

Fig. 1. Osgoode Hall, 1960s.

## Osgoode Hall and the Development of Public Architecture in Canada

Dana Johnson and Leslie Maitland, Architectural History Division, Parks Canada

Of the many public buildings erected in pre-Confederation British North America, there is one building, Osgoode Hall in Toronto (Fig. 1), which encapsulates many of the diverse stylistic forces that shaped public design during the first half of the 19th century. This representative character arises largely from two factors. Firstly, Osgoode Hall was in scale, function and cost one of the most important buildings of the period. Secondly, its sequential building history meant that each stage in the building's growth came at an important point in the development of public design. As a result the south facade of Osgoode Hall recapitulates three important phases in the emergence of civic architecture in the colonies. When one examines this process, an overall picture emerges which is typically Canadian: the design exhibits British, American and French influences. But local peculiarities are strong as well, making Osgoode Hall a uniquely Toronto building. As is often the case with Canadian public design, the stylistic trend is towards conservatism, as traditional tastes tend to be preferred to more progressive ideas.

Over the years, Osgoode Hall has attracted considerable attention from architectural historians, who have focused on the quality of the 1857 reconstruction by the Toronto architectural firm of Cumberland and Storm. Only recently has attention been paid to the three earlier phases in the development of Osgoode Hall: the initial planning leading to the design which was carried out between 1829 and 1832; the construction during the 1830s of a residential wing; and the abortive expansion by Henry Bowyer Lane between 1844 and 1846. Little attempt has been made in any of the existing literature to place Osgoode Hall, in any of its three phases, within the context of contemporary British North American trends in public design.<sup>1</sup>

Previously unpublished material and ongoing research by the Architectural History Division of Parks Canada, coupled with the publication of MacRae and Adamson's valuable Cornerstones of Order, now

permit us to draw further conclusions about Osgoode Hall and its place in Canadian architecture. The Cumberland and Storm drawings and the plans and elevations of the Lane structure as it stood in 1855 (both in the Horwood Collection of Architectural Drawings in the Archives of Ontario) have allowed architectural historians to tackle problems which had hitherto prevented clarification of many issues. Ongoing Parks Canada research on styles and building types permits us to see Osgoode Hall as an image of its era.<sup>2</sup>

Because the records of the Law Society of Upper Canada have been closed to researchers until recently, and available evidence is both fragmentary and sometimes contradictory, the earliest section of Osgoode Hall—begun in 1829 by John Ritchey and completed for the meeting of Convocation in February of 1832—has been much the hardest to analyse. Founded in 1797, the Law Society possessed no offices for more than thirty years. Meetings of Convocation were held, instead, in the courtrooms in the old Parliament Buildings and in the office of the Attorney General.<sup>3</sup>

By 1820 this makeshift arrangement was regarded as both inconvenient to a growing membership and degrading to the Society. On 4 October they agreed to set aside £500 to erect a building to be called Osgoode Hall, named for the colony's first chief justice, William Osgoode. Lacking a local prototype, the Society could not have planned anything very lavish, for building in the city was very expensive during this period. The questions of an appropriate site and the proper scale of the building delayed actual construction. In 1825, after acrimonious debate, the benchers shelved their earlier plans in favour of a £2000 donation towards a building the Society would share with the Court of King's Bench. With the approval of the judges, the benchers petitioned the Lieutenant Governor for a site and ordered their treasurer, the sometime architect Dr. William Warren Baldwin, to draw up plans and elevations for the new

buildings. His proposed elevation was approved by Convocation on 3 October 1827, his rough plans and estimates in January of 1828. These appear not to have survived (diligent search has not uncovered them), but the records of Convocation provide sufficient detail to allow us to see the broad outlines of his proposal. Baldwin's design consisted of a three-part composition, the southern wing of which was to be built first in a simplified form, with an elaborate portico and entranceway to be added when funds permitted. The north wing was to match the south, and was to contain "the hall, library, etc." while the connecting section was set aside for "the accommodations proposed for the Court (of King's Bench) and (Society) offices". The whole was planned for a six-acre plot which the Executive Council had tentatively proposed for the Society's use.

A change of site—to a six-acre plot on Queen Street purchased from the Attorney General, John Beverley Robinson—forced a reorientation in the project, from Baldwin's north-south axis to one east-west. On 2 May 1828 the Society appointed a five-man Building Committee (which included Dr. Baldwin), and two months later rejected a last-ditch effort by the Solicitor General, Henry John Boulton, for a small temporary structure costing £700. Instead, the benchers approved the expenditure of £2000 on a wing "to form the central edifice of future buildings, to be extended laterally as the increase in the Society may hereafter require."

The available records of the Law Society place in some doubt the authorship of the plan actually constructed, for after the appointment of John Ewart as superintendent of the construction itself in June of 1829, the secretary refers to Ewart as both superintendent and architect. Credit for the design must presumably be shared; the prominent role of Dr. W.W. Baldwin in the early planning, and as a amember of the Building Committee, suggests strongly that it was his approved 1828 plan, perhaps reworked by Ewart to conform to a new site and a reduced budget, which formed the final design. Nor should the partnership be a surprise, for the two had earlier collaborated on the Home District Court House and Jail.

The first version of Osgoode Hall-which is the present east wing stripped of Lane's portico, cornice and window mouldings-appears to be typical of the small vernacular public buildings so common in early Canada. Henry Scadding described it later as "a plain, matter-of-fact brick building, two and one half storeys in height." The original floor plan appears to the right in the plans for the building as it existed in 1855, drawn by the Montreal architectural partnership of Hopkins, Lawford and Nelson (Fig. 2). In design and layout, it is decidedly domestic in character and devoid of architectural ornamentation; nor should this surprise, for it functioned as much as a residence as it did a public building, containing a parlour, study, library, dining room and sleeping quarters for law students. Furthermore, Osgoode Hall conformed to much of early Canadian public architecture in its domestic cast. Several early court houses fit into this trend-the surviving example at L'Orignal (Fig. 3, 1824), though much modified, is perhaps the best example of this tendency towards simplicity in design. Other examples abound; though its functions might have led to a monumental building, John Ewart's Upper Canada College (Fig. 4, 1829-32) avoided this approach, and took the form of five separate units, each resembling a Georgian town house. Halifax's Dalhousie College (1820) received a similar treatment. Studiously monumental public architecture had indeed come to Canada-witness Ewart's London District Court House (1829-31) in London, Thomas Rogers' Upper Canadian Parliament Buildings (also 1829-32), Province House (1811) and Government House in Halifax (1800), and Government House in Fredericton-but the first stage of Osgoode Hall conformed to an earlier, architecturally conservative tradition of small public buildings, domestic in treatment and vernacular in style.

The intended tripartite subdivision of Osgoode Hall was typical of Toronto, but was then found nowhere else in Canada. The first known example was the first Parliament Buildings in York (1794-97), which consisted of two brick buildings, each 40 by 25 feet, joined in 1805 by a 100-foot colonnade, or covered platform.9 Even more marked an example was Ewart's Upper Canada College (Fig. 4), where five separate units were arranged in a connected row. The Home District Court House and Jail (1825) varied the pattern; here two identical structures were placed on a public square, but lacked the usual linking structure. Perhaps the best—and certainly the most monumental—example of separate but linked structures was Thomas Rogers' Parliament Buildings, which had three separate structural units. 10

The origins of this tripartite approach appear to derive from American rather than British prototypes. By far the majority of Canadian architects followed their American and British counterparts in adopting as their model the monumental, single-block public building in the Neoclassical style established by Sir William Chambers in Somerset House in London (Fig. 5 and 6). But a few architects were attempting a quite different planning approach, by designing public buildings as clusters of separate but complementary units. British models existed, for example in Theodore Jacobsen's Foundling Hospital (London,

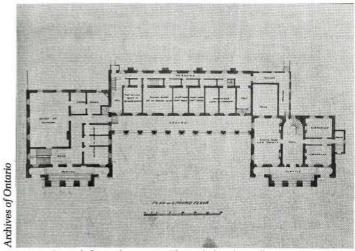


Fig. 2. Ground floor plan, 1855. The right-hand pavillion is the Baldwin-Ewart section, 1829-32, while the remainder is Henry Bowyer Lane's 1844-46 extension.

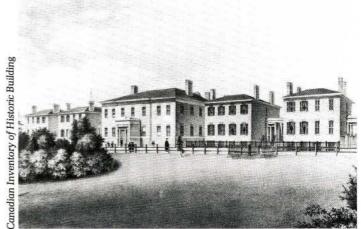


Fig. 3. Former Ottawa District (now Prescott and Russell County) Court House, L'Original, Ontario; centre section built 1824, Wm. Moody architect. The wings date to 1861.

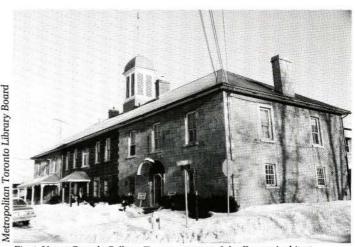


Fig. 4. Upper Canada College, Toronto, 1829-32, John Ewart, Architect.

1742-52), but by far the largest number of such structures were erected in the United States.11 Such an architectural arrangement appeared particularly logical in institutions of varying functions under a single administration-such as Thomas Jefferson's University of Virginia and, more modestly, Ewart's Upper Canada College. Multi-part buildings for governmental purposes did not appear in Britain before the 19th century, but were common in the United States where the division of the legislative branch into upper lower houses and the executive council led logically to a tripartite division of space. Both the Virginia capitol at Williamsburg (1699-1703) and the first Pennsylvania statehouse at Philadelphia (1739-48) were variations on this highly rational theme. The early Baldwin-Ewart plan (so far as we know it) and the 1844 Lane plan both derived from this tradition of separating functional units into structurally distinct areas-even though in Osgoode Hall the functional distinctions were far less clear than in other examples.

Three factors led to the decision in 1844 to transform Osgoode Hall from a vernacular semi-residential facility into a monumental public building. First and foremost was the offer of the colonial government to underwrite the costs of enlarging Osgoode Hall, in exchange for allowing its use as a court house. Secondly, the expansion of the court system in 1837, and the ever-increasing bulk of work before the courts, required much greater facilities than the court rooms provided by John Howard in the Parliament Buildings in 1837. Finally, there was a pervasive sense that Toronto was a sophisticated and progressive city, well beyond its earlier pioneer stage. Such a growing municipality required a splendid piece of public architecture which would reflect both the achievements and aspirations of a forward-looking community. The monumental Osgoode Hall of 1844-46, like the new Toronto City Hall of the same period, was a symbol of the cultural sophistication and civilization of a city only recently removed from pioneer rudeness; for both buildings, the clients turned to the British-born and British-trained-architect, Henry Bowyer Lane.12

Lane's transformation of Osgoode Hall (Fig. 7 and 8), was soundly based on British Neoclassical design, limited both by local idiom and by the building at it existed in 1844. Lane was obliged to use Baldwin's conception of a three-part structure, and to work into his design an existing one storey brick wing, erected in 1833, used originally as residential facilities and later as barracks. Lane solved these problems by building a west wing to match the east and providing both with elaborate porticoes. He then linked the two wings with a central library constructed over the existing brick wing, facing it with an arcade and surmounting the whole centre section with a dome.

In spite of its unhappy fate, Lane's expansion was a well-designed, if slightly dated, version of Chambers' Somerset House (Fig. 5 and 6). Lane, however, was unique among Canadian architects in his treatment of the prototype: most followed the model of the river front of the enormous Somerset House complex.13 Its linearized rusticated base, high principal storey, low dome, slightly accented end pavilions and roman antique detail were followed, with individual variations, in George Browne's Kingston City Hall (1842-44), John Howard's Johnstown District Court House (Brockville, 1841-42), Issac Smith's Province House (Charlottetown, 1847, Fig. 9), James Purcell's Colonial Building (St. John's, 1850), and Browne and Lecourt's Marche Champlain (Quebec City, 1855). Lane departed from this pattern of following the model of Somerset House by choosing as his guide the Strand, rather than the river, elevation (Fig. 6). With its pedimented windows, projecting frontispiece and more delicate orders, it is far more sculptural and richer in effect than the somewhat severe river front. It is closer in spirit to French architecture, in the artistic quality of its detailing and the use of the U-plan so common in French civil design and so rarely employed by the English. Lane's choice of the Strand front as his model in the 1844 reconstruction made him nearly unique among architects then active in Canada. Only Thomas Baillairge had employed a U-plan for his 1834 Parliament Buildings at Quebec City, but just the centre section and one wing stood when Lane began his Toronto work. In any case, Baillairge's models were assuredly French rather than English. In assessing Lane's design, then, we must conclude that although he followed his contemporaries in choosing the standard model for public architecture, he alone among Canadian architects was sufficiently imaginative to use its richer, more artistic and more elegant facade.

The quality of Lane's work may be seen both in the earliest extant photograph (Fig. 8) and in the Hopkins, Lawford and Nelson renderings prepared in 1855; certainly the new Osgoode Hall quite charmed its occupants. "In point both of elegance and convenience," the vice-Chancellor commented," (the accommodations are all that can be desired."14 Torontonians were equally impressed; even much later, Henry Scadding remarked that "the pediment of each wing, sustained aloft on fluted Ionic columns, seen on a fine day against the pure azure of a northern sky, is something enjoyable."15

Others were not pleased for long. Within a decade, the growth of the court system, changing architectural tastes and a rapidly deteriorating



Fig. 5. Somerset House, London, England, the riverfront, built 1776-80, Sir Wm. Chambers, architect.

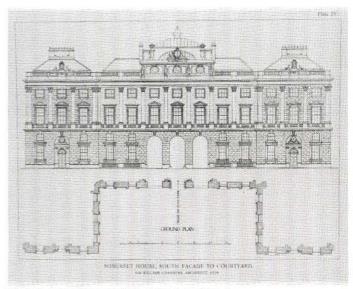


Fig. 6. Somerset House, the Strand front, south block.

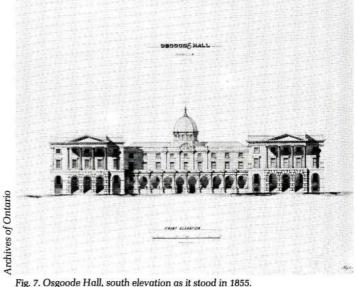




Fig. 8. Osgoode Hall, 1855, before demolition of the Lane centre section.



Fig. 9. Province House, Charlottetown, P.E.I., built 1847, Isaac Smith, architect.

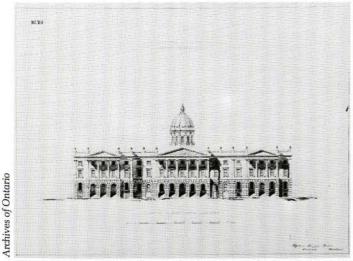


Fig. 10. Proposed elevation after reconstruction, 1855, by Hopkins, Lawford and Nelson, architects.

fabric made the Lane structure increasingly both dated and unacceptable. In 1855, the Board of Works turned to the Montreal firm of Hopkins, Lawford and Nelson to determine the extent of the problem and the possible solutions. <sup>10</sup>

The Montreal architects presented a damning indictment of Lane's work, though it is by no means clear that he was entirely to blame for the deficiencies. The Montreal firm reported that the centre section, including the dome, was "badly constructed." To remedy the situation, "it would be necessary to take down and rearrange the whole of the centre portion of the building." Clearly Lane had not been able to overcome the problems posed by having to construct a new library over an already existing structure. Equally damning to his reputation, however, was the fact that his City Hall had also deteriorated with amazing rapidity; by 1850 it too required substantial reconstruction, and was never considered satisfactory. 18

Just as serious was the "old-fashioned" quality of Lane's design. The fine delicacy of his building was increasingly seen as inappropriate in public buldings, which were designed to represent the strength and vigour of governments. To represent these ideals a more muscular and aggressive form of Neoclassicism had come to the fore, as Hopkins, Lawford and Nelson pointed out in their critique of Lane's Osgoode Hall:

The style of architecture of the present building is inappropriate to the purpose of Courts of Law from its too great lightness, and we consider that for such a building as the Law Courts, perhaps the most important (building) in the place, a more massive and more imposing style should be adopted.<sup>19</sup>

In their draft proposals for reconstruction, the Montreal firm demonstrated what this meant (Fig. 10). In their scheme, the centre section would be torn down and replaced by a larger domed structure, faced by a row of pilasters, giving the facade a mathematical clarity and a structural coherence lacking in Lane's treatment. The clarity of concept and the uncluttered logic of the arrangement is breathtaking, and had it been built, the resulting structure would have been truly monumental.

This treatment of Neoclassicism placed Hopkins, Lawford and Nelson firmly in the rational stream of the style, closer to French Neoclassicism. Neoclassicism was an approach concerned with far more than a revival of antique Greek and Roman orders and decorative elements; it sought also a rational explanation of the system of supporting and supported elements in a building, and the removal of all structurally unnecessary decorations. This primitive reductionist aspect of Neoclassicism was first proposed by Abbe Laugier in his Essai sur l'Architecture (1753).20 The pursuit of a truly rational method of design remained a concern of French Neoclassicism throughout the eighteenth and nineteenth centuries. During the same period the English continued prefer the more idiosyncratic, conservative and decorative Neoclassicism represented by Chambers, Robert Adam, and Soane. Since most Canadian architects were British-trained they naturally were more responsive to English thinking, but Quebec architects-both English and French-were also influenced by contemporary French thought in the 1830s and 1840s.21 The Montreal firm was, in its proposals for Osgoode Hall, attempting to import to Toronto this kind of clear, rational design so beloved by French Neoclassicists.

This incursion was stillborn, and it is a significant comment on conservative Upper Canadian taste that the rational Neoclassicism of the Montreal architects was cast aside in favour of the strictly historicist Italianate designs provided by the Toronto firm of Cumberland and Storm (Fig. 11).<sup>22</sup> Their reconstruction represents the final phase of Classicism in 19th century Canadian public design. Like their competitors, they left the wings virtually untouched; in contrast to the Montrealers' approach, they rebuilt the demolished centre section along quite different lines, adding a storey in order to bring the centre better into proportion with the wings. In details they chose the Italianate style, while taking care to harmonize the new with the old by continuing the rustication with arched openings across the front, by establishing a continuous cornice line, and by erecting a centrepiece on the reconstructed front to harmonize with the Lane porticoes of the wings.<sup>23</sup>

Nevertheless the Italianate centre differs markedly in character from the Neoclassical wings, indicating a rapid shift in taste. The wall surfaces of the Cumberland and Storm work contrast with Lane's treatment; they are richer and livelier, with heavily carved stonework around the centre arches. More rhythms and lines come into play with the arched window openings, the interrupted string courses that run across the facade behind the order, and the panelling and shortened pilaster order in the attic storey. Finally the severe, smooth parapets of the wings have been upstaged by the balustrade adorned with urns over the centre.

This preference for the Italianate—even more noticeable in the public architecture of William Thomas in Ontario, Quebec and the Maritimes—signifies a shift in taste from Néoclassical restraint towards Victorian

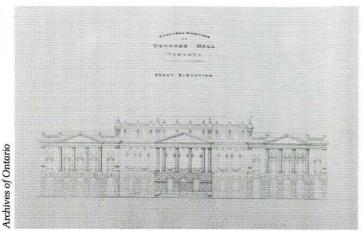


Fig. 11. Proposed elevation after reconstruction, 1855, by Cumberland and Storm, architects.

exuberance. First introduced to England in 1830 by Sir Charles Barry in his Travellers' Club, the Italianate style began to make major inroads into Neoclassical Canadian public architecture only in the 1850s. Its popularity spread rapidly, however, as the elevation of the Italian Renaissance palazzo was adapted to a wide variety of public and commercial buildings throughout British North America. The Italianate style, indeed, continued to be popular for civic design throughout the entire nineteenth century, exceeding the Gothic in popularity in spite of the influence of the Ottawa Parliament Buildings.

A large number of additions, and substantial interior alterations, were made to Osgoode Hall after the Cumberland and Storm reconstruction. There is little of architectural merit in any of this work but fortunately no architect attempted to disturb the south facade. The interior was sympathetically renovated in 1973, returning the building to something like its original glory.

In summary then, the various stages in Osgoode Hall's evolution match the stages of early 19th century public architecture. First was the functional, astylistic building erected by Baldwin and Ewart, similar to public structures erected in new towns throughout Canada. With growing wealth and ambition came the larger Osgoode Hall of Henry Bowyer Lane, a clear statement of provincial British tastes, in its sources akin to virtually every public building of its era in British North America. The conservatism of Upper Canadian tastes is underlined by the rejection of Hopkins, Lawford and Nelson's highly sophisticated, almost continental, design. Finally, compromise and conservatism triumph in Cumberland and Storm's Italianate building. Osgoode Hall at no time established new trends in public design, nor did it even influence directly any known public building. Rather, Osgoode Hall is a particularly rich embodiment of the diverse trends which affected public architecture in early Canada.

## Notes

- Early documentation is contained in James C. Hamilton, Osgoode Hall: Reminiscences of the Bench and Bar (Toronto, 1932) and the Law Society's centenary pamphlet, Osgoode Hall: A Short Account of the Hall (Toronto, 1932). The structure's complicated building history was discussed in John Bland, "Osgoode Hall", Royal Architectural Society of Canada Journal, 36 (1959), pp. 250-2. Much the most successful discussion of this complicated history is in Marion Macrae and Anthony Adamson, Cornerstones of Order: Courthouses and Town Halls of Ontario, 1784-1914 (Toronto, 1983). Our account differs from that of Macrae and Adamson in its emphasis on the continuity in the designs proposed during the 1820s, and in crediting W.W. Baldwin with a role in the 1829 design. These authors also do not attempt to place Osgoode Hall firmly in British North American design trends.
- Public design in British North America during the 19th century may be reviewed in Margaret Carter, et al, Early Canadian Court Houses (Ottawa, 1983) and Margaret Carter, et al, The Town Hall in Canada before 1930 (forthcoming). The development of Neoclassical design in Canada more generally is treated in Leslie Maitland, Neoclassical Architecture in Canada (Ottawa, 1984).
- Eric Arthur, "Osgoode Hall", Law Society of Upper Canada

Gazette, Commemorative Issue, 6 (1972), pp. 19-30. See also D.B. Read, The Lives of the Judges of Upper Canada and Ontario from 1791 to the Present Time (Toronto, 1888), pp. 435-49 and C.H.A. Armstrong, The Honorable Society of Osgoode Hall (Toronto, 1952).

For example, York's most distinguished early town house, John Strachan's The Palace of 1818, was reported to have cost between £ 5000 and £ 6000 (cf. Austin Seaton Thompson, Spadina: A Story of Old Toronto (Toronto, 1975), p. 79). Even the modest two-storey version completed in 1832 cost £3350 according to the Law Society.

Arthur, Osgoode Hall, p. 20.

Read, Lives, pp. 446-7.

Ibid., but compare this with Macrae and Adamson, pp. 45-50. 7.

8. Henry Scadding, Toronto of Old, ed. F.H. Armstrong (Toronto, 1966), p. 226.

Eric Arthur, From Front Street to Queen's Park: The Story of Ontario's Parliament Buildings (Toronto, 1979), p. 31; Public Archives of Canada (PAC), RG5 Al, Upper Canada Sundries, "Estimate of William Smith for Repairs to the Parliament Buildings, 21 November 1805", pp. 1511-2.

Rogers' authorship of the plans for the Upper Canadian Parliament Buildings (usually attributed to J.G. Chewett) is confirmed in Journals of the House of Assembly of Upper Canda 1831-32, Appendices, p. 200. What may be his commentary on the plans submitted is in PAC, RG5 Al, Upper Canada Sundries, undated "Comments on Plans and Sections of Parliament Buildings" pp. 141860-62. The published accounts of Upper Canada College are clear that Ewart, and not Chewett, designed it. See Journals of the House of Assembly of Upper Canada for 1836, Appendix #64, pp. 7-15.

On Somerset House, see Sir John Summerson, Architecture in Britain 1530-1830 (4th ed. revised, Harmondsworth, 1978), pp. 140-2. On the American examples cited, see William H. Pierson, American Buildings and Their Architects: The Colonial and Neoclassical Styles (New York, 1970), pp. 316-26, and Henry-Russell Hitchcock and William Seale, Temples of Democracy: The State Capitols of the U.S.A. (New York, 1976),

pp. 3-14.

Lane's early history and Canadian career have been unravelled by Stephen Otto's unpublished biographical sketch, on file at the Canadian Inventory of Historic Building, Ottawa, 1984.

On the influence of Somerset House, see Maitland, Neoclassical

Architecture, pp. 20-2.

The course of planning and construction is described in Law Society of Upper Canada, Minutes of Convocation for 6, 10 and 17 August 1844 and 8 November 1845. Comments on the completed structure are reprinted in Elizabeth Gibbs and Elizabeth Naves, eds. Debates of the Legislative Assembly of the Province of Canada (Montreal, 1975), Vol. 5, Part 2, pp. 1288-92.

Scadding, Toronto of Old, pp. 226-7.

- No history exists of the firm of Hopkins, Lawford and Nelson but their identified works are, with the exception of the Kingston Customs House and Post Office, largely limited to Montreal.
- PAC, RG5 C1, Provincial Secretary's Correspondence, Vol. 484, "Report on the Proposed Additions and Alterations to the Law Courts, Osgoode Hall, Toronto.'

William Dendy, **Lost Toronto** (Toronto, 1975), pp. 49-50. "Report on the Proposed Additions...," pp. 6-7.

19.

- Abbé Laugier, Essai sur l'architecture (Paris, 1753); on his influence, see Emil Kaufmann, Architecture in the Age of Reason (New York, 1968), and on the transmission of these ideas to the United States, see Pierson, American Buildings, ch. 6.
- British-trained architects working in Quebec were inevitably influenced by their French colleagues, especially when partnerships were established. Many French architectural texts, annotated by their owners, survive in the library of the Seminary of Quebec and these include the classic text of early French Neoclassicism, J.F. Blondel, Cours d'architecture, ou traité de la décoration, distribution, et construction des bâtiments (6 vols., Paris, 1771-77).
- On the role of Cumberland and Ridout and the successor firm of Cumberland and Storm, see Macrae and Adamson, Cornerstones of Order, passim. Many of the later 19th century additions to Osgoode Hall were designed by Storm, whose plans survive in the Horwood Collection of Architectural Drawings, Archives of
- The 1857-60 reconstruction received the attention of the British architectural journal, The Builder, which even published a list of tenders in Vol. 15 (11 July 1857), p. 395. The sophistication of the work was made possible by two loans from the provincial government for £40,000, authorized by the statutes 20 Vic., c. 64 and 22 Vic. (2nd session), c. 31, the loans to be repaid from the fee collected by the superior courts.