected by people to make laws on their behalf. Responsible governments can be voted out if elected representatives fail to please a majority of the people who elected them. Democratic governments are usually both representative and responsible. Colonial government, on the other hand, placed power in the hands of a small group of rich and influential men. This type of government is known as an "oligarchy." Although Britain appointed a governor who was supposed to control the oligarchy, in reality, he ruled according to the wishes of its members. As an aristocrat, the governor had much more in common with the colonial upper crust than with the ordinary farmers who made up the bulk of the population.

The government of Upper Canada had been established in 1791 by the Constitutional Act. This divided Upper Canada from Lower Canada, and gave the colony an elected law-making assembly, known as the Legislative Assembly, an appointed governor, and two appointed councils. Since all male citizens who owned property could vote for members of the Assembly, the government gave the appearance of being democratic—and it was. The problems arose because the actual power was held by the governor and

his appointed councils, who could veto any laws or regulations proposed by the Assembly. The Assembly wanted the government to spend money on projects that would benefit ordinary people, such as schools and roads, and it wanted land reform. The councils, whose members came from the Family Compact, wanted the government to build canals and improve business, and to ignore the problems of land speculation and Crown and clergy reserves. Naturally, conflict was bound to occur. We can only imagine how frustrating life was in a limited democracy. Elected members of the Legislative Assembly were constantly frustrated, which led to calls for reform.

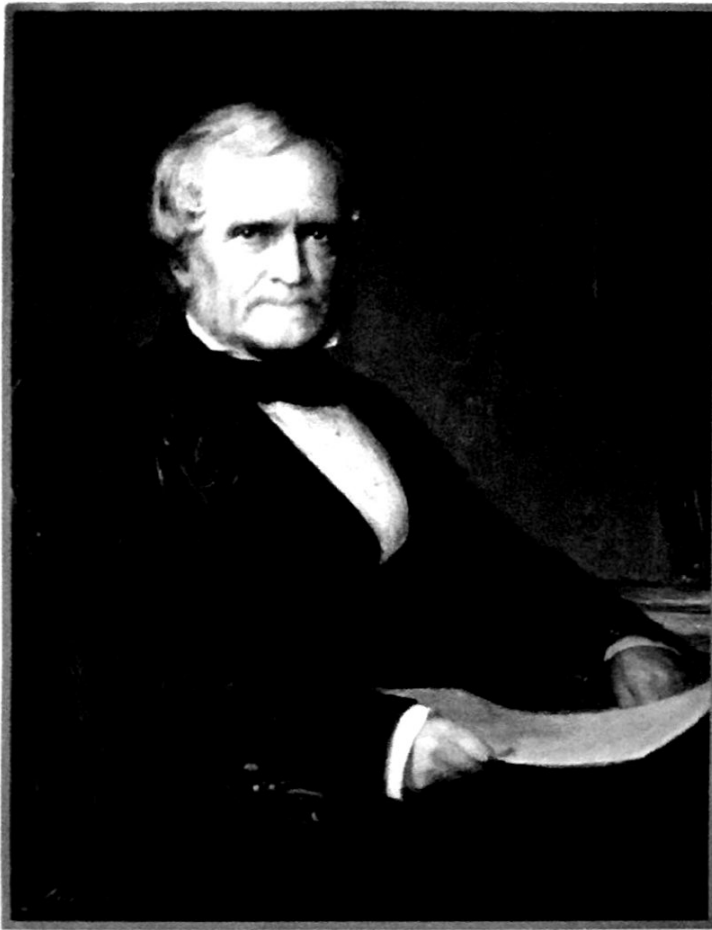
to veto: to stop with authority

Figure 1-25 This diagram illustrates the structure of Upper Canada's colonial government.





**Figure 1-26**  
William Lyon  
Mackenzie,  
leader of the  
reform  
movement



## A List of Grievances

*The most extraordinary collection of sturdy beggars, parsons, priests, pensioners, army people, navy people, place-men, bank directors, and stock and land jobbers ever established to operate as a paltry screen to a rotten government ...*

**-WILLIAM LYON MACKENZIE, WRITING  
ABOUT THE FAMILY COMPACT**

Settlers complained most loudly about land. As you read on pages 20 to 21, speculators (often members of the Family Compact) and absentee landowners either overpriced or tied up prime land, while Crown and clergy reserves hindered development of roadways.

Many settlers knew the Family Compact was to blame and did not disguise their anger. When Robert

Gourlay, a Scottish land agent, surveyed farmers about life in Upper Canada, he was shocked to discover the extent of their discontent. People were fed up with the government and its land policies. Gourlay drew up a list of grievances and, with the settlers, a petition. He was arrested and sent out of the country. The government was in no mood to listen to complaints, and it was not about to change its policies—no matter what the average farmer thought. Gourlay's arrest had the effect, however, of hardening opposition to the Family Compact. His place as a leading radical reformer was taken by another Scot, William Lyon Mackenzie.

Mackenzie did not do things by half measures. As with Gourlay before him, he had strong political convictions and a sincere interest in the well-being of others. Red-haired and argumentative, he often disagreed with other, more moderate reformers, such as Egerton Ryerson and Robert Baldwin, among others. Ryerson and Baldwin were also often frustrated by the government and the Compact, but they hoped to bring about change through negotiation and debate. Mackenzie took a more direct approach: He bought a newspaper. In *The Colonial Advocate*, he published articles that strongly criticized the government and the Family Compact. When angry young members of the Family Compact ransacked his offices, Mackenzie did not back down—he sued. Soon he was at the centre of a group of people who wanted radical change—a more American style of government, but one which would remain loyal to Britain. As a member of the Legislative Assembly, to which he was elected in 1828, Mackenzie became a leader of the reform movement.

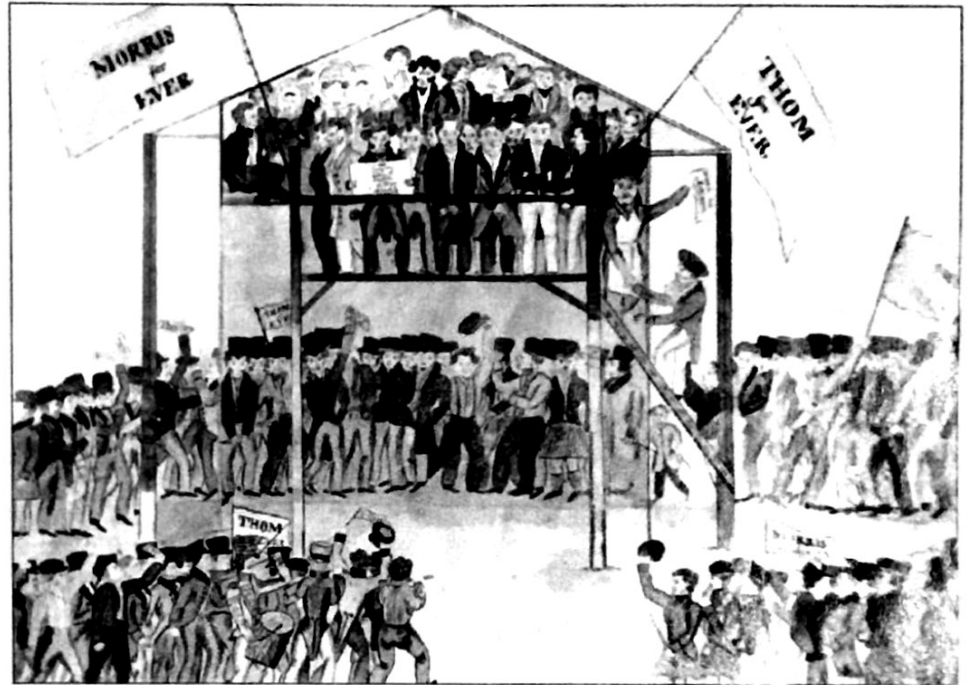
# Political Action and Protest

Canadian elections have changed considerably since the 1830s. In some ways, modern political rallies do resemble the gathering shown in Figure 1–27. However, you might be shocked to discover some of the goings-on at the polls in the early days. There was, for example, no secret ballot. Voters—men only—had to openly declare their candidate of choice. Votes could be bought, and voters might be intimidated by thugs hired by the supporters of one candidate or another. Many men came to the polls drunk, or would sell their vote for liquor.

Election reform later in the century eliminated most of these problems and made elections fairer and more honest. Today, Canadian elections are well-run. We even send representatives to other

countries to set up and monitor their elections. This does not mean that political action in Canada is a thing of the past. Citizens are legally free to criticize the government and to protest its

actions, as guaranteed by the Charter of Rights and Freedoms. However, even today Canadian citizens can be thwarted in their attempts to voice their criticisms of government.



**Figure 1–27** When voters still had to declare the candidate of their choice from a special platform, such as the one shown here in 1828, election day often turned into a brawl.



**Figure 1–28** In the 1830s, the government of Upper Canada could and did arrest and imprison political protesters. Canadians today have a legal right to protest, but how absolute is that right? Protesters at the 1997 Asia-Pacific Economies (APEC) Conference, held in Vancouver, were pepper-sprayed and arrested as part of a security operation by the RCMP. The protesters were publicizing human-rights abuses, in particular those of Indonesia's then-President Suharto. The RCMP and the Prime Minister's Office were criticized in the media for their handling of Suharto's demands. Cries for a public inquiry into the "APEC affair" were only partially satisfied. Is a government ever justified in using violence to suppress protest?

# Using Opinion as a Primary Source

William Lyon Mackenzie was a controversial figure, and his actions were much discussed in Upper Canada. Because the reform movement demanded significant changes in the colonial government, he was quickly branded as being an American agent. This was no minor accusation. Memories of the American invasions were still vivid, and

many people knew that American immigrants often radically opposed the Canadian government, saying that it curtailed their rights.

Was Mackenzie a patriotic reformer who wanted improvements in British government, or was he an American sympathizer? Even in his day, opinions about him varied. Now, you be the

judge. Read the excerpts from the documents quoted and test them, as you would any primary source. Are these documents useful to a person wishing to describe Mackenzie's character and goals? If you were on a committee to determine whether Mackenzie should be named a founder of Canadian democracy, would you support his nomination?

1. ...The people of this Province (Upper Canada) neither desire to break up their ancient connection with Great Britain, nor are they anxious to become members of the (U.S.A.). All they want is cheap, frugal, domestic government, to be exercised for their own benefit and controlled by their own fixed landmarks: they seek a system by which to insure justice, protect property, establish domestic tranquility, and afford a reasonable prospect that civil and religious liberty will be perpetuated, and the safety and happiness of society affected.

—William Lyon Mackenzie, 1830

2. ... with the eccentricity, the volubility, and indeed the appearance of a madman, the tiny creature (Mackenzie) raved in all directions about grievances.

—Bishop John Strachan, *friend of the Family Compact*, 1836

3. ... a wiry and peppery little Scotchman, hearty in his love of public right, still kore in his hatred of public wrongdoers, clever,

brave, and energetic but, as tribunes of the people are apt to be, far from cool-headed, sure-footed in his conduct, temperate in his language, or steadfast in his personal connections ...

—G. Smith, *author of Canada and the Canadian Question*, 1891

4. So far as any of us, at any time, may have supposed that the cause of freedom would be advanced by adding the Canadas to [the United States], we were under the merest delusion.

—William Lyon Mackenzie, 1838

5. ... Mackenzie is doing all he can to make a riot but I believe he will not succeed, and the business of the House (Mackenzie was elected to the legislature) proceeds so much more effectively since his absence from it that I think his credit must suffer. Besides that, his unwarranted attack on the Governor will disgust many of his advocates.

—Mary O'Brien, 1830



## WHAT DO YOU THINK?

1. How does knowing something about the source of the opinion affect your evaluation of it?
2. Which opinion did you find the least helpful in evaluating Mackenzie's contributions to the democratic foundations of Canada? Which opinion did you find the most helpful? It would

be interesting for you to return to this question once you have finished reading this chapter.

3. Categorize these five opinions as Conservative, Moderate, or Reform, or as being a combination of any two categories. Which category represents the Family Compact?

## Stirrings in Lower Canada

*The time has come to melt our plates and spoons to make bullets.*

—WOLFRED NELSON SPEAKING TO THE PATRIOTES, 1837

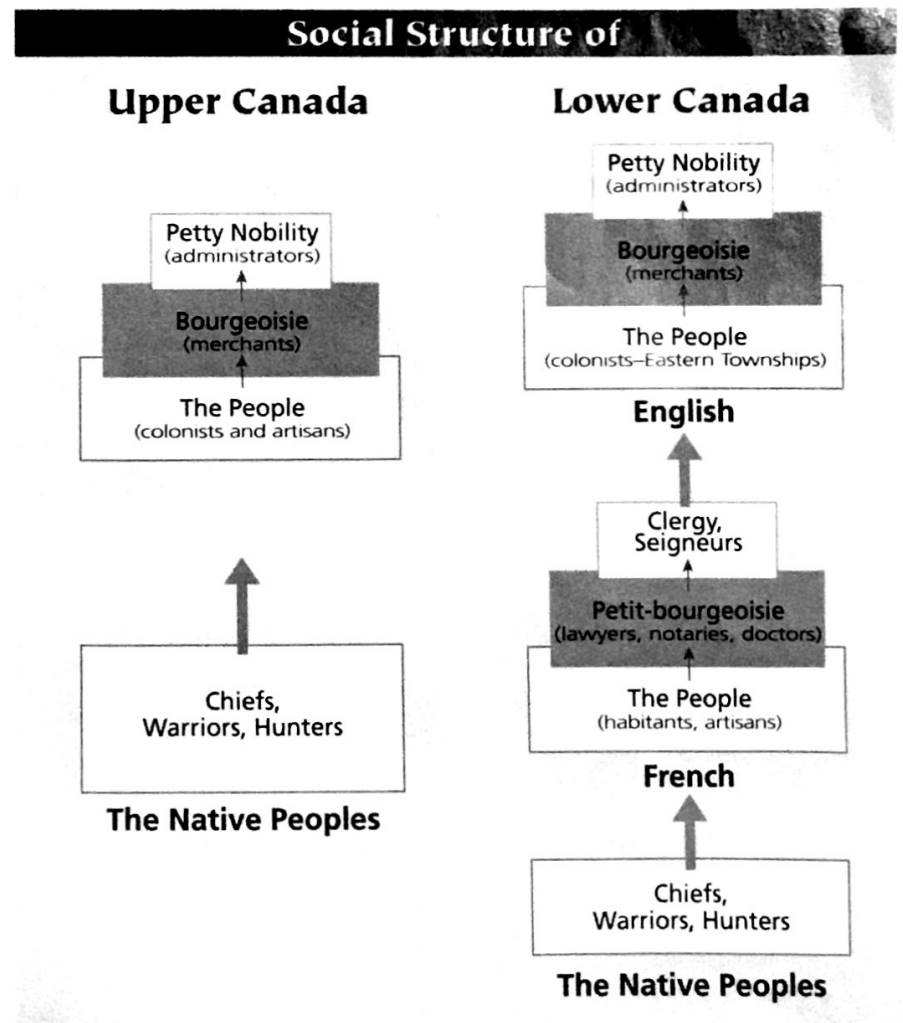
As with Upper Canada, Lower Canada had serious political problems. In some respects, these problems were more serious than those of its English-speaking neighbour. With language and cultural roots going back to Champlain, the French population of Lower Canada had not completely adjusted to the British conquest. Exposed to the ideas of the French and American Revolutions, and to the democracy of the United States, educated French-Canadians found British rule without democracy difficult to accept. Control of the colony was in the hands of an oligarchy of merchants and ex-army officers—all English-speaking. Profit was the only reason they maintained ties with the Church and with some wealthy French-Canadian landowners.

The old power structure based on the **seigneurial system** was changing slowly.

Seigneurial families, and the Church, had considerable influence in Lower Canada. Even those who were destined to become leaders of the Rebellion of 1837, such as Louis-Joseph Papineau, came from seigneurial families. Since the St. Lawrence River Valley had been settled for centuries, Lower Canada never experienced the problems associated with land that plagued Upper Canada, except in the north-west region and in the Eastern Townships.

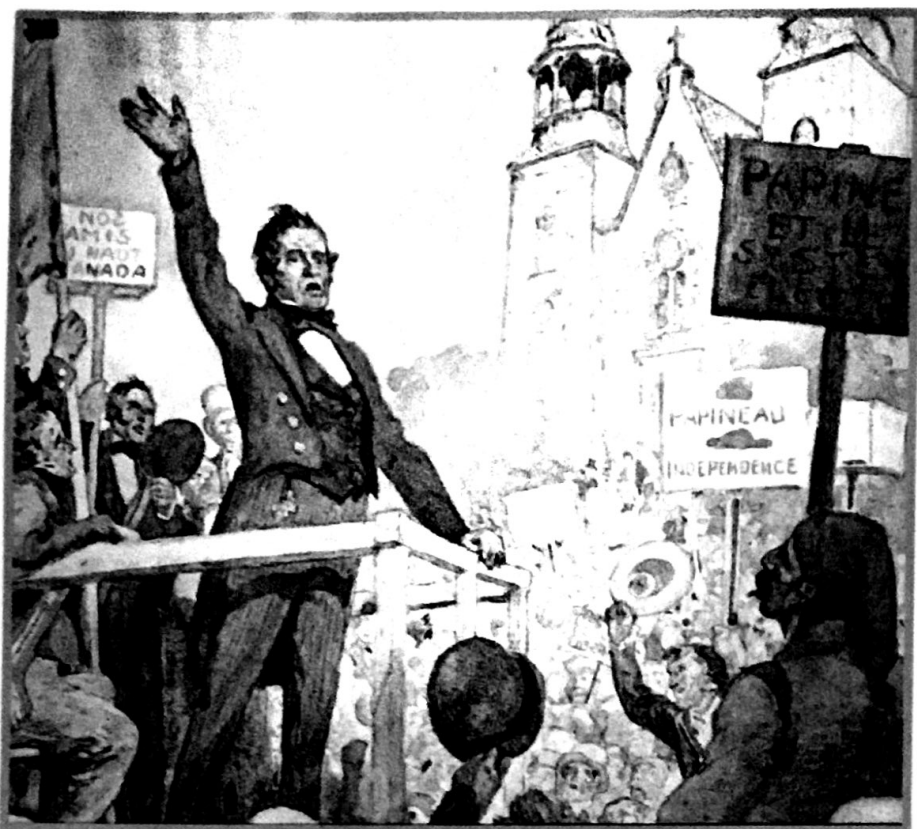
However, French-Canadians had many other grievances. The English seemed to have most of the advantages, even though there were only 80 000 English-speaking people in a population of 420 000. Many French people believed that the seigneurs and the Church had “sold out” to English interests. An attempt to join the two colonies in 1822, and to make English the official language of the union, as you will read, seemed like an attack on French society. Most certainly, it seemed to make the French a minority in a larger English colony.

**seigneurial system:** the old system of New France whereby seigneurs, or lords, were granted parcels of land by France



**Figure 1-29** Look carefully at these two flow charts. They show how the conquered population of Quebec saw the power structure of their society. The British left the Church and the seigneurs as part of the power structure in Lower Canada. Why would they do that? What was the result?





**Figure 1-30** Louis-Joseph Papineau is a hero in Quebec to this day. He was a seigneur and a lawyer, and he became a French-Canadian nationalist. As the Speaker of the Assembly in Lower Canada, he earned the respect of both French and English members. Under his direction, the Assembly changed the way the governor could use tax money, thereby gaining more power for elected representatives. In the 1830s, he became a principal leader of the Patriotes and of the rebellion which broke out in Lower Canada. He escaped to the United States when the revolt failed.

### *Feelings of Nationalism*

French-Canadians also feared that Great Britain might be trying to solve its “French problem” by bringing more English-speaking immigrants into the colony. The government worked to change the old seigneurial system into a British freehold land system by offering land in the Eastern Townships to people from the British Isles. The short-lived British American Land Company, chartered in 1834, bought 343 995 hectares of land in the Eastern Townships for £120 000. Its members were all land speculators. Some time later, when ships loaded with cholera-stricken Irish immi-

grants began landing in Quebec, many thought that Britain had plans to kill off the French-Canadian population with disease.

Reformers in Lower Canada were frustrated in their attempts to bring about change in the government and to reduce the power of the Château Clique, whose members included British brewers and bankers. They felt discriminated against, both economically and politically, because of their language, culture, and ideas. They also objected to the government’s “permanent civil list,” which guaranteed salaries for the members of the two councils. French farmers, for their part, resented the British government’s attempts to raise their land tax, while leaving business revenues untouched. And no one believed that Britain had an interest in solving these problems.

These three issues—discrimination against the French, unequal taxation, and lack of power within the government—became the focus of reform in Lower Canada. Louis-Joseph Papineau, the leader of the radical reformers in Lower Canada, was a powerful public speaker. At one time, he had been a supporter of British rule. Other leaders, however, were not French. Wolfred Nelson, for example, was an English physician, and Edmund O’Callaghan was an Irishman who started a pro-Patriote newspaper, the *Vindicator*. They all believed that the Assembly should have complete control of the government’s budget, and they wanted a more American-style republic.

In rival newspapers, and in government, the Château Clique and reformers squared off against each other. Britain did little to ease tensions. In 1810, the colonial office appointed the anti-French James

#### **DID YOU KNOW?**

The Bank of Montreal is Canada’s oldest chartered bank and was founded in 1817.

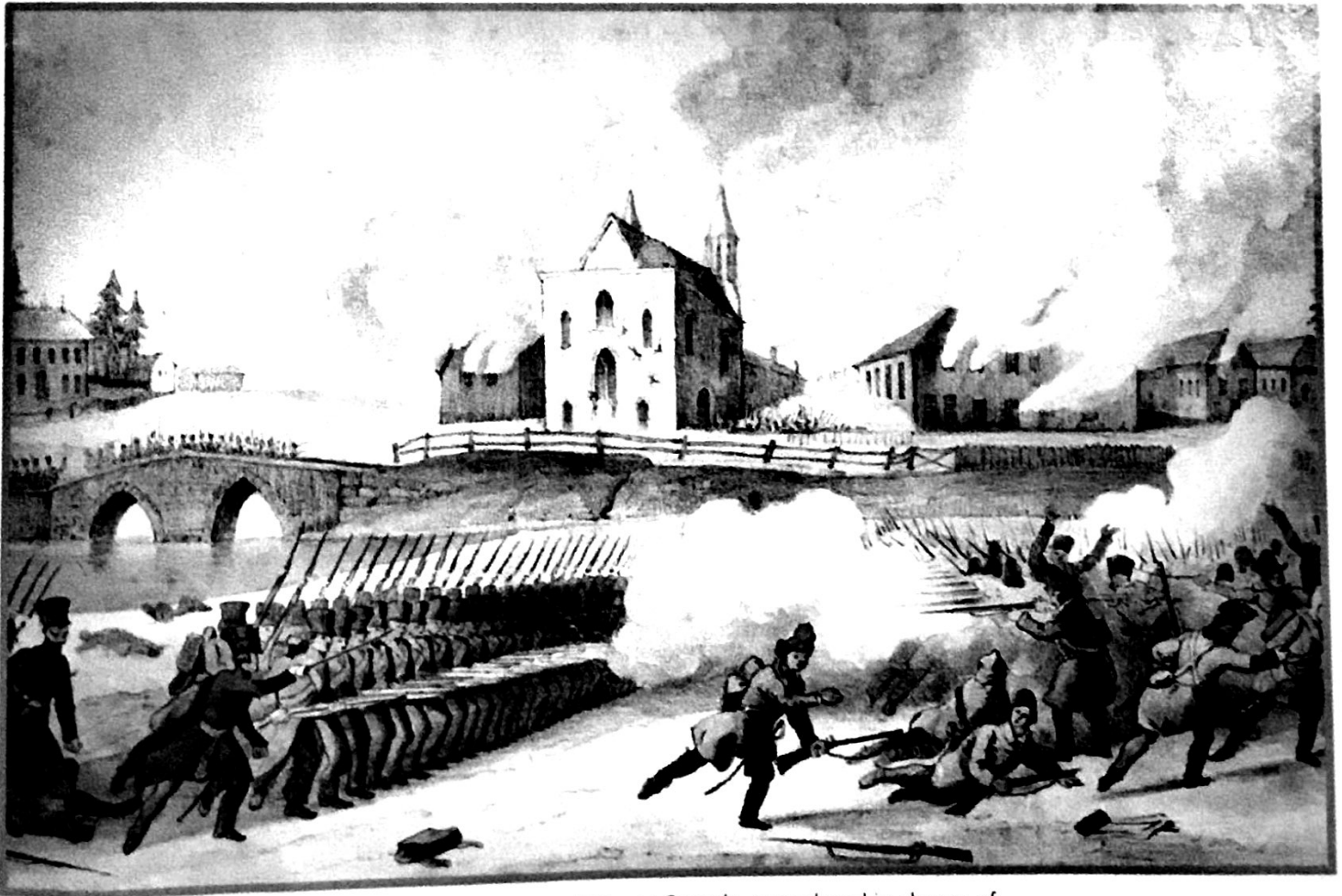
Craig as governor. Craig arrested those who criticized the government and brought in soldiers to intimidate the French population. He also closed the *Canadien*, a reformist newspaper. A proposal to unite Upper and Lower Canada in 1822, which would have made the French a minority in a huge English colony, only fanned the flames of discontent.

Although French protest quashed the so-called "Union Proposal," the feelings of Lower Canadians were turning bitter towards the government. After British soldiers shot protesters in Montreal in 1832, Papineau and other reformers in the Assembly submitted their "Ninety-two Resolutions" to the governor. It

demanded a complete change in the way the colony was governed. When Lord John Russell, in charge of the Colonial Office in Britain, replied with Ten Resolutions denying the rights of the Assembly, the Patriotes, led by Papineau, openly rebelled against the government.

## The Rebellions of 1837

Reformers in the colonies of British North America stayed in contact with each other. They shared their views on government and the economy, and exchanged possible solutions to problems. Leaders of the reform movements of Upper and Lower Canada were particularly close, although their goals were not



**Figure 1-31** Sir John Colborne, the former governor of Upper Canada, was placed in charge of the British forces. During the Battle of Eustache, he had about 2000 troops under his command. The British forces crushed the 250 Patriotes by setting fire to the church in which they were hiding, then shooting them as they escaped.

always in harmony. Mackenzie and his followers wanted to copy the United States, for example. All realized, however, that change in any one colony would set a pattern for change in the others. When it became clear that government could not be reformed from within—and that it was nearly impossible to weaken the powers of the Château Clique and of the Family Compact—Mackenzie and Papineau prepared for armed attacks on the government.

Radical leaders planned revolts

in both Upper and Lower Canada, since Britain did not have enough troops to fight back everywhere. Although there was a reform movement in the Maritimes, led by Joseph Howe, Maritimers did not become involved. In spite of the best-laid plans, the revolts in Upper and Lower Canada were not well-coordinated. Rebellion first broke out in Lower Canada, led by the *Fils de la Liberté* (Sons of Liberty), who were named after radicals of the American Revolution.

## A Patriote Song

Political ideas and stories are often communicated through song. Songs can also record important events. After the Rebellion of 1837 in Lower Canada, many rebels, including Papineau, went into exile. This sad song, “Un Canadien Errant,” written by Antoine Gérin-Lajoie (translated by Edith Fowkes), describes the feelings of a French-Canadian exile who cannot return home.

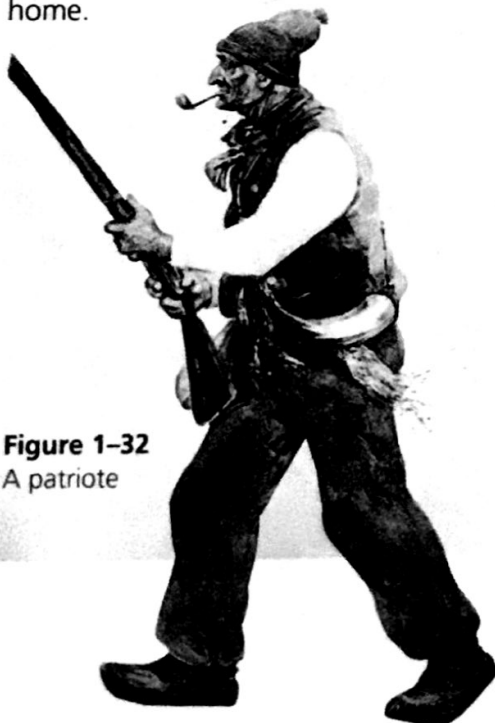


Figure 1-32  
A patriote

Un canadien errant  
Banni de ses foyers,  
Un canadien errant  
Banni de ses foyers,  
Parcourait en pleurant  
Des pays étrangers,  
Parcourait en pleurant  
Des pays étrangers.  
Un jour, triste et pensif,  
Assis au bord des flots,  
Au courant fugitif  
Il adressa ces mots:  
Si tu vois mon pays,  
Mon pays malheureux,  
Va, dis à mes amis  
Que je me souviens d’eux.  
Ô jours si plein d’appas  
Vous êtes disparus...  
Et ma patrie, hélas!  
Je ne la verais plus!  
Non, mais en expirant,  
Ô mon cher Canada!  
Mon regard languissant  
Vers toi se portera.

### Translation

Once a Canadian lad,  
exiled from hearth and home,  
Wandered, alone and sad,  
through alien lands unknown.  
Down by a rushing stream,  
thoughtful and sad one day,  
He watched the water pass  
and to it he did say:  
If you should reach my land,  
my most unhappy land,  
Please speak to all my friends  
so they will understand.  
Tell them how much I wish  
that I could be once more  
In my beloved land that I  
will see no more.  
My own beloved land I’ll  
not forget till death,  
And I will speak of her with  
my last dying breath.  
My own beloved land I’ll not  
forget till death,  
And I will speak of her with  
my last dying breath.

Had the Catholic Church supported the rebels, the Patriotes might have been more successful. As it was, Church leaders strongly advised their parishioners to stay loyal to Britain. The Rebellion began with the attempted arrest of Papineau, who immediately fled Montreal. In a series of skirmishes and brief battles—at St. Denis, St. Charles, and St. Eustache—British troops defeated the Patriote forces. At St. Eustache, many Patriotes were killed or wounded. By December of 1837, most rebel leaders and supporters had been arrested. Papineau escaped to the United States. The Rebellion in Lower Canada ended quickly, but resentment against the British has lingered to this day and remains a factor in Quebec politics.

## Rebellion in Upper Canada

Nationalist feelings among the French in Lower Canada helped convince the colony's reformers that they were part of a larger cause. This was not the situation in Upper Canada. Mackenzie and other radical leaders wanted an American-style democracy. This approach distanced them from many English immigrants, who thought of the United States as an enemy power. Nevertheless, many people—even members of Mary O'Brien's social class—wanted better government.

Moderate reformers found their hopes for more responsible government dashed by John Russell's Ten Resolutions, and by the appointment of Sir Francis Bond Head as



**Figure 1-33** The Capital of Upper Canada, York (now Toronto), grew rapidly during the 1830s. English architects relied on English design for the important buildings. Why would Canadians copy English buildings rather than create their own architectural style? What do you think the term "colonial architecture" means?



governor in 1836. Head's sympathies were firmly with the Family Compact, and his heavy-handed administration was bound to provoke a violent response. After the Assembly reprimanded him, he dissolved the House and went on to win an election by advocating loyalty to Britain. Mackenzie took the defeat of the reform movement as a call to arms, and to rebellion.

Whatever their motives, Mackenzie and the radical leaders made plans that bordered on treason. Mackenzie spent a great deal of time and energy organizing resistance to the government and actually training rebels to fight. Some soldiers had gone to war during the War of 1812, but military experience on both sides was minimal. Mackenzie himself lacked military experience. This factor, and poor planning, would ensure his defeat.

Mackenzie decided to strike after hearing that Governor Head had sent soldiers to help fight rebels in Lower Canada—which left Toronto (renamed York) virtually unguarded. A quick march, Mackenzie reasoned, would allow his rebel force to take over the arms and ammunition stored in the arsenal. In addition, they could take Governor Bond Head prisoner. Mackenzie's plan was to set up a new and independent government if rebel demands were not met. Although he tried to convince other radicals to join him, they would not. Unable to count on widespread support, Mackenzie ordered an attack to begin at Montgomery's Tavern on Yonge Street. He led the attack in person, mounted on a white horse.

Marching down Yonge Street, the rebel force met a small group of militia led by Sheriff Jarvis, a local

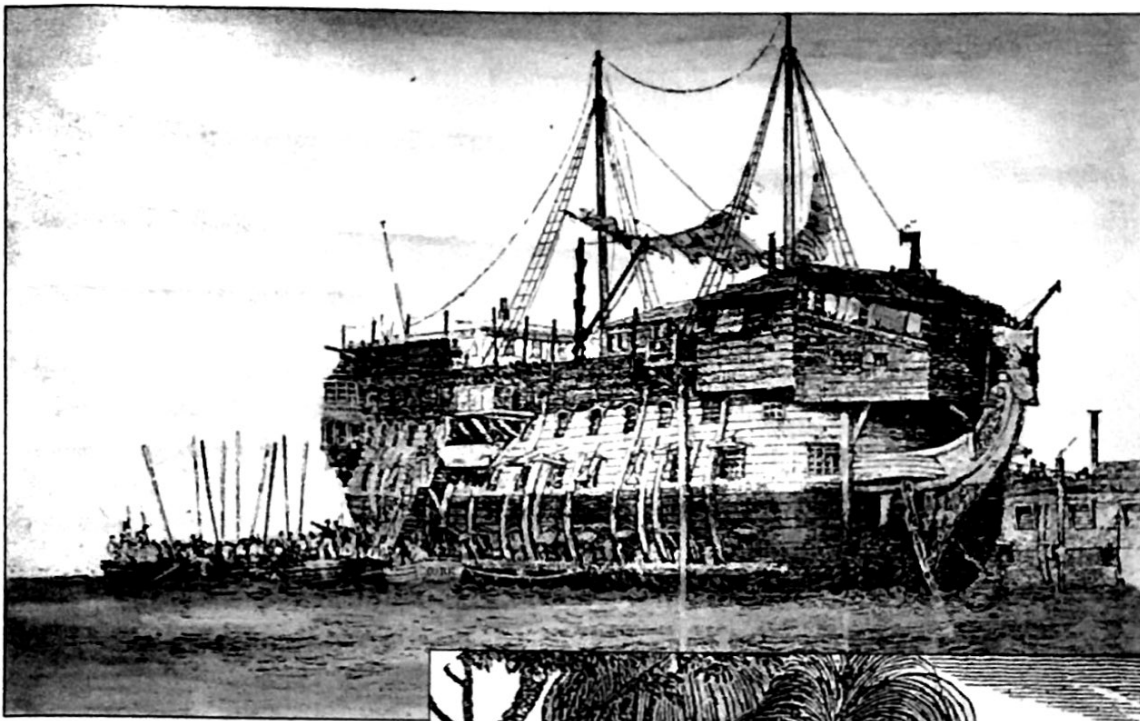
official. During the first skirmish, the rebels' lack of military experience became painfully obvious. Jarvis's men fired and ran away. Returning fire, rebel troops shot and then fell to reload, but this confused the rear ranks, who thought they had all been killed. In the confusion, rebels abandoned the little battlefield and retreated back up Yonge Street. At the Battle of Montgomery's Tavern, the rebels were attacked and defeated by militia led by Colonel Alan MacNab. William Lyon Mackenzie escaped, disguised as a woman, to the United States. Although Mackenzie worked to keep the rebellion alive from the other side of the border—and although rebel incidents continued until 1838—the Rebellions of 1837 were a failure.

### *Punishing the Rebels*

Those who rebelled against the government, and failed, probably expected little mercy. The British legal code prevailed in the colonies, and it prescribed the death penalty for more than a hundred crimes, including **insurrection** against the government. British justice concentrated on punishment, rather than rehabilitation. Judges hoped that quick and severe punishment would deter others from committing similar acts. Flogging was common, for example.

After the Rebellions of 1837, the major leaders of the revolt were publicly hanged. Others were "transported" to Bermuda for seven years. In fact, transportation was a very severe punishment. During the long sea voyage from Britain or Canada to Bermuda or Australia, prisoners were kept in a low-ceilinged, cramped lock-up between decks.

**insurrection:** revolution against the established government



**Figure 1-34** A British convict ship. The convicts had to stay on the ship while they waited for transport to Australia.

They were chained to the walls or to the deck, with no bathroom facilities or ventilation, beyond a small grate or window. In the suffocating heat of the tropics, many became sick and died. Upon arriving at their destination, prisoners were used as slave labour for Britain, working in plantations and on government projects, on starvation rations. Many of Australia's early settlers were convicts.



**Figure 1-35** These British convicts have just arrived in Tasmania, off the coast of Australia.

## Lord Durham's Report

*I found two nations warring within the bosom of a single state.*

—LORD DURHAM, 1838

In the wake of the 1837 Rebellions, Britain realized that the old ways of administering the colonies would have to change. The British cabinet established a commission to investigate the situation and to recommend solutions. It was led by John

Lambton, the Earl of Durham, an aristocrat and reformer politician who was appointed Governor-in-Chief of the Canadas. Politically, however, his appointment was not straightforward, and Durham soon found himself in a no-win situation.

Durham, supported by his wife, Lady Durham, arrived in the spring of 1838. Prejudiced and irritable, Durham did possess certain strengths. Where other governors

**Figure 1-36** Lord Durham was a young aristocrat who made a fortune from the coal mines he owned. The leaders of the reform movement in Britain, in fact, usually were aristocrats. How would this affect the movement and its leaders' proposals?



had blended quickly into the local power structure of Clique and Compact, Durham was seen as an independent representative of a powerful empire. He even travelled to the United States and patched up relations there. This was strategically important because it froze support for the rebels who had been operating from the northern states.

Though a wealthy man, Durham had progressive ideas. He appointed colonial experts—Charles Buller, Thomas Turton, and Gibbon Wakefield—to his staff. He treated captured rebels as leniently as possible, and pardoned most of them. Papineau was advised to remain in exile. Unfortunately, without the councils and the Assembly, Durham was really a dictator. In addition, British law was being flouted. Even though the results of Durham's actions were beneficial, those who

had fought the rebels, or had had property destroyed in the rebellions, were angry. And they had a legitimate complaint that could be used against him in Britain.

When Durham saw that he had little support in the Canadas (even his pardons were overturned), he resigned and went home. There he completed his report, which recommended that the colonies be joined together and that they be given responsible government. He also recommended that all of British North America be united in time, a forerunner of later proposals for a Canadian confederation. The Durham Report was not well-received by the French in Lower Canada. His prejudices against them were well-known. His goal, through unity, was to force the French to assimilate into English culture.

## Union and Beyond

Durham resigned and died soon after his return to Britain. He had correctly reasoned that peace would never be achieved in Canada without some form of democracy—the United States was just too close for comfort. His recommendation for responsible government came as a result of his own liberal ideas and those of Gibbon Wakefield and reform leaders such as Robert Baldwin and Louis Lafontaine. Responsible government, as Durham proposed, was not, however, full democracy or independence. The elected assembly would have power over internal affairs (taxation, for example) that only affected the colonies. Britain would keep control of foreign affairs and the military.

However, Durham proposed that the Executive and Legislative

Councils change substantially. The Executive Council, which would become the Cabinet, would be chosen from elected members of the House of Assembly, and the Legislative Council would no longer have the power to make laws. In fact, the Legislative Council would evolve in time into what we now call the Senate. Although Durham's proposal became the basis of our present system of government, his successors were either unwilling or unable to institute this particular recommendation. It would not become a fact of government for several years. To complicate matters even further, the constitution of Lower Canada had been suspended in the wake of the rebellions. As a consequence, French-Canadian representatives were denied a voice in government until 1843. Nevertheless, reform leaders in both colonies continued to press for the implementation of responsible government.

Durham's proposal for union was accepted by the British government, and by his successor, Lord Sydenham. A wealthy merchant, and a newly appointed peer, Sydenham had a great interest in transportation and development, particularly in building roads and canals. These kinds of projects were dear to the hearts of members of the Clique and the Compact, but not necessarily to French-Canadians. Sydenham was instructed by the British government to press for unity, and this he did, in spite of protests from Lower Canada's reformers. In 1840, the Act of Union united Upper Canada and Lower Canada: they became United Canada in 1841, with the capital in Montreal. However, this was accomplished without the support or participation of the French, which created many problems that linger to the present day.

## ACTIVITIES

1. Re-examine Table 1–2, on page 24, which shows immigration to Canada from 1815 to 1850. Explain why immigration declined dramatically in 1837.
2. Develop a "position paper" for the colonial government. In it, you will represent the wishes of either the Family Compact or Upper Canada reformers; or the Château Clique or the Patriotes. Your paper should be a point-form list of grievances and recommendations
3. Create an announcement or poster that will attract volunteers to serve in either the government militia or the rebel forces in 1837. Be sure to use information in such a way that it stirs emotions. Consider how much distortion you can get away with in getting your message across.
4. Give three reasons why you think the Rebellions of 1837 were quickly put down by the colonial government.
5. Imagine that you are a member of the British government and are displeased with the results of Lord Durham's efforts in Upper and Lower Canada. Draft a letter, giving him at least three reasons why he must resign.
6. Explain why few Black people, Native people, or other minorities became involved in the Rebellions of 1837.



## CONCLUSION

The years following the War of 1812, and leading to the Act of Union in 1840, were important to the development of our nation. It was a time of turbulence, consolidation, and growth. At the end of the period, one very important political change had occurred: in passing the Union Act, the British government united Upper and Lower Canada into a single colony. Unfortunately, this came about undemocratically. Recommended by Lord Durham, the conditions of the union were extremely unpopular in French Canada. Not only was the process

undemocratic, but the act itself was a product of Durham's undisguised racism. Political changes also occurred in the Maritime colonies, but in a more gradual, moderate way. Responsible government, one of Durham's major recommendations and a demand of many colonists, was not immediately granted. Resistance to this was strong both in England and in Canada, especially among the supporters and members of the Family Compact and the Château Clique. The power of these conservative elements had yet to be shaken.

## SUMMARY ACTIVITIES

1. Create a newspaper broadsheet for the years 1837–1838. Your broadsheet should be composed to highlight events and feelings of the Rebellion period. It should have an original name, a price, three local stories, two international stories from the period, and any other newspaper features, such as cartoons and advertisements that you think will make your broadsheet interesting and readable.
2. Debate the following resolution: "Upper Canada Needs an American-style of Government, beginning in this year 1837." The debate should be properly organized with speakers for and against the proposal, rebuttals, and all the other elements of formal debate.
3. Examine maps of Upper and Lower Canada in 1830. Prepare a detailed itinerary for Lord Durham that will enable him to restore relations with the United States and to find solutions for the problems of the Canadas within the five months he will spend in the colonies. Include Wakefield, Turton, and Buller in your plans, and meetings with Baldwin, Archbishop Strachan, and other colonial leaders.

## ON YOUR OWN

1. Imagine you are part of a committee planning a class trip to cross Canada in a chartered bus. Your role is to plan one-day side trips from three provincial capitals. The challenge is to make these trips both interesting and educational. Students should learn about the history, geography, culture, and economy of each area. Research one province and its capital and prepare an itinerary. Then write a one- or two-page "pitch" for your choice to represent to the whole committee.