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## GEORGES THEODORE BERTHON (1806-92)

### PORTRAITURE, PATRONAGE, AND CRITICISM IN NINETEENTH CENTURY TORONTO

George Theodore Berthon arrived in Toronto late in 1844 and his business card appeared in local newspapers in January of the following year:

MR.BERTHON  
(FROM LONDON)  
PORTRAIT PAINTER  
AT MRS.GANTON'S  
WELLINGTON LATE MARKET ST. TORONTO <sup>1</sup>

The artist is said to have introduced himself to the Anglican Bishop of Toronto, John Strachan, by means of a letter from his former employer, Sir Robert Peel, who was then British Prime Minister.<sup>2</sup> Whether or not such a letter was instrumental, client contacts were established quickly and the portraitist was able to move into a house at 10 William Street in April, just three months after his first advertisement appeared.<sup>3</sup> In May his wife, Zélie, published a prospectus for a *Cours de Français* which clearly indicates the couple's acceptance in society circles: the references listed include Mrs. Robinson, the wife of the Chief Justice, Mrs. Draper, wife of the most powerful politician in the Canadian parliament, Mrs. W. Boulton, and her sister-in-law, Mrs. H.J. Boulton (the former Elizabeth Jones of Brockville), and Mrs. H. Sherwood, wife of another well known Brockville Tory.<sup>4</sup> All leading lights of the community, some, notably the Strachans, the Robinsons, the Boultons, and the Sherwoods, were among those known to their contemporaries and history as the "Family Compact."<sup>5</sup> This was a close-knit group of individuals who exercised great influence in all matters social and political in the early years of colonial

settlement. They became the mainstay of Berthon's patronage throughout his career in the city; and their innumerable business and social contacts brought the artist his chief institutional patrons, notably The Law Society of Upper Canada and the government of the province of Ontario. Berthon's early success is hardly surprising when it is considered that he was one of but a handful of trained artists in the city at the period. What is perhaps most interesting is that the recognition of his achievements was limited to the immediate circle of his society patrons. The popular press, by contrast, tended to criticize his work as overblown and too grandiose.

Trained by his father, René Théodore Berthon, George began cultivating his skills in the rarified atmosphere of French neoclassicism. His father, who was "painter-in-ordinary" to the court of Napoleon, had been a student of Jacques-Louis David and was among the petitioners who sought David's release following his arrest by the *Directoire* in 1794.<sup>6</sup> For the Berthons, portraiture was a family business in which not only father and son were engaged, but also George's sister, Sidonie, who later became a noted miniaturist in her own right.<sup>7</sup> When the family fell on hard times in the the mid-1820's, George Berthon left France and moved to London, England where he is believed to have found employment as a drawing and French tutor in the household of Sir Robert Peel. By 1835 he was sufficiently proficient to exhibit several portraits at the Royal Academy and his work continued to appear there until 1837.<sup>8</sup> Then in 1838 he is recorded among the exhibitors at the British Institution which accepted only historical and *genre* pieces.<sup>9</sup> This period in his life provided the younger Berthon with an opportunity to assimilate the stylistic elements of the English school and to experiment with themes other than portraiture. The results of his observations are clearly evident in the Victorian flavour of his early female portraits and in the softer handling of some of his later works. These issues will be discussed in greater detail later. Suffice it to say, Berthon's work was dominated by his neoclassical training in spite of his lengthy English sojourn, and this fact among others may have contributed to his rather limited audience in the newly-settled province of Canada West.

Three years before Berthon arrived in Toronto, the city had lost its status as capital of Upper Canada. It was feared this would precipitate economic collapse. However, the superior courts of the province remained in Toronto and the courts and Law Society functioned as the chief institutions of the city during this period. The economy, soon fuelled by the rail-

way boom, continued its growth unabated. Population increased dramatically as a result of constant immigration, and cultural interests began to gain a foothold. Before long, the city emerged as a trading centre powerful enough to challenge Montréal as the commercial gateway to British North America. This was of no small importance to Berthon whose professional survival depended upon a steady source of patronage. In the end the artist was able to sustain a career of almost fifty years duration in a place where half a century before there had been little more than wilderness.<sup>10</sup>

The first resident of the Toronto area to practice portraiture had been William von Moll Berczy (1744-1813). His departure for Montréal in 1804<sup>11</sup> meant that the citizens of York were forced to rely upon itinerant artists from the United States and Great Britain thereafter. Three decades later, following substantial growth in the population, the community undertook its first major art exhibition. In 1834, the year of Toronto's incorporation as a city, the Society of Artists and Amateurs was formed to "creat[e] a taste for the Fine Arts." As the name implies, the Society embraced both amateurs and professionals. It received the official patronage of the Governor-General and Bishop Strachan, and its first and only exhibition was held at Toronto's third Parliament buildings in August of the same year. The participants in the field of portraiture included Americans, Nelson Cook (1817-92), Samuel B. Waugh (1814-85), and Grove Sheldon Gilbert (1805-85), as well as the Scottish itinerant, John Linnen (ca.1800-fl.1860). Their vicissitudes at the hands of the city's art critics offer an early insight into the cultural climate of the day, and set the stage for Berthon's reception a decade later. The contradictory criticism in the Tory *Patriot* and in its Reform competitor, the *Canadian Correspondent* describes how, in essence, the critics were at war with themselves, divided between encouragement of the city's nascent talent and the legacy of standards set by European art.<sup>12</sup>

Despite Charles Fothergill's<sup>13</sup> abortive attempt to establish a museum for Upper Canada in the mid-1830's, planning for the education of artists within the province only began in the 1840's, during a second great burst of cultural activity.<sup>14</sup> In the meantime professional artistic talent was imported, and promising students were obliged to travel to Europe for training. Such was the situation when Berthon arrived in Toronto. His potential competitors came from a wide variety of educational backgrounds. There was long-time resident, Paul Kane (1810-71), the quintessential self-taught talent, who had just returned from a lengthy tour of the United

States and Europe. A capable artist, he completed one set of civic portraits in 1845 before he left the city to pursue his career painting the Indians of the West. After his return, Indian subjects continued to dominate his work, leaving the field of society portraiture to others.<sup>15</sup> Also in Toronto prior to Berthon's arrival was Hoppner Francis Meyer (act. 1832-62), son of an English painter and engraver of German extraction. His watercolour portraits and miniatures were well-received at first, but later were overtaken in popularity by the soon-to-be perfected daguerreotype.<sup>16</sup> Among the lesser lights of the Toronto art scene in the 1840's was Peter March (act. 1844-1852) whose portraits received a mixed reception in the local press.<sup>17</sup> He was prominent for a time as secretary of the Toronto Society of Arts, formed in 1847 to replace the long-disbanded Society of Artists and Amateurs, and initially proved to be a thorn in Berthon's side. But by 1852 March disappeared from the historical record as abruptly as he appeared nearly ten years before.<sup>18</sup>

As in Berczy's day, the province to the east provided a much more lucrative market for portraiture than Toronto. Berthon's chief competitors were artists like Théophile Hamel (1817-70), and to some extent Cornelius Krieghoff (1815-72), both of whom were established in Canada East. Like his teacher Antoine Plamondon (1804-95), Hamel embarked on a tour of Europe in the 1840's. This exposed him to the newer developments of Romanticism, much as Berthon's English sojourn had acquainted him with the colourist qualities of the British school. However, like Berthon, Hamel made little use of new techniques in his formal portraits. He continued to adhere to the highly-finished linearism of neoclassical vocabulary, particularly in the official portraits he executed for the government of the united province in the 1850's and 1860's.<sup>19</sup> Hamel pre-empted Berthon for this appointment, with skills comparable to those of his Toronto rival. Berthon's position in Toronto was maintained through the patronage of his loyal society clients, and the institutional support of The Law Society of Upper Canada, which regularly commissioned portraits of the Chief Justices of Canada West, as well as its own Treasurers.

In his first critical year in Canada, Berthon is known to have completed a number of private commissions. Sitters included John Strachan, the Anglican Bishop of Toronto; Donald Bethune, lawyer and owner of the Royal Mail Line steamboat business operating on Lake Ontario; Mrs. James Lukin Robinson, daughter-in-law of the Chief Justice of Canada West; and Reverend Thomas Phillips, retired vice-principal of Upper

Canada College.<sup>20</sup> These portraits are of relatively small scale, but one in particular seems to have established Berthon's reputation: the *Portrait of the Honourable and Right Reverend John Strachan, D.D., Lord Bishop of Toronto* (1845). When the religious journal, the *Church* (Coburg), announced on 12 September 1845 that Berthon had completed the Strachan portrait, the advertisement declared it to be "a most correct and admirable likeness." An engraving would be issued in a "size and style similar to the portrait of His Excellency the Governor-General recently published."<sup>21</sup> The practice was common and when the order was transmitted on the Berthon portrait, reproductions of Peter March's *Portrait of Reverend John McCaul* (1843) were requested at the same time.<sup>22</sup> Eventually, prints of the latter two portraits were offered for sale beginning 17 March 1847.<sup>23</sup> This had the effect of placing both artists very much in the public eye.

The patronage of John Strachan also opened tremendous opportunities for Berthon. Strachan had been in the colony since 1799, and established Upper Canada's first grammar school at Cornwall in 1803. His pupils included John Beverley Robinson, James Buchanan Macaulay, Archibald McLean, and Henry John Boulton, all of whom were later appointed Chief Justices. Eventually, each of them sat for a Berthon portrait. From 1812 Strachan resided in York (later Toronto) where he was chaplain to the troops and master of the Home District Grammar School. Although the links may not have been direct, the army officers and teachers who later became Berthon's patrons would have accepted Strachan's approbation of his skills. The Anglican Bishop also played an important role in the early politics of the colony, serving on the Executive Council from 1818, and afterwards on the Legislative Council.<sup>24</sup> The benevolence of such a patron would have been invaluable, but at the same time had its risks. The mood of the city was changing in favour of Reform principles. Affiliations with the "old guard" sometimes created unexpected liabilities.

In June of 1845 Berthon relocated his studio for the second time, to 36 1/2 Yonge Street. Other tenants at the same address included the *Toronto Herald* newspaper and lawyer, Alexander Grant.<sup>25</sup> Both proved to be instrumental in obtaining clients for the artist. The latter secured Berthon's first Law Society commission for a portrait of Chief Justice John Beverley Robinson. This was the first of a series of Chief Justices' portraits paid for by the Law Society, to honour the leading members of the Bench. For his part the *Herald's* editor, George Anthony Barber (1802-74), some years later approached Hamnet Kirkes Pinhey to solicit a commission on Ber-



*fig. 1* George Theodore Berthon, **Sir John Beverley Robinson, Bart.**, 1846, Oil on canvas, coll. of the Law Society of Upper Canada, Osgoode Hall, Toronto. (Photo: Author, with the generous permission of The Law Society of Upper Canada.)

thon's behalf. Formerly a teacher at Strachan's Home District Grammar School and later at Upper Canada College, Barber was a sympathetic supporter of the arts, who participated as a judge in the fine art section at the annual Provincial Exhibition. But the politics of his "Conservative Journal" left no room for ambivalence. Its front page banner declared, "Fear God, Honour the King and Meddle not with them that are given to change." As Berthon sought a client base among those who could afford the luxury of his large-scale portraits, he inevitably identified himself with prominent individuals whose views were strongly held and widely known in the community. In a sense therefore his future was guided by these associations.

On 22 November 1845 Alexander Grant wrote to the Honourable Chief Justice John Beverley Robinson in the following terms:

Sir:

It being the desire of the Gentlemen of the profession that you would sit [for] Mons. Berthon for the purpose of having your portrait painted by that gentleman to be placed in Osgoode Hall, a subscription has been entered into for the purpose of defraying the expense of the undertaking and I am directed to request you will have the kindness to accede to the proposition thus made and name the hour it would be convenient for you to see the artist on the subject.<sup>26</sup>

The completion of the work was recorded in the Law Society Minutes for 20 June 1846, when Grant advised the Treasurer that the portrait was ready for installation at Osgoode Hall.<sup>27</sup> The work is described simply as a "full-length portrait of His Lordship in his robes." But the portrait of *Sir John Beverley Robinson, Bart.* (1846) is more than that. Monumental in scale, it is the first major undertaking of the artist's career. (fig. 1) The portrait projects a thoroughly regal air, which expresses the sitter's desire to preserve the best traditions of the British monarchy as a beacon amid the uncertain social fabric of the new order.<sup>28</sup> A *pièce de résistance* which could not help but further the artist's growing reputation, it won the patronage of the Robinson family and others of their circle.

At about this time Berthon began a private commission to commemorate the marriages of three of the Robinson daughters. Augusta Robinson had married John Strachan's son, Captain James McGill Strachan, on 21 October 1844, and two years later on 16 April 1846 her sisters, Emily and Louisa, married Captain John Henry Lefroy, R.A. and George William



*fig. 2* George Theodore Berthon, **The Three Robinson Sisters**, 1846, Oil on canvas, 112.1 x 83.8 cm, coll. of the Art Gallery of Ontario, Toronto, lent by Mr. and Mrs. J.B. Robinson, 1944. (Photo: Art Gallery of Ontario.)

Allen in a double ceremony. Berthon was asked by the husbands to paint a canvas in secret as a surprise for the parents-in-law.<sup>29</sup> The in-laws' delight was obvious in Robinson's letter of thanks to the artist:

I cannot delay in thanking you for the very great pleasure which Mrs. Robinson and I have received from your charming picture, and we are extremely obliged to you for the zeal and interest with which you must have entered into the views of the conspirators, in order to fulfil so happily what was so kindly planned. Our dear little girls are, as we think, faithfully and characteristically portrayed.<sup>30</sup>

The letter was followed by another to the Honourable William Morris, then Receiver-General and president of the Legislative Council:

Mr. Berthon, by whom this is sent is a French Gentleman, the son of a portrait painter in Paris of some ability, and himself an artist very superior, as I think, to any whom we have before seen here—he has been a year or more in Toronto, having been advised in England to try his future in Canada. If it is true, as he has heard, that the Assembly or Legislative Council desired to have one or two portraits which have been executed in England copied, I do not suppose that a person could be found in Canada so likely to give satisfaction.

Mr. Berthon moreover is a very respectable and amiable person and one whom if you knew him, you would have pleasure in encouraging. If you can forward his views, you will oblige me by doing so.<sup>31</sup>

The *Three Robinson Sisters* (1846) is a three-quarter length work (fig.2) with poses derived from the fashion plates of *Godey's Lady's Book*. (fig.3) American artist, Thomas Sully, utilized an almost identical arrangement in his *Portrait of the Coleman Sisters* (1844). (fig.4) The configuration was calculated to best display the grace of the sitters and the elegance of their fine satin pastels. Instead of the formal symbolism of the Chief Justice's portrait, the artist employed what has often been described as a "saccharine" Victorian sweetness.<sup>32</sup> Yet, this too is a conscious choice that expresses the subject matter—recalling the sentimental porcelainic images of Franz Xavier Winterhalter—the portrayal speaks to Victorian notions of ideal womanhood.

In addition to his successes with the Robinsons, Berthon received further encouragement from the Boultons. William Henry Boulton (1812-74)



*fig.3* Godey's Magazine, February 1840, illustration.



*fig.4* Thomas Sully, **Portrait of the Coleman Sisters**, 1844, Oil on canvas, National Gallery of Art, Washington, D.C., gift of William C. Freeman, 1947. (Photo: National Gallery of Art, Washington, D.C.)



fig.5 George Theodore Berthon, **Portrait of William Henry Boulton**, 1846, Oil on canvas, 208.3 x 144.8 cm, coll. of the Art Gallery of Ontario, Toronto, The Goldwin Smith Collection, 191 . (Photo: Art Gallery of Ontario.)

was mayor of the city 1845-47 and commissioned a full-length formal portrait of himself in his official robes. Boulton's mother was sister of Chief Justice John Beverley Robinson and his aunt by marriage<sup>33</sup> had subscribed her name to Zélie Berthon's *Cours de Français* in 1845. So Berthon was by no means a stranger to his circle. *William Henry Boulton, Mayor of Toronto* (1846) follows the same format as the Chief Justice portrait. (fig.5) Similarly grandiose in scale, it conveys the same sense of aristocratic authority and noble bearing as the Robinson work. The result must have impressed the patron because in January of 1847 Berthon executed a



fig.6 George Theodore Berthon, **Portrait of Mrs. William Henry Boulton**, 1846, Oil on canvas, 59.1 x 44.5 cm (oval), coll. of the Art Gallery of Ontario, Toronto, The Goldwin Smith Collection, 1911. (Photo: Art Gallery of Ontario.)

second portrait for the Boultons, this time, *Mrs. William Henry Boulton as a Bride* (1847). (fig.6) The scale is much more intimate, the pose similar to the portrait of *Mrs. James Lukin Robinson* (1845) mentioned above. And like the *Three Robinson Sisters* (1846), the detailing of the surface texture in the gown and the delicate features of the subject were the artist's predominant concern.

Berthon's career was successfully launched. His formal portraits of male sitters pleased because of their noble and authoritative demeanour, while his female subjects exhibited an appropriate air of gentility. By

year's end he had completed two more family portraits, one of *Mrs. Henry John Boulton and her Daughter Harriet Eliza* (ca. 1847),<sup>34</sup> and a second of *Lady Robinson with her Daughter Mary* (1847).<sup>35</sup> His art was about to face the test of a broader public.

There had been no organized public art exhibitions since the Society of Artists and Amateurs show in 1834, and Berthon did not participate in 1846 when the Upper Canada Agricultural Society decided to include a section for the fine arts in its annual Provincial Exhibition.<sup>36</sup> However, at the beginning of 1847, the Toronto Society of Arts was founded to replace the disbanded Society of Artists and Amateurs. Its mandate was more sophisticated and comprehensive than its 1834 predecessor, with aims that included "giv[ing] greater means and facilities for the study of the Fine Arts, being convinced how highly their cultivation will contribute to the reputation character and dignity of the Province, more particularly as they are associated with the progress of science, literature and philosophy." This spoke to the Victorian preoccupation with moral edification through culture, and the determination to link science and art, later the basis for the Universal Exhibitions in London and Paris: Plans also contemplated a school of design built around a cast collection of ancient sculpture. Amateurs were specifically excluded from posts on the Society's executive. Another more ominous development was prefigured in the announcement that the organization sought "encouragement of native artists within the western portion of the province."<sup>37</sup> It was a further twelve months before the true implications of this statement became apparent.

The Toronto Society of Arts held its first exhibition in 1847 at Old City Hall under the patronage of the Governor-General. Berthon entered four portraits, including *William Henry Boulton, Mayor of Toronto* (1846), and the engraving by Warner after his Strachan portrait of 1845. Alongside were Paul Kane's *Portrait of George Gurnett* (1845), and Peter March's *Portrait of the Rev. J. McCaul, LL.D., Vice-President of the University of King's College, Toronto* (1843) with its companion engraving by Warner. Also represented in the field of portraiture were E. McGregor (act. 1847-72), his partner, T.H. Stevenson (act. 1841-58), Alvah Bradish, whose Baron Metcalfe portrait was also engraved by Warner of Philadelphia, and the itinerants of 1834 discussed above. Hoppner Meyer also displayed his miniatures, as did William Lockwood (ca. 1803-1866).<sup>38</sup>

The *British Colonist* offered the most lengthy reviews but the *Examiner* and the *Herald* also contributed columns on the subject. The *Examiner*,

owned by moderate Reformer, Francis Hincks, limited its comments to praise of the "vast amount of artistical labour, and a degree of genius and taste amongst us of which we had no idea, and which without such an Exhibition must have remained long in obscurity."<sup>39</sup> The *Herald*, under Barber's editorship, specifically noted the "best productions of our artists" in the second room of the exhibition,<sup>40</sup> and Hugh Scobie's *British Colonist* enumerated some of the exhibits, offering comments on each.

Berthon's *William Henry Boulton, Mayor of Toronto* (1846) was reviewed. A private commission, its scale is vast and its conception in keeping with the traditions of European public portraiture. The *British Colonist* offered no comment on the work whatsoever although it commented on Paul Kane's portraits. However the *Herald* said, "The full-length portrait of our active and intelligent Mayor, by Mr. Berthon is splendidly painted, and renders him worthy of praise and encouragement."<sup>41</sup> Following its commentary on Berthon, the *Herald* went on to discuss March's *Portrait of Reverend John McCaul* (1843). The review was mixed—the work "reflects great credit on his talents, his portraits are generally good likenesses." But, it continued, "there is a want of care in preparing his grounds." In another case it also criticized "a want of study in the proportions of the figure, and a knowledge of foreshortening." March's *Portrait of Reverend John McCaul, LL.D.* (1843) (fig.7) is still in the collection of Upper Canada College. It appears to have formed the model for Berthon's Strachan portrait, the figure in half-length, turned to the viewer's left with voluminous clerical robes creating a pyramidal composition. The work is a very creditable one for an artist we presume to be self-taught, yet understandably lacks the trained sophistication of Berthon's version.

Soon after the Toronto Society of Arts exhibition, Berthon's wife, Zélie, died at the age of 29.<sup>42</sup> Little is known of the intervening months, but in April of 1848, the artist's name was put forward for a new piece of work. The government of the united province had at last decided to commission an official portrait of former Speaker, Sir Allan MacNab.<sup>43</sup> As early as 1846, Berthon had been recommended for the post of government portraitist by the Chief Justice. But in the meantime control had passed from moderate conservatives under William Henry Draper, to the Reform party led by Robert Baldwin. When the announcement concerning the MacNab commission was made, Berthon's friend at the *Herald*, G.A. Barber, touted him as a "most accomplished artist" and the only one "justly entitled to [the] distinction" of executing an official portrait of the former



fig. 7 Peter March, **Portrait of Rev. John McCaul, LL.D.**, 1843, Oil, coll. of Upper Canada College, Toronto. (Photo: Art Gallery of Ontario.)

Speaker.<sup>44</sup> But Hugh Scobie, the publisher of the *British Colonist*, who was a moderate conservative of independent stripe, took exception to Barber's recommendation. The paper wrote:

We cannot conceive why the name of Mr. G.T. Berthon should be paraded forth as "the most accomplished artist."... Mr. Berthon may have had "favourable opportunities" in London and Paris, we do not wish to disparage his skill, as a "portrait painter of eminence" in Toronto; but we cannot forget that last year, at our "Artists Exhibition" he was found wanting—his name did not appear in the catalogue as an artist or an exhibitor. ...Besides, Sir Allan is a Western Canadian by birth, and it is no more than reasonable that Mr. March, a Western Canadian also, should be selected.<sup>45</sup>

This was an extraordinary accusation to make. Admittedly the *Colonist* had not included any comment on Berthon's portrait of *William Henry Boulton, Mayor of Toronto* (1846) in its review of the 1847 exhibition, but it is difficult to believe that this sizeable canvas went entirely unnoticed. Perhaps it was simply the keen competition for official commissions which inspired the reaction. They were extremely rare before mid-century. Only the Québec artist, Joseph Légaré, had succeeded in selling a copy of *His Majesty George IV* after Lawrence to the Legislative Assembly in Lower Canada in 1829.<sup>46</sup>

Despite the *Colonist*'s attack on him, however, Berthon was later vindicated. In June of 1848 a group portrait by Berthon depicting five judges of the Court of Appeal was exhibited publicly. The sitters were Chief Justice Robinson, Justices Macaulay, Jones, and McLean, and Executive Councillor Henry John Boulton, who presided in the case of *Simpson v. Smyth*. All were former pupils of Lord Bishop Strachan for whom the work was commissioned.<sup>47</sup> Nemesis seems to have been served when Hugh Scobie's lithographing firm, Scobie and Balfour, ended up publishing prints of at least two of the faces from the group, notably Chief Justice Robinson, and Mr. Justice Macaulay.<sup>48</sup> However, no apologies were issued, and the *Colonist* did not adjust its nationalistic stance.

The Toronto Society of Arts opened its second exhibition at the end of July 1848. Peter March was Secretary of the organization that year, so it is hardly surprising Berthon did not participate. Moreover, the *Colonist* reviews reiterated the nationalist fervour, which animated its original diatribe against the society artist. It remarked on, "the handsome manner in which native artists have again submitted their works," and went on to review March's portrait of McCaul, submitted for the second year running, in the following terms: "As a picture, it is decidedly the best Canadian painted portrait in the exhibition, *if not in Toronto*."<sup>49</sup> The *Examiner*, the voice of moderate Reform, agreed. "The...portrait of Dr. McCaul, is graced by all the compliments that the pencil can transmit from the palette to the canvas."<sup>50</sup> The *Canadian Correspondent* may well have complained of the *Patriot*'s "sychophantic" reviews in 1834. March was, as we have seen, a very competent self-trained artist, but he was far from being the best in the city. By categorizing him as a "Canadian" artist, the reviewers avoided any necessity to judge the artist's work according to consistently determined objective standards, much as their predecessors had done in 1834.<sup>51</sup>

Nationalism was not limited to the exhibition arena however. It was increasingly a fact of life in a province striving for an independent destiny. When the Law Society decided to commission a portrait of its late Treasurer, William Warren Baldwin, application was made to the family "with a view to obtaining a portrait of our late Treasurer" to be paid for out of Society funds.<sup>52</sup> Robert Baldwin, William's son, now leader of the united Parliament, replied to these overtures by suggesting:

If it met with your views and was agreeable to our professional Brethren I should like to have it copied by a Canadian artist. We have one here [Hamel] of much merit. He talks of visiting Toronto but I should prefer having the original brought down if necessary than not have it done by him.

This is however of course only the expression of a wish I have rather than the right nor the inclination to dictate in the matter.<sup>53</sup>

This was one of the few commissions carried out for the Law Society by an artist other than Berthon between the years 1846 and 1892. But in this instance the Society was content to respect the family's views.

Baldwin's selection of a Canadian artist had its sequel in Hamel's appointment as official portraitist to the government of the united province in 1853. The artist's future father-in-law, Georges-Barthélemy Faribault was assistant clerk of the Assembly, and when Parliament moved to Toronto in 1850, Hamel apparently held out some hope of gaining the position because he moved to the city for the year the government was in residence. No commissions were forthcoming however, and he returned to Canada East. Eventually, in June of 1853 the long-expected appointment was made by the Hincks-Morin administration, and Hamel subsequently executed thirty-five portraits of Parliamentary Speakers before his tenure was terminated in the mid-1860's.<sup>54</sup> It is impossible to know the real reasons for his success, yet the growing nationalist concern in the united province is clear. Berthon's connections were still solidly based among Toronto's patriciate and did not avail in this particular arena.

Following the wrangle over the proposed MacNab portrait of 1848, Berthon did manage to obtain what promised to be a substantial commission with the help of *Herald* editor, G.A. Barber. An advertisement in the *Montreal Gazette* on 25 October 1849 announced that a sum of £100 had been granted to Hamnet Kirkes Pinhey by the District of Dalhousie in appreciation of his services as Warden. Pinhey in turn expressed his inten-

tion to use the money to purchase a portrait of the Queen for the council hall. Three artists including Berthon solicited the commission. Barber's letter of reference spoke in laudatory terms of Berthon's talent and noted that, even though it was many years since the writer had seen Pinhey, "all good Tories have good memories." Negotiations continued. The price Pinhey was prepared to pay dropped to £50, and then to £40. Eventually Berthon proceeded with the portrait, but the artist stipulated the price must remain secret. He later threatened to withhold delivery if the compensation was not increased. This resulted in an ugly altercation, but the painting, a copy after the Queen Victoria portrait by Sir John Partridge<sup>55</sup> which had been rescued from the fire in the legislative buildings at Montréal, was eventually delivered without further incident. The copy of the portrait was subsequently destroyed in a fire on 9 January 1870.<sup>56</sup>

Apart from these monumental portraits of the Queen, Berthon seems to have received few commissions of equal stature until the Law Society resumed its commissions in the late 1850's.<sup>57</sup> The artist remarried in 1850, and tried to rebuild his practice.<sup>58</sup> At first he obtained small commissions from the Roman Catholic community.<sup>59</sup> Then in 1856, ten years after the *Sir John Beverley Robinson, Bart.* (1846), Berthon's star began to rise once more. The rapid expansion of the courts prompted a Law Society decision to resume commissioning its Chief Justice portraits. Berthon was asked to execute one of Mr. Justice Macaulay in honour of his retirement from the Bench. This marked a turning point. Over the next thirty-five years the artist completed no less than fifteen full-length portraits of Chief Justices, four half-lengths of Law Society Treasurers, and three smaller portraits of the early Chief Justices.<sup>60</sup> At \$200 each for the large works, this offered him a measure of financial stability hitherto unknown in artistic circles in Canada West.

It may seem unusual that the legal profession commissioned portraits of the Bench, but the two had been linked from early in the province's history. About 1830 the Law Society was asked to provide facilities for the superior courts. British tradition held that the inns of Court should be private collegiate establishments for the Bar alone, but good sense and economy prevailed. Osgoode Hall was built to serve the dual function of head office of the Law Society, and seat of the superior courts within the province.<sup>61</sup> When it came to the judicial portraits the Society carried over its public-spirited role in offering premises to the courts by assuming responsibility as quasi-official patron—a role which in other circumstances



fig.8 George Theodore Berthon, **Honourable James Buchanan Macaulay**, 1857, Oil on canvas, coll. of The Law Society of Upper Canada, Osgoode Hall, Toronto. (Photo: Author, with the generous permission of The Law Society of Upper Canada.)

would normally have fallen to government of the day. In an era when the government's own commitment to the arts was only just beginning to be felt, this was indeed a significant cultural contribution for an ostensibly private, professional organization to undertake.

The portrait of the *Honourable James Buchanan Macaulay* (1857) (fig.8) marks a significant departure from the conscious symbolism of Berthon's first judicial portrait, Chief Justice Robinson. Here Chief Justice Macaulay is presented on the stair of his courtroom dias, wearing the



fig. 9 George Theodore Berthon, **Sir Thomas Galt**, 1888, Oil on canvas, coll. of The Law Society of Upper Canada, Osgoode Hall, Toronto. (Photo: Courtesy of The Law Society of Upper Canada, copy negative by Herb Nott & Co. Ltd., Toronto.)

black silk of a Queen's Counsel—a simple monochrome composition accented by crimson drapery, and carpeting in green. There are no rhetorical trappings, only an air of solemnity which sets a new direction in the iconography of Berthon's judicial portraiture. This formula, featuring the plain robe, the courtroom setting, and an air of straight forward reality is the trademark of almost all the remaining judicial portraits Berthon executed for the Society during his career. The only exceptions are two portraits the artist undertook in 1888, one depicting Sir Thomas Galt (fig.9),

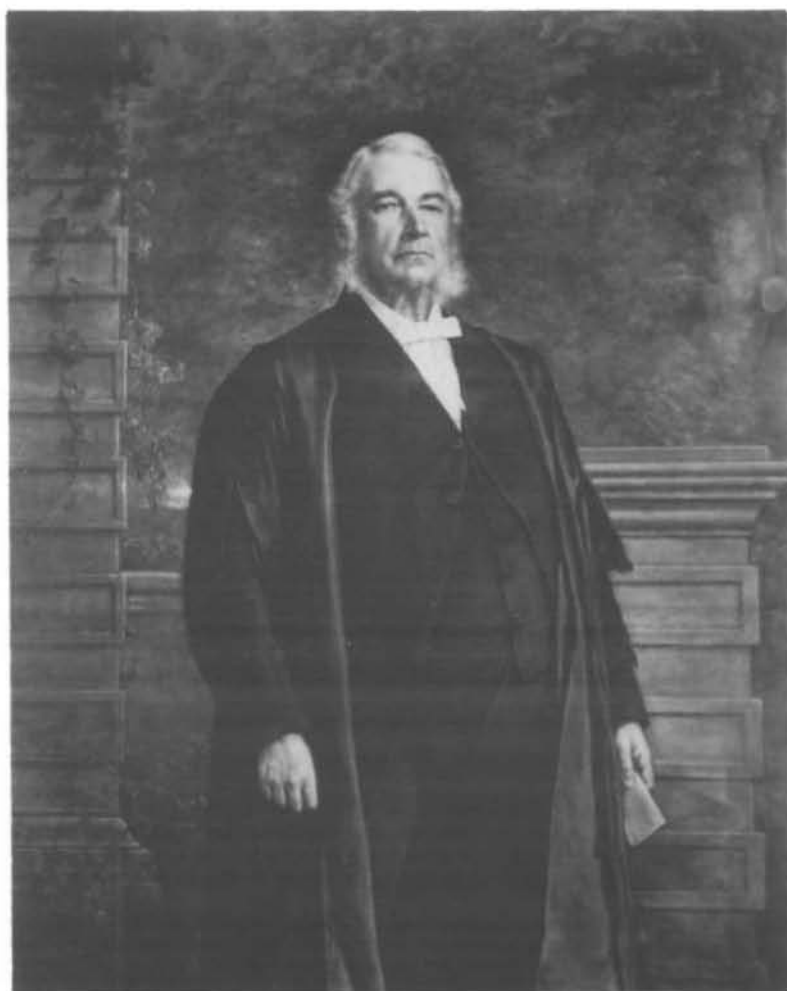


fig. 10 George Theodore Berthon, **Chief Justice John Douglas Armour**, 1888, Oil on canvas, coll. of The Law Society of Upper Canada, Osgoode Hall, Toronto. (Photo: Courtesy of The Law Society of Upper Canada, copy negative by Herb Nott & Co. Ltd., Toronto.)

the other, Chief Justice John Douglas Armour (fig. 10). These are among the most accomplished works of Berthon's *oeuvre*, and disclose a commendable degree of freshness for an artist of eighty-two. They go one step further in abandoning formal poses and settings, and the highly-finished linearity of the earlier works in favour of a loose painterly approach, typical of a "late style." They also serve to reiterate the growing commitment of patron and artist alike to informality in monumental public portraiture towards the century's end.

The judicial series draws heavily upon the tradition of European public portraiture. Such works were rare in a colonial setting. Even Hamel's official portraits were half-length with the figure against a plain background, like many American examples of the same period.<sup>62</sup> The concessions Berthon made to the simpler tastes of the North American market were clear in the less florid iconography, and the growing simplicity and informality of his schemes. His Law Society Treasurers and his historical portraits of the province's first Chief Justices utilized the smaller format, as did the twenty portraits of former Governors-General and Lieutenant-Governors he executed for the government of Ontario between 1881 and 1887.<sup>63</sup> His judicial portraits had few peers—only royalty had merited this scale before. Because the Law Society continued to employ Berthon throughout his career we must assume that the canvases he produced satisfied the expectations of the patron. Early public criticisms of his work were not particularly encouraging as we have seen. Yet much of the negative comment seems to have been motivated by misguided nationalist fervour. The question arises as to whether or not his work was better received once this phase had passed.

The Toronto Society of Arts faded after its second exhibition, so there is a hiatus in criticism until the Ontario Society of Artists was formed in 1872. In the meantime the Toronto Normal School had acquired a collection of sculpture casts as well as copies of Old Master paintings to enhance the sensitivities of its students.<sup>64</sup> But attention turned from the ever-popular portrait to landscape art, which could more adeptly express a truly Canadian sentiment. The objects of the OSA were directed to the latter policy when they spoke of fostering original art in the province, holding annual exhibitions, and forming an art library, museum, and school of art. Official patrons included then Governor-General, the Earl of Dufferin, and the Honourable John Beverley Robinson, second son of the late Chief Justice, later the Lieutenant-Governor of the province who commissioned Berthon's Lieutenant-Governor series. The president was another former Berthon benefactor, George W. Allen. Berthon joined in September of 1874 and exhibited works in 1875 and 1877.<sup>65</sup> The published criticisms of these two exhibitions show how Berthon's art fared against that of his contemporaries.

The 1875 exhibition was held at Riddell's building, 33 King Street West beginning 6 May 1875. Berthon entered one piece entitled *An Early Visitor* (1875).<sup>66</sup> It depicted the artist's youngest daughter with her dog. The re-

viewer for the *Globe* observed it in passing: "*An Early Visitor* by J. [sic] T. Berthon and *The Ducks, Landscapes and Flowers* by J. Chapman are very much up to the mark."<sup>67</sup> The *Toronto Daily Mail* was more attentive:

An accession to the strength of the Society, is Mr. Berthon, whose one piece is deserving the post of honour in which it is placed. The subject of the *Early Visit*, as it is called, are a little child and dog most carefully and truly drawn, and with great force of expression; we have seldom seen a dog so well and intelligently painted. The composition of the group is good, although exception might be taken to the somewhat stiff and unreal character of the dress.<sup>68</sup>

The writer went on to disapprove the remaining figure subjects, describing one by J.C. Forbes as not "up to the standard of his former works by any means." The *Globe* said of the same work, "This portrait shows gratifying progress," describing it as "a far more finished production" than those Forbes had exhibited in previous years. The only sign of critical progress since the days of the Toronto Society of Arts was the *Mail*'s decision to take aim at imported European styles, which it said did not do justice to the differences in Canadian landscape and lighting. Nationalism had settled on a legitimate issue at last.<sup>69</sup>

Berthon's *Early Visitor* found its way to the Centennial Exhibition in Philadelphia in 1876. It was listed among the Canadian exhibits owned by the Ontario government and was described in the Report of the Commissioner of Agriculture as "a clever work by a veteran artist." One of about ten portraits, it is reputed to have won a gold medal although this is not mentioned in the final awards list.<sup>70</sup> Whatever its success at Philadelphia, the work achieved a significant measure of recognition. The stiffness of the dress which disturbed the *Mail*'s critic probably represented a rejection of the artist's highly-finished technique, but this was minor criticism. At his first public showing in nearly twenty years Berthon had fared reasonably well.

Criticism at the 1877 Ontario Society of Artists exhibition was not so benevolent however. The show was held at 14 King Street West in May of that year and Berthon entered his portrait of the *Chief Justice of Ontario* (1877) (fig.11). The portrait of Robert A. Harrison was another of Berthon's Law Society commissions. Critical reaction to the monumental canvas was surprisingly uniform. The *Globe* was the most generous:

The most prominent feature in the whole exhibition is cer-



fig. 11 George Theodore Berthon, **Chief Justice Robert A. Harrison**, 1877, Oil on canvas, coll. of The Law Society of Upper Canada, Osgoode Hall, Toronto. (Photo: Author, with the generous permission of The Law Society of Upper Canada.)

tainly Mr. Berthon's portrait of Chief Justice Harrison, intended to be placed in Osgoode Hall. The likeness is good but the picture is rather large to appear to advantage in a limited collection of pictures, all of which, are so much smaller than itself. A much more suitable and interesting piece is the little sketch entitled *The Half Hour Before School*.<sup>71</sup>

Canadian artists were not at ease with the monumental figure composition, and amid all the moderately-sized landscapes Berthon's vast undertaking must have stood out like the proverbial sore thumb. The *Telegram*



fig.12 Hunter & Co. (formerly Ewing & Co.), Robert A. Harrison, 1875-1867, cabinet portrait, coll. of the Archives of Ontario, Toronto, Picture Collection, S179. (Photo: Archives of Ontario.)

was acerbic. "Mr. G.T. Berthon bears off the palm in *bigness* at least." The column went on in the same tone:

This is a heroic effort, so to speak, and to our liking is overdone. There is too much of a certain something the original does not furnish—a Diogenes-like face which does not do justice to the "Chief Justice." It is well, and the perfection of art, to represent the best and the happiest mood in a portrait, but extravagance in working this out amounts to a certain deformity. And truth compels the criticism that Mr. Berthon

has idealized too much in this instance, and in the wrong direction too. The face is dark and muscular, and the fierceness of the expression might possibly have been brought out had the "Chief Justice" been doing his best to bite a ten-penny nail in two while his portrait was being painted. The subject is worthy of a better treatment and we fear this will be regarded by some as a kind of libel on his good looks. But it may be that our taste is not the popular one, and we will only add that the details of the painting are well executed.<sup>72</sup>

We could accept the foregoing as a legitimate critique of the neoclassical *grand manière* were it not for the fact that the *Telegram* complained so much about the likeness. What the reviewer apparently did not know was that Berthon had used a photograph of the sitter (fig.12) to assist him in the execution of the portrait. A comparison of the photograph with the still-extant painting indicates the two were virtually identical. The *Daily Mail* was no less rude in its assessment:

A portrait painter has great privileges and great responsibilities. Where nature has done little, his art, like that which the tailor claims, can come to the rescue; and, on the other hand, he can easily mar nature's handiwork. A photograph has been defined to be "justice without mercy." If art were mere mechanical copying, the camera would undoubtedly be the best, and would soon become the only artist. But a painter can catch expressions which the sun cannot fix, he can tone down peculiarities, he can bring forward characteristics which collodion misses or exaggerates and, while doing all this, he may of the two be the more faithful copyist of the original that is before him. But then there is, on the contrary, always the risk that the artist, apprehending but misapplying his privileges, will lay hold of the wrong details and emphasize the wrong points; that, for instance, he will convert refined delicacy into feebleness, physical development into an almost abnormal monstrosity, or intellectual power into some grotesque exaggeration of the "bar of Michael Angelo," the result being something more or something less than the truth with an admixture of the ludicrous or the offensive, as the case may be. We leave the application of these remarks to be made by the visitors to the Exhibition.<sup>73</sup>

This review leaves us to wonder what the critic knew. Had the photograph misled the artist, or was it some deliberate exaggeration which rendered the depiction so objectionable? Looking at the canvas today it is difficult to see in it anything that could be characterized as "grotesque," "ludicrous," or even "offensive." It is as finely crafted as any of the artist's earlier judicial works. The problem was simply that the critics were not prepared to accept the conventions of monumental figural art. Within the decade, however, young Canadian artists were looking to France for training in the presentation of the human figure, attempting to acquire the skills Berthon had been practicing in Canada for forty years.<sup>74</sup>

**Angela Carr**

Ph.D. Graduate Student  
History of Art Department  
University of Toronto

#### Notes

From Angela CARR, "The Career of George Theodore Berthon (1806-92): Insights into Official Patronage in Toronto from 1845 to 1891" (Phil. M. Research paper, University of Toronto, 1986).

<sup>1</sup> *Herald*, 6 January 1845, Toronto edition; I am indebted to Dennis Reid for this reference.

<sup>2</sup> William COLGATE, "George Theodore Berthon: A Painter of Eminent Victorians," *Ontario Historical Society Papers and Records* 24 (1942): 87; Norman GASH, *Mr. Secretary Peel* (London: Longmans, 1961), 268-69, note 1. This refers to Br. Mus. Add. 40343, folios 303, 313, 321 including letters dated November 1827 which show Peel required a French tutor for his children at that time. See also George PEEL, ed., *The Private Letters of Sir Robert Peel* (London: John Murray, 1920), 100, letter of 20 December 1827, which enclosed a drawing from Peel's elder daughter. An extensive search of known sources has not uncovered the letter of reference, nor has Norman Gash found any record of Berthon in his very extensive work on Peel. However, the circumstantial evidence does not preclude such a possibility.

<sup>3</sup> *Herald*, 12 May 1845, advertisement bears insertion date of 3 April 1845.

<sup>4</sup> *Herald*, 12 May 1845; George W. BROWN, ed., *Dictionary of Canadian Biography* (Toronto: University of Toronto Press, 1972), 10: 253 ff.; John LOWNSBOROUGH, *The Privileged Few* (Toronto: Art Gallery of Ontario, 1980), 19; and Elva M. RICHARDS, "The Joneses of Brockville and the Family Compact," *Ontario History* (1968): 169-184.

<sup>5</sup> R.E. SAUNDERS, "What was the Family Compact?" *Ontario History Papers and Records* 49 (1957): 165-171; S.F. WISE, "Upper Canada and the Conservative Tradition," in *Profiles of a Province* (Toronto: Ontario Historical Society, 1967), 20-33; and Graeme PATTERSON, "An Enduring Canadian Myth: Responsible Government and the Family Compact," *Journal of Canadian Studies* (1977): 3-16.

<sup>6</sup> COLGATE, "Berthon," 87; and Daniel and Guy WILDENSTEIN, *Documents Complémentaires au Catalogue de l'Oeuvre de Louis David* (Paris: Fondation Wildenstein, no date), nos 1152, 2125.

- <sup>7</sup> Pierre LAROUSSE, *Grand Dictionnaire Universel du XIX<sup>e</sup> Siècle* (Paris: Administration du Grand Dictionnaire Universel, 1865), 2: 618.
- <sup>8</sup> Algernon GRAVES, *The Royal Academy of Arts: A Complete Dictionary of Contributors and Their Work from its Foundation in 1769-1904* (1905; reprint, Bath: S.R. Publishers Ltd. and Kingsmead Reprints, 1970), 186.
- <sup>9</sup> Algernon GRAVES, *The British Institution 1806-67: A Complete Dictionary of Contributors and Their Work from the Foundation of the Institution* (1875; reprint, Bath: Kingsmead Reprints, 1969), 43.
- <sup>10</sup> James M.S. CARELESS, *The Union of the Canadas: The Growth of Canadian Institutions 1841-57* (Toronto: McClelland and Stewart, 1967); and Barry D. DYSTER, "Toronto, 1840-1860: Making It In a British Protestant Town" (Ph.D. Dissertation, University of Toronto, 1970), 5-17.
- <sup>11</sup> Lita-Rose BETCHERMAN, "Genesis of an Early Canadian Painter: William von Moll Berczy," *Ontario History*, vol. 57, no. 2 (June 1965): 57-68, especially 60-61 referring to letters among the Berczy papers in the National Archives of Canada from Montreal merchant, James McGill, inviting Berczy to settle in Lower Canada where his talent could earn him a living; and John ANDRÉ, *William Berczy: Cofounder of Toronto* (Toronto: Ortoprints, 1967), 99, but see also 57 ff. where the author describes the other factors instrumental in precipitating the artist's departure.
- <sup>12</sup> Carol LOWREY, "The Society of Artists and Amateurs, 1834: Toronto's First Exhibition and its Antecedents," *RACAR*, vol. 8, no. 2 (1981): 99-118.
- <sup>13</sup> Paul ROMNEY, "A Man Out of Place: The Life of Charles Fothergill; Naturalist, Businessman, Journalist, Politician, 1782-1840" (Ph.D. dissertation, University of Toronto, 1981), 549 ff.; and James L. BAILLIE, Jr., "Charles Fothergill, 1782-1840," *Canadian Historical Review* 25 (1944): 387 ff.
- <sup>14</sup> *Ibid.*, "A Man Out of Place," 554 ff.
- <sup>15</sup> J. Russell HARPER, *Paul Kane's Frontier* (Toronto: University of Toronto Press, 1971), 33 ff.
- <sup>16</sup> William COLGATE, "Hoppner Meyer: A Painter and Engraver of Upper Canada," *Ontario Historical Society Papers and Records* 37 (1945): 17-27.
- <sup>17</sup> Carol LOWREY, "Toronto Society of Arts 1847-48: Patriotism and the Pursuit of Culture in Canada West," *RACAR*, vol. 12, no. 1 (1985): 3 ff., particularly 6-7.
- <sup>18</sup> *Ibid.*, 8; HARPER, *Early Painters*, 213-14.
- <sup>19</sup> Raymond VÉZINA, *Théophile Hamel: Peintre National 1817-70*, 2 vols (Montréal: Éditions Élysée, 1975). Raymond VÉZINA, "Trente-cinq tableaux inédits de Théophile Hamel," *RACAR* vol. 9, nos 1-2 (1982): 47 ff.; and National Gallery of Canada, *Two Painters of Quebec: Antoine Plamondon 1802-95 and Théophile Hamel 1817-70*, foreword by J.S. Boggs, catalogue and essay by R.H. Hubbard (Ottawa: National Gallery of Canada, 1970).
- <sup>20</sup> George Theodore Berthon, *The Honourable and Right Reverend John Strachan, D.D., Lord Bishop of Toronto* (1845) University College, University of Toronto, Toronto, reproduced in COLGATE, "Berthon," after p.92; *Donald Bethune* (1845) Royal Ontario Museum, Toronto, reproduced in pamphlet by Royal Ontario Museum, *Early Canadian Faces* (Toronto: Royal Ontario Museum, 1978); *Mrs. James Lukin Robinson* (1845) Mr. and Mrs. Jules Loeb Collection, reproduced in National Gallery of Canada, *Mr. and Mrs. Jules Loeb Collection* (Ottawa: National Gallery of Canada, 1970-71), no. 4, under the title "Mrs. John Beverley Robinson" [sic]; and *The Reverend Thomas Phillips, D.D.* (1845) Upper Canada College, Toronto.
- <sup>21</sup> *Church*, 12 September 1845, Coburg edition. Information for this reference was produced by Dennis Reid. The portrait of the Governor General refers to the engraving of *Sir Charles T. Metcalfe* (1844) by Warner after Alvah Bradish. Leslie STEPHEN and Sidney LEE, eds, *Dictionary of National Biography* (London: Oxford University Press, 1963-64), 13: 303, indicates that the original Metcalfe portrait is in the Court House at Falmouth, Jamaica.
- <sup>22</sup> Peter March, *Portrait of Reverend John McCaul, D.D.* (1843) Upper Canada College, Toronto, reproduced by Lowrey, "Toronto Society of Arts," 7, see particularly note 21 for citation regarding the date of the portrait.
- <sup>23</sup> *Examiner*, 31 March 1847, Toronto edition.
- <sup>24</sup> George W. Spragge, "John Strachan's Contribution to Education 1800-23," and J.J. Talman, "The Position of the Church of England in Upper Canada 1790-1840," in J. Keith JOHNSON, ed., *Historical Essays on Upper Canada* (Toronto: McClelland and Stewart, 1975).

- <sup>25</sup> *Herald*, 12 April, and 22 June 1845. See *DCB*, 10: 34.
- <sup>26</sup> Archives of Ontario, Robinson Papers, Ms 4, R 5, letter dated 22 November 1845 from Alexander Grant to Chief Justice John Beverley Robinson.
- <sup>27</sup> Archives of the Law Society of Upper Canada, Osgoode Hall, Toronto, Minutes of the Law Society of Upper Canada, 20 June 1846, recording a letter of 17 June 1846 from Alexander Grant to the Honourable R.S. Jameson, Treasurer. I am indebted to Mr. Roy Schaeffer, Archivist for permitting me to examine these records.
- <sup>28</sup> Terry Cook, "John Beverley Robinson and the Conservative Blueprint for the Upper Canada Community," in JOHNSON, ed., *Historical Essays*, pp. 342-43, quoting from the Arthur papers. In February of 1839 Robinson wrote to Lord Normanby:
- It is to be remembered that there is in Canada no counteracting influence of an ancient Aristocracy, of a great landed interest or even of a wealthy agricultural class, there is little in short but the presumed good sense and good feeling of an uneducated multitude (which may be too much tempted) to stand between almost universal suffrage and those institutions which proudly and happily distinguish Britons from subjects of other monarchies and no less so than Citizens of that Great Republic.
- <sup>29</sup> Lefroy later recalled "Berthon was only too happy to lend himself to the plot, and so we contrived it that the necessary sittings were given the few weeks preceding our marriage, without, I believe, the faintest rumour reaching the parents that anything was going on." Julia JARVIS, *Three Centuries of Robinsons* (Don Mills: T.H. Best Printing Company, 1967), 154, also 118-119; Christopher W. ROBINSON, *The Life of Sir John Beverley Robinson, Bart., C.B., D.C.L.* (London: William Blackwood & Sons, 1904); and Patrick BRODE, *Sir John Beverley Robinson: Bone and Sinew of the Family Compact* (Toronto: University of Toronto Press, 1984).
- <sup>30</sup> ROBINSON, *Life of JBR*, 339.
- <sup>31</sup> E.P. Taylor Reference Library, Art Gallery of Ontario, Letter dated 20 April 1846 from Robinson to Morris.
- <sup>32</sup> COLGATE, "Berthon," 91 ff.
- <sup>33</sup> LOWNSBOROUGH, *Privileged Few*, 41, 91 ff.
- <sup>34</sup> George Theodore Berthon, *Mrs. Henry John Boulton and her Daughter Harriet Eliza* (ca. 1847) Mrs. George Bromfield Collection, Cooksville, reproduced in LOWNSBOROUGH, *Privileged Few*, 75.
- <sup>35</sup> George Theodore Berthon, *Lady Robinson and her Daughter Mary* (1847) Art Gallery of Ontario, Gift of the Cayley Sisters, 1953, reproduced in LOWNSBOROUGH, 96.
- <sup>36</sup> LOWREY, "Society of Artists and Amateurs," 100, note 5; Linda KIRKPATRICK, "The Promotion of Art in Toronto: 1830-1870" (Master of Museology, University of Toronto, 1979), 8; Robert GAGEN, "The Ontario Art Chronicle," E.P. Taylor Reference Library, Art Gallery of Ontario; and J. Russell HARPER, "Ontario Painters 1846-67," *Bulletin of the National Gallery of Canada* 1 (May 1963): 16-32.
- <sup>37</sup> LOWREY, "Toronto Society of Arts," 4; Toronto Society of Arts, *Catalogue of the First Exhibition* (Toronto: Toronto Society of Arts, 1847); and *British Colonist*, 5 February 1847, Toronto edition.
- <sup>38</sup> Details of these individual's careers are listed in HARPER, *Early Painters*.
- <sup>39</sup> SCADDING, *Toronto of Old*, 367; *Examiner*, 14 April 1847, Toronto edition.
- <sup>40</sup> *Herald*, 22 April 1847.
- <sup>41</sup> *Ibid.*
- <sup>42</sup> *Church*, 23 July 1847, no cause of death was given.
- <sup>43</sup> *Globe*, 29 March 1848, Toronto edition.
- <sup>44</sup> *Herald*, 30 March 1848.
- <sup>45</sup> *British Colonist*, 14 April 1848.
- <sup>46</sup> John R. PORTER, *The Works of Joseph Légaré 1795-1855* (Ottawa: National Gallery of Canada, 1978), cat. no. 186; *Journals of the Legislative Assembly* (1845), 4: 243, 251.
- <sup>47</sup> *Herald*, 5 June 1848; *British Colonist*, 6 June 1848; I am indebted to Dennis Reid for the foregoing references; NGC, Archives, Pinhey Papers; and *Simpson v. Smyth* 2 U.C. Jurist (1847) 629 which indicates that Mr. Justice Jones did not in fact sit on this appeal, despite assumptions to the contrary by Barber and others.

- 48 Scobie & Balfour after G.T. Berthon, *Sir John Beverley Robinson, Bart.* (1848) lithograph. A copy is in The Law Society of Upper Canada Collection, Osgoode Hall, Toronto. Scobie & Balfour after G.T. Berthon, *Sir James Buchanan Macaulay* (1848) lithograph, a copy of which is in the Collection of the Baldwin Room, Metropolitan Toronto Reference Library, Toronto.
- 49 *British Colonist*, 28 July 1848.
- 50 *Examiner*, 9 August 1848.
- 51 See LOWREY, *The Society of Artists & Amateurs*.
- 52 Law Society Minutes, 13 February 1849, 3 June 1850.
- 53 Archives of the Law Society of Upper Canada, Osgoode Hall, Toronto, File 1-11-2(7), letter dated 10 March 1849 from Robert Baldwin to Treasurer Edward Small.
- 54 *Journals of the Legislative Assembly*, 14 June 1853; VÉZINA, *Théophile Hamel*, 1: 53, note 64 which cites the *Kingston Whig* (Kingston) 25 July 1850 announcement of Hamel's move to Toronto, also 103 ff.; VÉZINA, "Trente-cinq Tableaux."
- 55 Sir John Partridge, *Her Majesty Queen Victoria* (1848) Government of Canada, now hangs in the Senate at the Houses of Parliament, Ottawa; *British Colonist*, 18 July 1848, Toronto edition, describes the Partridge portrait upon its arrival in Canada; SCADDING, *Toronto of Old*, 357, 366.
- 56 See *The Ottawa Citizen*, 14 January 1870, 2, cols. 3-4.
- 57 The works of which I am aware are *The Chief Justices of Upper Canada* (1848) which has been discussed in the text, and the *Small Group Portrait of the Chief Justices* (1854). Both group portraits are now in the Collection of The Law Society of Upper Canada, Osgoode Hall, Toronto.
- 58 His bride was Clare de la Haye, daughter of the French master of Upper Canada College. Marriage Register for St. Paul's Catholic Archdiocese of Toronto (1846-56), 14 August 1850. The groom was 44 years old, the bride about 19.
- 59 Notably *Monseigneur Charbonnel* (1852) Basilian Fathers of St. Michael's College, University of Toronto, Toronto.
- 60 Apart from the Robinson portrait, these included the *Honourable James Buchanan Macaulay* (1856), the *Honourable Robert Baldwin*, C.B. (1859), the *Honourable William Hume Blake* (1860), *John Hillyard Cameron* (1862) (attributed only), the *Honourable William Henry Draper* (1862) (attributed), the *Honourable Archibald McLean* (1863), the *Honourable Phillip M.M.S. Van Koughnet* (1864), the *Honourable William Buell Richards* (1864), *Sir John Hawkins Hagarty* (1869), the *Honourable John Godfrey Spragge* (1870), *John Hillyard Cameron* (1876), the *Honourable Robert Alexander Harrison* (1876), the *Honourable Thomas Moss* (1878), *Sir Adam Wilson* (1879), *William Osgoode* (1881), the *Honourable Edward Blake* (1882), *Sir John Alexander Boyd* (1882), *Sir Matthew Crooks Cameron* (1884), *Sir Thomas Galt* (1888), *John Douglas Armour* (1888), the *Honourable John Elmsley* (1891), and *William Dummer Powell* (1891), all of which are part of the collection of The Law Society of Upper Canada, Osgoode Hall, Toronto. Commissions after 1866 are recorded in the *Sitters Notebook* (1866-92), E.P. Taylor Reference Library, Art Gallery of Ontario.
- 61 In fact the government portion of the Hall has since been separated from the Law Society offices so the government maintains its section of the premises. The decision simply meant that the Bar was in much closer proximity to the Bench than would otherwise be the case, and the judicial commissions were a natural result.
- 62 Lillian B. MILLER, *Patrons and Patriotism: The Encouragement of the Fine Arts in the United States 1760-1860* (Chicago: University of Chicago Press, 1966), 64, note 15, illustrates the expected simplicity of American portraits by quoting Mary Clemmer Ames who said of Greenhough's partially nude statue of George Washington, "The spirit of the statue, which is ideal, militates against the spirit of the land which is utilitarian if not commonplace." See also Los Angeles County Museum of Art, *American Portraiture in the Grand Manner 1720-1920* (Los Angeles: Los Angeles County Museum of Art, 1981), 23, 39 ff., which describes a series of full-length monumental portraits in the New York City Hall. These appear to have been the exception rather than the rule.
- 63 These included *General John Graves Simcoe* (1881), *Francis Gore* (1882), *Peter Russell* (1882), *Sir Gordon Drummond* (1883), *Sir Isaac Brock* (1883), *Sir Peregrine Maitland* (1883), *Sir Francis Bond Head* (1883), *Sir Frederick Philipse Robinson* (1884), *Sir John Colbourne, first Baron Seaton* (1884), *James Bruce, eighth Earl of Elgin and twelfth Earl of Kincardine* (1884), *Sir Edmund Walker Head* (1884), *Charles Theophilus Metcalfe*, *Baron Metcalfe* (1885), *Sir George Prevost* (1885), *Sir*

George Murray (1885), Charles Edward Poulett Thomson, Baron Sydenham (1885), Colonel Samuel Smith (1886), Sir William Pearce Holland (1886), Sir Henry William Stisted (1887), Donald Alexander MacDonald (1887), John Willoughby Crawford (1887), all of which are part of the Government of Ontario Art Collection, Queen's Park, Toronto. See Fern BAYER, *The Ontario Collection* (Toronto: Ontario Heritage Foundation, and Fitzhenry & Whiteside, 1984), 190 ff.

<sup>64</sup> *Ibid.*; and J.G. HODGINS, *Documentary History of Education in Upper Canada* (Toronto: L.K. Cameron, 1905), 12: 123, 129.

<sup>65</sup> Joan MURRAY, *Ontario Society of Artists: 100 Years, 1872-1972* (Toronto: Art Gallery of Ontario, 1972); Archives of Ontario, Toronto, Ontario Society of Artists Minute Book, Ontario Society of Artists Files, MU 2254; Ontario Society of Artists, Toronto, *Catalogue of Paintings: Third Annual Exhibition of the Ontario Society of Artists* (Toronto: Dudley and Burne, 6 May 1875) item 150; Ontario Society of Artists, Toronto, *Catalogue of Paintings and Drawings: Fifth Annual Exhibition of the Ontario Society of Artists* (Toronto: Bell & Hawkins Printers, May 1877), no. 8.

<sup>66</sup> A painting of this subject is still extant in a private collection. See also *infra* for the records of the Centennial Exhibition in Philadelphia (1876) which show the picture was owned by the Ontario government. So far there has been no provenance of this found in the records of the province. See Fern BAYER, "The 'Ontario Collection' and the Ontario Society of Artists Policy and Purchases 1873-1913," *RACAR*, vol. 8, no. 1 (1981): 32-54.

<sup>67</sup> *Globe*, 6 May 1875.

<sup>68</sup> *Toronto Daily Mail*, 5 May 1875, Toronto edition.

<sup>69</sup> *Globe*, 6 May 1875, 2, col. 4; *Toronto Daily Mail*, 5 May 1875, 4, col. 6; 8 May 1875, 4, col. 1.

<sup>70</sup> *Supra* at note 66; *Report of the Commissioner of Agriculture on Products Manufactures etc. of Ontario exhibited at the International Exhibition in Philadelphia: 1876* (Toronto: Hunter, Rose & Co., 1877), 58; and *Report of Canadian Commission at the International Exhibition at Philadelphia: 1876* (Ottawa, 1877), 410 which do not mention Berthon. But see also COLGATE, "Berthon," 97, who says Berthon received the Centennial gold medal, and Colin S. MACDONALD, *A Dictionary of Canadian Artists* (Ottawa: 1970), 45 who refers to the Continental gold medal.

<sup>71</sup> *Daily Globe*, 15 May 1877.

<sup>72</sup> *Evening Telegram*, 17 May 1877, Toronto edition.

<sup>73</sup> *Toronto Daily Mail*, 14 May 1877.

<sup>74</sup> Dennis REID, *A Concise History of Canadian Painting* (Toronto: Oxford University Press, 1973), 91 ff.

## GEORGES THEODORE BERTHON (1806-92)

### L'ART DE PORTRAIT, LE PATRONAGE ET LA CRITIQUE DANS LE TORONTO DU XIX<sup>e</sup> SIECLE

George Theodore Berthon (1806-92) vint s'installer à Toronto vers la fin de 1844. Il se serait présenté à l'évêque anglican, John Strachan, muni d'une lettre de recommandation de son ancien employeur, Sir Robert Peel, premier ministre de Grande-Bretagne. Au bout de quelques mois, il avait ouvert un atelier et sa femme, Zélie, annonçait, dans un journal local, un *Cours de Français* destiné aux enfants. Sur le prospectus qu'elle fit publier, on pouvait lire les noms d'épouses de personnages éminents dans le monde de la politique et de la magistrature. On peut donc en conclure que les Berthons furent rapidement acceptés dans la bonne société de Toronto, faite d'un réseau serré d'alliances, et que ce distingué patronage leur assura leur principale source de revenu au cours d'une carrière qui dura près de cinquante ans.

Au moment de l'arrivée de Berthon, Toronto ne comptait qu'une poignée d'artistes de métier. Il y apportait le style néo-classique français qu'il avait appris de son père, lui-même artiste et peintre ordinaire à la cour de Napoléon 1<sup>ER</sup>. Berthon père avait été l'élève de Louis-Jacques David; il avait signé la pétition grâce à laquelle le maître avait obtenu sa libération après son arrestation, par le Directoire, en 1794. George Théodore avait aussi eu l'occasion de se familiariser avec la peinture anglaise, lors d'un long séjour qu'il fit à Londres où il exposa un certain nombre de toiles. Plusieurs de ses oeuvres témoignent d'influences victoriennes. Dans l'ensemble, cependant, le style monumental de ses portraits lui est propre.

Les conditions économiques, à Toronto, lorsqu'il vint s'y établir, n'étaient pas des plus favorables, car la ville venait de perdre son rang de capitale. Ses principales institutions demeuraient les cours de justice et la société du barreau du Haut Canada. Le Barreau devait éventuellement devenir le plus important patron de Berthon en lui commandant pas moins de vingt-trois portraits de juges en chef et de trésoriers du barreau. Après la Confédération, le gouvernement de l'Ontario lui commanda aussi vingt portraits, plus petits, d'anciens gouverneurs généraux et lieutenants-gouverneurs. Cet appui de patrons influents fut à la base de son succès.

Ses principaux concurrents étaient le peintre autodidacte Paul Kane, le miniaturiste d'origine allemande Hoppner Francis Meyer, le portraitiste torontois Peter March, et deux peintres de l'ancien Bas-Canada, Théophile Hamel et Cornelius Krieghoff. Au cours de la première année qui suivit sa venue à Toronto, Berthon reçut de nombreuses commandes privées, notamment le *Portrait of the Honourable and Right Reverend John Strachan, D.D., Lord Bishop of Toronto*. Cette oeuvre, ainsi qu'une autre du même genre de Peter March, intitulée *Reverend J. McCaul, LL.D., Vice-President of the University of King's College, Toronto* (1843), furent gravées par Warner, de Philadelphie, et vendues au public par l'éditeur

Henry Rowsell. Cela valut à Berthon une bonne mesure de publicité et lui assura l'approbation d'un des personnages les plus influents de la colonie, l'évêque anglican de Toronto, John Strachan.

L'année suivante, Berthon déménagea son atelier dans un immeuble qu'il partageait avec le *Herald*, journal conservateur de Toronto, dont l'éditeur, George Anthony Barber, avait enseigné à la "John Strachan's Home District Grammar School". Parmi les autres locataires, il y avait aussi un avocat, Alexander Grant, qui obtint pour l'artiste la commande d'un portrait en pied du juge en chef John Beverley Robinson pour le Barreau du Haut-Canada. Ce devait être le premier de la série de portraits quasi officiels de juges en chef et de trésoriers qui lui accordèrent leur patronage.

On lui commanda, par la suite, une série de portraits pour la famille Robinson. Son nom fut également proposé au gouvernement en vue d'éventuelles copies de portraits pour la Chambre des Communes et le Conseil Législatif.

Le neveu du juge en chef lui commanda aussi un portrait, l'imposant *William Henry Boulton, Mayor of Toronto*. Plusieurs autres membres de la famille Boulton s'ajoutèrent à la liste de personnages en vue qui posèrent pour le peintre. À l'exposition de la "Toronto Society of Arts", en 1847, Berthon présenta le portrait de W.H. Boulton, ainsi que plusieurs autres oeuvres de moindre envergure, parmi lesquelles le portrait de l'évêque anglican, John Strachan, gravé par Warner. Le *Herald* fut le seul journal à commenter les oeuvres de Berthon, les qualifiant d'"admirablement peintes" par un artiste "digne de louange et d'encouragement". L'oeuvre de Berthon justifiait sans doute cette appréciation. Cependant, les critères de la critique d'art étaient, à l'époque, assez mal définis et pouvaient donner lieu à des jugements qui sembleraient, aujourd'hui, plutôt douteux.

Le *Herald* se fit de nouveau le champion de Berthon, l'année suivante, à propos d'une autre commande officielle, le portrait de Sir Allan McNab, ancien président des Communes. Le jugement du journal, qui qualifiait Berthon "d'artiste des plus accomplis" et "seul digne de l'honneur" d'exécuter le portrait, ne fit pas l'unanimité. Pour Hugh Scobie, du *British Colonist*, partisan d'une faction plus modérée, le choix de Peter March, peintre autodidacte originaire de l'Ouest canadien, semblait plus approprié; il reprocha à Berthon de ne pas avoir participé à l'exposition de 1847. La commande fut finalement accordée à Théophile Hamel qui devint, en 1853, le peintre officiel du gouvernement. Cette nomination devait satisfaire, semble-t-il, le sentiment nationaliste qui se manifestait dans la nouvelle province du Canada-Uni. Pendant ce temps, Berthon pouvait toujours compter sur une clientèle sûre parmi l'aristocratie torontoise. Berthon exposa de nouveau en 1875, à la "Ontario Society of Artists". Le tableau qu'il y présenta, intitulé *An Early Visitor*, représentait un jeune enfant et un chien. Cette oeuvre fut généralement bien reçue et on la retrouva, plus tard, à l'exposition "Centennial" de Philadelphie, où elle obtint une médaille d'or.

Deux ans plus tard, Berthon présenta à l'exposition annuelle de la "Ontario Society of Artists", un deuxième tableau, intitulé *Chief Justice of Ontario*. Cette toile, qui faisait partie de la série de portraits de juges en chef, avait été exécutée d'après

une photographie. Bien que le modèle en eut été très satisfait, le portrait fut reçu froidement par la critique qui reprocha à l'artiste d'avoir fait un tableau trop imposant et "trop idéalisé". On apprécia peu les grandes qualités d'exécution de l'oeuvre. Même à cette époque, les critiques étaient peu habitués à des tableaux aux dimensions monumentales. En fait, le portrait officiel, en pied, était encore peu connu en Amérique du Nord. Les artistes canadiens commençaient à peine à partir pour la France, afin d'y étudier les techniques que Berthon pratiquait au Canada depuis déjà quarante ans.

Traduction: **Elise Bonnette**