

Biography – WÜRTELE, JONATHAN SAXTON CAMPBELL – Volume XIII (1901-1910) – Dictionary of Canadian Biography

WÜRTELE, JONATHAN SAXTON CAMPBELL, lawyer, seigneur, politician, office holder, business man, professor, and judge; b. 27 Jan. 1828 at Quebec, son of Jonathan Wurtele, a merchant, and Louisa Sophia Campbell, sister of notary Archibald [Campbell*](#); m. first 7 Jan. 1854 in Montreal Julia Nelson (d. 1870), daughter of Wolfred [Nelson*](#), and they had five children; m. secondly 1 June 1875 in Staten Island (New York City) Sarah Braniff, widow of — O'Brien; d. 24 April 1904 in Montreal.

The eldest son of a prominent merchant family of German origin which had integrated into the Anglo-Protestant élite of Lower Canada, Jonathan Saxton Campbell Würtele grew up on Bourg-Marie-Est, the seigneurie his father inherited from his father, [Josias*](#), in 1831. Educated privately in French on the seigneurie, Würtele then attended the Quebec Classical School, conducted by the Reverend Francis James Lundy, as well as the Quebec High School, and was later tutored at home by Frederick B. Calvert. He studied law with Jean [Chabot*](#) and was called to the bar of Lower Canada on 6 Aug. 1850. He moved to Montreal, where he practised law with Henry Hague Judah until 1852, when the Trust and Loan Company of Upper Canada appointed Judah its solicitor and Würtele its agent to administer the \$400,000 advanced by the company to assist victims of the great fires in Montreal that year.

After inheriting his father's 3,450-acre estate, which included the

seigneuries of Deguire (also known as Rivière-David), Bourg-Marie-Est, Saint-François, and La Lussaudière, Würtele rendered fealty and homage at the Château Saint-Louis on 3 Feb. 1854, the last Canadian to do so. A stern, dutiful, exacting man, he went with his wife to live in the manor at Saint-David-d'Yamaska, where he became jp, mayor of the parish, chairman of the school board, commissioner for the summary trial of small causes, president of the local agricultural society, and a founder and later president of the Société Saint-Jean-Baptiste at Saint-David. He was also secretary of the Association of Seigneurs, established to represent seigneurial interests. In this capacity he pressed for substantial modifications to the bill that Lewis Thomas [Drummond*](#) had introduced in the legislature in 1852 calling for a reduction in seigneurial privileges and dues. The result was an act abolishing seigneurial tenure that in fact substantially benefited seigneurs. To express the satisfaction of the *censitaires* with the way in which the seigneurial claims had been settled in their region, the wardens of the parish of Saint-David donated a permanent pew to Würtele's young bride.

A revolt in 1856 over a school tax temporarily soured Würtele's relations with the local population, particularly when he called out the Quebec City militia to restore order after "les éteignoirs" [see Jean-Baptiste [Meilleur*](#)] burned his sawmill. His founding of the Yamaska Navigation Company with his brother Edward Campbell and his friend Louis-Adélarde [Senécal*](#) in January 1858 helped to allay resentment. The firm, of which he was president, provided lucrative returns and employment for local residents in the transportation of grain and manufactured goods along the Yamaska and Saint-François rivers.

Fluently bilingual, Würtele accepted the position of chief clerk of the Seigneurial Commission, established under the act of 1854 and presided over by Judah, and therefore returned to Montreal in 1862. His celebrated settlement of the seigneurial claims at Rigaud led to his appointment to the

tangled case of the seigneurie of Beauharnois. This adjudication required his residence at Beauharnois for two years. While there he served as president of the local health committee and as a jp.

From 1866 to 1868 Würtele practised law with John Joseph Caldwell [Abbott*](#) before entering into partnership with Frederick Thomas Judah, a nephew of Henry Hague Judah, in 1868. Judah and Würtele specialized in real estate and financial transactions; their clients in Montreal included the City and District Savings Bank and the Trust and Loan Company of Canada.

While working with the Seigneurial Commission Würtele enrolled in the two-year program of the law faculty at McGill College. He graduated second in his class in 1863 and received a bcl in 1870. In 1867 he began lecturing there in commercial and civil law and obligations, and in 1871 he was appointed associate professor of commercial law. In 1880 he became a professor and six years later he was named an emeritus professor.

In December 1873 Würtele, who had become a qc that year, joined 11 other Montreal lawyers to denounce publicly the administration of justice at the Court of Queen's Bench and he called for a royal commission to investigate the "lamentable situation." In 1878 he entered into a legal partnership with Charles-Joseph [Coursol*](#), Désiré [Girouard*](#), and James Ponsonby Sexton; Robert Davidson McGibbon would join the firm in 1883.

Würtele had been elected to the Legislative Assembly for Yamaska in 1875 and he thanked his electors with a donation of \$250 towards the construction of a convent at Saint-David. Initially a moderate Liberal, he voted with his party in the opposition and criticized the government takeover of the North Shore Railway, a step which he felt was beyond the financial capacity of the provincial administration. In the fluid state of provincial politics Würtele, moved by friendship and business interests, quickly joined

the moderate Conservative camp of Joseph-Adolphe [Chapleau](#)*. He was among the celebrities invited by the Conservatives in October 1876 to the gala opening of the Montreal-to-Saint-Jérôme section of the railway (amalgamated with another and renamed the Quebec, Montreal, Ottawa and Occidental). Although elected in 1878 as a Conservative by a margin of 810 votes, he occasionally acted independently of his party. That same year he stubbornly refused to join his colleagues who left the assembly to protest a decision of the speaker, Arthur [Turcotte](#), and he successfully resisted the efforts of Chapleau, Joseph-Israël [Tarte](#), and Narcisse-Marie Le Cavalier to carry him bodily from the chamber.

Würtele participated extensively in the assembly in the mid to late 1870s, moving bills to incorporate various commercial ventures such as the Montreal Open Stock Exchange, the Montreal Land Company, and the Crédit Foncier du Bas-Canada, as well as to amend the Quebec Railway Act and legislation pertaining to insurance and incorporations. His activity suggests that he was more than merely the representative of his 3,159 largely rural and Catholic electors. His most significant legislative accomplishment during the last years of the decade was the Trusts Act, a measure designed to graft English law onto the civil code, which he drafted and introduced as a private bill in 1879. It was reputedly drawn up to protect his sister, whose husband had encountered serious financial difficulties and “wished to protect his wife” by removing his property from his creditors.

After Chapleau became premier in October 1879, Würtele’s activity intensified. His chairmanship of the committees on public accounts, expiring laws, privileges and elections, and private bills, his seconding the address in reply to the speech from the throne in 1880, and his frequent defence of the administration suggest that he was more than an ordinary member of the governing party. According to the historian Robert Rumilly*, on the formation of the Chapleau government, Würtele, Senécal, Clément-Arthur [Dansereau](#)*

and Alexandre [Lacoste*](#) became the premier's closest advisers, forming a parallel cabinet which effectively ruled the province, much to the annoyance of the official cabinet. For example, when the government needed credit in the spring of 1880, Chapleau sent Würtele, rather than the provincial treasurer, Joseph Gibb [Robertson*](#), to Paris, where he secured a \$4 million loan from French bankers. Würtele negotiated with the same bankers for the creation of the *Crédit Foncier Franco-Canadien*, a long-term mortgage and loan company [see Chapleau]. The *Crédit Foncier* was capitalized at \$5 million and incorporated provincially later in 1880 with Chapleau as vice-president and Würtele, Jean de Beaufort, and Isidore [Thibaudeau*](#) as directors. Advertised as the first great effort at economic cooperation between France and Quebec since the Treaty of Paris, Würtele's initiative aroused the interests of French capitalists in other French Canadian industrial and trading ventures. For his services he was made an *officier de l'Instruction publique* in 1880, and two years later he was awarded the cross of a chevalier of the Legion of Honour.

The government's intimate relationship with the *Crédit Foncier*, however, created an uproar on 28 April 1881 when *L'Électeur* (Québec) charged that Chapleau, Provincial Secretary Étienne-Théodore Pâquet, and "possibly" Würtele had accepted \$14,000 each for their support of the *Crédit Foncier* in the legislature. As it turned out, money had been offered to all three: Würtele had refused the offer, Chapleau had not touched the sum placed in his account, but Pâquet had cashed his cheque, which he defended as a just remuneration for his expenses. Würtele's brush with scandal led him to avoid all appearances of corruption, even at the expense of alienating his friend Senécal and occasionally voting with the Liberals.

Würtele was far from popular with the opposition, however, particularly among young Liberals, who called him "the Prussian," a reference to his German ancestry, his correct, solemn manners, his obsession with order, and

his physical appearance: “angular head, heavy features, glasses, and side-whiskers.” He was probably not much more popular with some of his own party owing to his rigidity, his occasional breaches of party line, and his membership in the parallel cabinet. As chairman of the standing committee on private bills he had annoyed the Roman Catholic hierarchy of Quebec City and the Castor wing of his party [see François-Xavier-Anselme [Trudel*](#)] by supporting the request of the Montreal School of Medicine and Surgery for independence from the Université Laval. Despite these liabilities, Chapleau valued Würtele for his intelligence, industry, and knowledge and called on him to defend the government, draft legislation, and serve as the chairman of the select committee on the municipal code. On 28 Jan. 1882, some months before Chapleau joined the federal cabinet, he appointed Würtele, “the wisest of personal advisers,” provincial treasurer, perhaps to protect their political and personal interests in the new provincial government. Würtele retained his position in the cabinet formed by Joseph-Alfred [Mousseau*](#) in July.

Würtele soon faced the relentless scrutiny of a rejuvenated Liberal party led by Honoré [Mercier*](#), as he attempted to restore the province’s troubled finances. The sale of the Quebec, Montreal, Ottawa and Occidental Railway provided needed revenue and rid the province of an expensive liability. Meanwhile, he raised a \$3,500,000 loan on the Canadian market, partly through the services of Montreal broker Louis-Joseph [Forget*](#), to refinance the provincial debt. More imaginative still, a provincial tax was levied on all commercial corporations, a measure fiercely resisted by businesses and contested in the legislature and courts until the Judicial Committee of the Privy Council declared it to be well within the province’s jurisdiction. The destruction by fire in 1883 of the post office building which housed the legislature obliged the still hard-pressed government to find funds for its temporary lodging while awaiting the completion of a new parliament

building designed by Eugène-Étienne [Taché*](#).

When the Castor wing of Mousseau's party obliged him to resign in January 1884 in favour of John Jones [Ross](#), Würtele relinquished his post as provincial treasurer. Two months later he was elected speaker of the assembly, a position which suited his temperament. A dignified and organized man, Würtele was determined to establish order and decorum in the assembly, conscious of the delicate line "which separates the liberty of speech from the licence of language." During his tenure he was said to have rendered "many decisions . . . which are referred to as authority." In addition, his office published in 1885 a 722-page, bilingual *Manual of the Legislative Assembly of Quebec*, containing a copy of the British North America Act, relevant provincial statutes, and the rules of order of the assembly and the British House of Commons. The work would be republished in a shorter form in 1895. Sometime before he left the speakership, Würtele was appointed, "without remuneration," to complete the codification of the provincial statutes begun by judge Thomas-Jean-Jacques [Loranger*](#).

A witty, urbane, well-read man, a good conversationalist, a patron of art and music whose drawing-room contained a large piano, "a beautiful gilded harp," a cello, and other instruments, Würtele enjoyed the social responsibilities incumbent on him as a public dignitary. He was ably assisted by his second wife, who had been educated in private schools, belonged to the National Council of Women of Canada and the Victorian Order of Nurses for Canada [see Ishbel Maria [Marjoribanks*](#)], and served for 16 years as president of the women's branch of the Numismatic and Antiquarian Society of Montreal.

On 28 June 1886 Würtele was named judge of the Superior Court for the Province of Quebec in the Ottawa district and on 20 Sept. 1888 he was transferred to the Montreal district. In 1891 he became associate judge of

the Court of Queen's Bench and he was elevated to puisne judge on 12 Oct. 1892. Würtele ruled his court with firmness and authority. His relentless political opponent, Mercier, dismissed as premier, together with Ernest [Pacaud](#), the Liberal party's financial agent, came before him in October 1892 charged with conspiring to deprive the province of \$60,000 for illegal purposes. A jury found them not guilty. He presided in 1897 over a case in which Tarte sued W.-A. Gremer, the proprietor of *La Libre Parole Illustrée*, for libel and in 1899 over the sensational case in which William [Weir](#), president of the Banque Ville-Marie, was accused of fraud. Although Würtele was known as a severe judge who in his later years tended to disregard the presumption of innocence, it was he who in June 1898 ordered a retrial of Cordélia Viau and Samuel Parslow, charged with murdering Viau's husband, Isidore Poirier. Würtele insisted that the lower court, presided over by Henri-Thomas [Taschereau](#), had admitted and used evidence improperly.

A staunch loyalist, he had the royal coat of arms placed above the seats of all judges in the province in 1897 and that same year he was president of the United Empire Loyalist Association of Quebec. He was keenly interested in the history of Canada as well as in its natural history (he served as vice-president of the Natural History Society of Montreal). Although a president of the St James Club, he was no less at home at the head table of the Société Saint-Jean-Baptiste during its 50th anniversary banquet and he contributed to the erection of a monument to the Patriotes at Saint-Denis, on the Richelieu, commemorating an event in which his first father-in-law had played a leading part. Equally proud of his German ancestry, Würtele served as honorary counsel to the German Society of Montreal.

Early in the morning of 24 April 1904 Würtele died at his home of a haemorrhage, having been in a coma for about 60 hours. Shortly before his death he had converted to Catholicism, supposedly under the influence of his Catholic wife, and his large public funeral service was conducted by

Archbishop Paul [Bruchési*](#) at Le Gesù in Montreal.

[Carman Miller](#)