

The Kennedy Interlude, 1864-66*

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Arthur Edward Kennedy, governor of Vancouver Island from 1864 to 1866, was born near Holywood in County Down, Ireland, on the 5th of April, 1809.¹ He was the fourth son of Hugh Kennedy of Cultra Manor, County Down, and of Grace Dorothea Hughes, the only daughter of Thomas and Dorothea Hughes of County Tipperary.²

A. E. Kennedy's antecedents included Protestant Scots of Ayrshire, the earls of Cassillis, who in 1671 purchased the estate of Cultra from the Earl of Clanbrassil.³ Hugh Kennedy was Justice of the Peace and High Sheriff of County Down, and a gentleman farmer with a large estate on the southern shore of the Belfast Lough, six miles east of Belfast.⁴

Arthur was privately tutored and in 1823-24 attended Trinity College, Dublin, apparently without success.⁵ In 1827 he entered the British Army and served in infantry regiments in the Ionian Islands, 1828-37, and in British North America, 1838-39 and 1841-44. While on furlough in 1839, Kennedy married Georgina Macartney (d. 1874), daughter of Joseph Macartney of Farmhill, an estate one mile from Cultra.⁶ Three children were born to Arthur and Georgina: Arthur Herbert William, Elizabeth Henrietta, and Georgina Grace Maria.⁷

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¹ Registers of Officers' Service, Public Record Office, War Office 25/787/29; Death Certificate, Marine Register, General Register Office, London; Henry Cecil Gilliland, "Early Life and Early Governorships of Sir Arthur Edward Kennedy" (unpublished MA thesis, University of British Columbia, 1951), pp. 51, 52, 177 and 441.

² Gilliland, p. 48.

³ "Kennedy," *Burke's Landed Gentry of Ireland* (1958), I, 411 and R. Duffy, "County Down: A Topographical History," 1963, pp. 714-15, typescript in the Belfast Library and Society for Promoting Knowledge.

⁴ Gilliland, pp. 8 and 49.

⁵ Winnifred Matthews (Information Officer, Trinity College, University of Dublin) to author, 9 January 1975.

⁶ Gilliland, pp. 143, 150, 164, 177, 178, 188, 191 and 202.

⁷ Will, Principal Registry of the Family Division (London) to author, 17 March 1976, copy in PABC.

Kennedy sold his captaincy in 1847, having accepted on 25 October 1847 a poor law inspectorship in the Irish relief mission of General John Burgoyne.⁸ In Kilrush Union, County Clare, Kennedy faced the onerous task of administering emergency relief for almost one half of the 82,000 inhabitants in a district which possessed one “badly ordered workhouse to accommodate only 1,100 persons” and a “very indifferently supported hospital, with only 74 beds.”⁹ After a determined effort performed under a variety of constraints — hunger, disease, overpopulation, the recalcitrance of landlords, and agricultural inefficiency — Kennedy concluded that the relief mission had accomplished very little.¹⁰ Years later he was to recall “that there were days in that western county when I came back from some scene of eviction so maddened by the sights of hunger and misery I had seen in the day’s work, that I felt disposed to take the gun from behind my door and shoot the first landlord I met.”¹¹ Having accumulated a considerable knowledge of the local effects of the Great Famine, Kennedy was invited to testify on poor relief in 1850 before a House of Commons select committee.¹²

In 1851 his office was abolished. He then applied for a position in the colonial service and in May 1852 was appointed governor of Gambia, a small colony on the west coast of Africa. Before assuming that office, however, he obtained instead the governorship of nearby Sierra Leone, which he undertook in October 1852.¹³ In the capital, Freetown, he was confronted by a corrupt and inefficient government. His residence consisted of an “undignified cottage,” with a leaking roof, thin walls, and an “offensive dry latrine.” Despite the purported expenditure of £25,000, other government buildings were in similar disrepair, the colonial surveyor having bilked the treasury. The police force, “ragged” and “incompetent,” was under the command of a disreputable trader. Kennedy replaced him with an army officer and ordered that the police be properly clad and instructed in the use of firearms.

⁸ Gilliland, pp. 208 and 212; “Memorandum of the Public Services of A. E. Kennedy, C.B., later Governor of Vancouver Island,” Great Britain, PRO microfilm, Colonial Office 60/31, 302; Great Britain, House of Commons, *Report from the Select Committee on Kilrush Union*, 1850 (613), XI, 1.

⁹ *Report from the Select Committee on Kilrush Union*, p. 2.

¹⁰ Gilliland, p. 243.

¹¹ William Francis Butler, *Sir William Butler* (London, 1913), p. 12.

¹² *Report from the Select Committee on Kilrush Union*.

¹³ Memorandum of Kennedy’s services; Frances Bissett Archer, *The Gambia Colony and Protectorate* (London, 1967), p. 336; J. M. Gray, *A History of the Gambia* (London, 1966), p. 435; A. B. C. Sibthorpe, *The History of Sierra Leone* (New York, 1970), p. 70.

Since local officials hardly knew what laws were in force, Kennedy was obliged to put the government's records in order himself. He appointed a full-time harbourmaster in order to reduce smuggling and increase customs revenues. He condemned the decrepit hospital, dismissed the colonial surgeon, improved the facilities, and initiated a dispensary for the distribution of free medicine to the poor. He brought slave traders to justice and decreed ordinances to facilitate their detection and conviction. He even attempted to check the slave traffic in adjacent, unincorporated districts (Sherbo and Rio Nunez) but was overruled by Palmerston.

This reformist zeal earned Kennedy a number of local enemies who protested to his superiors in London and employed agents to attack him in the English press. The Colonial Office, nevertheless, upheld him.¹⁴ In 1854 he was given the additional appointment of Consul General of the Sherbo district.¹⁵ Having "earned his credit in the Colonial Service by his courage in grappling with abuses," Kennedy was promoted in the fall of 1854 to the governorship of Western Australia.¹⁶ While returning from Africa to England he narrowly escaped drowning when his ship, the *Forerunner*, ran aground near Madeira and sank with a loss of fourteen lives.¹⁷

As governor of Western Australia, Kennedy continued his vigorous administrative approach by promoting land sales, introducing modern public accounting procedures, sponsoring explorations for arable land and mineral resources, and initiating an elementary education system.¹⁸ In order to provide outdoor work for prisoners and to employ their labour in building roads and bridges, which were virtually non-existent in the colony, he co-ordinated the convict and public works systems. Like Sierra Leone, the colony of Western Australia had no popular assembly and so the possibility that its governor might exceed his powers was never far removed. Kennedy's ordinance prohibiting the grant of liquor-vending licences to men pardoned for crimes committed in England incurred wide-

¹⁴ Christopher Fyfe, *A History of Sierra Leone* (London, 1962), pp. 266-74 and 306.

¹⁵ Memorandum of Kennedy's services.

¹⁶ Minute on Kennedy to Edward Cardwell, 3 December 1864, PRO mf., CO 305/23, 477 and Gilliland, p. 326.

¹⁷ Memorandum of Kennedy's services; *London Times*, 11 November 1854, p. 7 and 15 November 1854, p. 10.

¹⁸ Gilliland, "Arthur Kennedy's Administration of the Colony of Western Australia Examined as a Background to the Initiation of the Vancouver Island Exploration Expedition of 1864," *British Columbia Historical Quarterly*, XVIII (January-April 1954), 103-15.

spread local displeasure and was subsequently disallowed by the Colonial Office.¹⁹

By the end of his term in 1862 Kennedy had emerged as one of the colonial service's "best governors" and while in England during 1863 was asked to give evidence before a parliamentary inquiry on transportation and penal servitude, which system he asserted benefited both the convicts and the colony of Western Australia.²⁰ Despite the fact that the Secretary of State for the Colonies, the Duke of Newcastle, readily gave him "credit for faithful and good service," the fierce competition for governorships delayed Kennedy's re-employment until July 1863, and even then he was sent to the comparatively insignificant colony of Vancouver Island.²¹

Kennedy's proposed succession to Sir James Douglas was publicly announced in England on 4 December 1863 and the new governor's credentials were issued one week later.²² His mission, like that of Frederick Seymour, the new governor of British Columbia, was to bring about the union of Vancouver Island and British Columbia.²³ Accompanied by his wife, his two daughters and his private secretary, Kennedy left Southampton aboard the *Shannon* on 18 January 1864. Travelling via Panama they reached Victoria, that prosperous entrepôt for the gold fields of British Columbia, on Good Friday, 25 March 1864.²⁴

Victorians received the vice-regal party with a great flourish. The press hailed Kennedy as a welcome long-awaited change from the Hudson's Bay Company's influence, and from the nepotism and the authoritarianism it had long attributed to Douglas, governor of Vancouver Island since 1851. Kennedy soon learned, however, that while he might be the object of much popular adulation, his arrival was nonetheless politically inauspicious.

¹⁹ Gilliland, "Early Life and Early Governorships . . .," pp. 369-76, 382-83 and 421.

²⁰ *Ibid.*, p. 435.

²¹ Newcastle to Kennedy, 26 April 1861, private, Newcastle MSS, Papers of the 5th Duke Referring to Canada, microfilm in the Public Archives of Canada, vol. B2, reel A-307, 106; minute on Douglas to Newcastle, 12 February 1864, PRO mf., CO 305/22, 21; Newcastle to Douglas, 31 July 1863, private, Newcastle MSS, PAC mf., vol. B2, reel A-307, 231-32.

²² *Times*, 5 December 1863, p. 7 and minutes of the Executive Council of Vancouver Island, 26 March 1864, PABC.

²³ Newcastle Memorandum, 27 March 1863, uncatalogued ms., PABC and minute on Seymour to Cardwell, 20 December 1864, PRO mf., CO 60/19, 474.

²⁴ Diary of A. Stanhope Farwell, entry for 18 January 1864, PABC and the *Victoria Chronicle*, 27 March 1864. Kennedy brought his wife Georgina, daughters Elizabeth and Georgina and his private secretary D. C. Maunsell. Kennedy's son, Arthur Herbert Williams, did not accompany them.

During his outward voyage, Vancouver Island's House of Assembly had refused to vote a permanent appropriation of the annual salaries of the colony's principal officials (a civil list of £5,800) in return for control of the extensive Crown lands within the colony, a standard arrangement recently requested by the Colonial Office. Moreover, the Assembly disapproved of the appointments of Kennedy and Seymour because it felt that the political and commercial favours that had been showered on Victoria during the joint governorship of the Victoria-oriented Douglas might thereby be jeopardized. The Vancouver Island Assembly, which had grown accustomed to Douglas' practice of paying the bulk of his salary and the salaries of other officials who served both colonies from British Columbia revenues, was now prepared to withhold even the temporary payment of Kennedy's salary as a means of protesting the Colonial Office's expensive and politically ominous appointment of separate governors.²⁵

The Assembly also denied Kennedy supplies, an appropriate office, and clerical assistance. In the absence of a government house (Douglas had always resided in his own home), Kennedy and his family were quartered in a hotel.²⁶ When he requested that provision be made for a temporary and a permanent government house, as well as for travel allowance and salary for his private secretary, the Assembly refused, thus prompting the local colonial secretary and assemblyman W. A. G. Young to observe that "either the numerous addresses [of welcome] which had been presented to His Excellency were bunkum, or the members of the Assembly did not represent the people."²⁷ Although its shabby treatment of the governor was denounced at a "monster meeting" by the citizens of Victoria, the Assembly was not persuaded to make amends. As temporary accommodation, Kennedy finally managed to lease the home of the prominent engineer Joseph Trutch.²⁸ In the matter of the officials' salaries, an uneasy truce was concluded in July 1864 when the Assembly agreed to indemnify the executive for any loss it might incur in paying them, should the

²⁵ Robert Louis Smith, "Governor Kennedy of Vancouver Island: The Politics of Union, 1864-66" (unpublished MA thesis, University of Victoria, 1973), pp. 5-12 and Margaret Anchoretta Ormsby, *British Columbia: A History* (Vancouver, 1971), p. 217.

²⁶ Minutes of the Executive Council, 11 April 1864 and Kennedy to Newcastle, 30 March 1864, PRO mf., CO 305/22, 99.

²⁷ *Chronicle*, 8 April 1864.

²⁸ Kennedy to Newcastle, 14 April 1864, V.I., Gov., Despatches to London and *Chronicle*, 12 April 1864. A thousand citizens attended the "monster meeting."

revenue derived from the sale of Crown lands prove insufficient for the purpose.²⁹

Early in his administration, Kennedy pledged his support for universal, government-financed, non-sectarian education, a goal that was realized by the Common School Act of 1865.³⁰ Drawing upon his experience in Western Australia and pursuing a policy Douglas had long advocated, Kennedy drew attention to the general ignorance of the hinterland and its resources and promised government aid to any private concern that would undertake a search for minerals on southern Vancouver Island.³¹ In June 1864 a consortium of local interests organized and despatched a party headed by Dr. Robert Brown. In July this expedition discovered gold at Sooke, about twenty miles from Victoria. There appeared to be "payable diggings" for thousands of miners, the press reported, and men immediately left Victoria for Sooke.³² As one Victorian commented, "everyone here has gone cracked about the Sooke mines and the place is becoming depopulated."³³

This sudden and dramatic appreciation of the value of the Crown lands encouraged Kennedy to reintroduce to the Assembly the Colonial Office's proposed conveyance of them to local control in return for the vote of a civil list. Lacking good advice (Colonial Secretary Young had gone on leave), Kennedy summoned the legislature to convene on 20 August, giving only a few days' notice. A delegation from the Assembly and the Legislative Council, not about to be stampeded into a reversal of their policy and all too eager to embarrass Kennedy, informed the governor that his failure to give the customary two weeks' notice had raised doubts about the legality of any legislature so constituted. Kennedy was thus forced to delay the convening of the legislature until November, when the Assembly again refused to enact a civil list.³⁴

During 1864 Kennedy also took issue with the Assembly's resolutions concerning union with British Columbia because the terms emphasized only the interests of the island colony. Kennedy held the view that any prospective union must encompass the interests of both colonies, a realistic

²⁹ *Chronicle*, 3 July 1864 and Kennedy to Cardwell, 13 July 1864, Despatches to London.

³⁰ *Victoria Colonist*, 4 April 1864. Kennedy criticized church-controlled education in the presence of an Anglican deputation led by Rev. Edward Cridge.

³¹ *Ibid.*, 21 and 25 April 1864.

³² *Ibid.*, 29 July 1864.

³³ E. G. Alston to H. P. P. Crease, 3 August 1864, Crease Collection, PABC.

³⁴ *Colonist*, 27 August 1864 and *Chronicle*, 28 August and 23 November 1864.

position in light of the fact that British Columbia now had a resident governor and so was no longer obliged to subordinate its interests to those of Vancouver Island as had been the case when Douglas ruled both colonies from Victoria. This dispute was settled in January 1865 when the Assembly, persuaded by Amor De Cosmos that union would revitalize Vancouver Island's sagging economy and prevent the imposition of British Columbia's new tariff regulations which would discriminate against goods trans-shipped from Victoria, resolved to accept any form of union with British Columbia that the Colonial Office might grant, a position that could not have pleased Kennedy more.³⁵

In matters of public administration Kennedy devoted himself, thoroughly predictably, to correcting the numerous irregularities he encountered and to improving efficiency. He ordered that the public accounts be audited and that delinquent real estate taxes be collected. He insisted on the resignation of several corrupt, immoral, or unqualified officials. He believed that a competent, well-paid and respectable civil service, operating according to proper procedures, would provide the requisite leadership for the colony's material and moral progress, and that it would do so at a cheaper cost than the sub-standard, inefficient and at times dishonest type that he felt he had inherited.³⁶

The budget for 1865 reflected Kennedy's desire to increase the size and emoluments of the civil service; fully one third of the proposed \$390,000 — the largest estimates in the colony's history — was so intended.³⁷ Although the Assembly did not enact the entire budget, it voted salaries for the governor's staff and rent for Kennedy's temporary residence, and even appropriated \$50,000 for a permanent government house, probably to improve Victoria's chances of being designated the capital of the proposed united colony.³⁸ Under this authority Kennedy purchased "Cary Castle" (still the site of Government House) and began its renovation and extension.³⁹

Because of his experience with natives in Africa and Australia, Kennedy

³⁵ Kennedy to Cardwell, 21 March 1865, no. 16, Despatches to London; Kennedy to Newcastle, separate, 5 May 1864, PRO mf., CO 305/22, 167-71; Ormsby, p. 217.

³⁶ Smith, pp. 46-53 and 98-99; Chief Justice Cameron, Attorney General Cary, Police Commissioner Smith, Gold Commissioner Golledge, Coroner Dickson, and Postmaster and Harbourmaster Wootten.

³⁷ P. F. Palmer, "A Fiscal History of British Columbia and Vancouver Island in the Colonial Period" (unpublished PhD dissertation, Stanwood University, 1932), pp. 257-59.

³⁸ *Colonist*, 21 and 22 February 1865 and *Colonist and Chronicle*, 23 August 1866.

³⁹ *Chronicle*, 31 March 1865 and *Colonist*, 26 April 1865.

considered himself a competent judge of Vancouver Island's native peoples. He believed that the result of their contact with Europeans was invariably drunkenness, prostitution and violence, and therefore he advocated the complete separation of Indians from Europeans.⁴⁰ At times Kennedy referred to the "excitable savages" or to the "cupidity and treachery of the Indian character," but on at least one occasion he stated that they were "fully competent to appreciate justice and humanity, but while they are managed like wild beasts they will not cease to be ferocious and dangerous."⁴¹

It was his opinion that the basic cause of the Indians' "very lamentable condition" and the numerous internecine or interracial murders was the brisk but illegal trade in alcohol carried on by Europeans, including the former Police Commissioner, Horace Smith, whom Kennedy had previously replaced because of widespread corruption in the police force. Together with Acting Attorney General T. L. Wood, Kennedy tried to facilitate the conviction of whiskey traders by strengthening the prohibitions against such trade and by permitting Indians to testify under oath in court (a proposal made by Douglas in the early 1850s). These proposals were rejected by the Assembly,⁴² which also blocked Kennedy's proposal to employ qualified Indian agents.⁴³

While Kennedy was sometimes able to sympathize with the motivation of Indian outrages against whites, he nevertheless approved, however unhappily, of the Royal Navy's bombardment of the Ahousats at Clayoquot Sound in 1864, purportedly in retaliation for the murder of the crew of the trading vessel *Kingfisher*. In this punitive raid the guns of the Royal Navy demolished nine Indian villages and killed thirteen Indians.⁴⁴

Kennedy was convinced that the successful government of Vancouver Island's native peoples depended on the impartial application of the law and on the Crown's recognition of native ownership of the land, and that the alienation of Indian land should be permitted only after "fair consideration."⁴⁵ The Colonial Office, however, deemed that compensating

⁴⁰ Robin Fisher, *Contact and Conflict* (Vancouver: UBC Press, Vancouver, 1977), pp. 157-58.

⁴¹ Kennedy to Cardwell, 1 October 1864 and 4 July 1865, no. 48, Despatches to London.

⁴² Minutes of the Legislative Council, 12 February 1866, original letterbook, PABC. *Colonist*, 7 April 1866 and 24 May 1866.

⁴³ Kennedy to Cardwell, 4 July 1865, no. 48, Despatches to London.

⁴⁴ Kennedy to Cardwell, 4 July 1864, no. 49, Despatches to London, and Fisher, p. 168.

⁴⁵ Kennedy to Cardwell, 1 October 1864, Despatches to London.

Indians should be borne by the colonists, which in effect meant that "fair consideration" might well never be paid. Thus, after the vigorous and tolerant policies of James Douglas, Indian affairs were permitted during Kennedy's governorship to drift and deteriorate.

With the advent of economic depression Kennedy's popularity rapidly declined. The diggings at Sooke proved to be insignificant, and the decreased demand for goods in the Cariboo goldfields crippled Vancouver Island's export trade. The technical obstacles to Douglas' scheme to improve Victoria's harbour proved insurmountable and over \$109,000 of the \$194,000 loan of 1862 was expended without any benefit to the colony's trade.⁴⁶ Repayment of the loan drew heavily upon the government's dwindling revenues. Even though he drastically reduced expenditures, Kennedy was forced to borrow.

The Assembly refused to take notice of the governor's message on this subject or to vote sufficient taxes, although in 1866 it finally accepted liability for the loans he had contracted.⁴⁷ Kennedy earned much ill will in the Assembly and in the press because the Legislative Council, in which his officers constituted a majority, rejected many of the Assembly's bills, a policy in keeping with his view that the Assembly was basically incompetent and should therefore confine its efforts to the passage of appropriations.⁴⁸ Later in 1865, Kennedy opened the new session with the unpalatable news that the Crown's legal advisors in London had rejected the Assembly's claim to the valuable lands in and around Victoria that the Crown had awarded to the Hudson's Bay Company in 1862, and that the Colonial Office had made no decision regarding union, which many Victorians saw as the panacea for their economic woes.⁴⁹

In the face of the colony's deteriorating financial condition and the Assembly's apparent demand for fiscal retrenchment, Kennedy's estimates for 1866 totalled only \$193,000.⁵⁰ His provisions for the public service, however, did not represent a proportionate decrease.⁵¹ The *Colonist* newspaper, controlled by the Assemblymen De Cosmos and Leonard McClure, intimated that Kennedy was "deranged."⁵² The Assembly slashed many salaries and voted others for hypothetically amalgamated offices,⁵² the

⁴⁶ Kennedy to Cardwell, 7 July 1864 and 23 January 1866, Despatches to London.

⁴⁷ *Colonist*, 13 May 1865 and Vancouver Island Statutes, III, 462.

⁴⁸ Smith, pp. 64-66.

⁴⁹ *Chronicle*, 30 November 1865.

⁵⁰ *Colonist*, 29 November 1865.

⁵¹ *Ibid.*, 23 December 1865.

⁵² *Ibid.*, 27 December 1865, Kennedy to Cardwell, 23 January 1866, Despatches to

latter action constituting a serious encroachment on the governor's powers. The Assembly also voted moneys for items not proposed to it by the governor, a completely unconstitutional action. In the end, the "retrenchment" House voted a budget larger than the one Kennedy had sent down.⁵³

Kennedy refused to accept it and, his ire aroused, lectured the Assembly on its legal responsibilities.⁵⁴ He advised the Colonial Office that representative institutions were ill suited to Vancouver Island and characterized some Assemblymen as "notoriously insolvent" or as "reckless adventurers." He cited the stable political conditions that prevailed in British Columbia as indicative of the desirability of a nominative, rather than an elected, legislative body, an opinion duly noted in the Colonial Office, which was then about to abolish Vancouver Island's constitution and unify the colonies.⁵⁵ Kennedy's low opinion of the Assembly appeared to be confirmed when De Cosmos introduced a wild scheme to repeal taxes and borrow huge sums for operating expenditures as well as for public works; these loans, had they been agreed to by Kennedy, could have been repaid only by the combined revenue of united colonies.⁵⁶

In May 1866, the government's overdraft at the Bank of British North America stood at \$80,000 and the bank refused further credit.⁵⁷ Shortly thereafter, the Assembly expressed "non-confidence" in the governor.⁵⁸ In September 1866 the legislature expired without having sent the governor a bill of supply.⁵⁹ By making further reductions in expenditures, Ken-

London; Kennedy to Cardwell, 24 January 1866, confidential, PRO mf., CO 305/28, 76-80.

⁵³ *Colonist*, 27 January 1866.

⁵⁴ *Chronicle*, 8 February 1866.

⁵⁵ Kennedy to Cardwell, 24 January 1866, confidential, PRO mf., CO 305/28, 63-75; Kennedy to Cardwell, 21 March 1865, no. 16, Despatches to London; "Outline of a constitution and civil establishment prepared at the request of Mr. Forster by Arthur Blackwood" and marginal note, PRO mf., CO 305/25, 471. The Assembly did contain bankrupts and seven members who owed the government a total of \$892 in real estate taxes. Ormsby, p. 216.

⁵⁶ *Colonist*, 8 February 1866. Kennedy's were thus, in strict point of law, illegal, a situation which the legislature of the united colony rectified, by retroactive legislation, in 1867.

⁵⁷ Enclosures in Kennedy to Cardwell, 26 June 1866, Great Britain, Parliament, *Further Papers Relative to the Union of British Columbia and Vancouver Island*, Cmd. 3852 (London, 1867), pp. 6, 8.

⁵⁸ *Colonist* and *Chronicle*, 24 July 1866.

⁵⁹ B.C., *Statutes and Ordinances*, no. 26 (New Westminster, Government Printing Office, 1867).

nedly managed to keep the government functioning until news of the impending union of the colonies arrived in the fall of 1866. According to the Imperial Act of Union the governorship of the united colony devolved upon Seymour, and Kennedy was perforce unemployed.

In sharp contrast to his arrival, Kennedy's departure on 23 October 1866 was a disheartening affair. The humiliating terms of union (among others, the abolition of the colony's free trade status and constitution, the lack of any financial relief from the mother country and the transfer of the capital to New Westminster), the languid state of the economy, the declining population, the government's near bankruptcy and the end of Victoria's absolute control of the mainland colony's commercial and political life, so much in evidence during Kennedy's short regime, were only too apparent to the colonists who bade him and his family a perfunctory farewell.

From Victoria, Kennedy proceeded to London to report to the Colonial Office.⁶⁰ For a time he was seemingly forgotten by his superiors and was obliged to remind them of his enforced idleness and dwindling fortune, for the abrupt termination of his services had not permitted him sufficient time to recover his outfitting and domestic costs, a constant source of worry to colonial governors.⁶¹ Finally, in December 1867, Kennedy was rewarded for his recent trials by a knighthood and the governorship of the West African Settlements, scene of his initial colonial service.⁶² Thereafter he received two more important appointments, the governorships of Hong Kong (1872-77) and Queensland (1877-83).⁶³ While returning home from Sydney on the ship *Orient* he died in the early morning of 3 June 1883 of "cardiac disease" and was buried at sea.⁶⁴ Kennedy's public services were acknowledged by the grant of several honours — C.B. (1862), K.C.B. (1867), K.M.G. (1871), and K.C.M.G. (1881).⁶⁵ At the time of his death his estate consisted of nearly £11,000.⁶⁶

⁶⁰ Kennedy to the Earl of Carnarvon, 8 December 1866, PRO mf., CO 305/30, 340.

⁶¹ Kennedy to the Duke of Buckingham and Chandos, 26 August 1867, PRO mf., CO 60/31, 298-301; Arvel B. Erickson, "Edward T. Cardwell: Peelite," *Transactions of the American Philosophical Society*, New Series, XLVIV (Part 2, April 1959), 32-33.

⁶² *Times*, 25 December 1867, p. 6.

⁶³ *Colonial Office List for 1879*, Edward Fairfield, compiler (London, 1879), pp. 17, 87, and 139.

⁶⁴ Death Certificate; *Hong Kong Daily Press*, 5 July 1883.

⁶⁵ Jane Langton (Registrar, The Royal Archive, Windsor Castle) to author, 23 December 1974, and London *Times* index, 26 July 1862.

⁶⁶ Kennedy's Will.

Kennedy's misfortunes on Vancouver Island were caused largely by peculiar and local circumstances, particularly an aggressive Assembly with which he had had no experience. This legislative cabal, which had been repeatedly outmanoeuvred by Douglas and his adroit advisors, was fully poised to challenge the predominance of the executive. Understandably enough, Kennedy was generally unable to develop a rapport with what the Colonial Office called a "lunatic House of Assembly."⁶⁷ Kennedy discredited his regime by promoting costly plans to enlarge the bureaucracy and by appointing officers who had little or no influence beyond the executive branch; his most trusted subordinate, Henry P. Wakeford, was considered by John Sebastian Helmcken, the highly respected Speaker of the House, to be "a sneak and a spy."⁶⁸ The confrontation between Kennedy and the Assembly was exacerbated by the severe economic depression, which originated in the goldfields of the mainland colony and would not be alleviated until the confederation with Canada and the advent of the railroad.

Compounding the prevailing economic and political malaise was the increasing anxiety concerning the union question, the resolution of which lay entirely in the Colonial Office in London; when the news of the seemingly adverse settlement reached Victoria in September 1866, coincident with the end of eight months of continuous wrangling and invective between the governor and the Assembly, the last vestiges of the initially strong public confidence in Kennedy had vanished.

To conclude on such a dismal note would possibly leave an unfair impression of Kennedy's governorship of Vancouver Island. Possessed of a genial manner and impressive appearance, which the photographs of the period demonstrate, Kennedy was conspicuous for his reformist attitudes and disciplined administrative style. His zealous efforts to improve government procedures and to foster high professional and moral standards in the public service were successful. His prompt acquisition of a permanent Government House not only provided a focus for the social life of Victoria but would prove instrumental in the return of the capital from New Westminster in 1868. Kennedy was keenly interested in the reconnaissance of the hinterland's resources and in the development of the public school system. He deserves credit for opposing De Cosmos' reckless financial schemes which would have plunged the colony into

⁶⁷ Minutes on Kennedy to Cardwell, 1 March 1866, PRO mf., CO 305/28, p. 175.

⁶⁸ D. Blakey Smith, ed., *The Reminiscences of Doctor John Sebastian Helmcken* (Vancouver, 1975), p. 208.

receivership. Most important, Kennedy unlike Seymour consistently adhered to his mandate, the union of the colonies, a reform which ultimately redounded to the interest of Vancouver Island. In sum, Kennedy's governorship of Vancouver Island was merely a brief, unhappy interlude in an otherwise successful public career that spanned fifty-six years.