

*CONFEDERATION*  
OF  
CANADA.



J. H. GRAY.

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# CONFEDERATION ;

OR,

THE POLITICAL AND PARLIAMENTARY

## HISTORY OF CANADA,

FROM

THE CONFERENCE AT QUEBEC, IN OCTOBER, 1864,

TO THE

ADMISSION OF BRITISH COLUMBIA, IN JULY, 1871.

IN TWO VOLUMES.

BY THE

HON. JOHN HAMILTON GRAY, D.C.L., M.P.

*Umpire between Great Britain and the United States under the Treaty of Washington,  
1857-1858.*

*H. M.'s Commissioner on the Tenant Question in Prince Edward's Island, 1860-1861.*

*Dominion Arbitrator between the Provinces of Ontario and Quebec, under the British  
North American Act, 1867.*

*Formerly Attorney-General, and Speaker of the House of Assembly in New Brunswick.*

*One of the Delegates to the Charlotte Town and Quebec Conventions, in 1864.*

*And Member for the City and County of Saint John, New Brunswick, from 1850 to 1872.*

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TO THE MEMBERS  
OF THE  
HOUSE OF COMMONS  
OF  
CANADA.

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*"Si quid novisti rectius istis,  
Candidus imperti. Si non-his utere mecum."*

Hor. Epist. 6.

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J. H. GRAY.

OTTAWA, April 11, 1872.

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The policy of the Imperial Government towards its possessions in British North America for many years after the American Revolution, was one of disintegration, rather than consolidation. "Ships, Colonies and Commerce," remained the chosen motto of the Empire. The strength acquired by the union of the thirteen United States indicated, as it was conceived, future dismemberment and severance of the remaining Colonies, should they be allowed to coalesce too much.

Convenience for the administration of local affairs in countries so widely extended and so sparsely settled, also in some degree tended to keep the remaining Provinces apart. New Brunswick was separated from Nova Scotia; the two Canadas were divided;

Cape Breton was constituted a distinct government; Prince Edward Island, with its scant population and limited area, retained its old isolation, and Newfoundland was made a post captain's appointment. Separate governments, separate parliaments, different laws, and hostile tariffs fostered local prejudices and created divergent interests.

Thirty-five years ago the voice of Free Trade was heard in England. Protection was assailed. The change was rapid. In a few years the preferential duties in favour of colonial timber were abolished. The old idea of restricting the trade of the Colonies to the mother country was abandoned. The Cromwell code of the navigation laws lost its hold upon the country; the corn laws were swept away. "Buy in the cheapest market, sell in the dearest," was heard from Manchester and Birmingham, echoed in Liverpool and London, and rolled back from the Solway and the Clyde. The policy of the Empire was changed. The United States were better customers than the British North American Provinces. Why, then, it was asked, retain the latter at the expense of the over-taxed citizens of England? British interests, it was said, required that they should be severed from the parent state. British honor forbade that they should be abandoned, until able to take care of themselves. They must be taught self-reliance; to share largely, nay, to bear almost entirely, the burden of their own defence. Having the entire and absolute control of all local sources of wealth, with unrestricted powers of legislation in all matters save those affecting Imperial interests, they had been for fifteen years past, in all but the tie of a willing allegiance, independent countries. But they must not be allowed to fall into the United States, and add to the aggressive power of that already great Republic. The loyal sentiment of the people must be nurtured; the attachment of a free people to the mother country must not be rudely rent asunder. Sustained and strengthened by the Imperial connection, they must be guided on to a development of power, of nationality, that would enable them at a future day to take their place amid the nations of the earth, the friend, and not the foe of England. Opinion changed. Union is strength; and Consolidation becomes the policy of the Empire.

Such was the working of the public mind in England. But during these same thirty-five years, the public mind in British North America had not been stationary. Equally progressive, it had passed from the weakness of infancy and pupilage to the strength of maturity and manhood. Thirty-five years ago, these Provinces were governed from England; local appointments of honor and emolument were made from England. A few favored families held the patronage of the country. The debates of the legislative councils were held with closed doors. Irresponsible office-holders, bishops and judges were members. They admitted no right in the people to question the sacred character of their proceedings. The public lands and public revenues, the mines and minerals, were Imperial property, and disposed of by Imperial direction; sometimes to pay the debts of a spendthrift duke, sometimes to provide for a needy baronet, and sometimes for the colony. Treaties were made by which Provinces were dismembered without consulting the Colonial authorities or considering the Colonial interests; engendering future complications with foreign countries, and leaving to the Colonies the seeds of future permanent injury, though giving to the mother country a temporary relief from anxiety. Measures of internal vital importance, passed by the local legislatures, were ignored. Complaints against public officers were studiously disregarded, or, if acceded to, neutralized by the action of irresponsible ministers, holding their appointments from abroad, irrespective of the wishes of the people whose interests they were to serve. Sustained, though condemned, the official retained his place. "*Hic est damnatus inani iudicio at tu victrix Provincia ploras.*"

This could not last. Howe in Nova Scotia, Wilmot in New Brunswick, Papineau in Lower, and Baldwin in Upper Canada, struggled for reform. They demanded for the people the control of the local revenues, the appointment of Provincial officers, and the constitutional selection of ministers responsible to the people of the country for the administration of local affairs. Theirs was no pigmy contest in those days; every vested interest arrayed its hydra head against them. Persons whose families had held office until they deemed the succession should be hereditary, denounced

them as rebels — as disloyal. Misrepresentation and calumny followed them abroad, social ostracism at home. The Lieutenant-Governors, regardless of their duty, became partizans in the contest, and put themselves in personal antagonism to the friends of progress. To such an extent did this go, that Sir Archibald Campbell, the sturdy old conqueror of Burmah, the then Lieutenant-Governor of New Brunswick, coolly informed the Legislature of that Province, in answer to an overwhelming address from that body for his removal, “that he had served his Sovereign so long abroad, that he did not care for their opinion.” Between Mr. Howe and Lord Falkland, the Lieutenant-Governor, the altercation went so far, that the indignant Nova Scotian threatened to hire a black man to horsewhip the representative of the Sovereign. Papineau did not stop on the verge of rebellion, and the language of Rolph and Baldwin had the ring of Massachusetts Bay in 1776.

American experience was not thrown away on England. The broad intellect of Lord Durham and the constitutional knowledge of Charles Buller quieted the storm. The practical concession of their rights having been established, the people of British North America set themselves to work, each Province in its own way, to develop the resources of its own locality. A healthy climate and great natural advantages bore them onward, but no one common direction governed the general movement. Each did what was best for itself, regulated its tariff by its own immediate wants, built its little Chinese wall round its own frontier, and taxed the manufactures of a sister Province as readily as those of Russia or the United States. Resting on its mother’s leading hand, each toddled along in its own harmless way. But science, steam, telegraphs and railways, had taught a new education. The stupendous progress of the United States, with an unrestricted commerce from Florida to Maine, stood out in bold contrast to the narrow policy of Provincial isolation; and thinking minds, in advance of their time, conceived that if all the Provinces of British North America were united, with a common tariff and an unrestricted internal trade, a similar result, to a certain extent, might be obtained.

The dream of the political economist was brought about by causes, the effect of which, at their inception, was not foreseen. Many years previous to the Ashburton treaty—as far back as 1834 or 1835—John Wilson, an enterprising merchant of St. Andrews, in the Province of New Brunswick, had originated a company for the construction of a railway from St. Andrews to Quebec; and a survey of the same had been made, under the direction of Major Yule, an officer of the Royal Engineers. This line, though countenanced by the British Government, owed its contemplation more to its commercial than to its military importance. Its course was comparatively straight and short. But, pending this survey, the United States Government claimed the territory through which it passed. The border difficulties of 1839 and 1840—during which war was only averted by the prudence of Sir John Harvey and General Scott—terminated in disgraceful concession. The “Ashburton capitulation,” as Lord Palmerston called it, was signed in 1842. A wedge of foreign territory was thrust up between Canada and New Brunswick, without consulting those Provinces; and the opportunity of constructing, on British soil, speedy and direct land communication between the two, was lost forever.

Resulting from the disturbances in Canada previous to and during the years 1837 and 1838, the circumstances attending the claim of the United States to the frontier boundary, and other occurrences about the same time, the attention of the British Government, which had before been turned to the construction of a military road from Halifax to Quebec, sufficiently far removed from the American frontier to be always available, was materially strengthened. The proposition to substitute a railroad in lieu of such military road had been thrown out by Lord Durham, but in no way acted upon. In 1845, the Governor of Nova Scotia applied to Her Majesty's Government to conduct a survey under the direction of competent military engineers, either at the expense of the British or Colonial Governments; suggesting at the same time that the importance of the ultimate object was so great, that he hoped this preparatory step might be deemed worthy of Imperial assistance. Her Majesty's Government assented to the application,

but declined granting Imperial aid ; and a survey and exploration of a line from Halifax to Quebec, through the northern part of New Brunswick, made at the joint expense of the three Provinces of Nova Scotia, New Brunswick and Canada, under the direction of Major Robinson, an officer of the Royal Engineers, was commenced in 1846, and completed in 1848. No immediate action was taken on this survey ; but, after several years of negotiations, principally through the exertions of Mr. Howe, the Imperial Government, in 1851, by the Colonial Secretary, Lord Grey, made a specific offer to aid with an Imperial guarantee the construction of a railway on the route surveyed by Major Robinson, if the Provinces of Canada, New Brunswick and Nova Scotia would undertake to build one, subject to the approval of Her Majesty's Government. A re-formation of the Government of New Brunswick, in 1851, based upon a demand for a similar extension of the Imperial guarantee to the construction through New Brunswick of the European and North American Railway, then lately originated at a railway convention held at Portland, in the State of Maine, and legislated upon by the Provinces of New Brunswick and Nova Scotia and the State of Maine ; and the refusal of the British Government to extend that guarantee—upon the ground that the newly proposed road could not be regarded as of the same Imperial character or importance as the Intercolonial, and that the language of the despatch, upon which such demand had been made, was misunderstood—prevented at that time any action upon the offer. In the subsequent year, 1852, Canada (through the instrumentality of Messrs. Hincks, Young and Taché, members of the Government) and New Brunswick agreed upon a line to be built by their Governments, through the valley of the St. John ; but to this Nova Scotia objected ; and the Colonial Minister having refused the guarantee to the new route, upon the ground that the negotiations had been based upon the Major Robinson line, or an approximation to it, efforts for its construction ultimately died out. The three Provinces, therefore, if they desired to act conjointly and obtain the Imperial guarantee, were compelled to adopt a line sufficiently removed from the American frontier to comply with the military character of the work for which the guarantee was originally offered.

Though, owing to these different complications in the Provinces, the work was thus retarded, the idea was never abandoned, and at various times between that period and 1860, numerous negotiations were had between the Provinces touching its construction. In 1862-3, these had proceeded so far, that an apportionment of the relative expense to be borne by the Provinces separately had been agreed upon, and laws passed in the Legislatures of New Brunswick and Nova Scotia to confirm the arrangement. From some cause, which to the maritime Provinces was never satisfactorily accounted for, the arrangement was not adhered to by Canada. During the same period efforts had also been repeatedly made by the several Governments to bring about a union of postal and fiscal regulations, and a similarity of tariffs, but the local necessities of each, and the supposed divergence of interests, had rendered those efforts ineffectual.

No serious attempt, however, at a political union had been made; but the public mind was rapidly expanding both to its importance and necessity. In 1854 the question had been brought up in the Nova Scotia House of Assembly, and the great leaders of the Conservative and Liberal parties, Messrs. Johnston and Howe, throwing aside the rivalry of party, had delineated with equal power the advantages that would result from combining the scattered elements of prosperity and strength separately possessed by the several Provinces.

In 1858, in the Canadian Parliament, the movement assumed a more tangible shape, and union was made a part of the policy of the Government. Mr. Galt, on his becoming a member of the administration, insisted on its being made a cabinet question; and Sir Edmund Head, in his speech at the close of the session, intimated that his government, during the recess, would take action in the matter. These tendencies, however, were all abortive; they produced nothing. On this subject, at that time, the Imperial Government itself had no definite policy. In 1857, when, in furtherance of the movement in the Nova Scotia Parliament, the Hon. Messrs. Johnston and Adams G. Archibald had gone to England to confer with Her Majesty's Government on that as well as on other matters, Mr. Labouchere, the Secretary of State

for the Colonies, intimated to them that it was a question entirely for the Colonies themselves, and that no obstacle to its accomplishment would be thrown in their way. In 1858, when, in furtherance of the then adopted policy of the Canadian Government, Messrs. Cartier, Galt and Ross specially waited upon the Imperial Government, requesting authority for a meeting of delegates from each of the Colonies, to take the question into consideration, Sir Edward Bulwer Lytton, the then Secretary, replied that the question "was necessarily one of an Imperial character," and declined to authorize the meeting because, with the exception of one, he had received no expression of sentiment from the Lower Provinces on the subject. In 1862, the Duke of Newcastle, the then Colonial Secretary, in a dispatch to the Governor-General, after stating in explicit terms that Her Majesty's Government was not prepared to announce any definite policy on this question for a similar reason, added that "if a union, either partial or complete, should hereafter be proposed, with the concurrence of all the Provinces to be united, I am sure that the matter would be weighed in this country, both by the public, by Parliament, and by Her Majesty's Government, with no other feeling than an anxiety to discern and promote any course which might be the most conducive to the prosperity, the strength and harmony of all the British communities in North America."

The war in the United States, however, and the Trent affair of 1861-2, put an end to all vacillation on the part of the Imperial Government; and from the Prime Minister to the peasant, whether Liberal or Conservative, whether Tory or Radical, but one policy for the future was to prevail. British America was to be consolidated; British America was to be made self-reliant; British America was to be put in a position to require as little from the British Government as was possible, with an allegiance that was voluntary, and a connection that was almost nominal. The integrity of the Empire was to be preserved, but the outlying frontier was to be mainly instrumental in preserving it. Union received an astounding impulse. It perhaps never before occurred that two independent bodies, moving in their own orbits, so suddenly and so simultaneously received an influence from different causes,



impelling them in the same direction, and that direction to result in their mutual good. The force was irresistible; it was to the same end, but neither body was to be coercive of the other. The outward pressure of mutual necessity and mutual advantage broke like light upon the public mind. Both parties were to be strengthened, but the result was to be obtained by the voluntary action of a free people, the exercise of their constitutional rights, the assent of the national judgment. Events moved on with startling rapidity. What, up to 1861, had been the shadowy outline of a patriot's broad conceptions, or the enthusiast's dream, suddenly sprang into a tangible creation, "*rudis indigestaque moles*" at first, but soon to be moulded into shape, each fragment taking its proper place, each individual part fitting to its proper sphere, and standing forth a compact and substantial fabric.

In the winter of 1864, though the public mind was thus agitated, all reasonable hopes of effecting any arrangement with Canada, either of a fiscal nature or for the construction of the intercolonial road at an early day, seemed to have been abandoned in the Lower Provinces; and the Legislatures of New Brunswick, Nova Scotia and Prince Edward Island had, at their sessions in that year, severally passed resolutions authorising their respective Governments to enter into negotiations, and hold a Convention for the purpose of effecting a union of the Maritime Provinces, political, legislative and fiscal. That Convention was appointed to meet at Charlottetown, in Prince Edward Island, in the month of September following.

It is necessary here to retrace our steps for a moment, and take a rapid glance at the position of Canada. During the previous ten or fifteen years, though politically united, the conflicting interests of Upper and Lower Canada had become more divergent. At the union of the two Provinces, under Lord Sydenham, in 1841, the Parliamentary representation was rather in favor of Lower Canada; and the rule of equal territorial representation, which, in the interests of Upper Canada, was at that time adopted, in order to neutralize the supposed inequality, was, owing to the more rapid increase in wealth and population of that Province, found soon to operate to its disadvantage. In a short time Upper exceeded Lower Canada in its population by many hundred thou-

sands (nearly half a million), without having received any corresponding increase in representation, or influence in the raising or disbursement of the revenues obtained from the taxation of both. Thus, prominent among the political questions of the day became Representation by Population.

But the governing by double majorities was equally a source of difficulty. It was necessary that the portion of the cabinet formed from each Province should carry with it the support of the majority of the representatives of the Province from which it came. A more absurd mode of government could hardly be conceived; for while the leading ministers and statesmen of both Provinces might be thoroughly united on a question of general importance to the whole, the local jealousy of a part of either one particularly affected might deprive the portion of the cabinet belonging to that Province of its support, and thus defeat a ministry commanding the confidence of the whole country, and a majority of the Parliament, but unable, from some local cause, to carry a particular section. Under such a system, local jealousies are fostered, broad and liberal views are abandoned, sections become powers, principles degenerate into personalities, consistency is sacrificed for place, and the parliamentary debates become remarkable for the acerbity they display, rather than for the talent they evolve.

The jealousies between the Upper and Lower Canadas increased; party lines became more clearly defined (if adherence to persons and sections more than to principle can be called party); and government, in a parliamentary sense, became practically impossible. In the session of 1863, on all questions affecting the then existing ministry, under the leadership of the Hon. John Sandfield Macdonald, the divisions were so nearly equal that the Government ceased to command its proper influence. At the re-assembling of Parliament in February, 1864, finding that no additional strength had been acquired during the recess, though a dissolution had taken place and a general election had been held for the purpose of testing public opinion, the Government resigned; and in March, 1864, a new administration, under Sir E. P. Taché, was formed. Up to June the divisions shewed a similar position for the new Government. On the 14th of June the Journals of the Legislative Assembly have the following entry:—"The Hon. Mr. Brown

from the select Committee appointed to enquire into the important subjects embraced in a dispatch to the Colonial Minister, addressed to him on the 2<sup>nd</sup> Feb., 1864, by the Hon. Geo. E. Cartier—the Hon. A. T. Galt and the Hon. John Ross, then members of the Executive Council of the Province, while in London, acting on behalf of the Government of which they were members, in which they declared that ‘very grave difficulties now present themselves in conducting the Government of Canada in such a manner as to show due regard to the wishes of its numerous populations.’ That ‘differences exist to an extent which prevents any perfect and complete assimilation of the views of the two sections.’ That ‘the progress of population has been more rapid in the western section, and claims are now being made on behalf of its inhabitants for giving them representation in the Legislature in proportion to their numbers.’ That ‘the result is shewn by an agitation fraught with great danger to the peaceful and harmonious working of our constitutional system, and consequently detrimental to the progress of the Province,’—and that ‘the necessity of providing a remedy for a state of things that is yearly becoming worse, and of allaying feelings that are daily being aggravated by the contention of political parties, has impressed the advisers of Her Majesty’s Representative in Canada with the importance of seeking such a mode of dealing with the difficulties as may forever remove them,’—and the best means of remedying the evils therein set forth, presented to the House the Report of said Committee, which was read as followeth: “That the Committee have held eight meetings, and have endeavoured to find some solution for existing difficulties likely to receive the assent of both sections of the Province.”—“A strong feeling was found to exist among the members of the Committee in favor of changes in the direction of a Federative system, applied either to Canada alone, or to the whole British North American Provinces, and such progress has been made as to warrant the Committee in recommending that the subject be again referred to a Committee at the next Session of Parliament.

“The whole respectfully submitted.

“GEORGE BROWN,

“*Chairman.*”

On the same day the Government was defeated by 60 to 58, on a vote of censure relative to some transactions connected with bonds of the City of Montreal, and to the Grand Trunk Railway in 1859, five years before, under a previous administration. The contest was personal,—the Dead Lock had come. Between that day and the 30th of June the supplies were hurried through, and the House was prorogued. On the 23rd of June, previous to the prorogation, when the Orders of the Day were called, the Hon. Attorney-General Macdonald rose to make ministerial explanations in regard to the recent negotiations for strengthening the Government. He read the following statement of what had passed between the Government and Mr. Brown from the commencement to the close of the negotiations.

“Immediately after the defeat of the Government on Tuesday night (the 14th), and on the following morning, Mr. Brown spoke to several supporters of the Administration, strongly urging that the present crisis should be utilized in settling forever the constitutional difficulties between Upper and Lower Canada, and assuring them that he was prepared to co-operate with the existing, or any other Administration that would deal with the question promptly and firmly, with a view to its final settlement.

“Messrs. Morris and Pope asked, and obtained leave, to communicate these conversations to Mr. John A. Macdonald and Mr. Galt.

“On Thursday, at three, p.m., just before the Speaker took the chair, Mr. John A. Macdonald said to Mr. Brown while standing in the centre of the Assembly Room, that he had been informed of what he, Mr. Brown, had stated, and he wished to know if Mr. Brown had any objections to meet Mr. Galt and discuss the matter? He replied, certainly not.

“Mr. Morris accordingly arranged an interview with Mr. Brown; and on Friday, the 17th June, about one, p.m., Messrs. Macdonald and Galt called on Mr. Brown, at the St. Louis Hotel. Mr. Brown stated that nothing but the extreme urgency of the present crisis, and the hope of settling the sectional troubles of the Province for ever, could, in his opinion, justify their meeting

together with a view to common political action. Messrs. Macdonald and Galt were equally impressed with this, and stated that on that footing alone the present meeting had been invited.

“ Mr. Brown asked in what position these gentlemen came to him, whether as deputed by the Administration, or simply as leading members of the Ministerial party. They replied they were charged by their colleagues formally to invite his aid in strengthening the Administration, with a view to the settlement of the sectional difficulties of Upper and Lower Canada. Mr. Brown then stated that, on grounds purely personal, it was quite impossible that he could be a member of any Administration at present, and that even had this been otherwise, he would have conceived it highly objectionable that parties who had been so long and so strongly opposed to each other, as he and some members of the Administration had been, should enter the same cabinet. He thought the public mind would be shocked by such an arrangement, but he felt very strongly that the present crisis presented an opportunity of dealing with this question that might never occur again. Both political parties had tried in turn to govern the country, but without success, and repeated elections only arrayed sectional majorities against each other more strongly than before. Another general election at this moment presented little hope of a much altered result; and he believed that both parties were far better prepared than they had ever been before, to look the true course of the country firmly in the face.”

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“ Mr. Brown rejoined that other Members of the Opposition could, equally with himself, give that guarantee to their party and the Country, by entering the Government in the event of a satisfactory basis being arrived at. He felt that his position had been such for many years as to place a greater bar in the way of his entering the Government, than in that of any other Member of the Opposition.

“ Mr. Macdonald then said that he thought it would be necessary that Mr. Brown himself should, in any case, be identified with the negotiations that would necessarily have to take place, and that, if he did not himself enter the Cabinet, he might undertake a mission to the Lower Provinces, or to England, or both, in order to identify himself with the action of the Canadian Government in carrying out the measure agreed upon.

“ It was then suggested by Mr. Brown, and agreed to, that all questions of a personal character, and the necessary guarantees, should be waived for the present, and the discussion conducted with the view of ascertaining if a satisfactory solution of the sectional difficulty could be agreed upon.

“ Mr. Brown asked what the Government proposed as a remedy for the injustice complained of by Upper Canada, and as a settlement of the sectional troubles. Mr. Macdonald and Mr. Galt replied that their remedy was a Federal Union of all the British North American Provinces; local matters being committed to local bodies, and matters connected with the general Legislature, to the Federal Government.

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“To this both Mr. Macdonald and Mr. Galt stated that it was impossible for them to accede, or for any government to carry such a measure, and that unless a basis could be framed on the Federative principle suggested by the report of Mr. Brown’s Committee, it did not appear to them likely that anything could be settled.

“After much discussion on both sides, it was found that a compromise might probably be had in the adoption either of the Federal principle for all the British North American Provinces, as the larger question, or for Canada alone, with provision for the admission of the Maritime Provinces and the North Western Territory, when they should express the desire. Mr. Brown contended that the Canadian Confederation should be constituted first, in order that such securities might be taken, in regard to the position of Upper Canada, as would satisfy that section of the country; that in the negotiations with the Lower Provinces, the interests of Upper Canada would in no case be overlooked.

“Further conversation ensued, but as the hour for the meeting of the House had nearly arrived, an understanding was come to that the state of the negotiations was such as to warrant the hope of an ultimate understanding; and it was agreed that that fact should be communicated to Parliament, and an adjournment until Monday asked for.

“On Friday evening Mr. Galt saw Mr. Brown, and arranged for an interview next morning, at which Sir Etienne Taché and Mr. Cartier should be present.

“On Saturday, at ten, A. M., other engagements requiring a change in the hour appointed, Mr. Macdonald and Mr. Galt called on Mr. Brown, and after further discussion a second appointment was made for one, P. M., when the gentlemen named, with Mr. Cartier, met in the Provincial Secretary’s room, Sir Etienne Taché being out of town.

“The consideration of the steps most advisable for the final settlement of the sectional difficulties was then entered upon fully, and a general accord seemed to exist that, as the views of Upper Canada could not be met under our present system, the remedy must be sought in the adoption of the Federal principle.

“ Mr. Brown then requested to have the views of the Administration, as expressed to him, reduced to writing, for the purpose of being submitted confidentially to his friends. The following memorandum was then proposed, and having to be submitted to the Cabinet and to the Governor-General, Mr. Brown enquired whether any objection existed to his seeing His Excellency, whereupon he was informed that no objection whatever existed.

“ Mr. Brown, accordingly, waited on the Governor-General, and on his return the memorandum approved by Council and by the Governor-General was handed to him, and another interview appointed for six, P. M., Mr. Brown stating that he did not feel at liberty either to accept or reject the proposal without consulting his friends.

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“ ‘ MEMORANDUM.—CONFIDENTIAL.

“ ‘ The Government are prepared to state that immediately after the prorogation they will address themselves, in the most earnest manner, to the negotiations for a confederation of all the British North American Provinces.

“ ‘ That failing a successful issue to such negotiations, they are prepared to pledge themselves to legislation during the next Session of Parliament, for the purpose of remedying existing difficulties by introducing the Federal principle for Canada alone, coupled with such provisions as will permit the Maritime Provinces and the North-Western Territory to be hereafter incorporated into the Canadian system.

“ ‘ That for the purpose of carrying on the negotiations, and settling the details of the promised legislation, a Royal Commission shall be issued, composed of three members of the Government and three members of the Opposition, of whom Mr. Brown shall be one ; and the Government pledge themselves to give all the influence of the Administration to secure to the said Commission the means of advancing the great object in view.

“ ‘ That subject to the House permitting the Government to carry through the public business, no dissolution of Parliament shall take place, but the Administration will again meet the present House.’ ”

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“Shortly after six, P. M., the parties met at the same place, when Mr. Brown stated that, without communicating the contents of the confidential paper entrusted to him, he had seen a sufficient number of his friends to warrant him in expressing the belief that the bulk of his friends would, as a compromise, accept a measure for the Federative Union of Canada, with provision for the future admission of the Maritime Colonies and the North-West Territory. To this it was replied that the Administration could not consent to waive the larger question, but after considerable discussion an amendment to the original proposal was agreed to in the following terms, subject to the approval, on Monday, of the Cabinet and His Excellency.

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“The Government are prepared to pledge themselves to bring in a measure, next Session, for the purpose of removing existing difficulties by introducing the Federal principle into Canada, coupled with such provision as will permit the Maritime Provinces and the North-West Territory to be incorporated into the same system of government.

“And the Government will seek, by sending representatives to the Lower Provinces, and to England, to secure the assent of those interests which are beyond the control of our own Legislation, to such a measure as may enable all British North America to be united under a general Legislature based upon the Federal principle.”

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“Mr. Brown then stated that having arrived at a basis which he believed would be generally acceptable to the great mass of his political friends, he had to add that, as the proposition was so general in its terms, and the advantage of the measure depended so entirely on the details that might finally be adopted, it was the very general feeling of his friends that security must be given for the fairness of those details, and the good faith with which the whole movement would be prosecuted by the introduction into the Cabinet of a fair representation of his political friends. Mr. Brown stated that he had not put this question directly to his friends, but that he perceived very clearly that this was the strong

opinion of a large majority of them, and that his own personal opinion on this (to which he still adhered) was participated in by only a small number. Messrs. Macdonald, Cartier and Galt replied that they had of course understood in proposing that Mr. Brown should enter the Government, that he would not come alone, but that the number of seats at his disposal had not been considered by their colleagues. Mr. Brown was requested to state his views on this point, and he replied that the Opposition were half of the House, and ought to have an equal influence in the Government, Messrs. Macdonald, Cartier and Galt said this was impossible, but they would see their colleagues and state their views on Monday.

“ On Monday, at 10.30, A.M., Messrs. Macdonald, Cartier and Galt called on Mr. Brown at the St. Louis Hotel, and stated that Sir E. P. Taché had returned to town. Mr. Brown accompanied them to the Provincial Secretary's room, when Mr. Brown having been asked to explain how he proposed to arrange equal representation in the Cabinet, replied that he desired to be understood as meaning four members for Upper Canada, and two for Lower Canada, to be chosen by the Opposition.

“ In reply Messrs. Cartier and Galt stated that as far as related to the constitution of the Cabinet for Lower Canada, they believed it already afforded ample guarantees for their sincerity, and that a change in its *personnel* would be more likely to produce embarrassment than assistance, as the majority of the people of Lower Canada, both French Canadians and English, had implicit confidence in their leaders, which it would not be desirable to shake in any way. That in approaching the important question of settling the sectional difficulties, it appeared to them essential that the party led by Sir E. P. Taché should have ample assurance that their interests would be protected, which, it was feared, would not be strengthened by the introduction into the Cabinet of the Lower Canada Opposition.

“ Mr. Macdonald stated that as regards Upper Canada, that in his opinion the reduction to two of the number of the gentlemen in the Cabinet who now represented Upper Canada, would involve the withdrawal of the confidence of those who now support them

in the House of Assembly, but that he would be prepared for the admission into the Cabinet of three gentlemen of the Opposition, on its being ascertained that they would bring with them a support equal to that now enjoyed by the Government from Upper Canada.

“ Mr. Brown asked in what manner it was proposed the six Upper Canada ministers should be selected,—was each party to have *carte-blanche* in suggesting to the head of the Government the names to be chosen? To which Mr. Macdonald replied that, as a matter of course, he would expect Mr. Brown to be himself a member of the Administration, as affording the best, if not the only, guarantee for the adhesion of his friends. That Mr. Macdonald, on Mr. Brown giving his consent, would confer with him as to the selection of Upper Canada colleagues from both sides, who would be the most acceptable to their respective friends, and most likely to work harmoniously for the great object, which alone could justify the arrangement proposed.

“ Mr. Brown then enquired what Mr. Macdonald proposed in regard to the Upper Canada leadership. Mr. Macdonald said that, as far as he was concerned, he could not with propriety, or without diminishing his usefulness, alter his position, but that he was, as he had been for some time, anxious to retire from the Government, and would be quite ready to facilitate arrangements by doing so. Of course he could not retire from the Government without Sir Etienne Taché’s consent.

“ Mr. Brown then stated that without discussing the propriety or reasonableness of the proposition, he would consult his friends and give an early reply.

“ Tuesday.—The respective parties being occupied during the forenoon in consulting their friends, a meeting was held at two, P.M., at which were present Sir E. P. Taché, Mr. Macdonald, Mr. Cartier, Mr. Galt and Mr. Brown.

“ Mr. Brown stated that his friends had held a meeting, and approved of the course he had pursued, and the basis arrived at, and authorized him to continue the negotiation.

“ Mr. Macdonald and Mr. Cartier also said that they had received satisfactory assurances from their friends.

“A further meeting was appointed at half-past eight, P. M., at which the details of the arrangements, in case Mr. Brown and his friends accepted office, were discussed at much length.

“Mr. Brown contended strongly that the Government should concede a larger representation in the Cabinet than three members. To which it was replied, that the Administration believed that it was quite impossible to satisfy their own friends with a different arrangement.

“Mr. Brown then asked whether he could be sworn in as an Executive Councillor, without department or salary,—in addition to the three departmental offices to be filled by his friends. Mr. Macdonald replied that the principle of equality would in this case be destroyed, and he was satisfied it could not be done.

“Mr. Brown asked whether it was a *sine quâ non*, that he should himself enter the Cabinet. To which it was replied that to secure a successful issue to the attempt to settle the sectional difficulties, it was considered that Mr. Brown's acceptance of office was indispensable.

“Mr. Brown then stated that it was now for him to consider what course he should pursue, entertaining as he still did the strongest repugnance to accepting office.

“A meeting was then appointed for the following day.

“On Wednesday a little after one, the same parties met—when Mr. Brown stated as his final decision, that he would consent to the reconstruction of the Cabinet as proposed, but inasmuch as he did not wish to assume the responsibility of the Government business before the House, he preferred leaving till after the prorogation, the consideration of the acceptance of office by himself and the two gentlemen who might be ultimately selected to enter the Administration with him.

“Sir E. P. Taché and Mr. Macdonald thereon stated that after the prorogation, they would be prepared to place three Seats in the Cabinet at the disposal of Mr. Brown.”

On the 30th of June, simultaneously with the prorogation, a new Government was announced. The Hon. George Brown, with Messrs. Mowat and Macdougall, two other prominent Reformers,

had taken the place of Messrs. Foley, Buchanan, and Simpson, in the existing Administration. A coalition had been formed between the leaders of the Reform and Conservative parties, with the general assent of their supporters. They agreed to unite to bring about a measure, which they hoped and believed would remove the difficulties then obstructing the successful administration of Constitutional Government of Canada. That measure was the Confederation of the Provinces of British North America, on the Atlantic side, with the prospect, at some ultimate day of bringing in the North West and Hudson Bay Territories, and British Columbia.

We now resume the current of events in the Maritime Provinces. The action of Canada had not been unnoticed, but the Governments of New Brunswick, Nova Scotia and Prince Edward Island proceeded with their original design. In order that the question of their Union might, as much as possible, be removed beyond the pale of party conflict, the delegates to attend the Convention at Charlottetown were selected from the Liberal and Conservative ranks alike. Dr. Tupper, the leader of the Government of Nova Scotia, with his own colleague Attorney-General Henry, and Mr. Dickey, a Conservative supporter, had included the Hons. Adams G. Archibald and Jonathan McCully, long and well-known leaders of the Liberal party. Mr. Tilley, the leader of the Government in New Brunswick, with his own colleagues, Messrs. Johnston and Steves, had included the Hons. Edward Barron Chandler and John Hamilton Gray, prominent and well-known leaders of the Conservative party there; whilst in Prince Edward Island the Premier had, with equal consideration, selected the Island delegates from both sides of the House. The recommendations of the respective Governments were approved by the Lieutenant-Governors, and the Convention was opened in due form at Charlottetown, September 8th, in the Chamber of the House of Assembly.

The Premier of Prince Edward Island, the Hon. John Hamilton Gray, was unanimously chosen Chairman, and the Convention as organized, stood thus:

Nova Scotia—The Hon. Messrs. Tupper, Henry, Dickey, Archibald and McCully.

New Brunswick—The Hon. Messrs. Tilley, Steves, Johnston, Chandler, and Gray.

Prince Edward Island—The Hon. Messrs. Gray, Coles, Pope, Palmer, and Macdonald.

The first question submitted was, whether the sittings of the Convention and its deliberations should be with closed doors, or open to the public? After consideration it was determined that the proceedings should be with closed doors, to avoid as much as possible, any undue pressure upon the Island delegates from their constituencies, which surrounded them,—to ensure an unrestrained freedom of discussion,—and a clear, candid, and business like consideration of the important questions involved,—in a word, to remove all inducements to “buncombe.” There being no occasion for display, the speeches were practical and to the point. It is to be borne in mind that this Convention was not a public representative body having power to legislate, determine, or finally affect the public interests, but rather a committee of public men, deputed by their several Governments to enquire and report upon a proposition which might or might not ultimately be adopted, but which before either its adoption or rejection, would be subject to a searching and exhaustive public discussion in the several Legislatures of the Provinces.

The departure from Quebec of certain members of the Canadian Government who had been deputed by the Governor-General to attend the Convention, having been announced by telegram, and it having been determined to receive the deputation, and to consider any propositions they might make with all fairness, it was agreed to postpone the consideration of the union of the Maritime Provinces, until after the Canadian deputation had been heard. The following morning the Canadian Government steamer arrived, the deputation was received with a cordial welcome, and in due time introduced to the Convention. The Hons. John A. Macdonald, Geo. Brown, Geo. E. Cartier, Alex. T. Galt, Thos. D’Arcy McGee, Hector L. Langevin, Wm. McDougall and Alex. Campbell, were men who had made their mark in their own country, and had been wisely selected to put the case of the broader union of British North America as contra-distinguished to the more limited one of

the Maritime Provinces before the Convention in a clear and comprehensive manner. The advantages of such a union, and the outlines of the proposed constitution—should a union be effected—were submitted by the Hon. John A. McDonald, ably supported by Messrs. Brown and Cartier. The financial position of Canada was contrasted with the several Provinces, their several sources of wealth, their comparative increase, the detrimental way in which their conflicting tariffs operated to each other's disadvantage, the expansion of their commerce, the expansion of their manufactures, and the development of the various internal resources that would be fostered by a free intercourse of trade, and a greater unity of interest were pointed out with great power by Mr. Galt. In a speech of three hours, statistics were piled upon statistics confirming his various positions, and producing a marked effect upon the Convention. It might almost be said of him on this occasion as was once said of Pope though speaking of figures in a different sense "He lisped in numbers—for the numbers came." Messrs. McGee, Langevin, and McDougall briefly but strenuously corroborated the views of their colleagues, and after two days command of the undivided attention of the Convention, the Canadian deputation withdrew.

Before doing so, however, they had proposed, that the Convention should suspend its deliberations upon the immediate subject for which they had met, and should adjourn to Quebec at an early day, to be subsequently named by the Governor-General, there, further to consider the wider and broader Union which had been proposed. On the following day the Convention deemed it better for the general interests of British North America that an adjournment should take place, and agreed to report to their respective Governments what had occurred.

During the sitting of the Convention the well-known hospitalities of the Island had been extended to the members of the Convention and the Canadian deputation. At a public festival given in the Government Buildings the proposed coming Union of the Colonies had been toasted and received with the most enthusiastic cheers, and the general expression of Union sentiments was warm and strong. Mr. Dundas, the Lieutenant-Governor of the Island,

cordially cheered on the movement, but it was well-known to the New Brunswick delegation, that Mr. Gordon, the Lieutenant-Governor of New Brunswick (who was on a visit to the Governor of the Island during the first day of the sitting of the Convention,) was not friendly, though with diplomatic reticence he was most cautious in expressing his opinions, and it was believed that the Lieutenant-Governor of Nova Scotia was equally unfriendly.

From Charlottetown, the members of the Convention and the Canadian deputation, went to Halifax, a *pro formâ* meeting of the Convention was held on the 10th September in the Legislative Council Chamber, no business of any consequence was done, and the further consideration of Confederation was by unanimous consent postponed until after the details should be fully entered into at the proposed Conference at Quebec. A short report to that effect to be presented to their several Governments by the delegates, was agreed upon. On Monday, the 12th of September, the Canadian deputation and the delegates were entertained at a magnificent banquet in the Halifax Hotel. The Hon. Dr. Tupper, one of the delegates, and Premier of Nova Scotia, acted as chairman. The Lieutenant-Governor, Sir Richard Graves McDonell, the Admiral commanding on the Station, Sir James Hope, the leading public men of all parties, the merchants and prominent citizens attended, a buoyant feeling seemed to pervade the community and the union of British North America, in one great political Confederation, was the apparent and expressed wish of those representing the Imperial Government, and those representing the influential masses in the Province of Nova Scotia. At the banquet, Sir Graves McDonell, speaking with the guarded caution of the representative of a Sovereign, whose desire was to act in accordance with the best interests and wishes of the people, as testified by themselves, stated: "That, whatever might be the result of the deliberations of the delegates of the British Provinces, the Crown of England, and the British Government had but one object in view, namely to give the most indulgent consideration to whatever plan they might themselves devise, with a reasonable hope and prospect of promoting the social welfare and material progress of Her Majesty's subjects in British America," while Sir



James Hope, with the characteristic bluntness of a sailor, taking a sweeping view of the extended Empire of Great Britain, and boldly relying on the loyalty and devotion of the people, declared, "That it was, therefore—that he, looking to the glory and interest of his country, was able to say to them, in this project as in any other, which was for their advantage and welfare—GO ON AND PROSPER."

The Hon. George Brown, President of the Executive Council of Canada, replied to the toast of "The Provincial Delegates," in a speech of great power. We give it in full, not only for the valuable statistical information with which it abounds, but as being the first of a series of speeches, which, delivered then and during the subsequent month by the delegates throughout the Provinces, gave a practical shape and mould to the agitation of the public mind, and, gathering the floating ideas respecting Union into a tangible form, found for them at last "a local habitation and a name." After a few introductory remarks, complimentary to the people of Halifax for their large and generous hospitality, he said:

"It may be expected that I should say a few words as to the object of our present mission; and perhaps I cannot begin better than by noticing certain statements that have appeared in the public press, and which have received some credence, in reference to our visit. It has been said that we have had the opportunity before now of entering into closer union with Nova Scotia and New Brunswick, but we did not avail ourselves of it; that we were offered an intercolonial railway, but refused to undertake it; and that we only come now seeking union with these Provinces to escape from our own sectional difficulties at home. Now, I am a member of the party in Canada which up to this moment has been most strenuous in its resistance to the intercolonial railway; and I am persuaded there is not one man in this assembly who, under similar circumstances, would not have acted precisely as we did. In these Lower Provinces you have all had your political troubles, but we in Canada have had sectional difficulties to distract us vastly more serious than any you have had to contend with. Our constitution of 1840 brought together under one government

two countries peopled by two races, with different languages, different creeds, and different laws and customs ; and unfortunately, while making us nominally one people, it retained the line of demarcation between Upper and Lower Canada, and gave the same number of representatives in Parliament to each section, without regard to their respective populations, their contributions to the general revenue, or any other consideration. The disproportion between the two sections gradually increased, until Upper Canada has 400,000 people more than Lower Canada, and pays full three-fourths of the whole national taxation ; but all the while the Lower Canadians had equal representation with us in both Houses of Parliament. A systematic agitation for the redress of this great wrong was commenced in Upper Canada ; and as the only means of enforcing justice, we resisted all large schemes of improvement ; we refused to enter into any new undertakings, involving an increase of our public debt, until a reform of our constitutional system was obtained, and we knew what our future position as a people was to be. We regarded the apparently far-off scheme of federation of the whole Provinces as no remedy for our present wrongs, and we scouted the idea of building more railroads from the public chest until the tax-payers who were to bear the burden of their construction had their just share of control over the public purse. Long and earnestly did we fight for the justice we demanded ; but at last light broke in upon us. Parties were nearly equally balanced ; the wheels of government had nearly ceased to move ; a dead lock was almost inevitable ; when Mr. Cartier, who wields great power in Lower Canada, boldly and manfully took the ground, that this evil must be met, and he would meet it. On this basis, I and two political friends joined the administration, and the existing coalition was formed, expressly for the purpose of settling justly and permanently the constitutional relations between Upper and Lower Canada. We have agreed to a principle of settlement acceptable to a large majority of the representatives in Parliament, and, I am also persuaded, to the great mass of our people in both sections of the Province. We are pledged as a government to place before Parliament, at its next session, a bill giving effect to the conditions of our compact ;

and should the union of the whole Provinces not be proceeded with, our Canadian Reform Bill will go on, and our grievances be redressed. You will therefore clearly perceive that we have not come here to seek relief from our troubles, for the remedy of our grievances is already agreed upon; and, come what may of the larger scheme now before us, our smaller scheme will certainly be accomplished. Our sole object in coming here is to say to you: We are about to amend our constitution; and before finally doing so, we invite you to enter with us frankly and earnestly into the inquiry, whether it would or would not be for the advantage of all the British American Colonies to be embraced under one political system. Let us look the whole question steadily in the face. If we find it advantageous, let us act upon it; but if not, let the whole thing drop. This is the whole story of our being here; this is the full scope and intention of our present visit. But, there is another objection raised. It is said that the debt of Canada is very great, that our taxation is heavy, and that we seek to throw a portion of our burdens on the shoulders of our neighbours. Now, I belong to the party of economy in Canada; the party that has resisted the increase of the public debt and taxation, and has loudly complained of their rapid advance. But, large as our debt and taxation undoubtedly are, for a young country, the people of Canada are abundantly able to bear it all, and much more, without assistance from any quarter whatever. Were our burdens much greater than they are, we would have but to stand still in our extraordinary expenditures for a few years, and the rapid increase of our population, industrial energy and wealth, would easily enable us to overcome it all. And if gentlemen who make this suggestion would look narrowly into the finances of their own Provinces, and, having regard to the populations of their respective countries, will compare them with ours, I fancy they will find no great disparity between our respective burdens. It ought not to excite any surprise that the federation of all the British North American Provinces is at last presented to us as a practical question. The subject has often and again been discussed in the press and in Parliament; but at no time has any provincial statesman ever expressed a doubt that the fitting future of these Colonies was,

to be united under one government and legislature, under the sovereignty of Great Britain. But two questions ever sprang up at once in considering so great a movement:—Have the Colonies yet gained such a strength as to warrant their undertaking such a charge? and, could such terms be agreed upon, and such a constitution be framed, as would be acceptable to the whole of the Provinces? These questions are as serious, and as needful to be met, at this hour, as they ever were in the past. It is no light matter to change the whole political and commercial relations of any country. In these Colonies, as heretofore governed, we have enjoyed great advantages under the protecting shield of the mother country. We have had no army or navy to sustain, no foreign diplomacy to maintain; our whole resources have gone to our internal improvement; and notwithstanding our occasional strifes with the Colonial Office, we have enjoyed a degree of self-government and generous consideration such as no colonies in ancient or modern history ever enjoyed at the hands of a parent state. Is it any wonder that thoughtful men should hesitate to countenance a step that might change the happy and advantageous relations we have occupied towards the mother country? I am persuaded there never was a moment in the history of these Colonies, when the hearts of our people were so firmly attached to the parent state by the ties of gratitude and affection, as at this moment; and for one I hesitate not to say, that did this movement for colonial union endanger the connection that has so long and so happily existed, it would have my firm opposition. But, far from fearing such a result, a due consideration of the matter must satisfy every one that the more united we are, the stronger will we be; and the stronger we are, the less trouble we will give the Imperial Government, the more advantageous will be our commerce, and the more proud they will be of us as a portion of the Empire. Our relation to the mother country does not, therefore, enter into the question. Whether the right time for a general union has arrived, must be determined by a close examination into the present position of all the Provinces, and the possibility of such an arrangement being matured as will be satisfactory to all concerned. And that has been the work in which the conference has been engaged for

two weeks past. We have gone earnestly into the consideration of the question in all its bearings, and our unanimous conclusion is, that if terms of union fair to all and acceptable to all could be devised, a union of all the British American Provinces would be highly advantageous to every one of the Provinces. In the first place, from the attitude of half a dozen inconsiderable colonies, we would rise at once to the position of a great and powerful state. At the census taken on the 12th January, 1861, the population of the Provinces was as follows :

Upper Canada .....	1,356,091
Lower Canada .....	1,111,566
Nova Scotia .....	330,857
New Brunswick .....	202,047
Newfoundland .....	122,635
Prince Edward Island .....	80,857
	<hr/>
Total in 1861 .....	3,244,053

But since then nearly four years have elapsed, and the average increase meanwhile, calculated at fifteen per cent., makes the population of the six Provinces at this moment 3,787,750. And if to this we add the large numbers necessarily omitted in countries so vast and sparsely settled, we will find that our total population, in the event of a union, would from the start be not much less than four millions of souls. And there is perhaps a better way of measuring our strength than by mere numbers, and that is by comparing ourselves with other countries. Now, there are in Europe forty-eight sovereign states. Of these there are no fewer than thirty-seven containing less population than would the united British North American Provinces ; and among them are no less prominent countries than Portugal, Holland, Denmark, Switzerland, Saxony, Hanover and Greece, all of which are inferior to us in population. There are but eleven states in Europe superior to us in population, and three of these are so little in advance of us that a very few years would undoubtedly send us far ahead of them. The three are, Sweden and Norway, containing 6,349,775 people ; Belgium, containing 4,782,255 ; and Bavaria, with 4,689,837. These three once passed, and but eight

European states would be in advance of us. And let us see how we would stand in regard to the question of defence. I find by the census returns of 1861, that the male persons then in the Provinces were as follows :

Upper Canada.....	From 20 to 30—	128,740
	30 to 40—	84,178
	40 to 50—	59,660
	50 to 60—	36,377
	—————	308,955
Lower Canada.....	From 20 to 30—	93,302
	30 to 40—	59,507
	40 to 50—	42,682
	50 to 60—	30,129
	—————	225,620
Nova Scotia.....	From 20 to 60.....	67,367
New Brunswick.....	From 21 to 40—	33,574
	40 to 50—	10,739
	50 to 60—	7,312
	—————	51,625
Newfoundland.....	From 50 to 60.....	25,532
Prince Edward Island.....	From 21 to 45—	11,144
	45 to 60—	3,675
	—————	14,819
	—————	
Total Males from 20 to 60.....		693,918

Of this enormous body of men, about 150,000 were between the years of 45 and 60 ; but striking them all off, and throwing off fifty thousand for the lame and the halt, we would have still left half a million of able-bodied men ready and willing to defend their country. But let us look at the aspect we should present to the world in an industrial and commercial point of view. And first let us examine the agricultural interests. From the census returns it appears that there were in 1861 no fewer than 333,604 farmers in the six British American Provinces, and 160,702 laborers, of which, doubtless, a very large proportion are farm laborers. It also appears that the land granted by Government, and now held by private parties in the Provinces, is not less

than 45,638,854 acres, of which 13,128,229 are under cultivation, and the balance has yet to be brought into use. These lands are thus distributed :

	HELD.	CULTIVATED.
Upper Canada .....	17,708,232	6,051,619
Lower Canada .....	13,680,000	4,804,235
Nova Scotia .....	5,748,893	1,028,032
New Brunswick.....	6,636,329	835,108
Newfoundland, about.....	100,000	41,108
Prince Edward Island.....	1,365,400	368,127
	45,638,854	13,128,229

And mark the enormous amount of produce obtained from these cultivated lands. I compile from the Census Returns of the several Colonies the following results as our united crop in the year 1860 :

Wheat .....	bushels,	28,212,760
Barley.....	"	5,692,991
Rye.....	"	1,934,583
Peas .....	"	12,302,183
Oats .....	"	45,634,472
Buckwheat.....	"	3,648,450
Indian Corn .....	"	2,624,163
Beans.....	"	75,755
Potatoes . . . . .	"	39,845,246
Other Roots.....	"	23,730,706
Grass Seed .....	"	115,345
Hay.....	tons,	2,242,596
Hops.....	lbs.	300,439
Maple Sugar.....	,	17,782,872
Wool.....	"	7,010,914
Flax and Hemp.....	"	2,183,759
Butter .....	"	52,570,886
Cheese .....	"	4,602,065
Beef.....	bbls., 200 lbs.	134,562
Pork.....	"	581,802

At a fair valuation these crops will be found to sum up to the enormous amount of nearly one hundred and twenty millions of dollars ; and if to this we add the increase on the number and value of the farm stock during the year, and the value of garden

and orchard produce during the year, and the improvements in clearing and fencing and buildings during the year—we will come safely to the conclusion that the product of our fields and gardens in 1860 was not less than \$150,000,000. The assessed value of our farm lands in 1860 was upwards of \$550,000,000. And then, if we consider that our agriculture is yet in its infancy; that only a small portion of the thirteen millions of acres in pasture and under the plough is yet in high cultivation, and much of it almost in a state of nature; that thirty millions of good lands, over which the plough has not passed, are yet in private hands, and that vast quantities still remain with Government for disposal; some slight conception may be gained of the future agricultural capabilities of the united British American Provinces. But if our position would be so remarkable as an agricultural people, our union would give us almost as high an attitude before the world as a great Maritime State. By the census of 1861 it appears that four years ago the sailors and fishermen of the six Colonies summed up no fewer than 69,256. They were:—

In Upper Canada.....	808
In Lower Canada.....	5,150
In Nova Scotia.....	19,637
In New Brunswick.....	2,765
In Newfoundland.....	38,578
In Prince Edward Island.....	2,318
<hr/>	
Total sailors and fishermen.....	69,256

Setting aside the unspeakable value of such a body of men in defence of the country, the commercial returns from their industry must be very great. The exports of fish alone from the united Provinces amounted to no less a sum than nearly ten millions of dollars. I have been unable to ascertain with accuracy the number and tonnage of the shipping owned and sailed in British America; but this we do know, that last year no fewer than 628 vessels were built within our borders, having an aggregate tonnage of 230,312 tons. These vessels were distributed thus:



Built in Canada.....	158 vessels.	....	67,209 tons.
“ Nova Scotia.....	207	“	.... 46,862 “
“ New Brunswick.....	137	“	.... 85,250 “
“ Newfoundland.....	26	“	about 6,000 “
“ Prince Edward Island... 100		“	.... 24,991 “
	628		.... 230,312 “
Total.....	628	“	.... 230,312 “

And highly gratifying as are these results, they are the product of two branches but yet in their infancy, and both capable of great extension. I might continue this analysis through our whole industrial pursuits, and show you one and all of them in the same high state of efficiency; I might tell you how we exported last year \$15,000,000 in timber alone; I might expose to you the rapidly increasing importance of our coal mines, our gold fields, our copper mines, our iron works, and our petroleum wells. I might enlarge on the fast rising importance of our manufactures; but already I have detained you far longer than I intended, and must come to a close. Let me, however, wind up with this, that were the Provinces all united to-morrow, they would have an annual export trade of no less than sixty-five millions of dollars, and an import traffic to an equal amount; they would have two thousand five hundred miles of railway; telegraph wires extending to every city and town throughout the country, and an annual government revenue of nearly thirteen millions of dollars. It needs no special wisdom to perceive that a state presenting such resources, and offering such varied and lucrative employment to the immigrant and capitalist, would at once occupy a high position, and attract to it the marked attention of other countries. It would be something to be a citizen of such a state. Heretofore we have been known as separate colonies, and the merits and disadvantages of each compared and set off against the other; but with union the advantages of each would pertain to the whole—a citizen of one would be a citizen of all—and the foreign emigrant would come with very different feelings of confidence to our shores. In England we should occupy a very different position from what we have ever done as separate and feeble colonies. I cannot agree with my hon. friend, Mr. Cartier,

in his opinion as to the great political party in Great Britain that has done so much to break the fetters of trade, and raise the commerce of England to its present unexampled point of high prosperity. But regretting, as all must do, the extreme colonial views of Messrs. Bright and Cobden and their political friends, who can fail to see that a union of the whole Provinces would have the effect of inspiring respect even with that school of public men, and commanding confidence in our commercial future? The doubt and uncertainty as to the future of these colonies that have hung so long and so injuriously over us, would be greatly modified by the union; and our securities would sensibly feel the effect in the money market of the world. How different a position, too, would we occupy in the eyes of our American neighbors. Instead of appearing in their commercial returns as separate buyers, we would stand out unitedly as their very best customer; and we would be able to deal with them for a permanent renewal of the Reciprocity Treaty, under advantages that we have not enjoyed before. But far in advance of all other advantages would be this, that union of all the Provinces would break down all trade barriers between us, and throw open at once to all a combined market of four millions of people. You in the east would send us your fish, and your coals, and your West India produce, while we would send you in return the flour and the grain and the meats you now buy in Boston and New York. Our merchants and manufacturers would have a new field before them—the barrister in the smallest provinces would have the judicial honors of all of them before him to stimulate his ambition—a patentee could secure his right over all British America—and in short all the advantages of free intercourse which has done so much for the United States, would be open to us all. One other argument there is in favor of the Union that ought with all of us to weigh most seriously, and that argument is, that it would elevate the politics and the politicians of our country. It would lift us above the petty strifes of small communities, and give to our public affairs a degree of importance, and to our leading public men a status very different from what they have heretofore occupied. On a survey of the whole case, I do think there is no

doubt as to the high advantages that would result from a union of all the Colonies, provided that terms of union could be found just to all the contracting parties, and so framed as to secure harmony in the future administration of affairs. That is the unanimous conclusion of the Conference, and I am persuaded that when the facts are before the country, it is a conclusion that will be cordially endorsed by the people of all the provinces. But it were wrong to conceal for a moment that the whole merit of the scheme of union may be completely marred by the character of its details. The consideration of the details has already received, in an informal manner, the earnest attention of the Convention. I commit no indiscretion in saying that as yet we have arrived at no formal conclusion as to any of those details ; and I am sure you will feel we are right in studiously refraining at present from all discussion of our views in regard to them. A formal meeting for their earnest and mature deliberation will be held at an early day ; and when difficulties have been removed and our plans matured, the whole scheme will be placed fully and frankly before our constituents in all the Provinces."

The honorable gentleman resumed his seat amid applause.

The Hon. Mr. Cartier, in following, after a brief but vigorous *resumé* of the population and territory of Canada, enunciated that idea which has since become so well known and popular, and regarded as so eminently characteristic of his mode of dealing with great public questions :

"I need hardly bring to your notice, gentlemen," said he, "that we in Canada have those two great elements of nationality, the personal and territorial elements. But we know our shortcomings. Though great in territory and population, we want the other element, which is absolutely necessary to make a nation, that is, the maritime element. What nation on earth has obtained any amount of greatness, unless it has been united with a maritime element?"

In replying to the toast of "Colonial Union," the Hon. John A. Macdonald, Attorney-General of Canada West, remarked :

“The question of colonial union was one of such magnitude, that it dwarfed every other question on this portion of the continent. It had assumed a position that demanded and commanded the attention of all the Colonies of British America. He was able to announce that they had arrived unanimously at the opinion that the union of the Provinces was for the advantage of all ; and the only question remaining to be settled was, whether it could be arranged with a due regard to sectional and local interests. We were at present states of one sovereign, and all paid allegiance to the great central authority ; but as between ourselves, there was no political connection, and we were as wide apart as British America was from Australia. But we must have one common organization, one political government. It has been said that the United States government is a failure. I do not go so far. On the contrary, I consider it a marvellous exhibition of human wisdom. It was as perfect as human wisdom could make it, and under it the American States greatly prospered until very recently. But being the work of men, it had its defects ; and it is for us to take advantage of experience, and endeavour to see if we cannot arrive, by careful study, at such a plan as will avoid the mistakes of our neighbours. In the first place, we know that every individual State was an individual sovereignty ; that each had its own army and navy, and political organization ; and when they formed themselves into a confederation, they only gave the central authority certain specific powers, reserving to the individual States all the other rights appertaining to sovereign powers. The dangers that have risen from this system we will avoid, if we can agree upon forming a strong central government, a great central legislature, a constitution for a union which will have all the rights of sovereignty except those that are given to the local governments. Then we shall have taken a great step in advance of the American Republic. If we can only obtain that object, a vigorous general government, we shall not be New Brunswickers, nor Nova Scotians, nor Canadians, but British Americans, under the sway of the British sovereign. In discussing the question of colonial union, we must consider what is desirable and practicable ; we must consult local prejudices and aspirations. It is our desire to

do so. I hope that we will be enabled to work out a constitution that will have a strong central government, able to offer a powerful resistance to any foe whatever, and at the same time will preserve for each Province its own identity, and will protect every local ambition; and if we cannot do this, we shall not be able to carry out the object we have in view. In the conference we have had, we have been united as one man; there was no difference of feeling, no sectional prejudices or selfishness exhibited by any one. We all approached the subject feeling its importance, feeling that in our hands were the destinies of a nation; and great would be our sin and shame if any different motive had intervened to prevent us carrying out the noble object of founding a great British monarchy, in connection with the British Empire, and under the British Queen. \* \* \* \* \* I do not hesitate to say that with respect to the intercolonial railway, it is understood by the people of Canada that it can only be built as a means of political union for the Colonies. It cannot be denied that the railway, as a commercial enterprise, would be of comparatively little commercial advantage to the people of Canada. Whilst we have the St. Lawrence in summer, and the American ports in time of peace, we have all that is requisite for our purposes. We recognize, however, the fact that peace may not always exist, and that we must have some other means of outlet if we do not wish to be cut off from the ocean for some months in the year. We wish to feel greater security—to know that we can have assistance readily in the hour of danger. In the case of a union, this railway must be a national work; and Canada will cheerfully contribute to the utmost extent, in order to make that important link without which no political connection can be complete. \* \* \* Here we are now in a state of peace and prosperity. We can now sit down without any danger threatening us, and consider and frame a scheme advantageous to each of these Colonies. If we allow so favourable an opportunity to pass, it may never come again. But I believe we have arrived at such a conclusion in our deliberations, that I may state, without any breach of confidence, that we all unitedly agree that such a measure is a matter of the first necessity, and that only a few (imaginary, I believe) obstacles stand in

the way of its consummation. I shall feel that I have not served in public life without a reward, if, before I enter into private life, I am a subject of a great British American nation, under the government of Her Majesty, and in connection with the Empire of Great Britain and Ireland."

From Halifax, the Canadian members and delegates went over to St. John, in New Brunswick, and in that large and thriving commercial city again availed themselves of the opportunity of speaking on the question of the day. On the 12th September they were handsomely entertained at a public dinner at Stubb's hotel. As in Halifax, the leading public men, the prominent merchants, politicians of all shades, and the representatives of the press, were present. The chair was occupied by the Hon. John H. Gray, the member for the county of St. John and one of the delegates. A warm feeling towards the guests, and a spirit of enthusiasm on the subject of Union, pervaded the meeting. The speeches were listened to with deep and earnest attention. There was no Governor present, and no Admiral. But there were business men; men of energy and enterprise; men of trade, whose ships were far away, carrying the commerce of the world; men of science; mechanics—men of the steam engine and the forge, whose works of toil and labour were telling on the progress of a young country; men of the railway and the telegraph; men whose life was work.

In answer to the toast, "Our friends from Canada, Nova Scotia and Prince Edward Island," the Attorney-General for Canada East, Hon. George E. Cartier, said:

"Prosperity such as this great country was capable of attaining to, could never be fully enjoyed until the several sectional parts of it were united under the same political and commercial systems, their respective populations brought into closer relations with each other, and all the maritime facilities alike afforded to all, which nature had so bountifully bestowed upon some of the parts. This was what Confederation proposed to accomplish. Canada has population and territory sufficient to make a great nation in course

of time ; but she wants what the Lower Provinces possess, an outlet to the sea. As the Lower Provinces now stand, they are comparatively weak and powerless ; and the wealth, labour and industry which Canada possesses, go in a great measure to enrich such cities as New York, Boston and Portland. This must continue to be the case until the Intercolonial Railway, of which he had ever been an advocate, shall be built ; and as soon as the Colonies were confederated, the construction of that work would undoubtedly commence. With regard to the question of defence, which was inseparable from the general subject, he was confident that when England saw we were self-reliant to a great extent, and capable of organizing a large military and naval force for mutual protection, and which union only would enable us to do, she would cheerfully come to our assistance, with all her vast power, in any difficulty that might arise. Canada had been accused of insincerity in her dealings with the Maritime Provinces, and this led to the formation of a strong prejudice against accepting the proposals of his Province for confederation ; but he assured every one who listened to him, that Canada was unjustly accused, and that her ministers did not come there to urge them by undue means into the adoption of any scheme of union, but fairly to point out to them the enormous advantages which, in a commercial point of view, their merchants, traders and manufacturers would derive from having a market of four millions of people for the exchange of their several commodities, instead of being restricted to the small and scattered populations which now compose the Lower Provinces, where their industry is hampered by custom-house regulations different in each."

Hon. George Brown followed Mr. Cartier, reiterating with much effect his arguments reported so fully as delivered at Halifax.

Hon. A. T. Galt, Finance Minister of Canada, in answer to a call made upon him, reviewed the financial condition of the several Provinces, referred to the efforts that had been made in Canada to improve the communication between the St. Lawrence and the ocean, the large expenditure for the construction of railways, and to the advantages that were resulting, and must continue

to result from these expenditures. He referred to the relative taxation of the several Provinces: Nova Scotia \$2.32 per head, Canada \$2.50, New Brunswick \$2.56. In answer to the objection that Canada sought the union to be relieved of her burdens, spoke of the Intercolonial Railway, of the benefit it would confer on the Maritime Provinces, whilst the expense under the proposed union must be borne principally by Canada, an arrangement entirely different from that which had been contemplated while the Provinces were separate. He then referred to the commercial advantages of a union, which would confer upon the Colonies benefits similar to those which have been enjoyed by the United States in consequence of their union, their free trade and uniform tariff. In framing the constitution for British America, the errors of the Republican Union were to be avoided. The rebellion which distracted that Union was, in some measure, caused by slavery, and to a very great extent, by what was known as State rights. Of course, the question of slavery could never be an element of discord with the united Provinces, and as regards "State rights," collision might be easily avoided in reference to that subject by clearly defining the powers of the Central Government as totally distinct from the authority which should be vested in the Local Legislatures.

Hons. Mr. McCully and Dr. Tupper of Nova Scotia, Messrs. Palmer, Coles and Gray of Prince Edward Island, and Messrs. McDougall and McGee of Canada, with the Chairman, and Mr. Tilley, also spoke briefly on the occasion, supporting the views that had been expressed, and urging the adoption of the measure by the public.

Shortly afterwards the delegates presented their report to their respective Governments, and the Prince Edward Island Convention was at an end.



## CHAPTER II.

Meeting of Delegates at Quebec, October 10, 1864—Reflections on the time, place and circumstances—American war—Sittings with closed doors—Reasons for—Voting by Provinces—Adoption of Federal instead of Legislative Union—Submission of Resolutions defining proposed Constitution—Discussion of do—Contrast of source of power in the proposed Constitution and that of the United States—Policy of free trade—No distinction in political rights—Difficulties in representative and financial arrangements—Electoral Divisions of Lower Canada—Representation by Population—Rule exceptional on entering Confederation—Absolute for subsequent guidance—Similarity to original provision in the American Constitution—Upper House, territorial and nominative—Provision for primary selection—Admission of North-West Territories and British Columbia—Adjustment of the financial arrangements—Direct taxation for general purposes unknown in Maritime Provinces—Crisis—Sub-committee of Finance Ministers—Report—Apportionment of powers—Crown Lands and Minerals to Local Governments—Reasons for—Judiciary—Court of Appeal—Uniformity of Laws—Intercolonial Railway—Crown Lands in Newfoundland—Exceptions for Prince Edward Island—Export duty on lumber in New Brunswick—Royalties in Nova Scotia—Resolutions—Financial Statement of the position of Canada as compared with the other Provinces—A.D. 1864.

In accordance with the recommendation of the Canadian Ministry, the Governor-General had addressed the several Lieutenant-Governors of the Maritime Provinces, including Newfoundland, to send delegates to a Convention to be held at Quebec on the 10th October. The request had been responded to. The same gentlemen had been re-appointed, with the addition in New Brunswick of the Hon. Peter Mitchell, a member of the Legislative Council and of the Government, and the Hon. Charles Fisher, a prominent member of the Liberal party, twice Attorney-General in the Government of New Brunswick with Mr. Tilley and one of the oldest members of the House of Assembly; in Prince Edward Island, of the Hon. T. Heath Haviland, a Conservative, and the Hon. Edward Whelan, a Liberal, and editor of the "Charlotte-town Examiner." In Newfoundland, the Hon. F. B. T. Carter, Speaker of the House of Assembly, and the Hon. Ambrose Shea, had been appointed.

The Canadian Government steamer "Victoria" had been sent down to Pictou for the delegates. On the 5th October, Sir Richard

Graves McDonell and Lady McDonell, and the Nova Scotia delegates, embarked. On the 6th she called at Charlottetown for the Prince Edward Island delegates, and thence proceeded to Shediac for the New Brunswick delegates. On the 7th she bore away for Quebec. Many ladies were on board, members of the families of the gentlemen from Nova Scotia, New Brunswick and Prince Edward Island. Every provision had been made for comfort. On Sunday evening, the 9th, she arrived at Quebec; and on Monday, the 10th October, 1864, at 11 a.m., in the Parliament House of old Canada, the Conference was opened.

The respective Provinces were represented as follows :

CANADA.—Hon. Sir Etienne P. Taché, Premier, M.L.C. ; Hon. John A. Macdonald, Attorney-General West, M.P.P. ; Hon. George E. Cartier, Attorney-General East, M.P.P. ; Hon. George Brown, President of the Executive Council, M.P.P. ; Hon. Alex. T. Galt, Finance Minister, M.P.P. ; Hon. Alex. Campbell, Commissioner of Crown Lands, M.L.C. ; Hon. William McDougall, Provincial Secretary, M.P.P. ; Hon. Thomas D'Arcy McGee, Minister of Agriculture, M.P.P. ; Hon. Hector Langevin, Solicitor-General East, M.P.P. ; Hon. J. Cockburn, Solicitor-General West, M.P.P. ; Hon. Oliver Mowat, Postmaster-General, M.P.P. ; Hon. J. C. Chapais, Commissioner of Public Works, M.L.C.

NOVA SCOTIA.—Hon. Chas. Tupper, Provincial Secretary, M.P.P. ; Hon. W. A. Henry, Attorney-General, M.P.P. ; Hon. R. B. Dickey, M.L.C. ; Hon. Adams G. Archibald, M.P.P. ; Hon. Jonathan McCully, M.L.C.

NEW BRUNSWICK.—Hon. Samuel L. Tilley, Provincial Secretary, M.P.P. ; Hon. John M. Johnson, Attorney-General, M.P.P. ; Hon. Edward B. Chandler, M.L.C. ; Hon. John Hamilton Gray, M.P.P. ; Hon. Peter Mitchell, M.L.C. ; Hon. Charles Fisher, M.P.P. ; Hon. William H. Steves, M.L.C.

NEWFOUNDLAND.—Hon. F. B. T. Carter, M.P.P., Speaker of the House of Assembly ; Hon. Ambrose Shea, M.P.P.

PRINCE EDWARD ISLAND.—Hon. John Hamilton Gray, Premier, M.P.P. ; Hon. Edward Palmer, Attorney-General, M.P.P. ; Hon. W. H. Pope, Provincial Secretary, M.P.P. ; Hon. George Coles, M.P.P. ; Hon. A. A. Macdonald, M.L.C. ; Hon. T. H. Haviland, M.P.P. ; Hon. Edward Whelan, M.L.C.

Sir Etienne P. Taché, Premier of Canada, was unanimously chosen President ; and Major Hewitt Bernard, of the Staff of the Attorney-General West, Private and Confidential Secretary.

Thus was organized a Convention, whose deliberations were to have a marked bearing upon the future of British North America. The time, the men, the circumstances, were peculiar. The place of meeting was one of historic interest. Beneath the shadow of Cape Diamond, on the ruins of the old Castle of St. Louis, with the broad St. Lawrence stretching away in front, the Plains of Abraham in sight, and the St. Charles winding its silvery course through scenes replete with the memories of old France, where scarce a century gone the Fleur de Lys and the Cross of St. George had waved in deadly strife, now stood the descendants of those gallant races, the Saxon and the Gaul, hand in hand, with a common country and a common cause. Met with the full sanction of their Sovereign and the Imperial Government, attended by the representatives and ministers of the Crown, sent from the Parliaments chosen by the people, they were called upon to lay in peace the foundations of a State that was to take its place in friendly position beside that Republic, which wrenched from the parent land in strife, had laid the foundations of its greatness with the sword and baptized its power in blood.

Ninety years before, when the first Congress of the thirteen States met at Philadelphia, it was in defiance of the authority and of the country from which their people sprung. How different ! How much more auspicious was the gathering of the Provincial representatives at Quebec ! In their deliberations and the framing of their constitution they would have the benefit of the experience of the working of that constitution, which under conditions in some degree similar to their own as to country, institutions, and people, had carried the United States through half a century

of triumphant progress. It would be for them to avoid those causes of dissension which had created the then existing troubles of that country.

But apart from this, the time at which they had assembled was one of deep import. The civil war in the United States, between the North and South, was raging in all its fury. No one could tell how soon its crimson flood might burst upon our shores. Causes of great irritation were already existing. The imperious demand of England for the immediate surrender of Mason and Slidell, and the disavowal of the act of the officer who had boarded the "Trent," and violated the sanctity of her flag; the sympathy of a portion of her people with the Southern cause, and the predatory character of the "Alabama" and other cruisers, fitted out and leaving her ports through the alleged indifference of her officers or the insufficiency of her laws, were rankling in the breasts of large numbers of the American people.

The piratical seizure of the steamer "Chesapeake," her subsequent escape to Nova Scotia, the alleged plottings of Southern refugees in Canada, and the St. Albans raid, notwithstanding the vigilance of the Canadian authorities, and their prompt efforts to apprehend and punish the offenders—all tended, however unjustly, to intensify the bitterness of the national mind in the United States, and little, but very little, was wanted to cause a war between the two countries.

Under such circumstances, great prudence should govern the deliberations of men, who, however limited their authority, or however remote from the cause of dissension the subject referred to them, might yet by some unguarded act precipitate difficulties which it should be the interest and object of all to avoid.

On the men who formed the Conference was directed the attention of British America. They had all served many years in public and parliamentary life in their several Provinces. All had filled prominent public positions—had had the cares and responsibilities of government, and the stimulus of opposition. From fifteen to twenty years had been the average of their public services. All were young enough to feel that, contrasting the past with the future, there was still before them a career of honorable

ambition in a greater country and a greater cause. All were old enough to know that rashness was the folly of a statesman, and that the future influence, character and position, as well as the prosperity of their country, would depend on the wisdom and practicability of their conclusions.

The venerable chairman and two others might perhaps claim exemption from any personal ambition for the future. To Sir E. P. Taché half a century of public life had brought gravity with age, and had given to a spotless name the right to command respect, and to preside with dignity over the councils of his country. The Hon. E. B. Chandler, by his quick and restless movements, showed that seventy years had not dulled the activity of his mind or body ; but forty years as a representative and member of the Legislative Council of his own Province he declared had rendered him personally indifferent to the future ; whilst the gallant Premier of Prince Edward Island, the rugged outlines of whose gaunt frame still bore the vigorous impress of its Scotch lineage, seemed to glory only in the future greatness of his country, and to hope that the prowess of her sons might rival the glories of that land whose flag he had followed for so many years in every quarter of the globe.

We will now proceed to the work of this Convention. After much consideration it was determined, as in Prince Edward Island, that the Convention should hold its deliberations with closed doors. In addition to the reasons which had governed the Convention at Charlottetown, it was further urged, that the views of individual members, after a first expression, might be changed by the discussion of new points, differing essentially from the ordinary current of subjects that came under their consideration in the more limited range of the Provincial Legislatures ; and it was held that no man ought to be prejudiced, or be liable to the charge in public that he had on some other occasion advocated this or that doctrine, or this or that principle, inconsistent with the one that might then be deemed best, in view of the future union to be adopted. The relation of a federation of Provinces towards each other—the constitutional necessities operating upon the united body, might be so different from the necessities hitherto operating upon each in the

separate administration of its local affairs, that it was well held that no man should be governed by opinions given under phases of circumstances entirely dissimilar, and which might be altogether inapplicable. Liberals and Conservatives had there met to determine what was best for the future guidance of half a continent, not to fight old party battles, or stand by old party cries, and candour was sought for more than mere personal triumph. The conclusion arrived at, it is thought, was judicious. It insured the utmost freedom in debate; the more so, inasmuch as the result would be in no way binding upon those whose interests were to be affected, until and unless adopted after the greatest publicity and the fullest public discussion.

As the course pursued by the Convention on this point was at the time made the subject of much mis-animadversion, and in some of the Provinces, of grave censure, upon the ground that the discussion of its proceedings by the press and public pending its sittings would have been of great advantage, it is as well to observe, that in addition to the reasons influencing the members at the time, history afforded an excellent precedent. In the convention of 1787, which sat at Philadelphia by authority of the then existing Congress, for the purpose of devising a constitution for the more perfect confederation of the United States, a convention, presided over by Washington, led by Hamilton, and sustained by the wisdom and experience of Franklin, then eighty-four years of age—men who, if the men of any nation or time could be considered as above sordid or selfish motives, must be so regarded—the proceedings, though lasting four months, were conducted in secret; and all that is known of what was then said and done, save the constitution devised and adopted, was known by notes kept by Madison, and which he some time after made public.\*

It was further determined, after debate, that, inasmuch as the Canadian representation in the Convention was numerically so much greater than that of any of the other Provinces—indeed equal to that of any two combined—the voting in case of division should be by Provinces, and not by members; Canada, as composed

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\* "Alexander Hamilton's Times," by Müller.

of two Provinces, having two votes ; thus ensuring to the smaller Provinces that in the adoption of any proposition, equal weight should be given to all. Consequently, on each particular proposition on which a difference of opinion was expressed, the representatives of each Province consulted thereon apart, determined by a majority its acceptance or rejection, and reported the result by their chairman to the Convention. In the arrangement of the sittings, Canada occupied the central position, with New Brunswick and Nova Scotia on one side, and Prince Edward Island and Newfoundland on the other.

It was in a very short time decided that a Federal in preference to a Legislative Union would be best suited to the exigencies of the country ; its extended area and comparatively sparse population rendering it utterly impossible that the local wants of distant districts could be attended to in the General Parliament, particularly as in several of the Provinces municipalities were not established, direct taxation was unknown, and the people were accustomed to look to their local legislatures for all those measures which would increase the settlement, open the communications, afford education, and tend to develop the resources of their Provinces.

On the second day, the outlines of a contemplated Confederation were submitted, in a series of resolutions, by the Hon. John A. Macdonald, substantially in accordance with the views that had been more generally expressed in the meeting at Charlottetown. They were elaborated in a clear and comprehensive speech, pointing out with minuteness the distinction between the constitution proposed and the model from which it might be supposed to have been framed—that of the United States—and claiming emphatically that it was intended to be, as far as circumstances would permit, similar to that of the Imperial Government, and recognizing the Sovereign of Great Britain as its sole and only head.

In the course of the arguments that followed on the submission of these resolutions, and which extended over several days, it was clearly shown that whereas in the United States all powers not specifically conceded by the several States to the Federal Government were still to remain with the several States, here, on the

contrary, all powers not specifically conceded by the Imperial Parliament in the proposed constitution to the separate Provinces were to remain with the Federal Government. The source of power was exactly reversed. At the time of the framing of their constitution, the United States were a congeries of independent States, which had been united for a temporary purpose, but which recognized no paramount or sovereign authority. The fountain of concession therefore flowed upward from the several states to the united government. The Provinces, on the contrary, were not independent States; they still recognized a paramount and sovereign authority, without whose consent and legislative sanction the Union could not be framed. True, without their assent their rights would not be taken from them; but as they could not part with them to other Provinces without the Sovereign assent, the source from which those rights would pass to the other Provinces when surrendered to the Imperial Government for the purposes of confederation, would be through the supreme authority. Thus the fountain of concession would flow downward, and the rights not conceded to the separate Provinces would vest in the Federal Government, to which they were to be transferred by the paramount or sovereign authority.

This was in accordance with the theory of the British constitution, which, while boasting its old Saxon popular origin, yet claims the unparalleled expansion of its present freedom as wrenched from the sovereign authority by the struggles of a thousand years, and recognizes that authority as the source of power.

“ That land of old and fair renown,  
Where Freedom slowly broadens down  
From precedent to precedent.”

In the United States, on the contrary, the theory is that the power springs from the people, and what they have not chosen to part with they still retain.

Practically, in both countries the result is the same. The people are the source of power, and in them the power resides, under whatever name it may be called; but in the framing of a constitution for a congeries of states, to be governed by one central authority, the result is different. In the one case the separate



states, in their individual capacities, retain the undefined and un-conceded power. In the other the central authority holds it. The latter form, it was contended, gave greater strength, compactness and facilities for intercourse with other countries, and removed causes of disintegration.

The question of states rights, which led to the frightful war in the United States, was forcibly enlarged upon, and an earnest desire expressed that, in the framing of the new constitution, defects which might lead to such results should be avoided.

It was well observed, that in British America no taint of slavery existed to create a hostility of sections, or raise the cry of "squatter sovereignty,"—that no diverse productions of climate suggested a diversity of tariffs,—that no manufactures of the North would demand an antagonism to the productions of those fertile lands whose southern sun gave forth spontaneous wealth, which asked for exchange and not protection,—that lying in almost one continuous line on the same parallel of latitude from the Atlantic to the Pacific, the interests of all parts of the country for which the new constitution was to be framed would be identical,—that its trade should be free, and the surplus of its products not used for home consumption should with equal privilege seek the markets of the world,—that no distinction of race or color or creed was known, and that therefore it was sound that that body which would be vested with the responsibility of guarding the interests of the whole country, should be clothed with power adequate to the circumstances with which it might have to deal. Thus the Central Government took all, and the powers of the Provincial Governments were to be exercised strictly within the limits defined.

But it was in the apportionment of the representation in the Federal Parliament, and of the financial burdens and benefits, that the greatest difficulties arose. Representation by Population had been for many years the demand of the most populous and most powerful of the Provinces, and had indeed been one of the causes, if not the main cause, of that constitutional embarrassment which on the part of Canada had led to the proposition for federation.

The principle, therefore, was recognized, and was proposed to be acted upon, so far as consistently with existing arrangements in the several Provinces it could be.

The Electoral Divisions of the Province of Lower Canada (now Quebec) at the time were sixty-five. In New Brunswick the fourteen counties, with the city of Saint John in addition, making fifteen constituted Electoral Districts. In Nova Scotia there were nineteen, the county of Halifax being divided into two. It was considered politic not to disturb these divisions, but making Quebec as the pivot, to give to each district or division, as then existing, one representative; and taking Upper Canada, (now Ontario,) to give to her eighty-two representatives, the number that her presumed population would entitle her to.

The actual proportions throughout the four Provinces were not the same, for while taking the then last census of the several Provinces as the guide, Quebec would have one representative to about 16,500 of her population—New Brunswick would have one to 16,800—Nova Scotia, one to 17,500—Prince Edward Island, one to 16,000—Newfoundland, one to 18,750—and Ontario, one to 17,070; but it was determined that every future re-adjustment of the representation in the several Provinces, at the completion of each decennial census, should be, as to the number of members, upon the same proportion to the population of the Province that the number 65 bore to the population of Quebec at the same census, the number for Quebec being fixed at 65.

Thus at the first inception on entering into the Union, population was not intended to be held as the only rule for representation. Though taken as a guide, the apportionment must be more or less arbitrary. Existing arrangements, territorial and other considerations must be taken into account, and modifications to suit circumstances necessarily made; but, after entering the union, future changes of the entire representation were to be governed by that principle. Such seemed to be the views on this subject. The principle itself was affirmed simply and explicitly in the 17th Resolution in the Conference at Quebec; but in the constitution as subsequently settled at Westminster, and enacted by the British North America Act, 1867, while the re-adjustment made by

the Quebec Resolution is adhered to, the principle so explicitly laid down, "That the basis of representation in the House of Commons shall be by population" is not re-declared. So marked a distinction, it must be presumed, was intentional—to remove any doubt that the confederation of the four Provinces then formed should have free scope for terms that might be necessary thereafter to bring in other portions of British North America.

In the United States representation by population is simply numerical. Each so many thousand of recognized voters is entitled to a representative; though by such calculation twenty representatives might come from one city or place, New York, Philadelphia, or Brooklyn, for instance. But in the plan adopted at the Conference the electoral districts would have the same representation, though one district might number 50,000 and another only 5000. For instance, the County of St. John, with a population of nearly 50,000, would have only one representative, while Cornwall, Sherbrooke, Niagara, Montreal Centre, Restigouche or Algoma, with populations under 7000, would each equally have one. To meet any objections arising of this nature, it was proposed and declared that the Local Legislature of each Province should divide its own Province into constituencies, and define their boundaries, and should have power from time to time to alter the electoral districts for the purposes of representation in the House of Commons, and to distribute the representation to which each Province might be entitled in such manner as its Local Legislature might see fit. It is but proper, however, to state, that from a correspondence which subsequently passed between the Lieutenant-Governor of New Brunswick and the Governor-General, it appeared that this stipulation had been altered by the Canadian Ministry, and was, in the resolutions laid before the Canadian Parliament, restricted to the representation in the Local Legislatures only; it being alleged that the error arose from an improper wording of the resolution at the Conference, and that the power was not intended to apply to the representation in the Federal Parliament.

The Conference, therefore, while taking population as the basis, and laying down that strictly as the rule, acted upon the principle

that in the first instance territorial area and local circumstances must also be considered.

Something of a similar character seems to have taken place at the formation of the original constitution of the United States, for in the second section an arbitrary number of representatives was assigned to the thirteen states separately, though the rule was strictly defined as to the subsequent increase or decrease—the franchise at the same time being expressly denied to Indians and slaves.\*

The representation in the Upper House was a matter much more easily disposed of. It was at once arranged territorially, the Provinces being formed into three divisions, namely, Quebec (Lower Canada), Ontario (Upper Canada), and the Maritime Provinces (New Brunswick, Nova Scotia and Prince Edward Island), with equal representation, 24 to each division. An exceptional provision was made for Newfoundland, with a representation of four members. The selections in the first instance were to be from the existing Legislative Councils of the several Provinces, (excepting Prince Edward Island), as fairly as possible from all political parties. This provision, it being naively expected, would facilitate the passage of the necessary measures to effectuate the Union in those branches of the Local Legislatures.

The question of an elective or a nominative Legislative Council was fully discussed, and decided by an overwhelming majority in favor of the latter, the President of the Canadian Council, the Hon. George Brown, leading the liberal section of the Canadian Cabinet strongly in support. A particular exception of the mode of selection of the members for this branch was made as regards Prince Edward Island, at the urgent demand of its delegates.

With reference to the North-west Territories and British Columbia, inasmuch as they were in no way represented at the Conference, and their admission at the time seemed remote, no observation of any kind was made as to their representation in either branch; but all matters relative to them were left to future consideration, and "such terms as might be deemed equitable or

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\* Shephard's "Constitutional Text Book." Edition of 1856.

agreed upon, when they were admitted or applied for admission into the contemplated union."

Concurrently with the consideration of these questions the adjustment of the financial burdens was also under discussion.

The simplest and the shortest mode would have been at once to determine that each Province should by its own direct taxation bear the burden of its own local expenditure and wants, and that the general revenues should all be distributed solely for general purposes. But this was simply out of the question. The system existing in Upper Canada of governing by municipalities, and providing for local wants by local taxation, though fully understood had never been adopted by the people of the Maritime Provinces. The Government was to them "a nursing mother" of children. Bridges, roads, schools, wharves, piers, bye-roads, internal improvements and communications of all kinds, in addition to the Legislative, fiscal, postal, and executive expenses of every kind, were paid out of the general revenues, arising from customs, sales of crown lands, or other public revenues. A toll-gate did not exist in the Provinces, and if a bridge were built across a public navigable river like the Petitcodiac by a company for its own private gain, under the sanction of an Act of the Legislature and aided by public grants, the members for and the inhabitants of the adjoining counties rebelled at the idea of being charged for crossing it, and agitated until the \$20,000 or \$30,000, that it was said to have cost, was paid to the company out of the public funds, and the bridge thrown open to the public free of charge. But two toll bridges existed in the Province of New Brunswick, both expensive suspension bridges at the Upper and Lower Falls of the River St. John 240 or 250 miles apart, and from the Restigouche to the St. Croix in the other direction, 300 miles along the sea coast, across the mouths of broad rivers, and over deep ravines, well roaded and well bridged, except at one of these suspension bridges no toll-gatherer stopped the traveller. The same might be said of Nova Scotia.

It was absurd, therefore, to suppose that the delegates from those Provinces could consent to any propositions for union that did not make adequate provisions for meeting the existing wants

and contributions to which their people had been accustomed. It was equally hard to make the representatives of the people of Upper Canada understand that that was right. In vain was argument used. It amounted to nothing. Unless some compromise could be effected the discussion about union might as well cease. Subsidies were proposed, the expenses of each Local Government were in calculation, reduced to the smallest figure—the General Government assumed the burden of every expenditure that could possibly be considered of a general character—but still as the distribution was to be by population the Province of Upper Canada would receive what it did not want, while the others did not get what they did want. Agreement seemed hopeless, and on or about the tenth morning after the Convention met, the conviction was general that it must break up without coming to any conclusion. The terms of mutual concession and demand had been drawn to their extremist tension, and silence was all around. At last a proposition was made that the Convention should adjourn for the day, and that in the meantime, the Finance Ministers of the several Provinces should meet, discuss the matter among themselves, and see if they could not agree upon something. Accordingly, Messrs. Brown and Galt on behalf of Canada, Dr. Tupper and Mr. Archibald of Nova Scotia, Mr. Tilley of New Brunswick, Mr. Pope of Prince Edward Island, and Mr. Shea of Newfoundland, withdrew for that purpose.

On the following morning they reported the conclusions at which they had arrived. These with some modifications, after discussion, were ultimately adopted by the Convention, reduced to resolutions, and the “financial crisis” passed away.

The Convention resumed its labors and proceeded to define the respective powers of the General and Local Parliaments, and of the rights and properties under their control. The retention of the ungranted Crown lands and of the mines and minerals by the several Provinces, in which they were situated was deemed best, as affording to them severally additional sources of revenue, stimulus for local improvements, and the means of encouraging immigration; but more particularly as removing causes of conflict and dissension between the Local and General Governments, and

relieving the latter of duties which ought to be municipal. The regulation and management of lands and royalties within a Province by a Government other than that of the Province would only be creating an "*imperium in imperio*," which would surely become antagonistic.

The question of the judiciary was not so easily settled, and led to long and animated discussions. While it was admitted that the public interests would be best promoted by having the highest tribunals of the country deriving their authority from the highest source of power in the country, and that a uniform Bar extending throughout the whole would tend to its elevation, by the greater conflict of talent, and the wider sphere of action, it was urged that until the laws were in some measure assimilated the benefit with reference to the Bar would be more seeming than real. And with reference to the Bench, a vague dread of the overawing power of Canada, led some of the delegates from the Maritime Provinces to fear that the courts of their Provinces might be filled with judges who were strangers to their laws, and whose traditions were with other lands. The representatives from Lower Canada at once put their Province beyond the pale of consideration. Their jurisprudence was governed by the Civil Law, and admitted of no uniformity with the codes of the other Provinces. The result was a provision for rendering uniform the laws of the five other Provinces, Upper Canada, New Brunswick, Nova Scotia, Newfoundland, and Prince Edward Island, relative to property and civil rights, and that until such uniformity took place, the judges of the Courts of those Provinces should be selected from the respective Bars of those Provinces; the power of appointment of the judges in all—Lower Canada included—with this restriction being placed in the hands of the General Government, to which already the duty of paying their salaries had been assigned. It was admitted with one voice, that the criminal law must be the same throughout the whole, and that the Parliament of the General Government must form the criminal code.

Thus was this question disposed of, but temporarily only, for the time must come when substantially one code, and a similar administration must pervade the tribunals of those Provinces, the basis of whose jurisprudence is the Common Law of England.

Provision was made for the establishment of a Court of Appeal, and for the completion without delay of the Intercolonial Railway from the Rivière du Loup through New Brunswick to Truro in Nova Scotia, without an express understanding to which effect those two Provinces would not have assented to enter the union. An expression of opinion was also given as to the importance of the communications with the North-West Territories and the improvements in the canals requisite to develop the trade of the West with the sea-board, and a declaration made that they should be prosecuted at the earliest possible period, that the finances of the country would permit.

Other provisions, with reference to existing laws in the several Provinces, and some contingent liabilities, for which, under their existing laws, they might become responsible, were also made. The necessities of Newfoundland compelled a departure, with reference to that colony, from the principle the Convention had adopted as regards the ungranted Crown lands in the other Provinces. The agreement for the transfer of those in that island to the General Government was only carried after much discussion. It was stoutly urged that if Newfoundland required \$150,000 per annum more than the general plan proposed, it was better to give it at once, or forego her admission; but the former could not be conceded without injustice to the other Provinces, and a departure from the terms on which they were induced to come in; and the latter could not be assented to without a departure from the broad scheme of the consolidation of all British North America. The acceptance of her lands was therefore carried; and, at the request of her delegates and those of Prince Edward Island, an exception was made, that the qualification for members of the Legislative Council from the two Islands might consist of personal as well as real property, leaseholds being extensively in use in both.

No other exceptional provision was made with reference to Prince Edward Island, save as to the members of the Legislative Council not being in the first instance selected from the existing Council, that body in the Island being elective, and her delegates especially requesting that with reference to that Island the question of nomination or election might be left open for further consideration; and as to any particular claim she might have on the British



Government for the Lieutenant-Governor's salary, in consequence of that salary having been always paid by the British Government, and not by the Island; though during the discussion on the representation in Parliament, and on the financial arrangements, her representatives were restive and perhaps exacting; but after the report of the committee appointed to devise the financial arrangements, on which she was represented by her Provincial Secretary, no dissatisfaction was expressed.

Among the provisions relating to the imposition or regulation of duties on imports and exports, for which power was to be given exclusively to the General Government, was an exception, which led to much discussion, and demands explanation, namely, the exemption from the power of the General Government of affecting (if not increased) the export duty on timber, logs and lumber from New Brunswick, and of coal and other minerals in Nova Scotia. Not only was the principle of export duties denounced, but it was observed that no such power was permitted to the other Provinces, and that most of them dealt quite as largely in the lumber trade as New Brunswick, and the reason for such exception was not apparent. It must be remembered that the Crown lands and mines and minerals in each Province were to remain the property of each Province, as a part of its source of local revenue. Many years previously, the Legislature of New Brunswick, finding the expenses of collecting the stumpage dues unnecessarily great—in fact, so far as the public revenue went, rendering her forests entirely unproductive—had simplified the matter by the substitution of an export duty in lieu of stumpage; and that law having been in successful operation for many years, and still being in force, could not be interfered with. It was simply another mode of collecting cullers' dues, as known at the port of Quebec, and was more the irregular application of a term or expression, than the adoption of a general principle in trade. The same observation is applicable to the exemption in favour of coal and other minerals in Nova Scotia, being simply a more convenient mode there in use of collecting the royalties. In this way an exception was introduced into the constitution, which would otherwise appear inconsistent.

The foregoing details, with others deemed essential, were embodied in seventy-two resolutions, which were to be authenticated by the signatures of the delegates, to be transmitted to their respective Governments for submission to their Legislatures, and to the Governor-General for the Secretary of State for the Colonies. Throughout the resolutions the present Provinces of Ontario and Quebec were spoken of as Upper and Lower Canada. Though, as at present, more generally recognized under the former designation, they are indifferently so referred to in this work.

The Resolutions were as follows :

1. The best interests and present and future prosperity of British North America will be promoted by a Federal Union under the Crown of Great Britain, provided such Union can be effected on principles just to the several Provinces.

2. In the Federation of the British North American Provinces the system of government best adapted under existing circumstances to protect the diversified interests of the several Provinces, and secure efficiency, harmony and permanency in the working of the Union, would be a General Government charged with matters of common interest to the whole country, and Local Governments for each of the Canadas, and for the Provinces of Nova Scotia, New Brunswick and Prince Edward Island, charged with the control of local matters in their respective sections ; provision being made for the admission into the Union, on equitable terms, of Newfoundland, the North-West Territory, British Columbia and Vancouver.

3. In framing a Constitution for the General Government, the Conference, with a view to the perpetuation of our connection with the mother country, and to the promotion of the best interests of the people of these Provinces, desire to follow the model of the British Constitution, so far as our circumstances will permit.

4. The executive authority or government shall be vested in the Sovereign of the United Kingdom of Great Britain and Ireland, and be administered according to the well-understood principles of the British Constitution by the Sovereign personally, or by the representative of the Sovereign duly authorized.

5. The Sovereign or representative of the Sovereign shall be Commander-in-Chief of the Land and Naval Militia Forces.

6. There shall be a General Legislature or Parliament for the Federated Provinces, composed of a Legislative Council and a House of Commons.

7. For the purpose of forming the Legislative Council, the Federated Provinces shall be considered as consisting of three divisions: 1st, Upper Canada; 2nd, Lower Canada; 3rd, Nova Scotia, New Brunswick and Prince Edward Island, each division with an equal representation in the Legislative Council.

8. Upper Canada shall be represented in the Legislative Council by twenty-four members, Lower Canada by twenty-four members, and the three Maritime Provinces by twenty-four members, of which Nova Scotia shall have ten, New Brunswick ten, and Prince Edward Island four members.

9. The colony of Newfoundland shall be entitled to enter the proposed Union with a representation in the Legislative Council of four members.

10. The North-West Territory, British Columbia, and Vancouver, shall be admitted into the Union on such terms and conditions as the Parliament of the federated Provinces shall deem equitable, and as shall receive the assent of Her Majesty; and in the case of the Province of British Columbia or Vancouver, as shall be agreed to by the Legislature of such Province.

11. The members of the Legislative Council shall be appointed by the Crown, under the Great Seal of the General Government, and shall hold office during life. If any Legislative Councillor shall, for two consecutive sessions of Parliament, fail to give his attendance in the said Council, his seat shall thereby become vacant.

12. The members of the Legislative Council shall be British subjects by birth or naturalization, of the full age of thirty years, shall possess a continuous real property qualification of four thousand dollars over and above all incumbrances, and shall be and continue worth that sum over and above their debts and liabilities; but in case of Newfoundland and Prince Edward Island, the property may be either real or personal.

13. If any question shall arise as to the qualification of a Legislative Councillor, the same shall be determined by the Council.

14. The first selection of the members of the Legislative Council shall be made, (except as regards Prince Edward Island,) from the Legislative Councils of the various Provinces, so far as a sufficient number be found qualified and willing to serve: such members shall be appointed by the Crown, at the recommendation of the General Executive Government, upon the nomination of the respective Local Governments; and in such nomination due regard shall be had to the claims of the members of the Legislative Council of the Opposition in each Province, so that all political parties may as nearly as possible be fairly represented.

15. The Speaker of the Legislative Council (unless otherwise provided by Parliament) shall be appointed by the Crown from among the members of the Legislative Council, and shall hold office during pleasure, and shall only be entitled to a casting vote on an equality of votes.

16. Each of the twenty-four Legislative Councillors representing Lower Canada in the Legislative Council of the General Legislature shall be appointed to represent one of the twenty-four Electoral Divisions mentioned in schedule A of chapter I of the Consolidated Statutes of Canada, and such Councillor shall reside or possess his qualification in the division he is appointed to represent.

17. The basis of representation in the House of Commons shall be population, as determined by the official census every ten years; and the number of members at first shall be one hundred and ninety-four, distributed as follows:

Upper Canada .....	82
Lower Canada .....	65
Nova Scotia .....	19
New Brunswick.....	15
Newfoundland.....	8
Prince Edward Island.....	5

18. Until the official census of 1871 has been made up, there shall be no change in the number of representatives from the several sections.

19. Immediately after the completion of the census of 1871, and immediately after every decennial census thereafter, the repre-

sentation from each section in the House of Commons shall be readjusted on the basis of population.

20. For the purpose of such readjustments, Lower Canada shall always be assigned sixty-five members; and each of the other sections shall, at each readjustment, receive, for the ten years then next succeeding, the number of members to which it will be entitled on the same ratio of representation to population as Lower Canada will enjoy according to the census last taken by having sixty-five members.

21. No reduction shall be made in the number of members returned by any section, unless its population shall have decreased, relatively to the population of the whole Union, to the extent of five per centum.

22. In computing, at each decennial period, the number of members to which each section is entitled, no fractional parts shall be considered, unless when exceeding one half the number entitling to a member, in which case a member shall be given for each such fractional part.

23. The Legislature of each Province shall divide such Province into the proper number of constituencies, and define the boundaries of each of them.

24. The Local Legislature of each Province may, from time to time, alter the Electoral Districts for the purposes of representation in the House of Commons, and distribute the representatives to which the Province is entitled in any manner such Legislature may think fit.

25. The number of members may at any time be increased by the General Parliament, regard being had to the proportionate rights then existing.

26. Until provisions are made by the General Parliament, all the laws which, at the date of the proclamation constituting the Union, are in force in the Provinces respectively, relating to the qualification and disqualification of any person to be elected or to sit or vote as a member of the Assembly in the said Provinces respectively; and relating to the qualification or disqualification of voters, and to the oaths to be taken by voters, and to Returning Officers and their powers and duties; and relating to the proceed-

ings at elections, and to the period during which such elections may be continued; and relating to the trial of controverted elections, and the proceedings incident thereto; and relating to the vacating of seats of members, and to the issuing and execution of new writs in case of any seat being vacated otherwise than by a dissolution, shall respectively apply to elections of members to serve in the House of Commons for places situate in those Provinces respectively.

27. Every House of Commons shall continue for five years from the day of the return of the writs choosing the same, and no longer; subject nevertheless, to be sooner prorogued or dissolved by the Governor.

28. There shall be a session of the General Parliament once at least in every year, so that a period of twelve calendar months shall not intervene between the last sitting of the General Parliament in one session and the first sitting thereof in the next session.

29. The General Parliament shall have power to make laws for the peace, welfare and good government of the federated Provinces (saving the sovereignty of England), and especially laws respecting the following subjects:

1. The public debt and property.
2. The regulation of trade and commerce.
3. The imposition or regulation of duties of customs on imports and exports, except on exports of timber, logs, masts, spars, deals and sawn lumber, and of coal and other minerals.
4. The imposition or regulation of excise duties.
5. The raising of money by all or any other modes or systems of taxation.
6. The borrowing of money on the public credit.
7. Postal service.
8. Lines of steam or other ships, railways, canals and other works connecting any two or more of the Provinces together, or extending beyond the limits of any Province.
9. Lines of steamships between the federated Provinces and countries.

10. Telegraphic communication, and the incorporation of telegraphic companies.
11. All such works as shall, although lying wholly within any Province, be specially declared, by the Acts authorizing them, to be for the general advantage.
12. The census.
13. Militia ; Military and Naval service and defence.
14. Beacons, buoys and light-houses.
15. Navigation and shipping.
16. Quarantine.
17. Sea-coast and inland fisheries.
18. Ferries between any Province and a foreign country, or between any two Provinces.
19. Currency and coinage.
20. Banking, incorporation of Banks, and the issue of paper money.
21. Savings Banks.
22. Weights and measures.
23. Bills of exchange and promissory notes.
24. Interest.
25. Legal tender.
26. Bankruptcy and insolvency.
27. Patents of invention and discovery.
28. Copyrights.
29. Indians, and lands reserved for the Indians.
30. Naturalization and aliens.
31. Marriage and divorce.
32. The Criminal Law, excepting the constitution of the Courts of criminal jurisdiction, but including the procedure in criminal matters.
33. Rendering uniform all or any of the laws relative to property and civil rights in Upper Canada, Nova Scotia, New Brunswick, Newfoundland and Prince Edward Island, and rendering uniform the procedure of all or any of the Courts in these Provinces ; but any statute for this purpose shall have no force or authority in any Province until sanctioned by the Legislature thereof.

34. The establishment of a General Court of Appeal for the federated Provinces.
35. Immigration:
36. Agriculture.
37. And generally respecting all matters of a general character, not specially and exclusively reserved for the Local Governments and Legislatures.

30. The General Government and Parliament shall have all powers necessary or proper for performing the obligations of the federated Provinces, as part of the British Empire, to foreign countries, arising under treaties between Great Britain and such countries.

31. The General Parliament may also, from time to time, establish additional Courts; and the General Government may appoint Judges and officers thereof, when the same shall appear necessary or for the public advantage, in order to the due execution of the laws of Parliament.

32. All Courts, Judges and officers of the several Provinces shall aid, assist and obey the General Government in the exercise of its rights and powers, and for such purposes shall be held to be Courts, Judges and Officers of the General Government.

33. The General Government shall appoint and pay the Judges of the Superior Courts in each Province, and of the County Courts of Upper Canada, and Parliament shall fix their salaries.

34. Until the consolidation of the laws of Upper Canada, New Brunswick, Nova Scotia, Newfoundland and Prince Edward Island, the Judges of these Provinces appointed by the General Government shall be selected from their respective Bars.

35. The Judges of the Courts of Lower Canada shall be selected from the Bar of Lower Canada.

36. The Judges of the Court of Admiralty now receiving salaries shall be paid by the General Government.

37. The Judges of the Superior Courts shall hold their offices during good behaviour, and shall be removable only on the address of both Houses of Parliament.



## LOCAL GOVERNMENT.

38. For each of the Provinces there shall be an executive officer styled the Lieutenant-Governor, who shall be appointed by the Governor-General in Council, under the Great Seal of the Federated Provinces, during pleasure ; such pleasure not to be exercised before the expiration of the first five years, except for cause ; such cause to be communicated in writing to the Lieutenant-Governor immediately after the exercise of the pleasure as aforesaid, and also by message to both Houses of Parliament, within the first week of the first session afterwards.

39. The Lieutenant-Governor of each Province shall be paid by the General Government.

40. In undertaking to pay the salaries of the Lieutenant-Governors, the Conference does not desire to prejudice the claim of Prince Edward Island upon the Imperial Government for the amount now paid for the salary of the Lieutenant-Governor thereof.

41. The Local Government and Legislature of each Province shall be constructed in such manner as the existing Legislature of such Province shall provide.

42. The Local Legislatures shall have power to alter or amend their constitution from time to time.

43. The Local Legislatures shall have power to make laws respecting the following subjects :

1. Direct taxation and the imposition of duties on the export of timber, logs, masts, spars, deals and sawn lumber, and of coals and other minerals.
2. Borrowing money on the credit of the Province.
3. The establishment and tenure of local offices, and the appointment and payment of local officers.
4. Agriculture.
5. Immigration.
6. Education ; saving the rights and privileges which the Protestant or Catholic minority in both Canadas may possess as to their denominational Schools, at the time when the Union goes into operation.

7. The sale and management of public lands, excepting lands belonging to the General Government.
  8. Sea-coast and inland fisheries.
  9. The establishment, maintenance and management of penitentiaries, and of public and reformatory prisons.
  10. The establishment, maintenance and management of hospitals, asylums, charities, and eleemosynary institutions.
  11. Municipal institutions.
  12. Shop, saloon, tavern, auctioneer and other licenses.
  13. Local works.
  14. The incorporation of private and local companies, except such as relate to matters assigned to the General Parliament.
  15. Property and civil rights, excepting those portions thereof assigned to the General Parliament.
  16. Inflicting punishment by fines, penalties, imprisonment, or otherwise for the breach of laws passed in relation to any subject within their jurisdiction.
  17. The administration of justice, including the constitution, maintenance and organization of the courts—both of civil and criminal jurisdiction, and including also the procedure in civil matters.
  18. And generally all matters of a private or local nature, not assigned to the General Parliament.
44. The power of respiting, relieving and pardoning prisoners convicted of crimes, and of commuting and remitting of sentences, in whole or in part, which belongs of right to the Crown, shall be administered by the Lieutenant-Governor of each Province in Council, subject to any instructions he may from time to time receive from the General Government, and subject to any provisions that may be made in his behalf by the General Parliament.

## MISCELLANEOUS.

45. In regard to all subjects over which jurisdiction belongs to both the General and Local Legislatures, the laws of the General Parliament shall control and supersede those made by the Local

Legislature, and the latter shall be void so far as they are repugnant to, or inconsistent with the former.

46. Both the English and French language may be employed in the General Parliament and in its proceedings, and in the Local Legislature of Lower Canada, and also in the Federal Courts and in the Courts of Lower Canada.

47. No lands or property belonging to the General or Local Government shall be liable to taxation.

48. All bills for appropriating any part of the public revenue, or for imposing any new tax or impost, shall originate in the House of Commons, or in the House of Assembly, as the case may be.

49. The House of Commons or House of Assembly shall not originate or pass any vote, resolution, address or bill, for the appropriation of any part of the public revenue, or of any tax or impost to any purpose, not first recommended by message of the Governor-General, or the Lieutenant-Governor, as the case may be, during the session in which such vote, resolution, address or bill is passed.

50. Any bill of the General Parliament may be reserved in the usual manner for Her Majesty's assent; and any bill of the Local Legislatures may in like manner be reserved for the consideration of the Governor-General.

51. Any bill passed by the General Parliament shall be subject to disallowance by Her Majesty within two years, as in the case of bills passed by the Legislatures of the said Provinces hitherto; and in like manner any bill passed by a Local Legislature shall be subject to disallowance by the Governor-General within one year after the passing thereof.

52. The Seat of Government of the Federated Provinces shall be Ottawa, subject to the Royal Prerogative.

53. Subject to any future action of the respective Local Governments, the Seat of the Local Government in Upper Canada shall be Toronto; of Lower Canada, Quebec; and the Seats of the Local Governments in the other Provinces shall be as at present.

## PROPERTY AND LIABILITIES.

54. All stocks, cash, bankers' balances and securities for money belonging to each Province, at the time of the union, except as hereinafter mentioned, shall belong to the General Government.

55. The following public works and property of each Province, shall belong to the General Government, to wit :

1. Canals.
2. Public harbours.
3. Light-houses and piers.
4. Steamboats, dredges and public vessels.
5. River and lake improvements.
6. Railways and railway stocks, mortgages and other debts due by railway companies.
7. Military roads.
8. Custom houses, post offices and other public buildings, except such as may be set aside by the General Government for the use of the Local Legislatures and Governments.
9. Property transferred by the Imperial Government and known as ordnance property.
10. Armories, drill sheds, military clothing and munitions of war.
11. Lands set apart for public purposes.

56. All lands, mines, minerals and royalties vested in Her Majesty in the Provinces of Upper Canada, Lower Canada, Nova Scotia, New Brunswick and Prince Edward Island, for the use of such Provinces, shall belong to the Local Government of the territory in which the same are so situate ; subject to any trusts that may exist in respect to any of such lands, or to any interest of other persons in respect of the same.

57. All sums due from purchasers or lessees of such lands, mines or minerals at the time of the union, shall also belong to the Local Governments.

58. All assets connected with such portions of the public debt of any Province as are assumed by the Local Governments shall also belong to those Governments respectively.

59. The several Provinces shall retain all other public property therein, subject to the right of the General Government to assume any lands or public property required for fortifications or the defence of the country.

60. The General Government shall assume all the debts and liabilities of each Province.

61. The debt of Canada, not specially assumed by Upper and Lower Canada respectively, shall not exceed at the time of the union, \$62,500,000; Nova Scotia shall enter the union with a debt not exceeding \$8,000,000, and New Brunswick with a debt not exceeding \$7,000,000.

62. In case Nova Scotia or New Brunswick do not incur liabilities beyond those for which their Governments are now bound, and which shall make their debts at the date of the union less than \$8,000,000 and \$7,000,000 respectively, they shall be entitled to interest at five per cent. on the amount not so incurred, in like manner as is hereinafter provided for Newfoundland and Prince Edward Island; the foregoing resolution being in no respect intended to limit the powers given to the respective Governments of those Provinces by Legislative authority, but only to limit the maximum amount of charge to be assumed by the General Government. Provided always that the powers so conferred by the respective Legislatures shall be exercised within five years from this date or the same shall then lapse.

63. Newfoundland and Prince Edward Island not having incurred debts equal to those of the other Provinces, shall be entitled to receive, by half-yearly payments, in advance, from the General Government, the interest at five per cent. on the difference between the actual amount of their respective debts at the time of the union, and the average amount of indebtedness per head of the population of Canada, Nova Scotia and New Brunswick.

64. In consideration of the transfer to the General Parliament of the powers of taxation, an annual grant in aid of each Province shall be made, equal to 80 cents per head of the population, as established by the census of 1861,—the population of Newfoundland being estimated at 130,000. Such aid shall be in full settlement of all future demands upon the General Government

for local purposes, and shall be paid half-yearly in advance to each Province.

65. The position of New Brunswick being such as to entail large immediate charges upon her local revenues, it is agreed that for the period of ten years from the time when the union takes effect, an additional allowance of \$63,000 per annum shall be made to that Province. But that so long as the liability of that Province remains under \$7,000,000, a deduction equal to the interest on such deficiency shall be made from the \$63,000.

66. In consideration of the surrender to the General Government by Newfoundland of all its rights in the mines and minerals, and of all the ungranted and unoccupied lands of the Crown, it is agreed that the sum of \$150,000 shall each year be paid to that Province, by semi-annual payments. Provided that that Colony shall retain the right of opening, constructing and controlling roads and bridges through any of the said lands, subject to any laws which the General Parliament may pass in respect of the same.

67. All engagements that may, before the union, be entered into with the Imperial Government for the defence of the country, shall be assumed by the General Government.

68. The General Government shall secure, without delay, the completion of the Intercolonial Railway from Rivi re-du-Loup, through New Brunswick, to Truro in Nova Scotia.

69. The communications with the North-Western Territory, and the improvements required for the development of the trade of the great West with the seaboard, are regarded by this Conference as subjects of the highest importance to the Federated Provinces, and shall be prosecuted at the earliest possible period that the state of the finances will permit.

70. The sanction of the Imperial and Local Parliaments shall be sought for the Union of the Provinces, on the principles adopted by the Conference.

71. That Her Majesty the Queen be solicited to determine the rank and name of the Federated Provinces.

72. The proceedings of the Conference shall be authenticated by the signatures of the delegates, and submitted by each delega-

tion to its own Government, and the Chairman is authorized to submit a copy to the Governor-General for transmission to the Secretary of State for the Colonies.

It will be observed that these resolutions differ in some material respects from those ultimately adopted at Westminster, which formed the final basis of the articles of Confederation, and were embodied in the British North America Act 1867.

As the financial arrangements constituted the principal difficulty throughout the preliminary negotiations, and were afterwards in the Confederate Parliament frequently made the subject of much discussion, and of many very different constructions, it would be as well to preserve the statements and figures made and used at the Quebec Conference. They were subsequently tabulated\* and arranged under the direction of Mr. Galt, the Finance Minister, and were officially published in the early part of the winter of 1865.

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\* *Vide* APPENDIX A.

## CHAPTER III.

Banquets at Quebec and Montreal—Public sentiment in Lower Canada—Conduct of the Press—Custom of the ancient Germans followed by the English—Speeches at Quebec—Reception by the Laval University—Reception at Montreal—Education of the public mind—Remarks of Delegates and Local Members at Montreal—A.D. 1864.

On the 28th October, the Convention closed its sittings at Quebec, and adjourned to Montreal.

We will now pause, and, looking at the current events that surrounded the Convention while at Quebec, endeavour to trace the formation of public opinion on the important subject under the consideration of its members.

The Resolutions themselves were not made public *in extenso*, because the delegates had first to report them to their respective Governments; but the purport of them was sufficiently known, through the instrumentality of the press, to enable a tolerably correct estimate to be formed of their character. The one broad fact, at any rate, was proclaimed—that the representatives of the several Provinces had agreed upon a plan for union of all British North America, and that its future consolidation was to some degree secured. It is with the reception of this one fact by the public, rather than with the details of the plan, that we have at present to deal.

It would be superfluous to observe, that during the sitting of the Convention, the well-known hospitalities of Quebec were extended to its members. Those graceful courtesies which in private life had made its society the delight of strangers, and the capital of old Canada the most acceptable station to Her Majesty's forces when serving abroad, were offered in profusion. But it is to public matters our attention must be turned.

The proceedings of the Convention were watched with intense interest by the representatives of the press from the different centres of influence throughout the country; and though, by the determination of the Convention to sit with closed doors, the



individual action of members was but little known, the results, in some way, were always sure to reach the public ear. Thus day by day the public mind became imbued with the nature of those changes which were being suggested; and though the actual transcript might not go abroad, yet sufficient information was obtained to indicate their tendency and character. The conduct of the press was most admirable. No attempt was made to foster party prejudice, or create local jealousies; no effort to advance the individual triumph of one politician over another; no fulsome eulogy. All was fair—a determination to wait until the whole *projet* was promulgated; not to anticipate, not to prejudge from objections to any particular part. The fabric must stand from its general solidity, what was weak sustained by what was strong, or it must fall, from its entire insufficiency to accomplish the end proposed.

Tacitus, in his “*De Moribus Germanorum*,” states that it was the custom of that ancient people, when any great measure was to be proposed, or any great work undertaken; to gather together in general assembly, when much feasting took place, and great drunkenness prevailed, and there and then to discuss with the fullest freedom the subject matter they had met to consider, but not to determine upon it until the day after. Thus, he tersely observes, “*Deliberant dum fingere nesciunt, constituunt dum errare non possunt.*” They deliberate while they cannot feign; they determine when they cannot err.

Whether it be that this custom has descended, in some modified form, to our ancestors or not, we cannot exactly say; but true it is, that it is the habit of the English-speaking race and their descendants in every part of the world, to inaugurate great undertakings with eating and drinking. If a railroad is to be built, a constitution to be framed, a lord-mayor to be sworn in, a statesman to be complimented, a prince to be received, a charitable institution to be founded, a dock to be opened, an asylum to be built, a call for money for any great work to be made, a banquet must be held. An Englishman is a queer man. Hard-fisted, hard-headed, hard-hearted, you may nevertheless lead him to anything—you can drive him to nothing. He has plenty of money—he will refuse it; he has certain political rights—he will defy you

to touch them ; things are good enough as they are—he does not want any change. But reason with him, show him that a thing is right ; he is a gregarious animal ; convince his neighbours with himself ; make out your plan ; prove it to be solid and sensible, and likely to be productive of good ; appeal to his generosity ; give him time, and he will become as enthusiastic as before he was obdurate, as liberal as before he was close, as generous in the concession of rights as before he was reserved, and as ready to go heart and soul into the great change as before he was opposed. Have a banquet—he becomes uncontrollable ; and mid the cheers of the wine-cup, and the flowers of speech, his heart and hand and purse are open. But try to take his money from him against his will, and he would not yield it, if it was to build a pathway to heaven ; try to trample upon a right, and no power on earth would make him concede it.

This utilizing of a banquet is characteristic of the race in every part of the world, from Australia to Hudson's Bay. By its means the movers in any great measure of progress become the expounders of their own proposition, and the public receive authoritatively the outlines thus announced. Fortunately, unlike the ancient Germans, we have not to discuss or determine at or after the banquet. The work is in some measure moulded before. It is only for heralding the birth we make use of the banquet, and to ask the public to become sponsors for the organism, whose subsequent attainment to maturity must depend upon their approval.

Quebec had its banquet under the auspices of the Board of Trade ; its citizens gathered together to do honor to the occasion a day or two before the Convention adjourned, and there, amid fruit and flowers, mid the drapery of friendly flags, mid the strains of martial music, and the cheers of excited men, the proposed Federation of British North America was first authoritatively announced by the representatives of the several Provinces to their people.

It is not proposed to give in full the speeches made on this and similar occasions, or in any of the parliamentary debates or public demonstrations throughout the three succeeding years immediately preceding Confederation. Selecting the leading points, condensing

without weakening the information conveyed, and avoiding, as far as possible, the reiteration by different speakers of the same idea, will afford, it is believed, a correct estimate of the gradual process by which a change in the constitutional government of the Provinces was brought about—a change for which the public mind was prepared, and to which its tendencies were directed.

On this occasion Mr. Joseph, the President of the Board of Trade, who presided over the hospitable board, in giving the toast of the evening, “Our Guests, the Delegates from the Maritime Provinces,” declared :

“That while the merchants of Quebec did not think they were called upon to express an opinion on the question of confederation itself, they all heartily desired some change in their then position. They desired a thorough commercial union. They desired that the unequal and hostile tariffs of the several Provinces should disappear. They wanted one tariff instead of five. They wanted a commercial union under the flag of England, strengthened still further by the iron ties of the Intercolonial Railway. They had long been in the habit of calling the Maritime Provinces sister colonies ; but notwithstanding this appellation, they were strangers to each other, as was shown by the diversity of tariffs ; but they hoped a new era was about dawning upon them.”

The Hon. Dr. Tupper, the Provincial Secretary of Nova Scotia, on behalf of that Province remarked :

“That assembled as the delegates were in an endeavour to devise, under the authority and with the sanction of the Crown of Great Britain, a better system for their country, they were obliged to observe that confidence as to their proceedings which was so material to the success of the undertaking. It would be very embarrassing if the opinions of the Conference were sent broadcast throughout the country, and made a bone of contention before they were matured. They believed that the time had come when it was desirable to choose a sounder and more judicious system for the British North American Provinces.” He briefly referred to

a few of the advantages likely to accrue from a union with the Maritime Provinces. "It was true," he observed, "that the Canadians possessed a boundless country and a large population; but with all their territory, population and resources, the Maritime Provinces could offer them something necessary in forming a great nation. They would bring with them fifty or sixty thousand square miles of country, and an additional population of eight hundred thousand souls; and it was needless to say that an addition of eight hundred thousand consumers of the growing manufactures of Canada was no small item. They did not require to unite with Canada for the purpose of taking anything from it, or of drawing upon its wealth or its resources. It was needless to say what Canada owed to the St. Lawrence, that great natural highway between the productive regions of the West and the ocean; but great as it undoubtedly was, it was imperfect, inasmuch as it was closed to navigation for five months of the year. The remedy for this state of things was the construction of the Intercolonial Railway. This work would provide a highway to the ocean over British territory, giving not political greatness alone, but commercial greatness likewise. The question under consideration was, however, a great and important question in all its bearings. It was so great that the voice of faction was hushed. Throughout the whole of British North America the feeling prevailed that the magnitude of this question demanded that all partizanship should cease while the matter was being discussed."

The Hon. Mr. Tilley, the Provincial Secretary of New Brunswick, replied for that Province with equal frankness, and remarking upon the cordial feeling, observed:

"The delegates from the Lower Provinces were not seeking this union. They had assembled at Charlottetown in order to see whether they could not extend their own family relations, and then Canada intervened, and the consideration of the larger question was the result. He considered it right to make this remark, inasmuch as it had been asserted that the Maritime Provinces, weak and impoverished, were endeavouring to attach themselves to Canada, in order to reap the benefits arising from such a union.

This was not the case. He was in a position to state that, for the year 1864, after paying the interest on all their debts, and after providing liberally for roads, bridges and other public works, they would have a surplus of half a million." \* \* \* Next alluding to the Intercolonial Railway project, he said, "their feeling on this subject was: 'We wont have this union unless you give us the railway.' It was utterly impossible we could have either a political or commercial union without it."

In replying to the toast of "The Commercial Prosperity of British North America," which had been given by Mr. James Bell Forsyth, one of the most prominent and respected merchants of Quebec, accompanied with the fervent wish that "we would have not only a railroad, but a uniform tariff, and not only a uniform tariff, but such a union, whether federal or legislative, as would give us unity of sentiment and community of interest," Mr. Galt, then Finance Minister of Canada, said :

"With regard to the question of commercial prosperity arising out of this subject, he might remark, that in commerce we should never be contented with the minor advantages if we could get the major. What depressed the commercial energies of this country? Because we had hitherto been confined to two markets—English and the United States. Now a union with the Lower Provinces would not only give the benefit of their local markets, but would also open up to us the benefit of their foreign trade—a trade which, in one or two instances, Canada had once possessed, but lost. We had in our own Province a certain amount of the maritime element; but not so much as we should have after a union with the sister Provinces. In these circumstances it was gratifying that those points in which they might be deficient would be amply supplied by the other Provinces. They were trying to encourage manufacturing in Canada. A supply of coal was a most important element of success in this respect, and Nova Scotia possessed that element. The great resources of the Maritime Provinces had been amply shown, and it had been abundantly proved that they came not as seeking assistance, but in a broad and national spirit. He was glad their speeches would go forth

to the public, and that it would be seen that the Provinces came together with a liberal and patriotic desire for mutual advancement, and to perpetuate and preserve British institutions in a truly British spirit."

Sir Etienne Taché, the venerable Chairman of the Convention, in replying to "Her Majesty's Ministers," remarked :

"The existing administration in Canada had been formed for the express purpose of carrying out the important measure for which the delegates from the other Provinces were then assembled at Quebec—the Confederation of the British American Provinces. The union of British America had been recommended by Lord Durham, and though not then adopted, yet that portion of his report which had been adopted, namely, the union of Upper and Lower Canada, had doubled our population and trebled our resources in twenty years."

With equal frankness, Hon. Mr. Carter, from Newfoundland; and the Hon. and gallant Colonel Gray, the Premier of Prince Edward Island, and Chairman of the Charlottetown Convention, replied for their respective Provinces.

But it was not solely at public dinners and on festive occasions that the public approbation of the proposed change in the position and constitution of the Provinces was manifested. The literary institutions were equally earnest in their cordial expressions of concurrence. Among others, the Laval University, renowned in the old city of Quebec for the number of distinguished scholars and able men it had already supplied to Canada, arranged a public reception at the University, and presented the Delegates from the Maritime Provinces with an address which is well worthy of being remembered. The venerable Bishop of Tloa, the administrator of the diocese of Quebec, the Rector, Deans, Professors and officers of the institution, with the pupils from the Quebec Seminary, assembled in their hall, and gave to the occasion the solemnity which their presence among their fellow citizens always commanded. The Rector then read the following address :

HONORABLE GENTLEMEN,—There are in the lives of nations, as in those of individuals, moments of solemn import, on which their destiny hangs.

The British Colonies of North America are now in one of those critical periods, the influence of which may even surpass our prevision.

History will hand down to posterity the names of those whom the confidence of their fellow-citizens has entrusted with this great mission of examining the basis of our political constitution, and of proposing fundamental modifications.

It is not the part of a literary and scientific institution to express an opinion on the all-important questions of the day ; yet it cannot remain indifferent to debates which concern our common country, understanding as it does how well worthy of the best wishes of all are the eminent personages on whose shoulders weighs so heavy a responsibility.

Moreover, the prosperity of an institution such as this is too closely connected with the future of the country not to partake in the anxiety with which, from the sources to the mouth of the St. Lawrence, five millions of British subjects await the result of your important labors.

The students of the Quebec Seminary and those of Laval University, whom you see here united, also share in our emotion ; in after years some of them may, in their turn, be called on to guide the ship of the state, and to continue the construction, the foundations of which it is your mission to lay.

Whatever may be the issue of your deliberations, permit us to assure you, honorable gentlemen, in the name of all our pupils and alumni, that your visit will be long borne in mind by them. Nor will it be without result, for, while engaged in the task of developing their intelligence, they will be animated by the grateful remembrance of the honor conferred on their *alma mater* by the presence of the most eminent and most influential men of this immense territory.

Hon. Dr. Tupper, on behalf of himself and associate delegates, read the following reply :

*To the Very Rev. E. A. Taschereau, D.C.L., Rector of the University of Laval.*

VERY REVEREND SIR,—We beg to express our grateful estimate of the very flattering terms in which we have been addressed by you on behalf of the Faculties and Alumni of this distinguished University, and of the Professors and Students of the Quebec Seminary.

Engaged as we are in the important duty of endeavouring, in conjunction with the Government of Canada, so to improve the political institutions of the British American Provinces as to promote the common interests of all, we are much gratified to learn that our high mission is duly appreciated at a great seat of learning from which the public sentiment of the country must be largely influenced.

The Students of the Quebec Seminary, as also the Faculties and Alumni of Laval University, may rest assured that our best efforts will be exerted to find a wise solution of the great question which has been submitted to our deliberations; but in any event, we will not soon forget the distinguished mark of respect which you have been pleased to offer us on the present occasion.

(Signed)

CHARLES TUPPER, W. A. HENRY, J. McCULLY, R. B. DICKEY,  
A. G. ARCHIBALD, *Nova Scotia.*

S. L. TILLEY, W. H. STEEVES, J. M. JOHNSTON, E. B.  
CHANDLER, J. H. GRAY, CHAS. FISHER, *New Brunswick.*

F. B. T. CARTER, J. AMBROSE SHEA, *Newfoundland.*

J. H. GRAY, E. PALMER, W. H. POPE, A. A. McDONALD,  
GEORGE COLES, T. HEATH HAVILAND, EDWARD WHELAN,  
*Prince Edward Island.*

Thus, in every way in which public opinion could be judged of in Quebec, the movement in favour of Union was cordially approved of.

But the enthusiasm was not less warm as the Convention moved its deliberations westward. On the 28th October the sittings were



adjourned to Montreal. The press was to a great degree united in its approbation of the contemplated measure. The citizens of Montreal were not less generous in their public demonstrations and hospitalities, than had been the citizens of Quebec. Public receptions and municipal courtesies were extended on every side. A magnificent banquet was given at the St. Lawrence Hall. The Ministers of State, the Commander of the Forces (Sir Fenwick Williams), the Governor of Nova Scotia (Sir R. G. McDonnell), the Mayor, prominent merchants and leading citizens of all shades of politics attended.

When in the Maritime Provinces, the members of the Canadian Government, at the request of the delegates of those Provinces, had availed themselves of similar occasions to explain to the people of those Provinces the reasons and advantages which appeared to them to render the Union desirable for the Maritime Provinces. On the occasion of the public demonstrations in Canada, they, in return, called upon the delegates from the Maritime Provinces to point out to their people the reasons which would render the Union desirable for Canada; and thus, as it were, we have an outline of that education of the public mind on this subject which, commenced with a definite aim at the Prince Edward Island Convention, was followed up until it terminated in the successful accomplishment of Confederation a few years after.

But there is yet another reason why the observations made on these occasions should be recorded. Public men ought to be as much bound by their public declarations, openly made, on the public affairs of their country, as private individuals are by theirs in the affairs of private life. All confidence in negotiations, all combinations of states or communities for their common good, would be utterly worthless, if those who are vested with power to act, and do act, can repudiate compacts solemnly made and publicly announced, because some unexpected circumstance may make what they have done temporarily detrimental to their personal advantage. Public morality and public faith ought to be exacted even more scrupulously than private morality or private faith. A violation of the latter may be injurious to the individual, but a violation of the former reflects dishonor upon the country, and lowers the

standard of those who have been chosen by the people to fill places of trust and honor, in reliance on their integrity.

On returning to their respective Provinces, and finding that the measure was not there as popular as they expected, some of the delegates immediately repudiated their acts and words at the Convention, and joined in resisting the Union, to the consideration of which, as members of the Government of their Province, they had acceded, and as members of the Quebec Convention had agreed to. Thus the original plan of Confederation to this day remains incomplete. The Island of Prince Edward, which, from its peculiar position with reference to the Fisheries would have been, and will yet be, an important acquisition to the Confederation, remains isolated; and Newfoundland, notwithstanding the earnest efforts of both Mr. Carter and Mr. Shea, who most ably represented that Island at the Convention, has not yet, by the action of its people or Legislature, expressed its assent.

On the occasion of the banquet at the St. Lawrence Hall, in reply to the toast of his health, Sir R. G. McDonnell, Governor of Nova Scotia, after some preliminary observations, said :

“The moment was a very critical one in the history of the Provinces; and suggestions, however patriotically made, ought not to be all at once accepted without due consideration. The whole future history, both of Canada and the Maritime Provinces, would no doubt be materially affected, for the better or for the worse, by the decision which the community at large and the different Legislatures might make on these proposals. He trusted it would not be thought necessary to build up such a Union on a mass of guarantees and mutual suspicions. If you are to become a nation,” he said, “you must lay its foundations in mutual confidence. On the other hand, if you once begin with the system of guarantees against one another, where is it to end? The end in view, with mutual confidence one towards another, might just as easily be attained by simple as by complicated means.”

To the toast of “The Delegates from the Maritime Provinces,” the Hon. Adams G. Archibald, M.P., from Colchester, replied on behalf of Nova Scotia. He said :

“ From the little acquaintance he had with Canadian gentlemen, he found that there existed a very limited idea of the Lower Provinces, of their resources, and of the character and habits of the people. He was not surprised at this. The business relations of Canada connected it with the United States and the old world, and its communications carried it beyond the Lower Provinces. The people of Canada saw nothing of the Lower Provinces, and had little knowledge of their resources or position ; little knowledge, in fact, of that which the Lower Provinces desired Canada should know. The Delegates came here with a view to disseminate such information and state such facts as would shew that Lower Provinces would cheerfully assist in the construction of a nation. If the Lower Provinces could not equal Canada in grandeur and magnificence, they far exceeded her in the number and variety of their resources. He would not assume to speak of the resources of all the Lower Provinces, but take as an instance his own Province of Nova Scotia, which was hardly known. The people of Canada imagine that they possess the finest agricultural soil on the continent, but he could take any Canadian who wished it to Nova Scotia, to some of the fertile valleys of the west, and point out land equal to the best in the western peninsula. But though the agricultural interest in Nova Scotia was an important one, it did not predominate. A large portion of the people were engaged in the fisheries, and drew from their inexhaustible stores immense quantities of that which added to the richness and value of the country. And this pursuit trained up a large body of hardy men, who, if we become one nation, would be ready in the hour of danger to bear the flag of England. But Nova Scotia was extensively engaged in manufactures and in the export of lumber. In that interest which was mixed up with the lumber interest, namely, shipping, he believed that, man for man, the people of Nova Scotia had a larger tonnage than any country in the world. It was a fact, that for every man, woman and child in Nova Scotia there was about a ton of shipping. On the entire coast of Nova Scotia there were inexhaustible mines of that which influenced the industry of the world—coal. No change of circumstances or political relations could ever prevent the people of Nova Scotia from

having that material which all the Atlantic States of the neighbouring country must have, and which they could get from no other place. Since 1858, when they were opened to free mining, twenty-five large coal mines had been opened, and it could be easily seen that with such resources the future of that country did not depend on its relations to any other country. As the Delegates from Canada travelled over the country what did they find? That there were in one harbour no fewer than 80 square rigged vessels, representing a capacity of 16,000 tons, employed to convey coals to the Americans on the Atlantic border. This was a scene repeated in many harbours; nevertheless, with all this supplying power, the Province was unable to supply the demand for coal. The time had arrived when we were about to assume the position of a great nation, and such being the case, we should not shrink from its responsibilities. The people of the Lower Provinces entertain a magnificent idea of the grandeur which awaits us all. A united nation, we shall become a great country; and the time is not far distant when a colossal power, growing up on the continent, shall stand with one foot on the Pacific and the other on the Atlantic, and shall present to the world, even on this side of the Atlantic, the proof that monarchical institutions are not inconsistent with civil and religious liberty, and the fullest measure of material advancement."

Hon. Lieut.-Col. Gray, M.P. for St. John, New Brunswick, responded on behalf of that Province. He observed:

"That while it was unquestionably the duty of statesmen to consider the bearing any question of importance might have upon the material interests of the people, it was equally their duty to remember there were occasions when kindred emotions and sentiments rose superior to the cold calculations of interest, and pointed the way to honor and to patriotism. That was such an occasion. The presence of that vast assemblage was the public recognition of the fact that a question was then before the people of the greatest importance, momentous in its character, and pregnant with influence upon the future destinies of the country. The public men of the Maritime Provinces had for years looked to a union with

Canada. Year after year they had turned their attention to the construction of the Intercolonial Railway, as tending towards that object. Their legislatures had passed bills, had granted subsidies ; arrangements had been made with Canada : yet year after year, from causes which it would be difficult to explain, the object had eluded their grasp, and it was only when it appeared beyond attainment that the Parliaments of the Maritime Provinces had directed certain of their leading men to assemble at Charlottetown in Prince Edward Island, to consider how best a union could be effected among themselves, since one with Canada seemed unattainable. When assembled for that purpose the Ministry from Canada came down and proposed that, instead of remaining divided, they should come together, and lay the foundations of an empire to perpetuate on this continent the principles of British constitutional liberty. The proposition was received with unqualified satisfaction. The Maritime Provinces were worthy of their regard. The amount of capital, the resources they would bring into the Union, their exhaustless mines, their broad coal fields, their deep sea fisheries, their hardy and enterprising population, would form no inconsiderable elements in the foundation of a great nation. The revenue of the four Maritime Provinces for the year 1863 by the official returns amounted to \$2,340,000, but so far as had yet been ascertained for the year 1864, there had been an increase of 20 per cent., bringing the amount to nearly \$3,000,000, (three millions), an increase which, judging from the past financial history of those Provinces, might fairly be counted upon as still progressive. The imports and exports of the four Provinces from the same returns for the year 1863, amounted to \$44,200,000. He believed those of Canada had amounted to between \$80,000,000 and \$90,000,000. Thus it would be seen the trade of the Maritime Provinces was nearly the half of that of Canada. The population of the Maritime Provinces, as shewn by the census of 1857 and 1861, (they were not taken in each of the Provinces in the same year), was 804,000 ; but allowing for the natural increase since those periods, might now be safely put down at 900,000. With reference to the shipping of the Maritime Provinces, he said " the registered tonnage by the returns

of 1863 amounted to 645,530 tons, which at \$40 per ton, a not unreasonable valuation, represented an available transferable property of \$27,821,200, in one article alone ; and as an evidence of the soundness of the financial position of those four Province, during the then year, 1864, after paying all debts and liabilities, they would have a clear surplus of between \$450,000 and \$500,000, to be applied to the future exigencies of the several Provinces as their respective legislatures might determine, each disposing, of course, of its own surplus. While, however, the revenue and position of Canada could not but be appreciated, he must observe that for six months in the year they were without the power of access to one mile of sea coast, except through the territory of their neighbours. They held their trade at the beck of a nation that might be their foe—a position, apart from all other considerations, inconsistent with the dignity of any country which desired to take its proper position in the world. The Maritime Provinces proposed to add their marine to that of Canada. British North America would then become the fourth maritime power in the world, England, France and the United States alone having a marine superior. Canada alone could not claim that position, nor could the Maritime Provinces. Isolated, their position was insignificant ; but united, there was no country—save England from whom they claimed their birth, save the United States whose power was derived from the same parent source, save France from whom many of those present had sprung—could take rank before them. In Canada were combined the talents and characteristics of the most industrious and energetic, as well as of the most cultivated and *spirituel* races in the world. Written on the pages of the history of this country were records of heroic deeds. From the Plains of Abraham the ascending spirits of Montcalm and Wolfe, united in their death, left them the heritage of a common country and a glorious name. Many men believed that a commercial union, a Zollverein, might accomplish the object sought to be obtained ; but in the opinion of practical men of integrity and experience, this could not be done. For the past ten or fifteen years the Provinces had been separately carrying on great public works, for which the public credit had been pledged, and it was

the duty of each Province, as it was indeed a point of honor, to maintain its credit intact. While this was the case, it might become the interest of one Province to impose duties on articles that clashed with the interests of the other Provinces. Trade would be governed by no great or permanent principles. The tariff would fluctuate with local expediency, and be varying and uncertain. Therefore, in the absence of any general arrangement, by which the individual liability of each Province could be removed, and the general credit afterwards effectually maintained, it was plain that a commercial union of the kind referred to was impossible. It would fade away before the necessities of the occasion. Turning to the subject of national defence, he asked them to bear in mind how little each man contributed towards the defence of his country. He asked them to turn to Europe, to Russia, to France, to England, to the United States, and say upon what spot they could place a finger where the people contributed so little towards the defence of their homes as did the people of British North America. They would be unworthy of their heritage and race if they did not take cognizance of the fact, and when the mother country declared that the time had come for them to act for themselves, they did not show that they were prepared to do so. Without violating any rule of secrecy, he might state that the Maritime Provinces had gone hand in hand with the representatives of Canada, and were prepared to place all their resources, all their wealth, all their power, in one general fund for the maintenance of the liberty and honor of all. If they approved of this union of their common interests, their first step would be to sanction, by the expression of their strong and earnest opinion, the construction of the Intercolonial Railway, that work which was alone required to bring them together, which would give them in the depth of their long winters free access to the sea, and would make the people of the Maritime Provinces and of Canada, now strangers to each other, brothers in identity of interests as well as of race. The question of the union of the Provinces was one of deep importance. And," continued the honorable gentleman, "I now call upon you, Canadians, by your own name, here in the presence of your own hills, which rose to their majestic height ere yet your

race began,—here in the presence of your own St. Lawrence, hallowed by the memory of Cartier, and spanned by one of the noblest triumphs of modern skill,—by the memory of the past, by the spirit of the present, by the hopes of the future,—I call upon you to rally round a proposition which will tend to perpetuate the glory of your name, and promote the prosperity and happiness of your people.”

Hon. John Ambrose Shea, of Newfoundland, on rising to return thanks on behalf of the colony which he represented, was greeted with hearty cheers. He said :

“In considering a union of the Provinces, it became necessary to take into account the position of the proposed Confederation with regard to safety and defence. In this view, the position of the Island of Newfoundland became one of marked significance. Were this colony in the hands of a hostile power in war time, the trade of Canada would be hermetically sealed, as if perpetual winter prevailed. Newfoundland had a coast of twelve hundred miles, with some of the finest harbours in the world, in which ships might repose in security. The main stay of Newfoundland, the main element of its wealth was, however, its fisheries, in which were employed 30,000 men, able, hardy, industrious, fit sailors for anything in which daring and energy were required. In the article of fish it had commercial relations with almost every maritime nation in Europe, with Brazil and the United States. With the Colonies of British North America, however, its relations were very limited. The imports of Newfoundland were from five to six millions annually; the exports were six or seven millions per annum. The exports almost invariably exceeded the imports. Three hundred and fifty vessels were employed in seal fishing, manned by about fourteen thousand men, the very best and most active portion of the community. The revenue of Newfoundland was higher than that of any of the British North American Provinces, man for man of the population, because it imported almost everything it required. With a population of 130,000, it had a revenue of \$500,000 to \$550,000. The debt, he was



happy to say, was not very large, compared with the other colonies, being about \$900,000. Represented by public buildings of various descriptions, the Province had ample tangible value for all the money it had expended; while such was the credit in which its securities were held, that the Government had no difficulty, even at the present moment, when the rate of interest in England was unusually high, in raising money at  $4\frac{1}{2}$  per cent. There were about twelve hundred vessels entering and clearing annually, going to all countries. With regard to the financial position of the Island, he might say that perhaps it was sounder than that of any of the Colonies or States of America, in spite of the unusual vicissitudes of trade. He had said that the imports amounted to between five and six millions. Now, of this they received from \$1,500,000 to \$1,750,000 in value from the United States, chiefly in flour, butter, and other articles of that description. A very small proportion of imports came from Canada. Why? Was it because the United States offered superior commercial advantages? This was not the case; they could generally purchase on better terms in Canada than in the United States. It would no doubt be said that political arrangements could have no effect, could exercise no control over matters of this kind. That doctrine, however, had its limits, which were in some cases very remarkable. But let them look at the Intercolonial Railroad as an illustration. That road would be productive of the most important commercial advantages to the people of these Provinces; and yet, every one knew, that might have remained for years without any progress towards completion, had it not now become a political necessity. How did Newfoundland stand towards Canada at the present moment? Its people had to go to the United States to do business, for they had to pass by way of Halifax and Boston to reach Montreal. It took nearly a month to carry letters between Canada and Newfoundland and back, and the rate of postage was double what it was between the Colonies and Great Britain. If arrangements had been made designed for the purpose of preventing commercial intercourse, they could not have been made more effective than these. Give Newfoundland the means of entering into trade relations, and trade would soon spring up. A close connection with the mother

country was what he believed all the Colonies desired ; and speaking for his own Province of Newfoundland, he would say he hoped the day was far distant when she would have forced upon her any other allegiance than that she now rejoiced to acknowledge."

Hon. Edward Whelan, M.P., of Prince Edward Island, in speaking on behalf of that Island, said :

"The Confederation, if perfected, would give all the Colonies a national and indivisible character ; and commercial and pecuniary motives, if no other of a sterner nature prevailed, should certainly teach them to unite. There should be no hostile or restrictive tariffs between the several Provinces, no dissimilar postal regulations, no dissimilarity in currency and exchange. Our commerce, so much of which now flows into other channels, where we get little thanks for it, would diffuse its enriching streams amongst ourselves, and nothing could possibly prevent us from becoming a great and powerful confederacy. It would be the duty of public men in each and every Province, whose representatives were then in Canada, to educate the public mind up to the adoption of their views. The task might be a tedious, difficult and protracted one ; but no great measure was ever yet accomplished, or worth much, unless surrounded with difficulties. Deferring reverently to the public opinion of his own Province, he would cheerfully go amongst its people, and, explaining it as well as he could, would ask them to support a measure which he believed would enhance their prosperity. Few and comparatively poor as the population of the Island of Prince Edward may be now, its fertile fields and valleys are capable of supporting a population at least three times greater than it is at present. It was once designated the garden of the St. Lawrence, and it was a valuable fishing station for Canada during the occupation of the French under Montcalm. It still possesses all the qualities of a garden, and its rivers and bays still abound with fish. He desired that those great resources should become as well known now and in the future as they were in by-gone days ; and regarding the advantages which modern improvements and institutions afforded as auxiliaries to the

natural resources of his Colony, he was satisfied that she could not fail to become very prosperous and happy under the proposed Confederation."

Hon. T. Heath Haviland, a delegate from Prince Edward Island also, followed in a short and effective speech, expressing his conviction of the benefits that would accrue to his own Island as well as to the other Provinces from the contemplated union.

Hon. George E. Cartier, M.P., Attorney-General East, having been called upon, rose amidst great cheering, and said :

"The question which, we may say, brings us together this evening, is of great moment. Every one knows that throughout the British North American Provinces at this time, people are discussing the question whether it is possible for those Provinces to form a strong government under a system of administration which will allow all the general interests of the Provinces concerned to be dealt with by a general government, and will leave all purely local matters to a local government. This is the question which is agitating all the American Provinces. I know that it may be expected from me, perhaps on account of what has fallen from some of the speakers, to disclose the proposals of the Conference at this entertainment ; but that cannot be the case. The proceedings of those who have taken part in these deliberations are confidential ; they must first be made known to our Governments, and they have to be made known to the Imperial Government. Every one must understand the delicacy of the trust reposed in us. With regard to this question of Confederation, and with regard to my political alliance with Mr. Brown, I must say that he has kept faithfully to his work. I must repeat to you what I stated while in the Lower Provinces, that while we possessed the personal and territorial elements which go to constitute a nation, we were wanting in the maritime element. During six months of the year we had to knock at the door of our neighbour in order to carry on our trade. This cannot be tolerated. This Confederation must be carried out. I know that every citizen of Montreal will understand that at this critical time we should look to Nova Scotia, to

New Brunswick and Prince Edward Island for the elements wanting in Canada to make a great nation. I do not mean a nation distinct from the mother country. I wish that all the powers granted by the mother country to the Colonies should be combined, in order to make, as far as we can, one great nation. I am confident—and I have stated it on many occasions—that the union of Upper and Lower Canada has achieved wonders for the two Provinces. The prosperity to which we have risen under the union of the Provinces, encourages a still larger union. In treating of the question of race, with regard to this great Confederation, looking to England you will find three distinct nationalities. Each of these has contributed to the glory of England. Who would like to take from England the glory conferred on her by any one of the three nationalities—by the son of Erin or the Scot? I think the glory of England might not have been equal to what it is, if the three nationalities had not been united. Was it surprising that some should try to find difficulties in the way of the formation of a union, because there happened to be different races and religions? I have already spoken of the elements which are necessary to constitute a nation. Every one knows that England is great; she has achieved a great deal more than any nation whose history we know. The Romans could not keep their colonies, because they were wanting in one of the elements which England possesses—the commercial element. Without detracting from the power of England, I think, when we come to analyse it, we will find that it will not be so great without taking into account her commercial power. As soon as a colony is conquered by the bravery of her soldiers and seamen, the work is taken up by her merchants, who cause the colony to prosper to such an extent that it is the interest of England to bring her army and fleet to protect it. The prosperity of the two sections of Canada illustrates this fact. With our prosperity we are enriching the American States, whereas we ought to be enriching our own States; we ought to be enriching such harbours as St. John and Halifax. And then, with regard to Newfoundland, as had been stated by Hon. Mr. Shea, she stands at the bottom of the St. Lawrence, and is the key to foreign trade. When we are politically connected with Newfound-

land, this will afford an opening that we cannot yet appreciate. There will be no direct taxation, if the Government be wise and prudent."

The honorable gentleman referred with great force to the advantages to be derived from union in case of hostile attacks upon the country from abroad, and concluded his observations amid great applause.

The Hon. Thos. D'Arcy McGee, M.P., was loudly called for, and rose amidst great cheering. His reception was a perfect ovation, and proved how deeply seated was the feeling in his favor among the citizens of Montreal. The waving of handkerchiefs almost constituted a canopy above the heads of the guests, and it was not until after long protracted cheering he could be heard. Subsequent events have cast a melancholy interest around his name, and it is gratifying to recall that proof of the esteem in which a statesman was held, whose power for disturbance at the time was incalculable, but whose efforts were devoted to conciliation, and whose life was ultimately sacrificed for his country. He said :

"It was necessary that those engaged in the work should have with them, and he trusted they would have with them, the public opinion and the countenance of the people of Montreal, and of the people of Canada." He then proceeded to touch upon what the Delegates might tell their constituents upon their return home. "They might say that we desired the Confederation for the sake of self-defence, common advancement, coming into union well dowered. They might say that Canada desired this union, though at present the public mind was not fully alive to the advantages to be derived from it; that if she goes into it she goes into it for no small or selfish purposes; that the people of Canada are year by year becoming more liberal and enlightened in their views; that we did not speak of cutting each other's throats for the love of God: they could say that in Canada religious bigotry was at a discount. He could point them to the place where that bigot withered upon his stock; that where he was held in honor no man is now so mean as to do him reverence. That we have

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not amongst us bigotry of classes or bigotry of race ; or the belief that no good could come out of Nazareth, or any religion but their own. That the day of these small things had passed away in Canada ; that we respected one another's opinions, and had shown ourselves fit to be freemen by allowing every class, every sect and every creed to manage their own affairs, so long as they did not trouble the peace and happiness of the community. He thought they might say all this in regard to Canada."

Hon. Mr. Galt being loudly called upon to speak, rose and observed :

"He hoped that the discussion of this public question would induce gentlemen to look at it in all its bearings, and that they would find that what was good for Canada would be good for the Lower Provinces, and for all sections of the British dominions. If our institutions have borne any fruit at all, they have borne the fruit of harmony. He believed we were united in one common movement for the benefit of Upper and Lower Canada. He believed the union would be productive of good to both Canada and the Maritime Provinces. If we want an open port, we could find it in St. John or Halifax. He was not disclosing any secret when he said this, that so far as the protection of the interests of the people of Upper and Lower Canada was concerned, there was no secret to be kept ; the arrangements were made in a way to do honor to his friend, Mr. Cartier. It was not a light thing for people to trust their prosperity and happiness in the future to others. But he was sure that a very prudent effort had been made to try and bring about a state of things that would rescue them from the troubles that threatened."

Thus closed the demonstrations in the Province of Lower Canada.

## CHAPTER IV.

Public sentiment in Upper Canada (now Ontario)—Selection of Ottawa as the seat of Government—Description—Reasons for—Propriety of—Ultimate future and requisites for, as the Capital of the Dominion—American legislation and action on the selection of Washington—Banquet at Ottawa—Observations of speakers—Banquet at Toronto—Ditto—Explanations of details by Hon. Geo. Brown—Rude awakening of the Maritime Delegates on their return to Nova Scotia and New Brunswick—A. D. 1864.

On the 31st October the members of the Convention, having formally closed their sittings at Montreal, and concurred in the report to be made to their respective governments, proceeded by invitation to visit the important cities of the Province of Ontario, at that time, though its separate political organization had been merged by the act of union of 1841, still bearing its old name of Upper Canada. Except from the somewhat general approval of the press of that Province—general because the details of the proposed Confederation were yet unknown—there had been no certain test of the manner in which the proposition would be there received. Holding the position of greatest power among the Provinces, greatest in wealth and population, foremost in enterprise and progress, restless in political development, and the home of that great liberal party which, commencing with the demand for responsible government, had concentrated its energies on the absolute assertion of representation by population, to such a degree that the powers of the combined parties who wielded the administration of the government of Upper and Lower Canada had been paralysed, and the material and political advance of the country stayed, it was a matter of deep anxiety to know how, when speaking for themselves, in their public demonstrations, in their masses when brought together, when crowds speak unfettered by the restraints of party or personal considerations—that great lower voice which, like the rumbling that precedes the earthquake, tells after all of the great power of the people, and of their determination,—how, under such circumstances, the energetic people of that Province would receive the proposition.

It must not be supposed for one moment that the speakers at the festivals hitherto or hereafter referred to, were the promulgators of new ideas, or the sole possessors of the knowledge then put forth. The public mind throughout the whole country was impressed with the necessity of some change, and a change in the direction of the character proposed. The speakers merely had the effect of concentrating the public attention, of fusing the public power and the public energy into molten action. We have often seen scattered throughout a field the materials of a great conflagration, or still more in the workshops of science the rude and fragmentary elements of great strength lying here and there inert and powerless, suddenly, by the application of the torch or the power of the forge, bursting into flame or running into molten masses resistless in their course. Such was the state of the public mind, and such the consequences of its power when wakened into movement, and Ontario on this occasion shewed her strength. The agricultural districts, the great grain producing division of Canada, was not less loud or less generous in its approval than the more commercial division of its rival, the Province of Quebec. From Montreal to Ottawa, from Ottawa to Toronto, from Toronto to Hamilton, all along the line there seemed to be but one expression of opinion, welcome to the representatives and assent to the proposition. It would be impossible, as it is unnecessary, to give in detail all that was done or all that was said. Adhering as much as possible to the plan adopted with reference to Quebec and Montreal, it is proposed to limit observation to a synopsis of the remarks made at Ottawa and Toronto.

A magnificent repast had been prepared by temporary arrangement in some of the rooms of the parliamentary buildings, then in course of construction at Ottawa, by Messrs. Jones and Haycock, the contractors.

“At Ottawa,”—it is as well to pause for a moment.

To most of the delegates who were there assembled, particularly those from the Maritime Provinces, the place was entirely unknown, or if known beyond the mere discussion regarding its selection, was known only as a shanty town, where lumberers resorted and faction fights were wont sometimes to take place. Its name had been made familiar by the poet's verse, and “Row, brothers, row, the



stream runs fast," with its gentle melody, had given it an ideal existence—but its political value was a myth. What were its claims for the future position it was to hold? Why was old Quebec, with its historic name—why growing Montreal—why Kingston—why Toronto—why were those cities to be ignored?

The selection of Ottawa, nevertheless, as the seat of government for the proposed Confederation was the exercise of a sound discretion. At first extremely unpopular, the place was declared to be in the wilderness, and fit only for the habitation of the Indian and the bear. The American's graphic instructions to find it were quoted with evident relish: "Start from the north pole; strike a bead for Lake Ontario; and the first spot where the glacier ceases and vegetation begins—that's Ottawa." But it had been wisely chosen. In old Canada, after the union of Upper and Lower Canada in 1841, the seat of Government under Lord Sydenham had been at Kingston; in 1849, under Lord Elgin, at Montreal; but after the public disturbances and burning of the parliamentary buildings in that year in that city, it assumed a migratory character, and with the erratic course of a comet revolved from Quebec to Toronto, and from Toronto back to Quebec, every four years. The jealousies of the two Provinces would permit it to rest in neither. In the legislature of the union for many years the disadvantages of such a course were pointed out, but the claims of rival cities, under the system of popular representation, are not so easily disposed of. At length a compromise was effected, and the selection was left to Her Majesty the Queen. The far-seeing judgment of Sir Edmund Head, the then Governor-General, receives credit for the choice.

Attracted greatly by the beauty of its surrounding scenery, he at the same time saw its commanding position both for a seat of government and of a great manufacturing town. Shortly after the American war in 1814, the British Government, availing themselves of its strategic advantages, to avoid the rapids of the St. Lawrence and the dangers of a hostile frontier, had commenced and constructed a canal which, breaking through the cliffs and following the course of the Rideau River, afforded a safe communication through the interior of the country for munitions of war

from Montreal to Kingston. In later years, as the dangers of war passed away, and the great advance in military science neutralized its supposed value, the government ceased to attach to it the importance it formerly possessed, and handed it over to Canada.

Situated on the banks of the Grand River, with the falls of the Chaudiere above, and the falls of the Rideau like a curtain below, the unaspiring little village at the time rejoiced in the name of Bytown, so called from Colonel Bye, the commanding officer of the Royal Engineers who built the canal.

The river formed the dividing line between the two Provinces of Upper and Lower Canada, which were thus within pistol-shot of each other. The name of Ottawa was given to the proposed capital; and after a ministerial crisis or two, brought about by unavailing efforts to reverse the decision, the location was finally adopted, and the public buildings commenced. In 1860, on the Prince of Wales' visit to the country, the corner-stone was laid with imposing ceremonies. Large expenditures were incurred; and notwithstanding local grumbings and strong expressions of disapprobation occasionally from prominent politicians, the question was considered as definitely settled, and agitation ceased. From that time its advance became steady and sure. At the Convention it was proposed and carried that it should be the future capital of the Confederation, and the inhabitants of the Dominion will have no reason to regret the decision. Few cities possess greater local advantages. Watered in front by the Grand River, on the right by the Rideau, and intersected by the canal, it possesses, for sanitary arrangements and sewerage, the very greatest facilities. Originally well planned and laid out by Colonel Bye, who foresaw its future destiny as a large town, its broad parallel streets, and reserves for public purposes, afford accommodation and security. Built on a lofty table-land, eighty or a hundred feet above the river, with bold escarpments in front, the eye is arrested on every side by scenes of unequalled beauty. The Gatineau Hills,\* the

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\* Sir Charles Lyell says that it is 240,000,000 of years since life has been known on earth; and before that period, for indefinite ages, the Eozoon Canadiensis had lived and died in the Laurentian limestone of Canada.

first amid the primeval upheavings of the great Laurentian range, which, far back in the countless ages of chaos, began the formation of our solid globe, bound the horizon to the north, and the spreading plains toward the south afford scope for unlimited expansion. But its importance lies not simply in its attractive appearance. It is the centre of a rich agricultural district, and its great water powers on the Chaudiere and Rideau have given it the largest manufacturing establishments in lumber at present on the North American continent. This latter circumstance is due, in a great measure, to the energy and enterprize of American citizens, who, seeing its immense natural advantages, and knowing the unlimited extent of its forests beyond, and the water tributaries of those partially unexplored regions, made it their home.

Twenty years ago, its capabilities were not utilized. An American millman looked at the Chaudiere. His was not a tourist's dream; it was the practical gaze of a man of business. To use his own expression, he "thought the river might be put in harness." The river was put in harness; and now the spot, which at that time was simply known as a scene of beauty, is crowded with mills and machine shops, and, including both sides of the Falls, affords unceasing employment to twenty thousand people, daily creating untold wealth, and, with its schools and churches, spreading the comforts of life around. Its position with reference to the entire Dominion, as extending from the Atlantic to the Pacific—an achievement brought about far more rapidly than at the time of the Convention was conceived—is admirable. On the line along which the Canadian Pacific Railway must run, it will command equal facilities for access to Quebec and the Maritime Provinces on the one side, and the Western Territories and British Columbia on the other. Nature seems to have formed an interior valley for communication on the northern and eastern side of the Ottawa, from Quebec to the Falls of the Chaudiere, and thence along the valley of the Ottawa to the shores of Lake Superior, and on towards the north-west. If properly managed, the vast trade of this productive country must gravitate towards the capital of the Dominion as its natural and cheapest outlet. Thus, both politically and commercially, the selection was judicious.

But nevertheless, viewed from the stand-point of 1871, it is apparent that at the time of the Convention one mistake occurred : no provision was made for creating a federal district for the capital, and withdrawing it from the exclusive control of the local legislature of one of the Provinces. That which was destined to be the capital of the Confederation might fairly rest its claim for support upon the people of the Dominion. Its order, well-being, sanitary arrangements, police regulations, adornments and improvements are essential to the comfort and security not only of the representatives who attend Parliament, but of all those who are compelled to resort to it as the capital of the country in the discharge of the various duties attendant upon the administration of public affairs. Its reputation should be national, not provincial. It belongs no more to Ontario than it does to New Brunswick, Nova Scotia, Quebec, or any of the Provinces constituting the Confederation. The expenses incident to its civic control must necessarily be far greater than would devolve upon it if merely an ordinary municipality. It is no answer to say that the increased value in property is sufficient consideration for the increased burden put upon the inhabitants. That does not meet the question. They may not choose to accept the responsibility ; and the Dominion Parliament, under confederation, has no power to legislate upon the matter. The legislation for the capital in all civil matters is entirely under the control of one Province, differing in its laws from the others. The employés and officials of the Dominion Government, residing at Ottawa, numbering almost two thousand men, in every respect competent as voters, and, under other circumstances, capable of enjoying and exercising their franchise, are wisely interdicted, by the policy of the Government of the Dominion, from interfering in the local Provincial politics, or taking part in the elections for the Provincial Legislature. Yet they are subject to the taxation imposed upon them by that Legislature ; and bluff old Harry the Eighth never unfrocked a bishop with more satisfaction than the Ontario Legislature, for local purposes, taxes a body of men whom they do not pay, and who are debarred from exercising any influence upon the selection of their body.

The experience of the United States had pointed out the course to be pursued. In their original constitution, no permanent or

national capital had been determined on by legislative enactment. An insult to the Congress, when sitting at Philadelphia, in June, 1783, by a band of mutinous soldiers demanding arrears of pay, brought up the subject for debate. After four years' discussion, by the constitution adopted in convention in 1787, and carried into effect in 1789, it was decided that the Congress should have power (sec. 8, art. 17) "to exercise exclusive jurisdiction, in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States and the acceptance of Congress, become the seat of Government of the United States," and to make all laws necessary and proper for that purpose.

In due course of time, by the action of the States of Maryland and Virginia, a selection was made upon the banks of the Potomac: Washington was declared the capital of the Republic, and Congress undertook to make liberal expenditures in the furtherance of such improvements and adornments as would be becoming the capital of a great nation.

By an act passed February 27th, 1801, (up to which time the congress had met at Philadelphia, pending the preparations necessary for the removal, and for the accommodation of the public departments and business at Washington,) provisions had been made for the establishment of the proper tribunals, the creation of the necessary authorities, the maintenance of existing laws until superseded by other legislation, and the general exercise of those territorial duties which are essential to the good order and government of a district. Other legislation has since taken place in accordance with the exigencies of the times, and the federal district has been controlled and regulated by the national congress alone, until within the last few years, when a territorial government was arranged for it. The people of the United States are well satisfied. Their capital is the national capital of their country, and not the municipality of a section.

The President thus alludes to this subject in his message of the 4th December, 1871: "Under the provisions of the act of Congress, (approved February 21st, 1871,) a territorial government was organized in the District of Columbia. Its results have thus far fully realized the expectations of its advocates. Under the

direction of the territorial officer, a system of improvement has been inaugurated, by means of which Washington is rapidly becoming a city worthy of the nation's capital, the citizens of the District having voluntarily taxed themselves to a large amount for the purpose of contributing to the adornment of the seat of government."

Thus we see that the character of a national capital, the security of those who attend it, the elimination of sectional and provincial interests in its government, the preservation of the national public property, the protection of the public interests, and the maintenance of the national reputation in its status, are too important to be left to local councils, however good they may be.

Americans have their capital, Canadians have no capital for their country. They borrow a municipality from Ontario, and whether they come from the Provinces of the Atlantic or the Pacific, whether from Quebec or Manitoba, their representatives in the Dominion Parliament have no power to legislate on any matter touching the property or civil rights of the so-called capital of the Dominion, however great the wrong to be redressed or the evil to be remedied. This should not be.

The City of Ottawa, with a certain area around it, should be created a Federal District; the laws for its future government (not interfering with private rights, or the city's present municipal privileges without adequate consideration), should be passed by the Dominion Parliament, and carried out by officers responsible to the Dominion Government, and through it to the people of the whole Dominion; or by a territorial arrangement, as in the District of Columbia, the legislatures of Ontario and Quebec ceding such portion of territory on both sides of the river as would make the District thoroughly unprovincial, and stipulating such terms in the cession as would preserve existing rights and interests.

But to return to the banquet. After the usual courtesies and toasts had been attended to, Hon. W. A. Henry, Attorney-General of Nova Scotia, on behalf of that Province, said:

"The people of Nova Scotia entertained no selfish views when they proposed to enter into a confederation with the other colonies.

They knew that their position commanded many advantages not equally enjoyed by the rest. They felt that their principal port, Halifax, was one of commanding importance. Situated as it is upon the most easterly peninsula of British North America, and of paramount importance to be retained by England while any portion of the West Indies remains connected with the British empire, it would be the last spot of territory on this continent to be yielded up by the parent state, and would always receive, even more than the other colonies, the protection of the home government. The time, however, may come, and may not be far distant, when, from great political changes, from which we cannot expect to be always exempt, the protection of the parent state may be withdrawn; and if we wait until that unfortunate event arrives, it may be too late to form associations for our local defence. We were favored by an invitation from the Canadian Government to meet in conference at Quebec, to consider how far a general confederation was practicable. The invitation was accepted by all the colonies, and the delegates were chosen, not exclusively from the several governments, but were selected from the ranks of parties representing all classes and interests in the several communities, in order that all party prejudices and sectional feelings might be laid aside in the contemplation of an object of such vast importance. Difficulties of a grave character had to be surmounted. First, each individual forming part of the delegation entertained his own views upon every one of the infinite number of important questions to be solved; and, drawn as they were from different classes of opposing politicians in the several Provinces, with the influence of party relations upon them, and the interest of each Province clashing to a certain extent with those of the others, it required the greatest exercise of moderation, and frequent modification of personal, party and local views and interests, to arrive at anything like a successful issue. None but those who took part in the conference, or had deeply weighed the importance of the considerations involved, could have any idea of the difficult task of reconciling antagonistic views and interests, and nothing but the absorbing feeling of the importance of their mission and its results could have produced anything like a satisfactory conclusion. In

contemplation of this great object, the people of every section must be prepared to yield a portion of their feelings and interests to the common stock, and in the contemplation as well as in the working out of the union this sentiment must not be forgotten."

Hon. John M. Johnson, Attorney-General of New Brunswick, observed :

"At the Conference all agreed to set aside their own peculiar opinions for the common good, and the advantages of union were so great that all minor differences on political matters should be sunk and forgotten. This was the way he hoped the people would meet the question : either declare against it like men, if they believed the union to be without advantage, or, if they believed it would prove beneficial, to lay aside all questions of mere party, in order to secure it."

Hon. George Coles, on behalf of Prince Edward Island, said :

"He stood there in a different position from the gentlemen from the other Provinces, who had just addressed them, both of whom were members of their respective governments, while he happened to be one of the opposition. They were aware that the oppositions of all the Provinces had entered into the delegation to assist in carrying out the views of their respective governments. Generally, when an opposition joined in carrying out the views of government, they were looked upon with suspicion by their constituents ; but the present case was one which stood entirely by itself, and he claimed that in going for federation the government of Prince Edward Island were carrying out his views—views which he had entertained for many years. In former times he had found many opposed to his sentiments on this question. Mr. Coles went on to speak of the advantages of Prince Edward Island as a delightful summer residence, and of its various resources, particularly the inexhaustible treasury it had in the fisheries of its waters. Hundreds of thousands of pounds worth of fish were taken from their waters by the American fishermen. He trusted that soon Canada would take that fish for the consumption of her inhabi-



tants, and send her fishermen to catch them. He said that although there was no man more disappointed than himself with respect to some parts of the constitution, yet, by mutual concession, they had arrived at a result which they could all agree in supporting and submitting to the people, for he held that it must be submitted to the people. They could not force it on the people; they must endeavour to show them that it was for their benefit, and thus induce them to accept it."

Hon. A. T. Galt, Finance Minister of Canada, then spoke substantially as follows :

"I believe we are making a move in the right direction, in confederation; and if we gave more strength to the monarchical element on this continent, it was because we thought that through this form of government we could more effectually add to the peace and happiness of our people. Those who could recall twenty years could remember the position in which Lower Canada then stood. They could recall the advantages which arose from the union of these Provinces. It could be seen that in that short period (twenty years) this country had grown to a position in importance such as never could have been hoped for as long as she remained in a disunited state. It was because we felt that disunited, Canada was weak, united, she became stronger. We now ask the other Provinces to join us in the race of improvement and progress, and in extending through the whole of the British dominions in North America the advantages we now derive from union, that which gives us essential power, which enables us to control various matters and maintain our strength. With regard to the question of the commercial prosperity of these Colonies, there could be no doubt whatever that the union of these Provinces would tend to promote our prosperity. We had seen the effects of union in regard to matters of free trade in the United States. He knew perfectly well that if one thing more than another had tended to promote the prosperity of that great country, it had been the free trade that had existed between its various parts. He desired to bring about that same free trade in our own Colonies."

After leaving Ottawa, at Kingston, at Cobourg, at Belleville, similar cordial greetings were extended. On the arrival at Toronto at night the city seemed one blaze of light, and representatives of the Corporation of Toronto and the surrounding municipalities tendered their hospitalities. On the following day the literary institutions of Toronto, not less courteous than the institutions of Quebec, gave to the measure their fullest sanction. The Upper Canada College under Professor Cockburn, and the University under the Rev. Dr. McCaul, vied with each other in the expression of their hopes that "by this confederation the British North American colonies would be bound together for mutual advancement, prosperity and strength"

At a magnificent banquet given at the Music Hall in Toronto, the Hon. Geo. Brown, as President of the Council, first gave to the public the full details of the contemplated constitution, and in a clear and lucid manner explained his reasons for their adoption. He was preceded, however, as was usual on the occasion of the festivities in Canada, by the members from the Maritime Provinces. In answer to the toast of "The Delegates," Hon. Mr. McCully responded for Nova Scotia. He said :

"They had framed a constitution for this great confederation. He trusted in all hopefulness that it would meet their approbation. It had been the work of men of some experience. Their discussions had been characterized by the most friendly intercourse. If, after so weighing and considering it, they had anything to say against it, let it be in a spirit of moderation. He asked that with the more confidence because, a member of the opposition of Nova Scotia, invited to take his share in this task, he had been content that party feeling and party action should, for the moment, be hushed and stilled in presence of so great a question. He asked of the members of the governments of all the Provinces, if they desired that this enterprise should be successful, that there be no attempt to make out of it any local political capital. Nothing, in his opinion, could be more fatal to the measure. But let me say," said he, "that if there is one thing connected with this grand scheme of confederation which ought more than another to be

kept in the minds of the public men of all these Provinces it is this : that it shall not financially weigh too heavily on the people. In Nova Scotia, whence he came, they had an *ad valorem* tariff of ten per cent., and one of the greatest difficulties they would have to contend with in that Province in inducing their people to come into the confederation, would be to reconcile them to the raising of that tariff to any very large extent, unless it were for the public defence of the country, or some great public improvement, advantage or necessity."

Hon. Charles Fisher, M.P., from Fredericton, one of the New Brunswick Delegates, spoke ably on behalf of that Province. Speaking of the unanimity of action throughout the country, he observed :

" Men of every party, of every denomination—men from every section of the country, cognizant of their different ideas in politics and theology, met together resolved to lay their differences as an offering upon the altar of their country. No event had occurred in modern times equal to this. New Brunswick expended annually £30,000 a year for schools, £35,000 a year for roads, and small as their Province was, they then had at that moment 15,000 miles of roads, 7,500 of which might be traversed in a carriage and four. They had besides 200 miles of railway, equal to anything of the kind on the continent. Did they know why the intercommunication between these Provinces had hitherto been so limited? It did not arise from poverty of soil, or from local and political causes. Until 1845 the country between New Brunswick and Canada was locked up. And then what was done? Why, a large tract of land was taken away from New Brunswick and Canada, and handed over to the United States. Did they think, if this confederation had then been formed, that the interests of New Brunswick would have been sacrificed to the cotton spinners and the tobacco dealers? The result of the differences which took place was that this part of the country long remained a wilderness, and a large portion of it, equal to the State of New Hampshire, with a large settlement of French Canadians, was handed over to the United States. They had built roads through New Brunswick, but

if they were to have complete intercommunication the Intercolonial Railway must be built, and he hoped its necessity was recognized as fully in Western Canada as it was in New Brunswick. He had almost hoped against hope for its construction, but he had ever felt that that was an advantage to New Brunswick which must be supplied. When built the district between the two Provinces, now almost uninhabited, would speedily be filled up, and the two countries connected. He had been an advocate of the railway ever since it was proposed. He had always argued for it as a link in the great chain of railways which would yet connect Halifax with Vancouver Island. He had read with great interest the descriptions of that country, especially those given by the scientific men sent out by Canada to explore it, and he had always argued that communication with that country was a commercial necessity to the west. They enquired would such a road pay? Had the Grand Trunk Railway paid? Ask the rapid improvement of Canada if it had not paid? Ask the hundred thousand people of Montreal the result of that great instrument of progress. Ask the increase given to the value of land and to the products of the west. Ask all these, and let their testimony to the great benefit derived be the reply. When the resources of the interior were brought into action, what would be required to carry these products to the ocean? Would not a railway be needed? But, after all, possessing as they did such complete elements for the formation of a great nation, what would they be without a free government? The members of the Convention had met together for the purpose of framing a government adapted to these colonies, and they had endeavoured to do it upon the principles of the British monarchy. They had kept in view the great original of the parent state, but they had so constructed the constitution as to preserve intact the rights of each separate Province. They had left to the local bodies of the confederation local matters, and when they found any condition of things which it was necessary to preserve, they had provided that these should be untouched forever. They had endeavoured to build up a strong central power, which should have control of matters of common interest. As in the confederation local questions would be left to

the local legislatures, he had high hopes that in the general legislature the smaller politics would be forgotten, and that a desire for national honor would arise, without which national greatness could never be attained."

Hon. Mr. Carter, of Newfoundland, said :

"Newfoundland was a commercial place, and was not very celebrated for its agricultural capabilities. The reason of this was that the attention of the people had been chiefly taken up by the prosecution of the fisheries, which had been most valuable to the people along the coast, furnishing inexhaustible mines of wealth, from which, from time to time, immensely large fortunes had been drawn. Speaking of the Provinces, he said: we have mutual wants, and may be of great benefit the one to the other. You want the maritime element, and we are able to give it to you. You may by and by require seamen to man your navy, and where will you be able to get them more readily than in Newfoundland? A more hardy and enterprising people than that colony contains are not to be found. From their earliest days they have been 'rocked in the cradle of the deep.' The area of this country, so little known in Canada, is over forty thousand square miles. He hoped sincerely if this confederation was formed, that it would tend to do away with petty party spirit and prejudices, and that acerbity of feeling which at one time was characteristic of us; for we generally find that the intensity of the acerbity is proportionate to the narrowness of our limits. And, said he, do we not find here, as everywhere else, a combination of men who, like ourselves, are of different shades of politics, but who have united together to promote the same reform? Have you not the ablest men from both sides of the house represented in the administration, combining together to carry out this noble object?"

Hon. Edward Palmer, Attorney-General of Prince Edward Island, on behalf of that colony said :

"As to the proposed union. Your friends came down, and we listened to them, and we resolved since then that there should be a union. In the first place, we resolved that the union should be,

as far as the circumstances of the country would permit, in accordance with the British constitution. The Provinces were unanimous in this. We then resolved that each of the colonies should preserve its peculiar privileges and institutions, and that there should be no higher power to interfere with them. We next agreed that as far as possible the debts of the colonies should be dealt with fairly and equally, and that the tariffs should be equal throughout. We next agreed that as regarded the outside world we should, between and amongst ourselves, enjoy free trade. I confess that in my Province there was at first no little anxiety with regard to this proposition, because we stand at present as happy and contented a people as any of the British Provinces. Yet I hesitate not to say that from all that has been witnessed by the delegates representing that Island, they will not hesitate to recommend to their people the great union which I hope soon to see accomplished. It is not the great hospitality alone that we have met with since we entered within your borders—it is not the kindness which we have received individually or collectively from the people of this Province—that causes us to desire to come into this union ; your excellent institutions of all kinds, and your progress in everything that goes to make up a great country, impel us to such a desirable consummation—to form part of the great empire or colony, or whatever you choose to call it, which is to be constructed out of these provinces of British America, sharing the glories of the mother country, which we all desire to see perpetuated and increased.”

Hon. Geo. Brown, in the course of his observations, remarked :

“It was an old saying, that England loves not coalitions ; and he was sure if the adage was true of England, it was doubly true of Canada. Except under the pressure of a most grave and urgent necessity, the combining of public men of opposite political sentiments to form a government under the British parliamentary system, is very strongly to be deprecated. But if ever there was a coalition that had a sufficient object to justify its formation, he thought it was the administration which he represented that day. It was formed for a special purpose, for a great public end ; it was

formed in the light of day ; its whole object and end was fully and openly proclaimed to the world, and no charge of intrigue or desire for personal aggrandisement could with justice be laid at the door of any party to the compact. The Government was formed upon the express understanding that the constitutional difficulties of Canada should be met immediately ; that a measure for that purpose should be submitted to Parliament at its first session ; and that in the meantime they should strive with all their energies to ascertain whether or not a just and satisfactory arrangement for the union of all the British North American Provinces could be effected, so that they might present it at the next session of Parliament in lieu of the lesser scheme. A conference of representatives from the several Provinces had, as they knew, assembled at Quebec, on the invitation of the Governor-General, to consider this subject. For sixteen days they were earnestly engaged in considering all the details of the scheme ; and though, of course, it was impossible that such a body of men could be without differences of opinion, looking at matters as they did from different points of view, and with different interests to protect ; still it was highly questionable whether any body of thirty-three gentlemen, even if composed of men of the same country and the same party, could have sat together for so long a period, discussing matters of such grave importance, with more entire harmony and more thorough goodwill and respect than prevailed throughout the whole of their deliberations. The various details of the confederation scheme were brought up for consideration by the Conference in the form of resolutions. Those resolutions were separately discussed, amended, and adopted ; and as finally adopted by the unanimous consent of the whole Conference, they now stand on record. As the only practicable scheme, and as, in his opinion, the best, they adopted the plan of constituting a general administration and general legislature, to which should be committed matters common to all the Provinces, and local governments and legislatures for the several sections, to which should be committed matters peculiar to their several localities. By committing all purely local matters to local control, they secured the peace and permanence of the new confederation much more effectually than could possibly have been

hoped for from a legislative union. It was unnecessary to say that the Governor-General of the united Provinces was to be appointed, as heretofore, by the Crown. The duration of Parliament would be limited to five years, and of course it would be composed of two branches—a Legislative Council, appointed by the government of the day on the principle of equality of the sections, and a House of Commons, in which we are to obtain that so long desired, so long earnestly contended for reform, Representation by Population. In his opinion, an appointed Upper House and an elected Lower House would be much more in harmony with the spirit of the British parliamentary system than two elected bodies. The Upper Chamber was to consist of seventy-six members, distributed as follows :

Upper Canada .....	24
Lower Canada .....	24
Nova Scotia .....	10
New Brunswick.....	10
Newfoundland .....	4
Prince Edward Island.....	4
Total.....	<u>76</u>

The House of Commons was to be constituted on the basis of representation by population. It was to be composed, at first, of one hundred and ninety-four members, distributed as follows :

Upper Canada .....	82
Lower Canada .....	65
Nova Scotia .....	19
New Brunswick.....	15
Newfoundland .....	8
Prince Edward Island.....	5
Total.....	<u>194</u>

After each decennial census the sectional representation was to be readjusted according to population, and for this purpose Lower Canada was always to have 65 members, and the other sections were to receive the exact number of members to which they would be severally entitled in the same ratio of representation to population as Lower Canada will enjoy by having 65 members. Thus



the representation would be strictly based on population, the disparity of population between the several sections would be accurately provided for every ten years, but the number of members in the House would not be much increased. The general government was to have control over all questions of trade and commerce ; all questions of currency, finance and coinage ; all questions of navigation and shipping, and the fisheries ; all questions of defence and militia ; all matters connected with the postal service, and all questions affecting the criminal law. To it would belong the imposition of customs and excise duties, and all other modes of taxation ; the construction of great public works of common benefit to all the Provinces ; and the incorporation of telegraph, steamship, and railway companies. It would also have control of banks and savings banks, bills of exchange and promissory notes, interest and legal tenders, bankruptcy and insolvency, copyright and patents of invention, naturalization and aliens, marriage and divorce, immigration and quarantine, weights and measures, Indians and Indian lands, the census, and generally all matters of a general character not specially assigned to the local governments. These were the duties proposed to be assigned to the general government. As to the constitution and powers of the local governments. It was proposed that each Province should be presided over by a Lieutenant-Governor, who would be advised by the heads of the various public departments. As to the constitution of the local legislatures, there was so much difference of opinion on the subject, some of the Provinces desiring to retain their present institutions, while we in Canada must necessarily establish new ones, that we thought it the wisest plan to leave the constitution of the local legislatures to the existing parliaments of the different sections. The powers and duties of the local governments have been clearly defined by the Conference. They are to have the power of imposing direct taxation ; the sale and management of the public lands in their respective sections ; the maintenance and management of prisons, hospitals, asylums, and charitable institutions ; the construction of local works ; the promotion of agriculture ; and the imposition of shop, saloon, tavern and auction licenses. The control of all the national

schools and school property is to be vested in the local governments ; and they are to have authority over municipal corporations and all municipal matters. They are also to have power to make laws in all matters affecting property and civil rights, and for the administration of justice. And generally, while on the one hand, all matters of a general character and common to all the Provinces are to be committed to the general government ; so, on the other hand, all matters of a local character will be committed to the local governments. The separate powers to be exercised by each will be clearly defined in the Constitution Act to be passed by the British Parliament, so that there will be no danger of the two bodies coming into collision. There was one point to which he was desirous of calling particular attention, namely, to the fact that in framing their constitution they had carefully avoided what had proved a great evil in the United States, and that is the acknowledgment of an inherent sovereign power in the separate States, causing a collision of authority between the general and state governments, which, in times of trial, had been found to interfere gravely with the efficient administration of public affairs. In the government to be formed under this new constitution while we have committed to the local governments all that necessarily and properly belongs to the localities, we have reserved for the general government all those powers which will enable the legislative and administrative proceedings of the central authority to be carried out with a firm hand. With this view we have provided that the whole of the judges throughout the confederation, those of the county courts as well as of the superior courts, are to be appointed and paid by the general government. We have also provided that the general parliament may constitute a general appeal court, to which an appeal will lie from the decisions of all the provincial courts. We have likewise provided that the general government shall be specially charged with the performance of all obligations of the Provinces, as part of the British empire, to foreign countries. The Lieutenant-Governors of the different sections are to be appointed by the general government, and the power of disallowing all bills passed by the local legislatures is to be vested in the

Governor-General in council. In this way we will have a complete chain of authority, extending down from Her Majesty the Queen to the basis of our political fabric. The Queen will appoint the Governor-General; the Governor-General in council will appoint the Lieutenant-Governors; and the Lieutenant-Governors will be advised by heads of departments responsible to the people. Thus we will have the general government working in harmony with the local executives, and in hearty accord with popular sentiment as expressed through the people's representatives. All the debts and assets of the different Provinces were to be assumed by the general government. A confederation of five states was about to be formed, and it was to the credit of the whole that not one of them had ever been unable to meet its obligations to the day; and still further, that the finances of all were now in such a satisfactory condition that every one of them had a large surplus of revenue over expenditure for the current year. He desired to call attention to the fact, that the delegates had unanimously resolved that the united Provinces of British America should be placed at the earliest moment in a thorough state of defence. We have agreed, said he, to build the Intercolonial Railway. I have not been in favor of that scheme *per se*, situated as we have been. But I have been quite willing to admit—and I repeat it heartily to-day—that without the Intercolonial Railway there could be no union of these Provinces; and after a careful consideration of the question in all its bearings, and after counting the full cost, I am prepared to advocate the building of that road, in order to accomplish the great objects we have in view in the scheme of confederation. In agreeing to build the Intercolonial Railway, it should also be stated that due regard was had to the interests of the west. With the unanimous consent of the members of the Conference, we have resolved on the extension of our canal system. While we have sought confederation with Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island, we have not been neglectful of the Far West; but we have made it a condition of union that the great North-west may come into the federation on equitable terms at any time it pleases, and that British Columbia and Vancouver Island may also be incorporated with us. We

have likewise made it a condition that so soon as the state of the finances will permit, communication is to be opened up from Western Canada to the North-west territory. On the whole," said the honorable gentleman, "when we look at the probable results of this union, I think there is no man from one end of the Provinces to the other who ought not to give it his most hearty approbation. He would repeat what had been so well said by Mr. McCully : all danger was not past. They had still to meet the legislatures of the different Provinces, and it required the greatest harmony of action to obtain a favorable result. Therefore I would say with my honorable friend, Mr. McCully, if there is one thing more than another necessary at this moment, it is that we should banish our party discords ; that we should forget for the moment that we were at one time arrayed against each other ; and whatever we may do after union is accomplished, let us forget until it is obtained our feuds and differences, in securing to the country the great boon which this Confederation promises to bring about."

A few days after, on the occasion of the public reception at St. Catharines, the Hon. Mr. Pope, of Prince Edward Island, responded on behalf of that Province, and in strong language declared his endorsement of the views already expressed by his colleagues, Hon. Messrs. Palmer, Coles, Haviland and Whelan, from that Island.

Thus closed the demonstrations in Ontario. A rude awakening, however, awaited those gentlemen from the Maritime Provinces who, thus far floating on smooth seas and amid fairy scenes, fancied that on their return to their constituencies all would be well. The storm that burst upon the delegates from New Brunswick was like the hurricane of the tropics. Fair as had been the voyage up to this time, fragrant as were the breezes that bore them onward, the sky in a moment became suddenly overcast. The moaning of the surge was heard, the blackened clouds closed upon the fated ship, and sail and mast went down before the fearful gale. In vain was there a temporary lull, in vain a seeming hope of safety. The storm burst out from the opposite quarter with more fearful violence ; the darkness was more tangible, and destruction seemed

inevitable. In New Brunswick the storm came first from political foes, but was followed quickly from political friends. Hurlled from place and power, they were condemned by their constituencies in the most emphatic manner, and a more thorough defeat in the first instance was never meted out to the advocates of a political change. In Nova Scotia, though not at first so disastrous, the shock was more lasting, and ultimately more severe. The narrative of the action of those two Provinces must, however, for the present be deferred.

## CHAPTER V.

Assent of the Imperial Government—Despatch from the Colonial Secretary, December, 1864—Public sentiment in England, Scotland and the United States on the proposed Confederation—Seward—A.D. 1864.

As soon as possible after the adjournment at Quebec, the Governor-General, Lord Monck, transmitted to Her Majesty's Government the Resolutions that had been adopted by the Conference, and in the month of December received, in the following despatch, the strong expression of its approval :

DOWNING STREET, *3rd December, 1864.*

MY LORD,—Her Majesty's Government have received with the most cordial satisfaction your Lordship's despatch of the 7th ult., transmitting for their consideration the resolutions adopted by the representatives of the several Provinces of British North America, who were assembled at Quebec.

With the sanction of the Crown, and upon the invitation of the Governor-General, men of every Province, chosen by the respective Lieutenant-Governors without distinction of party, assembled to consider questions of the utmost interest to every subject of the Queen, of whatever race or faith, resident in those Provinces, and have arrived at a conclusion destined to exercise a most important influence upon the future welfare of the whole community.

Animated by the warmest sentiments of loyalty and devotion to their Sovereign ; earnestly desirous to secure for their posterity throughout all future time the advantages which they enjoy as subjects of the British Crown ; steadfastly attached to the institutions under which they live, they have conducted their deliberations with patient sagacity, and have arrived at unanimous conclusions on questions involving many difficulties, and calculated, under less favourable circumstances, to have given rise to many differences of opinion.

Such an event is in the highest degree honourable to those who have taken part in these deliberations. It must inspire confidence in the men by whose judgment and temper this result has been attained, and will ever remain on record as an evidence of the salutary influence exercised by the institutions under which those qualities have been so signally developed.

Her Majesty's Government have given to your despatch, and to the resolutions of the Conference, their most deliberate consideration. They have regarded them as a whole, and as having been designed by those who have framed them to establish as complete and perfect a union of the whole into one government, as the circumstances of the case and a due consideration of existing interests would admit. They accept them, therefore, as being, in the deliberate judgment of those best qualified to decide upon the subject, the best framework of a measure to be passed by the Imperial Parliament for attaining that most desirable result.

The point of principal importance to the practical well-working of the scheme, is the accurate determination of the limits between the authority of the central and that of the local legislatures, in their relation to each other. It has not been possible to exclude from the resolutions some provisions which appear to be less consistent than might perhaps have been desired with the simplicity and unity of the system. But upon the whole, it appears to Her Majesty's Government that precautions have been taken which are obviously intended to secure to the central government the means of effective action throughout the several Provinces, and to guard against those evils which must inevitably arise if any doubt were permitted to exist as to the respective limits of central and local authority.

They are glad to observe that although large powers of legislation are intended to be vested in local bodies, yet the principle of central control has been steadily kept in view. The importance of this principle cannot be overrated. Its maintenance is essential to the practical efficiency of the system, and to its harmonious operation both in the general administration and in the governments of the several Provinces. A very important part of this subject is the expense which may attend the working of the central

and the local governments. Her Majesty's Government cannot but express the earnest hope that the arrangements which may be adopted in this respect may not be of such a nature as to increase, at least in any considerable degree, the whole expenditure, or to make any material addition to the taxation, and thereby retard the internal industry, or tend to impose new burdens on the commerce of the country.

Her Majesty's Government are anxious to lose no time in conveying to you their general approval of the proceedings of the Conference. There are, however, two provisions of great importance, which seem to require revision. The first of these is the provision contained in the 44th resolution, with respect to the exercise of the prerogative of pardon. It appears to Her Majesty's Government that this duty belongs to the representative of the Sovereign, and could not with propriety be devolved upon the Lieutenant-Governors, who will, under the present scheme, be appointed, not directly by the Crown, but by the Central Government of the United Provinces.

The second point which Her Majesty's Government desire should be reconsidered, is the constitution of the Legislative Council. They appreciate the considerations which have influenced the Conference in determining the mode in which this body, so important to the constitution of the Legislature, should be composed. But it appears to them to require further consideration whether, if the members be appointed for life and their number be fixed, there will be any sufficient means of restoring harmony between the Legislative Council and the popular Assembly, if it shall ever unfortunately happen that a decided difference of opinion shall arise between them.

These two points, relating to the prerogative of the Crown, and to the constitution of the upper chamber, have appeared to require distinct and separate notice. Questions of minor consequence, and matters of detailed arrangement, may properly be reserved for a future time, when the provisions of the bill intended to be submitted to the Imperial Parliament shall come under consideration. Her Majesty's Government anticipate no serious difficulty in this part of the case, since the resolutions will generally be found



sufficiently explicit to guide those who will be intrusted with the preparation of the bill. It appears to them, therefore, that you should now take immediate measures, in concert with the Lieutenant-Governors of the several Provinces, for submitting to the respective Legislatures this project of the Conference; and if, as I hope, you are able to report that these Legislatures sanction and adopt the scheme, Her Majesty's Government will render you all the assistance in their power for carrying it into effect.

It will probably be found to be the most convenient course that, in concert with the Lieutenant-Governors, you should select a deputation of the persons best qualified, to proceed to this country, that they may be present during the preparation of the bill, and give to Her Majesty's Government the benefit of their counsel upon any questions which may arise during the passage of the measure through the two Houses of Parliament.

I have, &c.,

(Signed) E. CARDWELL.

Governor Viscount Monck, &c. &c. &c.

The two points particularly selected for reconsideration, namely, the prerogative of pardon and the non-expansive character of the Legislative Council, were subsequently remodelled in the Conference at London in 1867, which met in accordance with the suggestion in the last paragraph, under authority of the several Provincial Legislatures.

The otherwise undoubted sanction of Her Majesty's Government gave great strength to the cause of Confederation, and rendered the future contest simply one of overcoming local prejudices in the several constituencies of the Provinces. The change was to be of voluntary adoption, without coercion, or even the threat of coercion, by the dominant authority. A more bloodless revolution never was brought about. The foundations of an empire were laid in peace, and the future prosperity and greatness of their country was left entirely to the colonists themselves, under the fostering care of the parent state. Whatever charges may be brought against Great Britain, whatever other nations may say, or the dark pages of past history record of her tyranny, her power,

or her pride, by the Canadian her name will be venerated, and her conduct on this occasion be pointed to by the future generations of the Dominion as an instance without parallel, of a great country, under no compulsion, conceding privileges, and consolidating powers, which might at some future day be used to her disadvantage—of a great country relying upon the justness of her intentions and the soundness of her principles, without regard to what might be the consequences to herself, in the diminution of authority, or the contraction of her domain.

The English press was not less outspoken. Almost on the same day, as if the national pulse were vibrating to the same sensation, from England and from Scotland came words of cheer. It is well, they should not be forgotten. The Conference was at this time sitting in Quebec, and amid the Anglo-Saxon races of the old and the new world the subject engaged attention. What had occurred in the Convention at Charlottetown, and the subsequent meetings at Halifax and St. John during the previous month, was then well known in England, and the favorable comments which came across the Atlantic to the delegates at Quebec, added to the zeal with which they pressed on the work. No doubt was left that if they could arrange the details in a way satisfactory to their several Provinces, public opinion would sustain them on the general question in England. In after years this record of the impressions of the day may be interesting if not useful. A rebellion was no longer necessary to waken the public mind in the old country to the affairs of the colonies in the new, and the message was conveyed to them in very unequivocal terms, that they could, without interference from the mother country, shape their future course in the way they thought best for their own interests—connected, if they chose to remain; separated, if they preferred to be.

The London *Daily Telegraph*, which its special commissioner in Canada, Mr. Sala, stated had a daily circulation of 120,000, and represented an influential phase of public opinion in England, observed in its issue of the 12th of October, 1864:

“Seldom has there been held a more important conference of statesmen than that which assembled recently at Halifax to con-

sider the proposed federation of the British North American Provinces, On their deliberations depends, to a very great extent, the future of a country which possesses magnificent resources, and which contains within it the germs of a mighty empire. The statesmen of British North America have conceived the grand idea of a federation. They wish to build up a nation ; but they also wish—and this is the true imperial justification of their scheme—to have this nation still linked by the closest ties to Great Britain. In other words, they have no notion of seceding ; they wish, rather, by increasing their own strength, to become worthier members of the central state. To this end their notables have met together, and so far is the movement from having any separatist tendency, that it received, two years ago, official encouragement from the Imperial Government. Add to this fact the equally significant circumstance that the officials of the Provinces and the Admiral of the British fleet upon the American station joined in the recent proceedings, and it will at once be seen that the object is one in which the mother country can heartily co-operate with her thriving children across the Atlantic. It may be possible that a few Canadians would prefer incorporation with the northern portion of the late United States ; but the number of these is insignificant, and the disloyal faction would at once be overwhelmed and swept away by the creation of the new confederacy. We must not forget that, granted certain changes in American politics, the enforcement of the Monroe doctrine would be one of the first objects sought by our restless cousins : all the better will it be, by welding the British Provinces into one compact nationality, to proclaim at once that we regard this famous doctrine as an insolent threat, which we hold ourselves prepared to resist by force of arms.

“ Firmly believing that the project will be immensely beneficial to the colonies, we are convinced that it will be equally acceptable to the home government. As the matter already stands, England is committed to the protection of every acre of her soil, be it on the Indus, the Murray, the St. Lawrence, or the Thames. Doubtless the responsibility is great ; doubtless the work is arduous ; but the duty exists. The best way, indeed, to lighten it

is to call upon our colonies themselves to take measures for their own defence, assuring them that whenever the odds are too heavily against them, whenever the danger becomes serious, we pledge the British Empire to their aid."

The *London News* of October 12th, 1864, remarked upon the inception of a "Great British American Nation :"

"Monday last, the 10th of October, is likely to prove an important date in the history of British North America. It was the day which the Governor-General of Canada, acting under the authority of the Imperial Government, had appointed for a formal conference at Quebec, of the Governments of Canada, Nova Scotia, New Brunswick, Newfoundland and Prince Edward Island, for the purpose of considering and agreeing upon a complete scheme for embracing all those Provinces in a federal union.

" \* \* \* It is proposed, then, to organize the confederation at first in three sections, of which Upper Canada will form one, Lower Canada another, and Nova Scotia, New Brunswick, Prince Edward Island and Newfoundland united a third. The reason for separating the two Canadas will occur to every one who has followed the recent history of those Provinces. The scheme of confederation will admit of the subsequent accession of the Northwest Territory, British Columbia and Vancouver Island ; but the work immediately in hand is the federal union of the Provinces we have enumerated.

"Happily the finances of the various Provinces offer no insurmountable obstacle to the assumption of all their liabilities and assets by the federal government, inasmuch as the debts and annual burdens now borne by the people of the several Provinces are pretty nearly equal, and the revenue of each is somewhat in excess of the expenditure. More difference of opinion exists as to the constitution of the local or sectional legislative assemblies. Some are for two chambers, while others prefer the simplicity of one only ; some would make the local executive responsible to the legislature ; others desire that the Lieutenant-Governor and other chief officers may be directly elected by the people. As, however,

it is not absolutely necessary that the several sections, in order to bear their part in the common system, should be organized alike for local purposes, differences of opinion on these points will not seriously obstruct the formation of the general union. The first requisite in the constitution of the confederation is that the powers of government be so distributed between the federal and sectional authorities, that each portion of the whole shall feel that its local interests are safe in its own power, while the strength of all may be combined to promote the general prosperity.

“ We see no reason to doubt that the delegates now assembled at Quebec will succeed in their great work, and having done so, they will have constituted, in the words, thrice repeated, of one of the ministers of Canada, “ a great British American nation,” redeemed from provinciality, richly endowed and secure in the present, and able to look onward with confidence to the future.”

The *Peterhead Observer*, of October 14th, 1864, said :

“ The leading men of Canada are no tardy reformers. Instead of spending years in aimless controversy, as would have been done at home, the Governor of Canada summoned the Colonial Governors to a conference at Quebec on the 10th instant, for the ‘ purpose of arranging the confederation of the British Provinces.’ Of course, only when met would the real difficulties be fully realized, but then, too, would they be grappled with by earnest and able men. It is a remarkable fact—indeed, altogether unprecedented—that in this country the most of our influential journals have given the great scheme a prompt and hearty support ; while generally throughout the country it has called forth deep and genuine sympathy. We can assure our friends in Canada that this movement is watched here with profound interest, and that the result of the conference at Quebec is waited for with an anxiety only greater in degree among those whose social well-being and national dignity will be directly and mightily affected. Some narrow-minded and ungenerous souls have characterized the proposal as one emanating from selfish and ambitious men. They see in it, or say they see in it, the ‘ germs’ of an entire separation,

and the establishment of another and more dangerous enemy, in the shape of a new United States. Their feeble utterances have scarcely been heard, and have nowhere been heeded. If carried out in the spirit which has hitherto distinguished those who have hitherto taken the initiative, and who must continue to take the leading part, there can be no doubt that the parent country, as well as the Provinces, will be directly and manifestly benefited. The nature and objects of this proposed confederation of the British Provinces have been more than once discussed in these columns, and we can only say that the farther they are developed, it becomes more apparent to us that they merit the active sympathy of all who have faith in national progress.

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“The material aspect of this question is certainly rather impressive. Since these remarks were written, we see it stated in a southern cotemporary that the confederation would have a population little short of four millions, with half a million able-bodied men available for the defence of the country, placing them before thirty-seven out of forty-seven sovereign states. Upward of 45,000,000 acres are held by colonists, and of these 13,000,000 are under cultivation. The crops, according to the estimate of the Hon. George Brown, would value nearly 120,000,000 of dollars. The exports of fish alone, we are further informed—and this fact is peculiarly interesting to us—amounts to ten millions of dollars, and those of timber to fifteen millions. The total annual exports are no less than 65,000,000 dollars, and the imports are of an equal amount. The confederation would have an annual government revenue of thirteen millions of dollars. These facts afford food for thought, and show what stuff there is out of which to make a nation.”

The London *Star* of October 10th, 1864, thus spoke :

“The important conferences which are being held in the colonies of British North America, and which are still far from having terminated their weighty labours, have under consideration perhaps the most momentous question which can stir the

heart of a great community. They are endeavouring to weld together those scattered populations which have heretofore only been united in their allegiance to the mother country, and to lay the foundation of what will one day be both a nation and an empire. Up to the present moment those colonies have been divided—divided not less by rival interests and unfriendly tariffs than by geographical lines of demarcation. The time and energy of their public men have often been frittered away by petty controversies, instead of being concentrated on objects worthy of the high destiny which lies before the inhabitants of a country that rivals the United States in the extent of its superficial area and the magnificence of its resources. Now all this bids fair to terminate. Adopting for their motto the principle that union is strength, the best men of each Province and of all parties have combined together to establish a grand confederation of states, which shall combine in its ample folds the maritime colonies of Nova Scotia, New Brunswick, Newfoundland and Prince Edward Island, the noble cities and the far-reaching settlements of the two Canadas, and the vast colonizable regions of the Hudson's Bay Company which stretch westward to the Rocky Mountains. Truly the scheme is a grand one, and as wise and practical in its objects as it is bold in conception. Happily, too, there is no conquest to be achieved, no blood to be shed, no native races to be exterminated, no Cortes required to plant his cruel banner in the halls of some western Montezuma. The new empire has long been occupied by Anglo-Saxon communities, who have carried with them British enterprise and the laws and institutions of the land from which they have sprung, and who now desire to build up a nationality which shall prove a source of strength not only to themselves but to the empire at large. As we have before had occasion to remark, the object is one which must excite the deepest sympathy of every Englishman who prizes the greatness of his country and his race."

The London *Times* of October 15th, 1864, observed :

"The American press has for a long time given us the fullest information as to the visions which float before the eyes of the

politicians of the North with reference to the conclusion of the war. That event they regard, no doubt, with the most anxious desire for its accomplishment ; but their reasons for desiring it are very peculiar, and well worthy our attention. They look forward to the time when the North and South having been by some magical process, of which we can as yet form no idea, welded once more together into a single harmonious whole, can unite together for the purpose of subjugating the colonies of Great Britain. Even the South herself, as we are informed in recent letters, while refusing to admit the probability of being subdued, consoles itself for the possibility of defeat by the agreeable reflection that she could in that case, at any rate, join with the North in a crusade against England, whom she seems to hate worse for not coming to her assistance in a war which she chose to enter into without consulting us, than she does the North for having formed a benevolent project for her extermination. The situation of the colonies is thus exceedingly critical ; they know not how soon, or on what pretext, or what absence of pretext, the vast armies now engaged in mutual destruction may unite together for the purpose of subjugating them. \* \* \* \* \*

“ A conference has been held, and as far as we understand, is still sitting at Halifax. Nothing can be more in accordance with the interests and the wishes of this country than that the North American colonies should gather themselves up into a nation, which should be, not Canadian, nor Nova Scotian, but British American. Conscious as we are of our inability to protect these colonies by land in case of war, we must naturally rejoice at any event which seems to place them in a position in which they would be better able to protect themselves. There was a time, no doubt, when the uniting of the colonies in a single state would have been regarded by England with considerable jealousy, as forming a powerful dependency which it might be difficult for the mother country to coerce in case of its desire for separation ; but the difficulties exist no longer. We have freely, and I hope forever given up the idea of retaining our discontented colonies by the sword. The power we desire to exercise is entirely a moral one, and, strong or weak, the dependency that wishes to quit us



has only solemnly to make up its mind to that effect. \* \* \* We, looking at our colonial empire from the central seat of authority, are apt to consider it as an organized whole, because we have clearly defined relations with each part of it, forgetting that each of these parts has no common relation with the other. It is time, at least, in the presence of so powerful a military state as the American Union has become, that some connection between the foreign dominions of the Queen should be established. In our view the closer the connection the better. Something, doubtless, must be left to the local Assembly of each Province ; but we sincerely trust that the precedent followed will not be that of a number of sovereign states delegating certain definite functions to a central congress, but rather that of a full central authority, out of the powers of which are excepted certain municipal functions. We hope, in short, that everything which is not specially assigned to the local governments will be central, rather than that everything not assigned to the central government will be, as in the United States, local."

Practical Scotland spoke her views with equal plainness.

The *Glasgow Mail*, October 14, 1864, said :

"The project which contemplates the establishment of a federal union between the six great provinces of British America, wears a stately aspect. Its very magnitude gives it an imposing air, and in itself proves an attraction. In an age of little men and of peddling measures, it comes upon one with a grateful surprise to find a scheme of such breadth and scope put forward. Even as a speculative idea it is sure to win the favourable regard of every political student, who has imagination and foresight enough to keep him from confounding two things that are too often viewed as identical—the merely paltry and the truly practical. And it is no mere day-dream, the magnificent conception of some hair-brained thinker. It possesses solid recommendations ; it opens up a way out from pressing difficulties, and on to desirable attainments ; and it has secured the warm approval, and the hearty advocacy of experienced and sagacious men—men who are really

practical in the proper sense of that much-abused word. It now seems that a Conference at Charlottetown, attended not only by representative men from the two Canadas, but also by delegates from Nova Scotia, New Brunswick, and Prince Edward Island, have unanimously approved it. The close of the Conference was signalled in true British fashion, by a public dinner, held in Halifax, on the 19th ultimo. Among the guests were Sir R. Macdonnell, the Lieutenant-Governor of Nova Scotia, and our countryman, the gallant Sir James Hope, the Admiral on the station. Speeches were made by Messrs. Cartier, Brown, and Macdonald, of Canada; Tupper and Archibald, of Nova Scotia; Johnson and Gray, of New Brunswick; D'Arcy McGee, the quondam Young Irelander, who is now Canadian Minister of Agriculture, and others—all in enthusiastic praise and support of the scheme. Particular interest attaches to sundry pregnant words let fall by the Lieutenant-Governor. It was in this wise that Sir Richard Macdonnell spoke: 'I have already alluded to the change which has come over the colonial administration in late years—how very different it is from the days when we lost one of the finest portions of the earth, the neighbouring States, through what would now be considered very great ignorance of the first principles of government, and very culpable mismanagement. Any gentleman serving her Majesty in the capacity that I do, must feel very differently from what one would in former days. He is not sent out to build up or maintain any monopoly here for the benefit of parties in England. He has no such mission now; and I have no hesitation in saying that her Majesty's Government, though for obvious reasons unlikely to initiate any scheme of union amongst you, yet looks with an affectionate and parental interest on the proceedings which you have initiated. Though there may be a difference of opinion as to the measures which you are considering, her Majesty's Government, equally with yourselves, is desirous that you should agree upon some unity of action, as to many matters in which you have a community of interest. Her Majesty's Government have not forbidden me to say this much, and I believe it is its intention to give the most favourable consideration to the result of the deliber-

ations of the gentlemen who are now around this board.' These are frank and wise words, which we trust Mr. Cardwell, or whoever comes after him at the Colonial Office, will be called on to redeem. They indicate the only course which a patriotic and sensible Minister could think of pursuing. Beyond taking care that none of the minor colonies are coerced into the proposal, he has no duty in relation to it. Their freewill he is bound to protect; but there his function ends. Nobody can doubt that a union freely formed, resulting in one system of laws, a single Parliament, and a single Ministry, with judicious provision for the maintenance of local powers, would be a vast advantage to the colonies themselves. As little can it be questioned that the change would be advantageous to the mother country. To cite but a few instances of the benefits that must needs accrue:—It would be attended with less cost, for the Federation, while presenting a broader area for internal taxation, would be stimulated by a proud desire to do without British help; it would be attended with less trouble, for the whole brood of sectional jealousies would at once be swept out of the ken of the Colonial Office, which would stand face to face with a Government, strong in talent and respectable in position—it being inevitable in such a case, that the ablest men should come to the top; in a word, it would set a wholesome example of how to deal with that vexing problem, which lies ahead at no great distance in other cases as well as in this, the problem of how to transmute a jealous dependency into a cordial ally, which, though retaining mayhap the golden link of the crown, should in all respects evince an unbought and unforced loyalty, an allegiance without constraint, co-operation without coercion, bonds without bondage, the only fitting guerdon that freemen should care to seek or be willing to yield!"

The *Caledonian Mercury*, October 12, 1864, said:

“The British North American Confederation project continues to make hopeful progress. The latest Canadian papers bring intelligence of a Conference held at Charlottetown, Prince Edward Island, and attended by representatives of all our North American

colonies, the proceedings of which, so far as they had gone, must be considered as highly favourable to the scheme. It is true that the Conference has as yet given forth no official declaration of the results, at which it has arrived ; but its most prominent members, at an important banquet given in their honour at Halifax, have stated that the delegates were unanimously of opinion that it is highly desirable that all the British colonies in North America, should be united in one Confederation. This is so far good, and we trust that the further labours of the Conference will be equally successful. The most difficult part of the task, it is true, still remains to be done, when matters of detail, interfering possibly with local interests, will require to be adjusted ; but sectional prejudices must be strong indeed if they render abortive a plan, which is, beyond all question, one of the grandest that has been proposed for the adoption of any people within this generation. It may be worth while to look again at this scheme for a British American Confederation. We, in the old country, cannot be indifferent to the interests of our colonies. Their interest, in effect, is our interest. Their prosperity benefits us, and their adversity can seldom fail to re-act more or less injuriously upon us. We think it will not be difficult to show that, whether we look upon the proposal from a colonial or from an imperial point of view, the proposal of a Confederation is deserving of the most hearty support from all concerned. Our North American colonies are six in number—Upper Canada, Lower Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island. Upper and Lower Canada might as well have been separate, for any comfort that their union, on unequal terms, in 1840 has ever done them. They are separate from the other parts of British North America, which again, in their turn, are all separate from each other. They are separate in their government and systems of taxation. They fence themselves in from each other by the barriers of high protective tariffs. While they all acknowledge their common allegiance to the Queen, they nevertheless treat each other pretty much as if they were dealing with foreigners and aliens, instead of fellow-subjects. The merchants of Halifax, where the delegates to the Conference were so hospitably enter-

tained, cannot send their wares across the Bay of Fundy without having to pay customs duties at St. John. The Nova Scotians, in their turn, do not fail to levy their mail on the merchandise of New Brunswick, when it seeks entrance within their ports. The little island of Prince Edward, again, as if anxious to be left alone in its own sovereign dignity, levies a tax on all her sister colonies, who venture to bring her commodities which she cannot produce for herself; and they naturally respond to such a policy by subjecting her traders to a tax whenever they set foot within their borders. There are similar terms of intercommunion between Canada and the smaller colonies. Certainly this is by no means a satisfactory state of matters. If the old-world doctrines of protection are absurd anywhere, it is assuredly when they interpose barriers in the way of the free intercourse of citizens of the same kingdom. Free-trade may have its difficulties, as between one nation and another; but surely the most bigoted Tory would never object to its being carried out to the full within the bounds of his own country. It is not only, however, as regards this matter of customs that the position of our North American colonies is incongruous, and calls for a change such as that proposed. While they have so many common interests, they have no common action. Some of the speakers at the banquet put great stress upon the question of defence against a possible attack by the United States. While we believe that any fear of this kind is utterly chimerical, we are still of opinion that these colonies ought to be in such a position that they would be able to use the resources which they do possess, and which, under a united government, would be readily forthcoming for their common defence against any enemy whatsoever. Instead of being half a dozen inconsiderable colonies, not one of which would have any weight in the councils of the world, the people of British America may, by means of this scheme of a Confederation, become a great and powerful state. The separate governments, under which these colonies live, have hitherto answered no purpose that might not have been better served under a common government; while, on the other hand, they have produced and perpetuated causes of division and mischief. Brought under a

common government, they would at once attain to the dignity of a nation. With a population little short of four millions, and with half a million able-bodied men, available for the defence of the country, they would rank before thirty-seven out of the forty-eight sovereign States of Europe. Then, what scope they have alike for the increase of their population, and the extension of their territory! The Old World States have bounds which they cannot pass, while the British American colonies, after they have filled up their as yet thinly-peopled territories, will have still before them an opening for their enterprise towards the north-west. The agriculture and commerce of the Confederation would be as imposing as its population. \* \* \*

“Statistics go to show that if our North American colonies would heartily adopt the scheme of a Confederation, they would at once take up a prominent and important position on the map of America and of the world. If there is anything to fear from the United States—that great bugbear of the governing classes of this country, and of some Canadian politicians of the official home type—they would be able to hold their own against any invasion. In the peaceful domains of commerce they would be the best customers of the United States; and both nations would find the advantage of free intercourse and unrestricted trade. The strength that is, under the present system, to a great extent frittered away to little purpose, would by union accomplish much for the common good. While there would be no invasion of the privileges of local self-government, the machinery of half a dozen petty administrations would be advantageously replaced by one common central Government for the whole Confederation. There would probably be a saving in point of expense, as well as a gain in point of efficiency. The advantages that would be reaped from the free interchange of trade can hardly be exaggerated. If free trade, indeed, were to be the only result of union, the adoption of the Confederation scheme would be highly desirable, even on this one account. Union and free trade among these colonies imply each other. When they become one State, their interests are recognised to be identical, and customs duties between one part of the Confederation and another would be as

incongruous as between Lancashire and Yorkshire. Thus, by the free interchange of their productions, the wealth of all parts of the Confederation will be increased, and their growing prosperity will not fail to give an impetus to the trade of the mother country. If any of our brethren in British America have the idea that we on this side of the water look with the slightest jealousy on this scheme of Confederation, they labour under a great mistake. The people of Britain will hail with much satisfaction the establishment of such a Confederation. It will make the American colonies stronger and more independent, and will prepare them for the day—we unite with them in wishing that it may be far distant—when they shall resolve to stand alone. We suppose that the arrival of such day is inevitable, and it would be well for the colonists to be beginning to know their own strength. United in a great British American Confederation, with—if they please—a Prince of our Royal Family for their head, they would at once take the position of a powerful nation. Instead of being a source of weakness to the parent country, as in times of trouble our scattered colonies so often are, British America might prove not only an outlet for the millions for whom we have not room and work at home, and a profitable market for our commerce, but might be found, if need be, ready to fight side by side with us against ‘the three corners of the world in arms.’”

The London *Economist* of November 26th, 1864, which is an able and influential exponent of public opinion, contained the following article upon the text of the Federal Constitution for the British American colonies :

“The thirty-three delegates of the British American Colonies have completed their work, and have published the basis of the federal scheme which they intend to submit to the Imperial Government. When revised and accepted by the cabinet, it will be presented to Parliament, we imagine very much in the form of a treaty, to be accepted or rejected *en bloc*, and will then finally be referred to the colonial legislatures, for a vote which must of course be a simple yes or no. Six Provinces—Upper Canada, Lower Canada, New Brunswick, Nova Scotia, Prince Edward Island,

and Newfoundland—will, it is believed, accept it, but provision is made for the adhesion of all the North American Colonies from Maine to the Pacific. The resolutions, which are full and very well considered, do not modify greatly the information already placed before our readers ; but there is a great difference between deductions from after-dinner speeches and draft bills, and we may perform an acceptable service to our readers by describing from the official record the machinery selected for the last new effort at the manufacture of empires.

“The object of the American colonists, it is clear from every clause of the resolutions, is to form a Nation and not a Union. They have been obliged upon points to differ as to sectional jealousies and fears ; but they have not given way in any direction, save one, to the desire of small communities for independence. From the very beginning each colony that accepts the scheme avowedly surrenders its claim to independence, declares itself by act of its local parliament a province—a part, that is, of a much greater whole. It will lose its separate Governor responsible only to Great Britain, and receive one appointed by the ‘Acadian’ ministry ; while, though it retains its separate legislature, the powers of that body will be reduced to very narrow dimensions. It will still be absolute in the domain of civil law, commercial legislation excepted ; it may still impose direct taxes, and provide for all municipal works and events, but the right of criminal legislation, of fixing custom duties, of levying general taxes, of arranging great public works, of appointing judges, of providing defences, of doing anything which can in any way be considered of national importance, is surrendered. Moreover, even within its limited sphere every act must be submitted to the general government ; and even should the measure not be disallowed, it only runs subject to the general principle that, in the event of collision between a provincial and a national law, the courts are to act only upon the latter. The federation, it will be evident, is not one to be composed of sovereign states,

“All the powers thus surrendered, and all to which, saving the Queen’s prerogative, an independent nation can lay claim, are transferred to a central authority, as unlike that existing at



Washington as it is well possible to conceive. It will consist, in the first place, of a Viceroy appointed by the Crown, wielding all the powers of the Crown, protected like the Crown from attack or removal, and fettered like the Crown by the necessity of acting through ministers responsible to parliament. This parliament is composed of an Upper House to be called the Council, and composed of seventy-six members selected by the Crown for life, in proportion of twenty-four for Upper and twenty-four for Lower Canada, ten for Nova Scotia, ten for New Brunswick, four for Prince Edward Island, and four for Newfoundland, the immense number given to Lower Canada in proportion to its resources being a concession to the French element which in the Lower House will be overborne. In that House the basis is to be population, arranged on the fixed idea that Lower Canada is to have sixty-five members always. When, therefore a Province amounts to double her numbers, it will have one hundred and thirty members, the present proportions being :

Upper Canada, .....	82
Lower Canada .....	65
Nova Scotia .....	19
New Brunswick .....	15
Newfoundland .....	8
Prince Edward Island .....	5

“The object with which this number has been settled is apparent at a glance. The constitution has been arranged to meet the susceptibilities of the Lower Province, and Upper Canada is not mistress of the situation as against Lower Canada, unless she can gain over more than one other entire colony. This Central Government, thus constituted, will, acting through responsible ministers, make all laws required for the ‘welfare and good government’ of the nation, all laws on criminal matters, commerce, currency, banking, immigration, marriage and divorce, and all subjects not specially named in the constitution. It will have the entire control of taxation, internal and external, of the national defences, local militia included, of the post, and of all inter-provincial means of communication, will appoint all judges (who are to be irremovable), exercise generally all except really local

patronage, and possess the right of annulling within twelve months any act of the Provincial Councils. These powers are very extensive—may, indeed, be easily so interpreted as to meet all likely contingencies; but then nations are killed by unlikely contingencies; and we would still advise the Canadians to submit to the insertion by Mr. Cardwell of one more clause, enabling the Viceroy and his ministry, in time of rebellion or visible emergency, to ‘proclaim’ any district or province, and while it remains proclaimed, to exercise absolute authority therein. On some such provision we trust Mr. Cardwell will insist, and we think it is the only one in which parliament should interfere. The principle being granted, there is nothing in any of these details which should offend the mother country, and much to gratify her pride and benefit her interest. The delegates affirm in their very preamble that their first object is to perpetuate their connection with the mother country, they jealously reserve the prerogative throughout their arrangements, they specify that the constitution requires the assent of the Imperial Parliament, and they insert this invaluable clause into their fundamental law: ‘All engagements that may be entered into with the Imperial Government for the defence of the country shall be assumed by the Confederation.’ That clause gives us the right to call on the Canadians as allies under contract to perform their due share in the work of their own defence, and removes the anomaly under which we are bound to defend men who may refuse to help us—who may shut out our trade, and decline any assistance to our revenue. It is not, that we know of, the duty of parliament to see that its colonial allies choose constitutions such as Englishmen approve; but even if it were, the ministry could not object to a scheme which, except in the essential point of the absolute authority reposed in the central legislature, is a counterpart of their own. They may recommend certain modifications, such, for instance, as the insertion in the act of the provincial constitutions, left by the delegates’ resolutions to the provinces themselves, but they are not bound to press any point not of pressing imperial interest.

“There is, however, one for which no provision is made, and for which a clause will one day be urgently required. This is the

matter of boundaries. The Acadians expect to induce the people of the Pacific colonies, and, perhaps, the settlers on the territory now held by the Hudson's Bay Company, to enter into their compact; but they have made no provision for the settlement of boundaries. Vancouver's Island, for example, might like to stay out, while its mainland dependencies might like to go in, and who is to settle that quarrel? The vast expanse of the interior, too, is entirely without demarcations, and some appellate authority should be provided in case of serious dispute. That authority must, of course, be the Queen in Council, and the new Act, which may be interpreted a hundred years hence word by word by statesmen who see imperial interests depending on its construction, should contain some definite provision for the difficulty. Inter-colonial questions, too, such as have sprung up between New South Wales and Victoria, should be generally reserved, so that no ministry, strong in its new militia, its maritime power, and its semi-independence, should be able to commence a legislative warfare with a colony outside its authority."

Upon the general features of the scheme the *Liverpool Journal* has the following :

"The exercise of the franchise in the union encourages the belief that the federation of the British colonies in North America would be followed by the best possible consequences. The Canadians themselves have arrived at that conclusion; and it may be regarded by her Majesty's ministers in this country as a proceeding absolutely required to enable our trans-atlantic colonies to put themselves in a position to render it unnecessary that they should desire or require any assistance from the mother country. The new federation in Canada will extend over territories—or may be made to extend over territories—much larger than those of the United States; but it may be observed that the United States go far to the South, and are not affected as Canada is, and ever will be, by a winter of frost. The disadvantage of a Canadian winter will, however, in all probability be overcome by the federation of the inland and maritime colonies."

Equally cheering were the observations of the more enlightened portions of the American Press—and prominent among all—must stand forth the expressions of Mr. Seward, one of the greatest statesmen of the Republic :

“ Hitherto, in common with most of my countrymen, as I suppose, I have thought Canada, or, to speak more accurately, British America, a mere strip lying north of the United States, easily detachable from the parent state, but incapable of sustaining itself, and therefore ultimately, nay, right soon, to be taken by the Federal Union, without materially changing or affecting its own condition or development. I have dropped the opinion as a national conceit. I see in British North America, stretching, as it does, across the continent, from the shores of Labrador and Newfoundland to the Pacific, and occupying a considerable belt of the temperate zone, traversed equally with the United States by the lakes, and enjoying the magnificent shores of the St. Lawrence, with its thousands of islands in the river and gulf, a region grand enough for the seat of a great empire—in its wheat fields in the west, its broad ranges of the chase at the north, its inexhaustible lumber lands—the most extensive now remaining on the globe—its invaluable fisheries. and its yet undisturbed mineral wealth. I find its inhabitants vigorous, hardy, energetic, perfected by the Protestant religion and British constitutional liberty. I find them jealous of the United States and of Great Britain, as they ought to be ; and, therefore, when I look at their extent and resources, I know that they can neither be conquered by the former nor permanently held by the latter. They will be independent, as they are already self-maintaining. Having happily escaped the curse of slavery, they will never submit themselves to the dominion of slaveholders, which prevails in, and determines the character of, the United States. They will be a Russia to the United States, which to them will be France and England. But they will be a Russia civilized and Protestant, and that will be a very different Russia from that which fills all Southern Europe with terror, and by reason of that superiority, they will be the more terrible to the dwellers in the Southern latitudes.

“The policy of the United States is to propitiate and secure the alliance of Canada while it is yet young and incurious of its future. But, on the other hand, the policy which the United States actually pursues is the infatuated one of rejecting and spurning vigorous, perennial, and ever-growing Canada, while seeking to establish feeble States out of decaying Spanish provinces on the coast, and in the islands of the Gulf of Mexico. I shall not live to see it, but the man is already born who will see the United States mourn over this stupendous folly, which is only preparing the way for ultimate danger and downfall. All Southern political stars must set, though many times they rise again with diminished splendour. But those which illuminate the pole remain forever shining, forever increasing in splendour.”

The *Boston Commercial Bulletin* after remarking on the friendly feeling of Canada towards the United States, adds :

“But any one who undertakes to travel in this part of the British Provinces will soon become disabused of the erroneous idea, if he has ever harboured it, that this amicable feeling and desire for free commercial intercourse, on the part of the Canadian population, has anything to do with politics or a spirit of annexation. Politically speaking, they are thoroughly loyal to their home and local governments. They have no reason for discontent on that score ; they fully believe themselves to be in the enjoyment of the most liberal, free and paternal government upon the face of the earth, and they can raise no objection to it which does not apply with equal and even greater force in any new relation.

“The English portion of the people are proud of their nationality and do not wish to change it ; while the French population of Lower Canada are still more attached to the traditions and institutions of the Old World, and, if they changed at all, would prefer to return to the alliance of *la belle France*. To be sure, there is a liberal sprinkling of Americans from the Northern States, who have emigrated across the border from purely business motives. But they are equally satisfied to let well enough alone ; and though they do not mix or assimilate readily with the

extreme European element, they are by no means the most ardent partisans of annexation.

“The only political scheme which excites much interest in that quarter is the proposed Confederation, which, though at first meeting with strenuous opposition, especially from the Maritime Provinces, is now slowly but surely gaining ground, with a better understanding of its financial bearings, and aided by the influence of leading politicians and the home government. There can be little doubt that this scheme, for a consolidation of British America upon a basis nearly akin to the American Union, (except in the tenure and appointment of some of its chief officers,) will be successfully consummated. This will put at rest the question of annexation now being agitated with us to defeat a liberal commercial policy, and certain much needed measures of internal improvement. Hence, combining all the elements of a great and independent nationality, we must learn to look upon Canada as an integral part of that Northern empire which must hereafter form one of the political divisions of this continent, and frame our foreign policy with a view to live in peace and amity with the kindred races which will be gathered to its bosom.”

Thus on every side the advantages of Confederation were seen. It was opposed by some whose views were bounded by considerations of sectional interest—by others again—who, it is feared, permitted their allegiance to party, to over-ride their perceptions of duty to the country—but the clear common sense of the main body of the people of the Provinces in turn rose superior to such influences—and with overwhelming strength pronounced in favor of the movement.

## CHAPTER VI.

The Situation—Relative position of Great Britain and the B. N. American Provinces as to the internal government of the latter—As to Trade Relations with Foreign Countries—Despatch to Lord Elgin, December, 1846—Objection to policy by manufacturing interests in England and Scotland—Reiteration of policy by the Imperial Government—Exceptional and liberal conduct towards the Provinces in matters of Reciprocity with the United States—Position of Inter-Provincial Trade—Objections to Confederation from different stand-points—Political aspect—Misapprehension in England on the severance of Canada from Great Britain—Observations in the Imperial Parliament—Mr. Roebuck—Mr. Adderley—Sir Cornwall Lewis—Mr. D'Israeli—Lord Palmerston, and Mr. Baring—The Times—Pamphlets—Irritative effect in Canada—Examination of the subject—Position 20 years hence—Views of the "Committee on Commerce" of the House of Representatives of the United States—Free Trade Policy of Canada—Hincks—Imports—Exports—Character of Comparison—Breadstuffs to England—Change in 17 years—Export trade to the United States—Change—Effect on British producer—Tea trade—Affected by Pacific Railway—Returns—Pumpelly on Russian Asiatic Trans-continental Railway—Canada as a market—United States diminution of shipping—Internal trade—Merger of Canada in the United States—Loss of Asiatic trade to England—Action of United States not to be tested by ordinary rules of reasoning—Interest of Canada as separate—Intercontinental carrying trade—Effect of separation upon Great Britain in case of war—Canadian neutrality—Effect on Canada—Loss—Loss greater to Great Britain—Mutual interest to continue the connection—Blackwood—Letter of an American statesman.

Before proceeding to the consideration of the reception which the proposition for Confederation met with in the different Provinces, it would be as well briefly to review the position of the Provinces in reference to Great Britain—a position, it is not going too far to say—entirely anomalous, and without parallel in the history of any colonial dependencies. The mother country had entirely abjured the right of interference in any matters of local concern. Each Province regulated its own internal affairs in accordance with the wishes of its own inhabitants as expressed through their own representatives in their own Legislatures. The Crown had not the power of appointment of a single officer, except the immediate representative of the Sovereign in the person of the Governor General or the Lieutenant-Governors. From the Constable to the Chief Justice, from the tide waiter to the Col-

lector, from the Curate to the Bishop, from the youngest clerk in every department, to its chief, the people in their various municipal, corporate, legislative or executive capacities had the sole and absolute power of appointment. No shilling raised from their taxation could be devoted without their consent to any purpose outside of their own Province, and no taxation for any purpose could be imposed upon them by any authority except their own.

On the other hand for local or internal purposes Great Britain was relieved of all expenses on their account—she was not called upon to pay the salary or charges of a single person—employed for their benefit. The salaries of the Governor-General and of the several Lieutenant-Governors, and their respective secretaries, fixed by the Imperial Government on a scale more commensurate with Imperial than Colonial ideas were borne entirely by the Provinces to which they were appointed. The patronage was in the Crown, but the burden was the Colony's. The latter was borne with readiness by a people who saw in the mimic fictions of a Colonial Court, the only visible tie that still connected them with the monarchy of England. This fact must be borne in mind in regarding the colonial question throughout its various phases, that for no purpose of a purely local character was the British Treasury charged one farthing. The expenses incurred for the maintenance of troops or the construction of fortifications in British North America were for Imperial purposes and were increased, curtailed or abandoned as the Imperial necessities in the opinion of the advisers of the Crown in England required, without regard to the wishes or representations of the authorities in the Provinces. When in 1862, war was impending between Great Britain and the United States, it was for an insult to the Imperial flag, on an Imperial ship, an insult which Great Britain would have had to resent anywhere, whether she had a foot of ground in British America or not, and the expense incurred in sending troops to Canada, in 1862 was as much for the maintenance of her honour and her interests as sending them to the Crimea in 1854. Thus it is essential that we permit no confusion of ideas between the cause and the place of expenditure, to the



first alone can the last be chargeable, and in the consideration hereafter of the events which took place in Canada in 1866 and 1870, this distinction becomes the more necessary.

But while, so far as relates to local affairs, this principle of non-interference was strictly adhered to, Great Britain retained the control of such legislation as would affect foreign countries. Of all questions of trade she particularly claimed the supervision. Having adopted the principles of free trade, she desired that that policy should pervade all parts of the Empire; having made treaties with foreign countries, and with the United States, which placed all on the same terms with the most favoured nations, it would have been inconsistent in the imposition of duties on foreign commerce, by the Colonial Legislatures, to have permitted discriminating duties. But the Imperial Government went further, and restrained the Local Legislatures not only from imposing discriminating duties upon the products of foreign countries, but even from differential duties in favour of her own. Thus, whatever might have been the inclination of the colonists, no distinction was permitted in favour of an article manufactured in England or her colonies, over a similar article manufactured in the United States, in Russia, or in any foreign country.

It has often been urged by speakers in Birmingham, Sheffield, Manchester, Glasgow, and the other great manufacturing towns of England and Scotland, that Canada imposed heavy duties on British goods, and made no distinction in their favour, as against the goods of the United States, which had all the advantage of vicinity of market, and cheapness of transport; and, therefore, that Canada was of no advantage to the Empire, while her protection added to the burden of the English taxpayer. Without admitting in any way the correctness of such a position, it is sufficient to observe that it was, and is, the policy of England, and not the policy of Canada of which they should complain. Canada has incurred, and is daily incurring, large expenditures for opening up and developing the vast extent of her territory. She must raise a revenue—and in accordance with the Imperial trade policy, that revenue must bear alike upon the goods of England and of foreign countries. When the manufacturers of England make

their own Government reverse their policy, it will be time enough to complain of Canada ; but in this respect, at any rate, not until then.

By a despatch, addressed to Lord Elgin on his assuming the Government of Canada, this policy is clearly laid down :

DOWNING STREET, *31st December, 1846.*

MY LORD,—Your Lordship is about to assume the Government of British North America at a time when a change of policy is in progress, which is of no ordinary importance to the interests of every part of the British Empire, and perhaps of none more than of that large portion of the Queen's Dominions in which Her Majesty has been pleased to select you as her Representative. I need scarcely say that I refer to those commercial changes which, in the last session, after long and anxious deliberation, received the sanction of Parliament. By the Acts then passed, it has been provided, that with respect to some of the chief articles of national consumption, there should be a considerable immediate reduction, and an eventual abolition of those duties upon imports from foreign countries, which has hitherto been imposed, not for the purpose of raising a revenue, but with the avowed object of giving an advantage in the markets of this country, to the domestic or colonial producer, over his foreign competitor.

It has been enacted that after a brief interval, the Canadian in common with the British farmer, and in common also with the sugar planters of the British Colonies, must encounter in the sale of his produce in this country, the unrestricted competition of the foreign grower. The same relief from the burden of differential duties, which has thus been granted to the British consumer ; one of the Statutes to which I have alluded (the 8th and 9th Victoria c. 94), has enabled their respective Legislatures to extend to the British Colonies, by empowering them to repeal the differential duties in favour of British produce, imposed in these Colonies by former Imperial Acts.

This is not an occasion upon which I could with propriety, enter into any discussion of the grounds upon which this change of policy has been adopted ; but without doing so, I may express

my firm conviction that, eventually, the welfare of the Colonies, even more than that of the mother country, will be promoted by the abandonment of a system of artificial restrictions upon trade.

Looking to the great natural advantages possessed by the British Colonies, and especially by the fine Provinces of North America, I cannot doubt that, adopting a policy of which the object is to render industry productive, by leaving it to follow its natural channels of employment, and by affording every possible facility to commerce, must lead to their rapid advancement in wealth and prosperity. But with a view to this result, it is of the utmost importance that the Provincial Legislatures should strenuously co-operate with the Imperial Parliament. So far as the repeal of the differential duties, hitherto imposed upon imports into the Colonies from foreign countries, for the purpose of favouring the British producer, I can have no doubt that the Colonial Legislatures will gladly avail themselves of the power conferred upon them, by at once putting an end to these duties; indeed, so obvious does it appear, that this measure ought to be the consequence of repealing the differential duties imposed in this country, to favour the importation of Colonial produce, that Parliament instead of merely enabling the Colonial Legislatures to abolish the duties alluded to, would probably have at once proceeded to do so by its own authority, had it not been for the late period of the session, at which alone it was possible that the subject should be considered, and the difficulty of determining without more information than could at the time be procured, how far the simple repeal of these duties, unaccompanied by any precautions, might have affected the finances of some of the Colonies.

I assume, therefore, that these duties will be speedily put an end to.

(Signed) GREY.

To the Right Hon. the Earl of Elgin.

This despatch was laid before the Canadian Parliament by Lord Elgin, at their first sitting after its receipt, in June, 1847, and in

accordance with the policy therein recommended, an Act was passed by the Canadian Parliament abolishing the then existing differential duties in favour of British produce. This Act was transmitted to England and confirmed, as appears by a despatch to the Governor-General from the Colonial Secretary, dated the 11th of May, notwithstanding that, as appears by documents transmitted by the Colonial Secretary about the same time, the character of the Act had been specially complained against to the Imperial Government, by the merchants and manufacturers of Glasgow by petition, setting forth—"That the said Colonial Act proposes to place the mother country in a more unfavourable position than the United States of America, in so far as it repeals the differential duties hitherto maintained in favour of British manufactures."

The policy of the Imperial Government, thus pointedly declared to the Governor-General of Canada, was reiterated in the strongest manner in a series of despatches in 1848-49, 1855-56 & 59, and to such an extent as to declare objectionable any arrangements made or proposed to be made between the colonies themselves, by which a preference or differential duty or abolition of duties, in favour of the productions of one should be given over the productions of another, or of any foreign country, in return for similar concessions extended by any such colony or country to Canada. And in one of the despatches (15th July, 1856), in order to meet the objection that the immediate effect of the Reciprocity Treaty of 1854 with the United States was to establish differential duties on such of the enumerated articles as were before subject to duty, it was declared that that treaty was "concluded under circumstances of political exigency, with the immediate view of terminating questions in dispute as to the rights of fishery," and that to meet the objection in some measure, special provision had been made in colonial Acts, referring particularly to Acts in Newfoundland and Nova Scotia, and to the modification of the tariffs in the North American Provinces generally, and pointing out to Canada the desire of Her Majesty's Government that such legislation should take place with reference to the articles enumerated, as would place all countries on the same footing.

It is unnecessary to make further observations on this point, but it should be stated that in other respects, with reference to some foreign countries, England gave great latitude to the British North American colonies. Thus, in the Reciprocity Treaty referred to, made by Lord Elgin with the United States in 1854, for the exchange of productions between the Provinces and the United States, the adoption or rejection of that Treaty, so far as its application to each particular Province, was left to the legislature of each Province to determine. Power was also given about the same time by order in council, to the Provinces, by proclamation of their respective governments, to permit the vessels of foreign countries to pass from any one port in one Province to any one port in another Province—a quasi coasting trade owing to the configuration of the Provinces, though no such privilege was given in the United States to British or Provincial vessels to pass from State to State. And as will appear when the events of 1871 are under consideration, in a still more emphatic manner, in a treaty made with the United States principally for the settlement of an Imperial dispute, in those parts which have any direct bearing on the interests of Canada, the adoption or rejection of such parts is left exclusively to the action of her own parliament. A more liberal policy could hardly be pursued by any power to a portion of its own empire.

The fact has already been referred to, that as between the Provinces themselves, they regarded each other as foreign countries, and that in matters of trade it made no difference as to the customs dues whether goods came from Massachusetts or from Nova Scotia, in Canada or New Brunswick they were taxed alike ; and the same in Nova Scotia as to goods from Massachusetts, Canada or New Brunswick.

The postal arrangements were distinct. The criminal laws were different. Each Province borrowed, each Province built, each Province taxed, to suit its own interest, without the slightest reference to its neighbour, and the custom-house officer was as important an individual on the dividing lines between New Brunswick and Nova Scotia, and New Brunswick and Canada, as on the lines between France and Belgium, or France and Spain ; yet

these Provinces were all under the same flag, and their dividing lines not more marked than between Middlesex and Surrey, or Middlesex and Kent. Their material interests always pointed to an amalgamation; local self-importance and local jealousies to some extent aided in keeping them apart; but the real difficulty was the necessity each Province felt to maintain its credit by providing for the payment of its public debt, and an unwillingness to part with the control of its own revenues and its own patronage.

When, therefore, in the articles of the Confederation provisions for the assumption of the public debt of each Province by the General Government, and the concession of an equivalent pecuniary grant for local purposes to each Province were made, with the power to each still to legislate and govern for itself in all matters affecting civil rights and property, the more substantial objections to confederation were removed.

But it must not be disguised, that even at this early date there were many who objected to the movement, as the primary step ultimately leading to the separation of the Provinces from the mother country, and their final absorption into the United States. Many of those who thought so were solid, good men,—staid, honest, loyal men—men who would sacrifice everything for British connection, but who perhaps were not in the modern phrase, “men of progress,” and who would prefer moving on in a well-known beaten track, to speculating in an unknown future. There were others again, who opposed the movement because they believed that it would prevent annexation to the United States. They saw that the contracted sphere in which each Province moved, the utter want of markets for its manufactures, the striking contrast between the freedom of trade in the separate States of the United States, and the isolation caused by Provincial restriction must, in the end, produce discontent and dissatisfaction—the larger markets and the unrestricted intercourse that Confederation would give, they well foresaw would at least remove that ground of dissatisfaction.

Outside, however, of both of these parties, and with the main body of the people of all the Provinces, there was another feeling,—a feeling of uncertainty as to what their future might be, and

that it was necessary to prepare for it. The material and commercial advantages of Confederation were apparent to all men of enlightened views or enlarged intelligence. The spirited manufacturer and enterprising merchant alike, welcomed a change which would extend their field of operations; but the statesmen and public men, who were accustomed to look at the causes of events and their consequences, could not fail to see that at this time the public mind of England was unsettled, as to the value or importance of the retention of the Colonies, and that unless the latter, particularly those in British North America, placed themselves in a position to speak on their own behalf with the language of strength, the best interests of the country—territorial and otherwise—might be frittered away without a moment's consideration, and in pure ignorance of the value of the concession.

To such men the political aspect of the question had its importance. Not less loyal in their devotion to the mother country, and equally desirous to avoid a separation, they felt that to prevent it, the surest way was to make British North America prosperous and strong—to give her an influential voice in the adjustment of all questions that affected her interests, either internally or externally, and whether in apparent conflict with Imperial policy or not. As a part of the Empire she was prepared to do her duty or share the loss; but where the course to be adopted was principally to affect herself, her consideration and decision upon the point ought to be had. If the agitation of the public mind in England, on this question, should culminate in a determination to throw off the Colonies, by the Confederation they would be the better prepared to meet the emergency. If it oscillated the other way, they would not be the worse for the preparation. Thus in either case, in a political view, the Confederation was desirable.

To the Canadian it does not seem that this question of the retention of the British North American Colonies, has ever been clearly understood in England.

In pamphlets, in speeches, in debates in Parliament, in articles in the press, the severance of Canada from England was shadowed forth as essential to the preservation of the latter.

The unexpected development of the military power of the United States during the civil war, seemed almost to have created a panic in the British Isles. Canada was declared to be indefensible, and for the first time in the history of the British soldier, it was gravely contended, that on the landing of the first hostile American on Canadian soil, Her Majesty's troops should forthwith retire within the walls of the citadel of Quebec, to save the honour of the British arms!!!

In the debate which took place in the Imperial Parliament in July, 1862, on the subject of the action of the Canadian Parliament, with reference to the maintenance of an effective militia, much was said that tended to promote the feeling of uncertainty, as to the future. Treating a mere party manœuvre, which led to the defeat of a ministry in Canada, and the introduction of a temporary measure for the subsidiary defence of the country, in the absence of any immediate danger, with all the gravity of a great crisis, member after member in the Imperial Parliament spoke as if Canada was a burden to the Empire, and that the day of her separation would be hailed with acclamation by the people of England. Mr. Roebuck, the member for Sheffield, spoke in very strong terms, and, in singular ignorance of the action of the Imperial Government, denounced the Canadian Parliament for taxing British manufactures. He said :

“The first thing we have to consider is the feeling of the people of Canada with respect to England. My opinion is that the people of Canada have been led to believe that we consider them of such wonderful importance that we shall undertake any expense to maintain dominion over them. What I want them to understand, and what I want our Government to make them understand, is that we do not care one farthing about the adherence of Canada to England. We have never drawn from our colonies anything like tribute, Other nations do at this moment derive tribute from their colonies, but we have never done so. The only chance of benefit we ever expected from our colonies was perfect freedom of trade. What has Canada done in that matter? The Canadians have laid 20 per cent. upon the



introduction of all English manufactures into their country, thereby following the bad example of their friends on the other side of the St. Lawrence. I want them clearly to understand that England has no benefit from her connection with them, and that if we maintain, not our dominion, but their independence, it is for their advantage and not for ours. There is nobody in this country who is in a position to speak with more freedom than myself with respect to Canada. Many years of my life were spent in that country. I have intimate relations with it now, but though I do not love Canada less I love England more, and my opinion is that if to-morrow we were to get rid of Canada England would not lose a single farthing of benefit. But the case of Canada would be very different. When the hon. and gallant member for Westminster says that the United States cannot over-run Canada I must say that I think he has studied history to very little purpose if that be his real opinion. I quite agree with the noble lord in another place who said that if the Federal Government were victorious to-morrow they would turn round upon England, and the first thing they would do would be to pour their armies over the St. Lawrence into Canada; while if they were to be defeated in their struggle with the South, out of mere vengeance they would do the same thing. What would be the consequence? Canada, ceasing to be what she is now—a powerful and independent people, governing themselves, doing exactly as they like with their own, would be under the dominion of an overbearing and overpowering democracy. She would be one among what were once 37 United States. Her people would have one or two votes in the American Senate; whereas now they govern themselves, for England has given up dominion over them, and all we do is to send our soldiers—those redcoats whom the Mayor of Montreal talks about—to protect their independence. I want the Canadians clearly to understand that England would not be sorry to see her depart from us to-morrow. They do us no good, or, at least, not more than New York; they do not even receive our manufactures, and they treat us like aliens. We have been told that the House of Commons should not dictate to the Parliament of Canada. Do we ever dictate now? I have stood

up in my place against the dictation of this House to the people of Canada, but that system has been abandoned long ago. The very veto of the Crown is entirely ignored, and that which we ought to have done—viz., protect the manufacturing interests of England—we have ceased to do. I say, therefore, we are now bound to look after the interests of our constituents, and I shall be the very last man to lay one farthing of expense upon the poor people of Sheffield in order to maintain the independence of the rich people of Canada.”

Mr. Adderley spoke in terms no less disparaging, while Sir George Cornwall Lewis, whose estimable personal character, and high official position as Secretary of State, lent great weight to his observations, after pointing out that the cause of the anticipated difficulty with the United States arose from an affront to the British flag, which was a question of purely Imperial interest, in which Canada was not directly concerned, said :

“ If Canada had been invaded in a war arising from the United States in consequence of that quarrel, the feelings of the Canadians would naturally have been that they were involved in a quarrel in which they had no direct concern, and that it was incumbent on the Imperial Government, through connection with which they were involved in hostilities, to give them effectual assistance.” He went on, among other things, to say : “ Before I sit down I will make one allusion to the remarks of my honourable and learned friend upon our future relations with Canada. I for one can only say that I look forward without apprehension, and, I may add, without regret, to the time when Canada might become an independent state ; but I think it behoves England not to cast Canada loose or send her adrift before she has acquired sufficient strength to assert her own independence. The feelings of the Canadian people were undoubtedly those of attachment and loyalty to the mother country. I do not believe that the recent vote upon the militia bill was the result of any deliberate policy or deep seated design. It was actually thrown out by the play of party politics, and I cannot but wish to impress upon the House, that any mea-

sure such as the right honourable gentleman recommends, of a menace on the part of England, that under certain circumstances if they do not take efficient steps for organizing a powerful militia our troops would be withdrawn, would be unworthy of this country, and would seem to be the result of hasty displeasure, rather than of that dignified and prudent forbearance which has always been the characteristic of the Imperial policy."

In most gratifying contrast to the observations of Mr. Roebuck and Mr. Adderley, and the more philosophic contemplation by Sir George Cornwall Lewis of the severance, were the sentiments expressed by Mr. T. Baring, Mr. D'Israeli, and Lord Palmerston. Mr. T. Baring said :

"Being in constant communication with Canada, he was informed that a feeling had recently arisen in that Province, and was now increasing, that there was a wish on the part of a great portion of that House to force upon it a precipitate separation from the mother country ; and he must say that if anything could strengthen that feeling it would be the recurrence of speeches like that of the right honourable member for Staffordshire and the honourable member for Sheffield, telling the Canadian people that they had not the least desire that they should adhere to their allegiance to the Sovereign and their attachment to this country ; that they wished they would separate entirely from England, and that they would see that separation not only without regret, but with satisfaction. He would not enter into questions of colonial policy. He believed that colonies might be a source of wealth and power to the mother country ; that the union between the two might be one of mutual benefit ; that it might be maintained without an extravagant expenditure ; but to say that such a connexion was merely a question of 'pounds, shillings and pence,' was quite unworthy of us, when we had to a certain extent to protect our fellow-countrymen, and had at least to regard them as our fellow-subjects until they themselves desired to separate from us. Certain speeches which had latterly been delivered in another place, together with the tone of the public press, were calculated to make the Canadians believe that

in this country there was no kindred feeling towards them—a result which he thought was much to be deprecated. The measure which had been referred to was defeated from a party manœuvre, without pledging the Province to any policy of hereafter refusing to establish a sufficient militia, and with the expression, at the same time, on the part of those who opposed it, that they were in favor of a militia that should co-operate with our troops in defence of the common country. These persons, he believed, would at this moment rise as one man in support of their union with England; and they had shown that when questions not merely of colonial but of Imperial concern arose, and when they have suffered all the injury of invasion, they did not shrink from expressing manfully their hopes for the success of England and her colonies. It was said, ‘leave Canada entirely to herself;’ but as long as they wished to remain British subjects, that was not language which ought either in honour or duty to be held to the Canadian people. He was convinced that Canada felt so much the advantage of her connection with England, that, without burdening our resources, she would adhere to us from sentiments of loyal allegiance.”

Mr. D’Israeli said :

“I cannot contemplate with the same feeling as the Secretary of State, a separation taking place between this country and Canada. I think that a great Empire, founded on sound principles of freedom and equality, is as conducive to the spirit and power of the community, and as valuable as commercial prosperity or military force; and, therefore, I should be very sorry under the present circumstances, after all that has occurred, to suppose that the connection between the mother country and this important colony should end. The resources of Canada are great and various. It has had the advantage of having been colonized, during a number of centuries, by two of the most distinguished nations of Europe. Canada is, in fact, a reflex of those two powerful races, differing in their manners and even in their religious opinions; and has many of those diverse elements, which tend to change a mere colonial into a national character.

I do not think that the importance of Canada can be overstated ; but, unfortunately, we feel every day more and more that the relations between the mother country and those colonies, in which what we call self-government has been established, are not altogether of a satisfactory nature. The Secretary of State contemplates the possibility,—and more than the possibility, for he informs us that, under certain circumstances, it would be matter of congratulation—of the severance of the tie between the mother country and Canada, and says that we ought to be very careful in training the Canadians before the connection terminates, so that they may be able to go by themselves, and not fall into the hands of any vigilant neighbour, watching for an opportunity of appropriating and absorbing them. But what I think to be the fault of the Government in this particular case is, that they have not been thoughtful on this subject of training the Canadians. On the contrary, it appears to me that they have not trusted to the resources and energies of the Canadians, but have rather unnecessarily anticipated duties which the Canadians were probably ready to perform themselves.”

Lord Palmerston said :

“ I agree rather with the right honourable gentleman who has just spoken, than with the right honourable gentleman the member for North Staffordshire, in the view which he takes with respect to the connection subsisting between the mother country and her colonial dependencies. With the former, I quite concur in thinking that we should look upon our colonies as part and parcel of the British Empire. Our fellow-subjects when they remove from this country, do not cease to be our fellow-subjects ; their spirit is the same as ours ; their interests should be our interests ; we should be each to one another a source of mutual honour and mutual strength. I also quite concur with the right honourable gentleman in wishing that the day may be very far distant when, from various causes, those great communities may deem it to be their interest to separate from us, because I do not think such a course would conduce to their benefit, while I feel assured it would not tend to the advantage of the mother country. The

connection between us, however, as was justly stated by the right honourable gentleman, can be maintained only by the adoption of a policy, which will leave the colonies free to regulate their own affairs, binding to the mother country by links of mutual interest, and allowing the exercise of perfect freedom in matters in which the one or the other happens to be more particularly concerned."

The *Times*, which is regarded as representing most correctly, the existing public feeling of the day, in England, thus commented upon the question, in its issue on the day the debate took place, 23rd July, 1862 :

"The conduct of the Canadian Ministry, in refusing to provide for the defence of the country the destinies of which are intrusted to their charge, neither raises our opinion of themselves or of the community over which they preside. They were brought into power by a vote refusing to create for the colony a militia consisting of 50,000 effective troops and 50,000 reserves. For this plan they have substituted the following: The Canadian militia consists of two classes—A., numbering 5,000 men, who have hitherto been drilled six days in the year, receiving in payment one dollar for each day's drill; and B., which consists of 8,000 men, who have hitherto received no pay at all. It is felt in Canada that under existing circumstances a necessity has arisen for doing something towards putting the country in a respectable position of defence, and they have accordingly set about it in the following manner: They take 5,000 men out of class B. and add them to class A., thus raising class A. to 10,000 men, and these 10,000 men they propose to drill for 12 days in the year at half-a-dollar a day, instead of six days at one dollar. They propose, besides, to give some allowance in lieu of clothing. The 3,000 left in class B. will probably quit the service, as they are to receive nothing, and we cannot think that the prospect of half-a-dollar a day will be a very efficient stimulus to enrolment in class A.

"This is absolutely all that Canada is disposed to do at the public expense for her protection. Whatever military force she requires beyond this must be made up of volunteers and tumultuary

levies called together at the very moment of danger. We know by the experience of the American war, and partly by our own, the value of militia, and we know also what importance to attach to the services of persons untrained to arms and acting together for the first time. It is scarcely an exaggeration to say that such an organization is worthless, and no exaggeration at all to say that it could not afford even the semblance of protection against any one of the several great armies now contending in the United States. Canada assures us of her loyalty, of her wish to remain a portion of the great British Empire, of the value she sets on her free, and even democratic institutions, of her aversion to American forms of thought and forms of Government. She furnishes us here with a fair measure of her sincerity. We see the exact value she really sets on the connection with this country by the efforts she is ready to make and the sacrifices she is ready to incur in order to preserve them. She has incurred loans and liabilities to the extent of some twelve millions sterling by pledging the public revenue for public works undertaken for the benefit of municipalities having no claim on the central Government beyond the influence they may exert in returning members of Parliament. She has created over the St. Lawrence a magnificent bridge which has cost two millions sterling, mostly supplied by this country, for which not one farthing of interest is now received. She raises revenue by taxes on British commerce, she allows us the privilege of repairing her fortifications, supplying her with artillery, musketry, and ammunition, and of garrisoning her fortresses with 12,000 regular troops, and she estimates the value of this connection at, perhaps, \$120,000, or £25,000 a year. She is never weary of boasting of her loyalty, but this is the value she sets on British connection. We, on the other hand, seem never weary of contributing to those expenses which every other country in the world, except a British colony, is expected to pay for itself, and, should war come, we are ready to spend millions of treasure and risk thousands of valuable lives for people who not only will not defend themselves, but will not give us any efficient assistance towards defending them. They have money for many other things, some necessary, others unnecessary,

money for jobs of all kinds, money for the most questionable public works, but money for honour, money for liberty, money for independence, for the privileges of being governed by their own laws and knowing no master—for these merely secondary advantages, as we suppose they consider them, the Canadian Parliament and Ministry have nothing to spare. They are so taken up in providing for superfluities that they have nothing to give for what other countries account the very essentials of existence, without which, to a nation or man of spirit, life is hardly worth possessing. They are rich for all other purposes; but when asked to do something towards their own defence, “their poverty, but not their will,” as we are told, consents to do nothing.”

At a still later date, February 27th, 1868, the same paper in speaking of the effect of a war with the United States, says :

“ We are quite aware that in the event of war we should not be able to render effectual aid to our Canadian Dominion, and that our fellow-subjects out there would either have to fight at a terrible disadvantage, or mortify our pride by anticipating defeat or yielding to terms. In a material point of view that would be no loss to this country.”

Pamphleteers and philosophers did not leave the unfortunate question alone. Among others, Mr. A. Allison—author of the “*Philosophy and History of Civilization*,” a work favourably commented upon by the *Observer* and the *Athenæum*—issued a pamphlet from 72 Sloane Street, London, April 19th, 1865, in which Canada was to be disposed of in a very summary manner.

“ I am of opinion,” he says, “ that England should not only not interfere with the Civil War now raging in America, but that she should retire altogether from the North American Continent, by declaring Canada an independent State. So long as Canada belongs to us we hold out a bait to the United States to go to war with us, with a view to its annexation. That being so, it is manifestly the interest both of England and Canada to separate. The press and our leading statesmen are unanimous in expressing



their readiness to give up Canada, if the Canadians themselves are willing to accept independence ; and if these liberal professions on our part are sincere, there will be no difficulty in effecting that object. The great Trajan who restored the glories of Rome, contracted the limits of the Empire both in Europe and Asia, and when we withdraw our troops from Canada and declare her independent, we shall strengthen the British Empire, for instead of that vast country contributing to the strength of England, it is a constant source of weakness. We have only to look at the map to convince ourselves that it is essential to the stability of the British Empire, that Canada should be given up. By giving up Canada we lose nothing—for our trade will go on with her after she is independent the same as now. So far from losing anything, we shall be great gainers by the change, for we shall save the expense of maintaining an army and navy for her defence, which would materially add to the taxation of England.

“If Canada should prefer dependence, that would be no reason why we should not make her independent. We must look to our own interests as well as to the interests of others, and if it can be shown that it is the interest of all parties that Canada be independent, we ought not to hesitate in making her so, even although she should object to it. Two great nations like England and the United States, meet each other in every quarter of the globe, and all the disputes which are ever occurring between them, must eventually be settled on Canadian ground. But let Canada be an independent State, and she will be a neutral power in the event of a war breaking out. Let this view of the question be clearly explained to the Canadians, in a despatch properly drawn up from the Foreign Office, and the objections which they have hitherto had to Independence will be removed.

“But would the Canadians be able to defend themselves and remain independent if they were separate from England? This I do not doubt, provided they adopted a form of Government calculated to maintain peace and advance the interests of the nation. Such a Government would at once be recognised by the European powers, and to these powers Canada might appeal in the event of any uncalled for attack on them by the United States. Let

Canada elect a King and Parliament, and she will be acknowledged by all the powers of Europe, when she will be in a much safer position than she is at present, although she was studded all over with camps and fortifications. If the Canadians should elect one of our Princes for her King, the chances are they would succeed in obtaining the consent of England and the other powers to that election. This would keep up a connection between England and Canada, which would be beneficial to both parties—whereas the present connection, as shown by the Canadians themselves, is prejudicial to the interests of both countries. A commercial treaty upon the principles of free trade could be made, and, if necessary, a loan guaranteed by England and France, or by England alone, might be arranged—as in the case of Belgium and Greece, when they were made independent States.

“Now is the time for us to make up our minds to give up Canada, for the step will not only save us a world of money for the armaments which are now called for, but it will prevent the danger of war with the United States. To postpone the consideration of this important question until after we have spent our money, or until we have drifted so far into war that it is impossible to give up Canada, consistent with honour, would be the height of folly.”

The remainder of this pamphlet is filled with prognostications of the future of the United States, as resulting from the civil war then raging, every one of which to this time has proved untrue. More inconsequential reasoning, or more vague ideas, could hardly have been put together by any man professing to deal with subjects bearing upon the interests of an empire, or the welfare of millions of people. Other pamphlets and documents on the same subject, some from noble peers, some from men whose names stood high on questions connected with political economy, emanated from the English press. Men who wrote of the institutions of republican America almost with idolatry, but who in later life learned, from a personal knowledge of their working, to cast down the image of their early worship, did not hesitate, the former to admit the tendency of the public mind in favour of separation, the latter to

denounce Canada as an incubus on the realm that ought to be cut away.

It may be doubted whether the oblivion into which such compositions ultimately descend, is not the best criterion of their value ; but it must not be forgotten that, at the time, they are taken as indications of the public sentiment, and tend, in the irritation they engender, to bring about consequences which no subsequent sound reasoning can prevent. There can be no doubt that the constant reiteration of such sentiments by English writers and speakers did produce in Canada a strong feeling of uncertainty as to its future connection with England, and in silence laid the foundations of a party which may hereafter have a marked influence upon the future destinies of the country.

This question of the severance of Canada from Great Britain is too important in its bearing upon the interests of both countries, to be passed over without remark. In the discussion, the narrative of the past must cease, and a view be taken from the stand-point of 1871, both as it will affect the future of Great Britain, and as it will affect the present and future of Canada, in the light of peace and trade, and in the light of war. The position and policy of the United States must not be disregarded.

It is solely as to the future that the question need be considered in relation to Great Britain. To her at present, the separation could not be of much consequence. On the contrary, as relieving her of an apparently assailable point from the United States, by many it would be thought desirable. But perhaps it is not trespassing too far on the realm of prophecy to say, that twenty or thirty years hence, her retention of place as the first trading and maritime power in the world may depend upon her connection with Canada.

A few words as to what Canada is. In February, 1862, in the House of Representatives, in the Congress of the United States, pending the discussions relative to the expiry and the renewal of the reciprocity treaty with the United States, "the Committee on Commerce, to whom was referred the concurrent resolutions of the State of New York, in relation to the treaty between the United States and Great Britain commonly known as the reciprocity treaty, made their report." In that report, which certainly did

not receive its instigation from any Canadian source, and which cannot be regarded as exceptionally friendly, it is thus said :

“The great and practical value of the British North American Provinces and possessions is seldom appreciated. Stretching from the Atlantic to the Pacific ocean, they contain an area of at least 3,478,380 square miles : more than is owned by the United States, and not much less than the whole of Europe, with its family of nations. The ‘Maritime Provinces,’ on the Atlantic coast, include New Brunswick, Nova Scotia, Prince Edward Island and Newfoundland. Geographically, they may be regarded as a north-easterly prolongation of the New England system. Unitedly, they include an area of at least 86,000 square miles, and are capable of supporting a larger population than that at present existing in the United States, or Great Britain. They are equal in extent to the united territory of Holland, Greece, Belgium, Portugal and Switzerland.

“Canada—rather a nation than a province, in any common acceptation of the term—includes not less than 346,863 square miles of territory, independently of its North-Western possessions, not yet open for settlement. It is three times as large as Great Britain and Ireland, and more than three times as large as Prussia. It intervenes between the great North-West and the Maritime Provinces.

“The habitable but undeveloped area of the British possessions, westerly, from Lake Superior and Hudson’s Bay, comprises sufficient territory to make twenty-five states equal in size to Illinois.

“The climate and soil of these Provinces and possessions, seemingly less indulgent than those of the tropical regions, are precisely those by which the skill, energy and virtues of the human race are best developed.

“It is computed that Canada alone, if her past and present rate of increase is continued, will have twenty millions of inhabitants at the end of this present century—numerically exceeding the population of Great Britain when the century began.”

Since that report was made, this whole country, with the exception of Newfoundland and Prince Edward Island, but embracing

in addition British Columbia and Vancouver Island, beyond the Rocky Mountains, has been confederated into one Dominion, is governed by one central authority, has but one uniform commercial policy, and, as "Canada," guides and rules those vast territories from the Atlantic to the Pacific.

The policy of that "Canada" at present is in accord with the policy of England—Free Trade. Her tariff is imposed for revenue, not for protection. That rule, since confederation, may have been temporarily departed from on one occasion, to accomplish a particular object, namely, the attainment of a free or more reciprocal trade with the United States.\* But in no instance has it been departed from to encourage a mere local industry, at the cost of the main body of the people.

The policy of the United States, on the contrary, has been and is Protection. The trade returns show that for 1870, with a population nearly ten times as great as that of the Dominion, the imports from Great Britain into the United States were but three times as great as into the Dominion—in round numbers, £21,000,000 sterling to £7,000,000, or but 11s. to 35s. sterling per head.

Sir Francis Hincks, the Finance Minister of Canada, in his speech of the 10th March, 1871, in making his financial statement to the Canadian Parliament for the financial year terminating 1st June, 1870, referring to the same subject, said :

"I referred last year, to the very satisfactory position of this country, as compared with that of other countries—our immediate neighbours to the south of us, and the mother country,—both with regard to the rate of taxation and the amount of debt. I will not trouble the House by going any further into that matter now, but there is one point which I think is deserving of attention, in reference to the position of the country, and that is that Canada has in the last year, with regard to its business transactions with the mother country, risen from the rank of No. 11 in the list to that of No. 8. The exports to Canada exceed those to Russia, China, Brazil and Turkey, all countries having a

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\* The imposition of duties on coal and flour by the tariff of 1870, under what was then termed the national policy, repealed by the tariff of 1871.

very large trade with Great Britain. But there is a very important fact in connection with this, which should not be lost sight of, that there is no country which trades with England that receives from her so large a proportion of her goods as Canada in proportion to her population. I have ascertained from statistics that the United States, with forty millions of people, took during the last nine months, the returns of which I have been able to get, £20,000,000 worth of goods, being at the rate of ten shillings per head of the population. During the same period Canada, with four millions of people, took £6,000,000 worth, being at the rate of £1 10s. per head, or exactly three times as much for our population as the United States.

“Hon. Sir Geo. E. Cartier.—Each of us worth three Americans.

“Hon. Sir Francis Hincks.—When you look to other lands which are put down as being the great countries with which there is trade, to British India, for instance, which stands very high after the United States, the difference is even greater. It must be remembered that British India has a population of 155,000,000, and, therefore, the exports to that country amount to about two shillings per head. Russia receives one shilling and six pence per head; Germany, which also stands very high in the list, about eight shillings per head; so that we have the satisfaction of knowing that this country is the one which in proportion to its population carries on the most commerce of any country in the world. This is a very satisfactory statement of our relations with the mother country.”

That portion of his budget speech of the previous year (1st April, 1870,) to which Sir Francis Hincks referred, it may not be inappropriate here to quote :

With regard to the means of the country—with regard to its ability to discharge all its liabilities—and with regard to its taxation, I would desire to say a few words, and to institute a comparison between its condition and the condition of other countries with which we are acquainted. I find, if we take Great Britain that the debt of that country is about \$135 per head of the

population. The debt of the United States is about \$60 per head. I may here observe that although the ratio of debt is lower in the case of the United States than in that of Great Britain, it would be unfair to estimate the burdens of the people according to the same ratio, for it is pretty well known that the debt of England carries a very small rate of interest, while the debt of the United States carries a large rate. Now, while the debt of those countries is what I have stated, the debt of Canada is about \$22.50 per head of the population. Then, again, taxation in Great Britain is at the rate of about \$10 per head, and in the United States about \$9.25, while in Canada it is only about \$3.50. I do not think, bearing these figures in mind, that we need be afraid of any slight increase of taxation which it may be necessary to impose upon the people in order that there shall not be the least cause to apprehend deficits in the future. I find, too, that if we take the customs revenue of the United States, it is about \$4.50 per head of the population, while the customs revenue of Canada is about \$2. I may be permitted to draw attention to the remarkable point, that although our customs contributions appear to be large in proportion to those of the United States, honourable gentlemen will see just now, when I draw a comparison between the internal revenue of the two countries, - that the revenue from customs approaches more nearly, though still very far below that of the United States than the internal revenue does. And the reason of that is obvious. The United States have such high protective duties upon everything imported, that importations are much reduced, and the customs revenue per head does not come up as in Canada, where on leading articles the duties are much lower. The internal revenue of the United States is about \$4 per head of the population, whereas in Canada the excise revenue is only about sixty-seven cents per head."

In connection with these remarks of Sir Francis Hincks, it is not unimportant, in answer to those political economists, who deem England would be better without her colonies, to observe that commercial returns shew that at the period above mentioned, when as compared with the United States, Canada was taking of

British goods at the rate of 35s. per head to 11s. New South Wales, with a population of 450,000, was taking £3,000,000 stg., or, £6 13s. sterling per head,—New Zealand, with a population of 220,000, was taking £1,700,000 sterling, or, £7 14s stg., per head,—South Australia, with a population of 170,000, was taking £1,200,900 sterling, or about £7 sterling per head,—and Victoria, with a population of 700,000, was taking £6,000,000 sterling, or nearly at the rate of £8 5s sterling per head—thus shewing that at that time—Canada, Australia, and New Zealand alone, consumed more than six times as much of British Industry in proportion to population, than did the United States, and within a little under £2,000,000 of the total amount, viz., £18,900,900 sterling to £21,000,000 sterling. The increase since that time will more than make them equal.

The returns for the financial year terminating 1st June, 1870, shew an increase in the Canadian importations from Great Britain over the preceding year, viz. : 1869, \$35,764,470, or £7,348,863 sterling ; 1870, \$38,595,433, or £7,930,568 sterling ; and those of 1871, a still larger increase, viz., \$49,200,557, or £10,109,703 9s. 10d. sterling—an increase in two years of \$13,436,087, or £2,760,840 9s. 10d. sterling.

The following extract from Patterson's statement, (Secretary to the Board of Trade, Montreal,) for 1870, shews that the increase in each year is general, and therefore likely to continue :

	1868.	1869.	1870.
Cotton, piece goods, . . . . . yds.	29,944,569	29,233,462	42,848,973
Haberdashery, value, . . . . .	£611,129	670,471	852,277
Woollen manufactures . . . . . yds.	2,163,317	1,901,641	2,791,127
Carpet and druggets . . . . . “	495,574	468,652	666,565
Worsted stuff . . . . . “	5,233,536	5,354,039	8,266,907
Apparel and slops, value . . . . .	£128,805	157,470	203,635

The total Canadian trade, both imports and exports, in ten years (from 1860 to 1870), excluding the Hudson's Bay and North-West Territories, and British Columbia, but, during the last two years, including Nova Scotia and New Brunswick, had more



than doubled itself, viz., from \$68,000,000\* to \$148,387,829; † and in the year terminating 30th June, 1871, has gone up to \$170,000,000, † of which \$95,857,408 have been imports; and of those imports \$49,200,557 came from Great Britain. ‡

The following is the official statement of the Commissioner of Customs :

COMPARATIVE STATEMENT showing the total value of exports, the total value of goods imported and entered for consumption, and the amount of duties collected in the Dominion of Canada during the fiscal years ending respectively on 30th June, 1870 and 1871.

FISCAL YEARS.	Total Ex-ports.	Total Im-ports.	Entered for Consump-tion.	Duty.
	\$	\$	\$	\$
Ending June 30, 1871....	74,143,098	95,857,408	86,679,645	11,864,291 77
Do. do. 1870....	73,573,490	74,814,339	71,237,603	9,462,940 44
Increase.....	569,608	21,043,069	15,442,042	2,401,351 33

R. S. M. BOUCHETTE,

Commissioner of Customs.

Customs Department, Ottawa, Oct. 18, 1871.

Moreover, it is to be observed that on the 28th day of April, 1871, the new tariff came into force, which reduced the annual taxation by a million and a half, and would necessarily have a sensible bearing upon the quarter terminating the 1st June, 1871.

It may fairly be assumed therefore, that, during the next ten years, the increase will be the same, if not in a greater ratio.

Again, while the importation of bread stuffs into Great Britain from the United States, during a period of seventeen years, from 1853 to 1870, increased but in the ratio of a little over two to one, viz., from 12,869,433 bushels to 28,122,480 in 1870, excepting extraordinary fluctuations during that period, rising to

\* Year Book, 1871, page 41.

† Bouchette's official statement, Oct. 18, 1871.

‡ Deputy Minister of Customs.

40,000,000 in 1862, and descending to under 2,000,000 in 1866; the importations from Canada during the same period increased in a ratio of nearly six to one, viz., from 1,365,595 bushels in 1853 to 6,422,936 in 1870, excluding similar fluctuations, rising to over 9,000,000 in 1862, and falling in 1866 to 111,255;\* thus shewing that while similar causes produced in both countries a corresponding increase or depression, yet the comparative increase was in favour of Canada of four to one, and when it is remembered that these exports were paid for by the imports of British manufactures, the balance is found in favour of Canada, as a customer to Great Britain of four to one.

Again, the effect of the Repeal of the Reciprocity Treaty with the United States in 1866, was to divert an immense volume of Canadian trade from the United States to Great Britain, decreasing the exports to the United States, viz., \$7,500,000 in the years 1866 and 1867, and increasing the exports to Great Britain from 13,000,000 in 1866 to 21,000,000 in 1868,† to be repaid again in British manufactures, affording a significant intimation to the British producer what would be the result of a connection of Canada with the United States, based upon an unchangeable political incorporation instead of a temporary treaty, maintained or broken off as the passions or interests of the dominant party may dictate.

Again, the following table compiled from the "Trade and Navigation Returns," shows the total quantity of tea imported into the Provinces of Ontario and Quebec during the two fiscal years 1868-69 and 1869-70 :

Whence.	Fiscal year	Fiscal year
	1868-69.	1869-70.
	lbs.	lbs.
Great Britain .....	6,210,099	3,717,561
United States .....	1,639,121	2,674,900
China .....	625,625	2,373,043
Japan .....	....	95,113
Other Countries .....	2,024	406
<b>Total.....</b>	<b>8,476,869</b>	<b>8,861,023</b>

\* Patterson 1870-14.

† Lowry's Pamphlet, page 10.

“It will be seen from this comparative statement that there has been a very remarkable decrease in importation of tea from Great Britain. The imports in bond from the United States showing a large increase, while there was a great augmentation in the direct trade with China.”\*

The returns of the importation of tea into the same two Provinces—Ontario and Quebec—for the fiscal year 1870 and 1871, terminating 1st June, 1871, are as follows :

Great Britain .....	3,343,024 lbs.
United States .....	5,081,675 „
China.....	1,280,777 „
Japan.....	675,453 „
Other Countries .....	6,056 „
	Total .....
	10,386,985 lbs.

Showing with an increase of nearly two millions over the preceding year—yet even less came from Great Britain than during that year—and taking the whole importations of tea into the Dominion for the latter year, which the Returns show to be 13,781,087 lbs.,† in which Great Britain had the direct communication by sea with the maritime Provinces of Nova Scotia and New Brunswick, the total importation from Great Britain into the Dominion is less than it was two years ago—into the two Provinces of Quebec and Ontario alone—viz., 6,009,684 as against 6,210,099.

From these tables and facts, which show the revolution that one railway has produced in the tea trade alone in two years, a fair inference may be drawn as to what will be the effect upon the Eastern trade of Great Britain, when the various lines of railways throughout the United States and Canada to the Pacific are completed, and the still more varied productions of the East—their silks, their spices, their rice, cottons, and sugars, as well as their teas, seek the shorter and less expensive routes, saving both time

\* Patterson, 1870, p. 93.

† Deputy Minister of Customs.

and insurance ; and having a continent with its main Trunk Lines of traffic, tapped by a thousand diverging streams, for distribution as purchasers on the way.

In view of England's future, this question of the transcontinental railways is of very serious importance. Pumpelly in a late work, "Across America and Asia ; Notes of a Five-years' Journey round the World," speaking of the tea trade from China, mentions the remarkable fact, that of two shipments of the same tea from Hankaw, the one going by sailing vessel to England and St. Petersburg, the other by the long land route, through China in boats and vessels, through Tartary on camels, through Siberia on sleighs, and through Russia by railroads, that which took the long land route cost nearly the same in St. Petersburg as that which went by the sea. "This," he says, "may be owing in part to the excess of duty at the Atlantic port of Russia over that on the Siberian frontier, and partly perhaps to the fact that the tea which takes the ocean route requires more manipulation before shipment than the other. The tea trade alone between China and Europe is very large, and seems, when taken in connection with many other reasons, to warrant the belief that the near future will see a railroad along this important route." He points out that there would not be any very serious obstacles in the way, though the distance from Shanghai to Kazan, the eastern terminus of the Russian railroad, is about 4,600 miles, and the total distance from Shanghai to St. Petersburg 5,600 miles ; and observes : "Aside from international difficulties, the construction of such a road would, notwithstanding the greater length, seem to be a simpler problem than that of the Union Pacific line, for the European Asiatic road, besides connecting the two greatest markets of the world, would be sure of an immediate and extensive way traffic, because in the vast regions it would traverse, all the elements necessary thereto already exist."

It may be said that a work of this magnitude is so remote that it has no practical bearing on the discussion ; but it is not more remote than was the construction of the American lines to the Pacific fifteen years ago, or the construction of the Canadian line ten years ago, and we are speaking of England's position twenty

years hence. The British statesman, therefore, who, by now ignoring Canada, places the great lines of Eastern traffic under the control of Russia on the one side, and the United States on the other, is incurring a grave responsibility, and may leave to his countrymen the inheritance of diminished influence and power.

Thus Canada is becoming daily a better market for British industry than the United States, and with its increasing population and rapidly extending area, must become still more so.

But it is said that the United States will change their policy, and the above position would then be no longer tenable. On this point several important facts have to be taken into consideration. It is argued that the great diminution of American shipping, and the loss of the carrying trade, will awaken the Americans to the unsoundness of their policy.

The Americans attribute this diminution and loss to the conduct of the British Government during the civil war, and demand a corresponding compensation ; but many of their ablest politicians and statesmen contend that, owing to the great extent and internal resources of the United States, the loss or diminution of its foreign trade is not of so much consequence as it would be to other countries differently situated ; that the duties of excise alone had, during the year 1869-70, paid off \$100,000,000 of the national debt, and would, in a few years, wipe it away altogether (assuming that there was no increase from unexpected causes), and then that the United States would be strong and prosperous as a nation, even though she had not a merchant ship upon the seas, and no foreign carrying trade whatever. They urge that as the United States embrace within their territories both the temperate and tropical regions, they have within themselves all those productions which, with other countries not so situated, constitute objects of exchange ; and as they have coal and iron in abundance, a population equal to that of Great Britain, and the best cotton in the world, they can, whenever other avocations do not pay them better, enter into competition with Great Britain in the manufacture of those fabrics, of which she now claims pre-eminently to be the workshop, and as her immense continent fills up with people she will have a market without competition, and under her own exclusive

control, quite as large as all Europe, or even India can afford to Great Britain. Further, that her vicinity to China, Japan, and the Eastern Archipelago, with her present and contemplated railways, must give her that market with which Great Britain cannot compete, except by means of transit through her country, or a transit by the consent of other foreign nations, or by a long and circuitous route round the Cape of Good Hope. That, taking all these things into consideration, it is of no serious consequence whether she trades with Great Britain or not. That she can do better without the fabrics of Great Britain, than Great Britain can without her market, and that it is better for the United States, however theorists may draw other conclusions, to legislate in such a way as to consolidate her domain, and make her people have within themselves all the habits and pursuits that will render them perfectly independent of other nations.

Now, these arguments may be sound or unsound, but they are acceptable to a large body of people who like to have their own way, and are willing to pay for it. The same principles which may suit a dense population crowded into a small space like the British Islands, with fixed habits and institutions, and great extremes of wealth and poverty, do not necessarily apply to a population like that of the United States, with a more generally diffused competence, and with an unlimited space for expansion. Such a people with such a country may succeed even in spite of wrong theories, and no sound conclusion for a change in its policy can be based upon any inference that such a change, under such circumstances, would have to take place in England.

In advocating, therefore, a separation upon any expectation that the United States will prove as good customers in the future as Canada will, is relying upon an uncertainty. As long as Canada remains separate from the United States, she can regulate her own tariff with England; and, it is reasonable to expect, that in a few years the fact of her now owning immense tracts of those great Prairie Lands, which have formed so attractive a feature in drawing emigration to the United States, will have a similar effect with her, and a population increasing in the same ratio, will afford to England the market which she is losing in the

United States. But sever Canada from England, annex her to the United States, and you will seal a whole continent against British manufactures, or, at any rate, place it in the power of one Government to do so—viz., the United States.

It is argued that the Eastern market will answer the purpose of England, even if she should be comparatively excluded from the United States; but the railways across the American Continent afford the shortest route to the East, and will divert the trade in that direction. If Canada were merged in the United States, the latter would have the entire control of those routes. Canada is now building, or proposing to build, a direct line from Halifax to Vancouver Island, and while she remains a British possession, that route cannot be closed. It is said that the influence and the interests of the proprietors of these great roads in the United States will be against closing them, and that the United States Government must bow to such influence; yet to accomplish a national or a retaliatory purpose, the Federal Government would not hesitate to stop the passage of British goods *in transitu*, either from or to the East. The President of the United States in his Message to Congress, December, 1870, when endeavouring, as Canadians allege, most unjustly to force them into an abandonment of their Territorial Fishery rights,—rights as exclusively their own as the Fishery rights on the coasts of England, Scotland, or Ireland are the rights of the people of those countries,—did not hesitate to say, “Anticipating that an attempt may possibly be made by the Canadian authorities in the coming season, to repeat their unneighbourly acts towards our fishermen, I recommend you to confer upon the Executive the power to suspend, by proclamation, the operation of the laws authorizing the transit of goods, wares, and merchandize in bond across the Territory of the United States to Canada; and, further, should such an extreme measure become necessary, to suspend the operation of any Laws, whereby the vessels of the Dominion of Canada are permitted to enter the waters of the United States.” How, then, can England rely upon an influence which, in the time of emergency, would be unavailable, and which would be rendered even the more impotent from the very effort to use it in her favour, at a time of popular excitement or national hostility.

Then laying aside the Suez Canal, the future utility of which seems still to be in the balance, and the capacity of which, assuming that it was not controlled in any way by Foreign Powers, would hardly be sufficient for the entire Eastern Trade of Great Britain; the latter country without Canada would in that respect be entirely at the mercy of the United States.

The interest of Canada on the contrary, as separate from the United States, is to make her country, both by the great natural highway of the St. Lawrence and by means of railways, the great path of transport for the traffic of Western America, and of Asia to Europe—by means of light duties and cheap fares, aided by the more equal temperature of the climate to divert the cereals of the Prairie States from the expensive routes to New York and Pennsylvania, to Montreal and the other Canadian seaports, and in return to supply those rapidly increasing interior States with the productions of Great Britain and Europe, by means of her canals and superior natural communications.

As illustrative of how strongly this is the interest of Canada, and how conclusively therefore it may be relied on, as a policy likely in the future to influence her statesmen, thereby keeping her separate from the United States, and leaving her open to make or continue her own arrangements with Great Britain, so as to be mutually advantageous to both, it may be mentioned that in 1864, during the discussion in the United States on the subject of the renewal of the Reciprocity Treaty, in pointing out the benefit that accrued to one country from having the transit trade of another, and as a reason why the United States should continue the Reciprocity Treaty with Canada instead of putting an end to it, *Hunt's Magazine*, one of the ablest and most authoritative works in the United States, on the Commercial Policy of the day, among other things stated, that the mere transit of 300,000 bushels of Canadian white wheat alone, from Detroit to New York, left, in "droppings on the way"—in costs and charges on the road—to the benefit of the people of the United States, (without paying one farthing of the purchase money)—\$111,676—and gave the items as follows :



For elevating and shipping .....	\$6,000
Insurance against fire.....	1,125
Freight to Buffalo at 6 cents per bushel .....	18,000
Transfer .....	3,000
Canal freight .....	60,000
Measuring .....	3,000
Commission on value in New York, at \$1 90 per bushel....	14,250
Lake Insurance.....	2,191
For odd numbers .....	730
	<hr/>
	\$108,296

During the war, a war-tax on freight on the lakes was further imposed, which created an additional charge of... 3,380

A total benefit to the United States Government and people for the transport of merely 300,000 bushels of Canadian grain.....\$111,676

Throwing off the war tax and reversing the position, giving to Canada the transit of goods from the Western States, instead of to the United States the transit of goods from Canada, see what an advantage it would be to Canada.

Thus in whatever light it may be viewed, in the interests of peace and trade, the political connection of Canada with Great Britain twenty years hence will be of great importance to the latter.

But it would be unstatesman-like to look at the question solely in the light of peace. The mere patronage that Canada affords the British Government in the nomination of one solitary Governor-General for all British North America is not worth naming, and therefore we must look at the question in the light of war,—not of war solely with the United States, or as regards Canada, (for if the latter were separated from England there would be no cause of war between the United States and themselves), but as regards Great Britain in a war with any of the nations of Europe. The enormous trade of England makes her the most vulnerable nation in the world. Her extensive colonial possessions counterbalance the danger, and give her the means of greatest efficiency as a maritime power ; but unless she retains within her own em-

pire the compensating advantages derivable therefrom, in the possession of ports where her commerce may resort for shelter, and her fleets may rendezvous and coal, which her antagonists do not possess, she must suffer in a degree greater than they, for it is assumed that in any future war Great Britain without allies is not likely to invade any of the territories of Europe, and the conflict would be one of maritime warfare.

By the advancement of science, in the application of steam, the adoption of ironclads, and the invention of powerful guns of precision at long distances, other nations have been brought more on an equality with Great Britain. The dashing days of Nelson and close quarters, of nautical skill in gaining the weather gauge and boarding at the yard arm, have passed away forever. A Prussian or a Frenchman may not be as good a sailor as an Englishman, but he may be quite as good, if not better, as an artillerist, and future contests between ships will be regulated as much by science as by courage. England's commerce is spread over every sea. Let us suppose that Canada is separated from her either by annexation to the United States, or by having become an independent power. In such a case what self-producing coaling station will England have in America? What rendezvous for her fleets? As neutrals, if separated, the same law must be extended to herself that is given to her foes—twenty-four hours in port and no munitions of war; for it is vain to suppose if Canada be separated the rich coal fields of Cape Breton or Nova Scotia, of British Columbia or Vancouver Island, in time of war would be at her command. The noble harbour of Halifax, with its splendid dockyards and impregnable fortifications of Esquimaux, with its wide and deep bay, will no longer be under the British flag. There can be no Gibraltar in America, and when England withdraws from British America, she hauls down her flag from every rock and hill.

Reference may be made to the last Russian war, and it may be said that during that war British commerce needed no American ports. Perhaps not. But a war with France and Russia combined, or Prussia and any other European power possessing Mediterranean as well as Baltic ports, or ports on the English Channel, and many of them, from which fleets and privateers could issue, would make a great difference.

Thus in any future war—in such a case—England would lose the immense advantages she has hitherto possessed. But if this should be so, in case of a European war, how much more disastrous would it be in case of a war with the United States—England without a place of shelter on the whole North Atlantic and North Pacific coasts, and the United States with a thousand harbours on each, from which vessels could issue to prey upon England's European commerce on the Atlantic, and her Eastern commerce on the Pacific. The United States at the same time possessing, in her own great interior continent, a field for internal trade so vast, that the loss of her foreign commerce by the war would not be felt. It may be said, there are to be no more wars, and all disputes between nations are henceforth to be settled by arbitration. It would be well if it were to be so; but it is hardly worth while to cut one's muscles until one is sure there will be no more fighting. The history of the last twenty years does not authorise any such conclusion, and the unceasing note of preparation, which rings throughout England, shows that she does not place much reliance on the doctrine that she preaches.

Thus, in the light both of peace and war, the retention of Canada as a part of the Empire, may be of the very greatest consequence to England.

On the other hand, how would separation affect the present and future of Canada? It may be stated at once, that on the part of the great—very great—majority of the people of Canada, there is no desire for any change. Apart from all questions of material advantage, the feeling with them is one of sentiment. They identify themselves with the glory and prestige of England; they inherit the feelings of attachment to the old soil, their fathers brought with them to this country; and they no more desire to get rid of their allegiance than an honest son would of the attachment that binds him to his father, even though that father may have ceased to afford him pecuniary aid. The recurrence of a second shock, like that created by the "Ashburton surrender," would, in the present day, arouse a very bad feeling; but the modern policy of England renders that improbable, and it may safely be affirmed that the "status quo" is one which will not be

disturbed for many years, except by England's own action. A separation involves two distinct phases—one of annexation to the United States, one of independence as a distinct sovereign power.

With reference to the first, it is difficult to see any advantage to be gained by Canada, except the internal market of the United States, while it would be accompanied with their increased taxation, and the entire loss of her own autonomy, besides which, whether beneficial or not, the people are against it. Co-existent, however, with this latter feeling, it may not be inappropriate to observe that the opinion is also prevalent throughout Canada, that in all negotiations with the United States, touching affairs in which British America has been interested, the United States have on every occasion got the advantage of England—that in every instance, on the question of boundary, she has been deceived—that on the question of the Fishery rights she has been trifled with; and though the question of the Alabama Claims is one so entirely of an Imperial character, and the burden—if a pecuniary compensation should be awarded—so purely a question of home policy that Canada has nothing to do with it, yet, whether it be right or wrong, the impression does exist, that English diplomatists are no more fitted to compete with American diplomatists in statecraft on questions affecting American interests, than a Londoner would be with an Indian in woodcraft in an American forest.\*

In order to understand the second, that of independence as a sovereign power, the enquiry suggests itself, what are the material advantages derived from being connected with England? Let all dread of the United States, so far as Canada is concerned, be removed from the consideration of the question. As between the two countries, in case of a separation, there is no likelihood of any cause of disturbance. Apart from the Fenian and rowdy element in the United States, a kindred sentiment prevails between the two peoples, and their better class of citizens are in favour of the more Conservative element still existing in the Canadian Institutions, though it has ceased in their own. In case of the continued connection with England and a war arising

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\* See Howe's Comments on Imperial Policy.—APPENDIX B.

between that country and the United States, in which, perhaps, the brunt of the land conflict might have to be borne on their soil, Canadians not only do not admit the position taken by the *Times* and the other writers and speakers referred to, as to the defence of their country; but on the contrary, they contend that if England will only do her duty, and stand by them with a fair proportion of military and naval aid, the country can be as well defended now as in 1812. The St. Lawrence and the lakes, if Great Britain promptly availed herself of her maritime superiority and made good use of it, afford a frontier sufficiently defensive as well as offensive to prevent any very great dread of an invasion on the part of the two Provinces of Ontario and Quebec. With reference to the Maritime Provinces, the sea is their safeguard. Apart, therefore, from such contingencies, what are the material advantages? As a matter of pounds, shillings and pence, it has been shewn that Canada bears all her own expenses of every kind, not only for internal self-government and local development, but for those external aids in the maintenance of lights and marine establishments along her coasts, which are as essential to British and foreign commerce as to her own. By the entire withdrawal of Her Majesty's troops, the burden of military defence, in all cases except of an Imperial contest, has been thrown upon the Dominion. To this, there can possibly be no objection. The troops were sent here for an Imperial purpose, when the Imperial advisers of the Crown thought for the purpose of concentration in England or otherwise, they should be withdrawn, they were withdrawn. They had accomplished the object for which they were sent, and Canadians were, and are indebted to them for that military instruction and bearing which has tended so materially to instil into them the principle of self-reliance, and when on duty, of military subordination. For revenue purposes, and a coast guard over the fisheries, Canada has to bear the expense. In all her civil and military departments the same, not a shilling from the English Exchequer finds its way into Canada for a Canadian purpose. On the other hand, Canada derives a great pecuniary advantage, indeed an incalculable advantage from the connection, in the benefit of protection to her commerce by the British navy. Already the third

maritime country in the world, her ships under the British flag are spreading over every sea, and as British ships bear with them wherever they go, that power, which, though unseen, like the atmosphere, is felt everywhere. To this navy she contributes no portion of the expense. Again, in the representation of her interests at foreign courts, in the protection of her citizens abroad as British subjects, she has the same benefit as the tax-payer of the British Isles, who bears all the burden of the Imperial expenses, while she contributes none. An Englishman with every privilege—without his burden—it is difficult to conceive, practically a more independent position. True it is, this Navy and Foreign Representation would equally have to be kept up, if Canada were in no way connected with England, not a ship is added to her navy, or a man to her army, on account of Canada, yet that in no way derogates from the fact that Canada has the benefit, without the payment.

Reviewing then the whole subject, and balancing the considerations on both sides, the conclusion must be that in the hour of Great Britain's difficulty with European nations, or with the United States, the loss from the separation in the future would be greater to England than to Canada. Canada, if separated and independent, would have to assume a burden equal to all her present expenditure for the maintenance of a navy and diplomatic representation with foreign governments, to say nothing of the humiliations to which a weak power may sometimes have to submit when assorting with others whose means are immeasurably greater. But England, on the other hand, would lose, in the event of Canadian independence, the most available means of protecting her commerce in case of war; and in the event of annexation to the United States, would be for all time to come, in matters of trade, both in the east and in the west, entirely at the mercy of the United States, in peace as well as in war.

Thus it would seem to the interest of both parties to continue the connection. Canadian pride might be flattered by Canada being classed amid the great family of nations, but her public unproductive expenditures would be largely increased. British prudence might deem that the empire had got rid of an element of

trouble with one nation, but might find that the removal of that element had left her powerless in her contests with six others, if not all. Viewed in either light—in the cold aspect of material calculation, or the warmer glow of a more generous patriotism, the true friend of both countries would desire that no severance should take place.

With the cementing of a friendly feeling with the United States, and the joint rivalry of Great Britain and Canada and themselves in works of progress and civilization, it might well be anticipated that the humanities of life would be promoted, and civil and religious liberty become more widely diffused.

The importance of the connection of Canada with Great Britain, in view of the future position of the latter, ought not to be too lightly estimated. In a late article in one of the leading periodicals of the day (Blackwood), "How is the country governed," it is said: "The departments of state in which the people of England take, as is natural, the deepest interest, are the Home Office, the War Office, the Admiralty, the Treasury, and the Foreign Office. The business, as well of the Colonial as of the Indian Office, may be, and doubtless is, both weighty and important, but it attracts, comparatively speaking, little notice out of Downing Street, and beyond the doors of the Houses of Parliament, for this sufficient and obvious reason, that whether ill or well conducted, it affects the interests of the masses only in a secondary degree." The truth of the above statement can hardly be questioned, but the reason assigned may well be. The failure or insecurity of the commerce of England would affect the interests of the masses more than the result of the question whether the elections should be conducted by ballot or *vivâ você*, and quite as much as the settlement of the question whether Alsace or Lorraine belonged to Germany or France.

The point to be looked at is, whether England, with the whole continent of North America sealed against her—in peace by an antagonistic policy, and in war if with a European power by the law of neutrals, should Canada be independent, and of necessity if with the United States, should Canada be merged in the latter—can retain her commerce. In Canada the impression is she could

not. The following observations from a leading American statesman, and one of the most eminent staticians of the United States, whose opinion is of marked weight in that country,\* tend strongly to confirm the views before expressed. He writes :

“The internal and coastwise trade of our country greatly exceeds our foreign trade, and consequently we feel the loss of our tonnage in foreign trade much less than it would be felt by other countries. That our prosperity depended more upon our internal resources and exchanges than it did upon the carrying trade ; that our revenues from the excise on tobacco and liquors would, this year, meet the interest on our whole debt, and suffice to pay the principal before the close of the century ; that by the aid of our internal revenues we had last year paid \$100,000,000 of our debt. And that when English politicians assumed that our power was crippled by the loss of a quarter of our tonnage, they fell into a serious error—because they did not appreciate the magnitude of our internal resources. England measures the resources of nations by their exports and their imports and tonnage engaged in foreign trade. We adopt a different standard. We have less ships, and less exports and imports in foreign trade than England. Our commerce is chiefly coastwise and continental ; but while the entries and clearances of shipping in the British Isles are less than 40,000,000 of tons annually, ours exceed 87,000,000 of tons. Our inland movement by railways and canals is still larger. The inland traffic by railway and canal of the single State of New York, this year, exceeds 14,000,000 of tons. By my estimate, the agricultural productions of the United States annually exceed \$3,600,000,000 ; their minerals and manufactures will reach \$2,800,000,000 ; their exports and imports will equal \$1,200,000,000 ; their growth in wealth annually \$1,500,000,000 ; their annual growth in population 1,200,000. If our country has lost shipping, it has built 56,000 miles of railways—more railways than all Europe has constructed. Last year our country raised 4,200,000 bales of cotton ; 1,200,000,000 bushels of corn ; 500,000,000 bushels of other breadstuffs ; 200,000,000 gallons of

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\* Mr. Derby of Boston ; September 15th, 1871.



petroleum. It sustains, also, more than 100,000,000 of cattle, sheep, and swine. As respects our commercial policy, our country has since the war repealed more than \$300,000,000 taxes and duties, without materially reducing its net revenue. It struck off last year \$24,000,000 of duties and \$56,000,000 of taxes, and can, I think, this winter spare \$80,000,000 more, and still reduce its debt rapidly. Should we do so, the nation in eight years more—should a crisis occur—would be able to raise, by taxes, duties, and loans, twice the amount it did raise in 1865—in which year we drew from our people in taxes and duties \$530,000,000, and by home loans \$500,000,000 more. We are now increasing our shipments to England more rapidly than ever before, and can spare her manufactures more easily than she can dispense with the food and raw material we furnish.”

However much, therefore, English political economists may question the soundness of the trade theories of the United States, it is plain that until her great continent becomes as densely peopled as the British Isles, she need not trouble herself much about the discussion. In the presence of such a power twenty years hence, should England rashly throw away Canada, British commerce may bow its head.

## CHAPTER VII.

Debate in the Canadian Legislature on Confederation—The Governor-General's Speech—Motion in the Legislative Council—Do. in the House of Assembly—Character of the Debate—Division in the Council on the main motion—Names—Do. in the House—Names—Synopsis of speeches of men representing views of all parties—A. D. 1865.

When the Canadian Legislature met in February, 1865, it at once entered warmly and boldly into the question of Confederation. There was no faltering either on the part of the Government or the people. Strong in the conviction of its advantages, the Cabinet were a unit, the several ministers vieing with each other only in the generous rivalry who should be most earnest in the work. The Governor-General brought the subject before the House in his opening speech :

“ I informed you that it was my intention, in conjunction with my ministers, to prepare and submit to you a measure for the solution of the constitutional problem, the discussion of which has for some years agitated this province. A careful consideration of the general position of British North America, induced the conviction that the circumstances of the time afforded the opportunity not merely for the settlement of a question of provincial politics, but also for the simultaneous creation of a new nationality. Preliminary negotiations were opened by me with the Lieut.-Governors of the other provinces of British North America, and the result was that a meeting was held at Quebec, in October, composed of delegates from these colonies, representing all shades of political party in their several communities, nominated by the Lieutenant-Governors of their respective Provinces, who assembled here, with the sanction of the Crown and at my invitation, to confer with the members of the Canadian ministry, on the possibility of effecting a union of all the provinces of British North America. This Conference by lengthened deliberations arrived at the conclusion, that a federal union of these Provinces was feasible and desirable, and the result of their labour is a plan of

constitution for the proposed union, embodied in a series of resolutions, which, with other papers relating to the subject, I have directed to be laid before you. The general desire of a union, and the particular plan by which it is proposed to carry that intention into effect, have both received the cordial approbation of the Imperial Government. An Imperial Act of Parliament will be necessary in order to give effect to the contemplated union of the colonies; and I have been officially informed by the Secretary of State, that Her Majesty's ministers will be prepared to introduce a Bill for that purpose into the Imperial Parliament, as soon as they shall have been notified that the proposal has received the sanction of the Legislatures representing the several provinces affected by it. In commending to your attention this subject, the importance of which to yourselves and to your descendants it is impossible to exaggerate, I would claim for it your calm, earnest, and impartial consideration. With the public men of British North America it now rests to decide, whether the vast tract of country which they inhabit shall be consolidated into a State, combining within its area all the elements of national greatness, providing for the security of its component parts, and contributing to the strength and stability of the empire; or, whether the several Provinces of which it is constituted, shall remain in their present fragmentary and isolated condition, comparatively powerless for mutual aid, and incapable of undertaking their proper share of Imperial responsibility. In a discussion of such moment, I fervently pray that your minds may be guided to conclusions which shall redound to the honour of our Sovereign, to the welfare of her subjects, and to your own reputation as patriots and statesmen."

On the 3rd February, the report of the Convention, in the shape of the resolutions already given, were brought up for discussion in the Legislative Council, on the following motion by Sir E. P. Taché, viz.: "That an humble address be presented to Her Majesty, praying that she may be graciously pleased to cause a measure to be submitted to the Imperial Parliament, for the purpose of uniting the Colonies of Canada, Nova Scotia, New

Brunswick, Newfoundland and Prince Edward Island, in one Government, with provisions based on the resolutions, which were adopted at a Conference of delegates from the said Colonies, at the city of Quebec, on the 10th October, 1864."

The resolutions are then set forth, and are the same as those already given on page 66, except the 24th, which has the alteration before adverted to, and is as follows: "24. The Local Legislature of each Province may from time to time alter the Electoral Districts for the purpose of representation in such Local Legislatures, and distribute the representation to which the Province is entitled in such Legislature in any manner such Legislature may see fit."

A similar motion was made in the other House.

It may be said of the debate which followed in both Houses, that it would have reflected credit on any assembly. Sustained throughout, over a succession of many weeks, by courtesy and forbearance in the speakers and members towards each other, it was nevertheless characterized by a fearless and exhaustive examination of the propositions. Overruling all, there breathed throughout a lofty patriotism, and an abiding confidence in the future of Canada. It is impossible to give this debate in full—it would be injustice to summarize it. The Legislature caused it to be published in a distinct volume by itself, so that it is open to all parties, without labour or difficulty of attainment.

The views of Messrs. Macdonald, Cartier and Brown on the one side, and of Messrs. Sandfield Macdonald and Holton on the other, as the leaders of their respective parties; of Mr. Galt, from his admittedly high financial position and commercial knowledge; of Mr. Dorion, as the leader of the Rouge section of the liberal party of Lower Canada; of Mr. Joly, as an educated French Protestant, and representative of the rural and landed interests; of Mr. Langevin as a French-Canadian, a member of the Cabinet, and assumed to speak with the authority, and to a great degree the sentiments, of the Roman Catholic clergy and party; of Mr. Rose, as an eminent barrister of Montreal, a banker, and politician of much experience; of Mr. Dunkin, as a critical lawyer, analysing the subject with microscopic power; and of Mr. Shanly, an inde-

pendent member of Parliament, touching upon a point not referred to by the other speakers, cannot fail to command attention. The speeches of Messrs. Cartier and Brown, on different occasions, have already been given at great length. It is considered that the substantial observations of the other members, now selected as representative men of different interests and classes, condensed as much as possible and added to theirs, fairly represent and consolidate the opinions of all parties at the time. The omission of the observations of other speakers is simply to avoid unnecessary reiteration.

In the Legislative Council the discussion was equally able.

On a review of the whole debate, one is perceptibly struck with the greater depth of view, the broader forecast, and more statesman-like positions of the supporters of the measure, than of its opponents. It would indeed have been a melancholy day for Canada, if the sectional jealousies and purely local considerations which were urged by the opposition, however disinterested may have been the motives of its leaders, had prevailed.

Laying aside the ministerial difficulties, and the antagonistic attitude of the two divisions of old Canada proper, which had rendered constitutional government impossible, and made some change essentially necessary, it is plain that the future interests of British North America required a broader development than could have been afforded by any congeries of Provinces, working in indifferent if not hostile relations towards each other.

To the Maritime Provinces the change was as essential as to Canada. It is true, the machinery of their local governments was working smoothly, and no pressing internal difficulty necessitated any departure from the existing system. But the horizon was circumscribed, and very limited. No Province could speak with any weight of position. Trade was daily seeking further expansion; but negotiations with half-a-dozen Provinces, each regulating its own tariff, rendered complications with foreign countries and the Imperial Government, through whom they had to speak, so great, as to neutralise action. The British Government looked upon the affairs of British North America and its six or seven Governments, as an endless chain of trouble, perpetually revolving, and always showing the same unending types.

One strong hand, one strong will, presiding over and cementing all, constitutionally speaking to the parent state through its Parliament and ministers, would do more in one year to advance the material progress of the whole country, and remove the difficulties of dealing with foreign states, so far as British North America was concerned, than would a dozen years of negotiation with the separate Provinces. The greater homogeneity that would be engendered, the fusion of interests in the undertaking of great works, the national character and national spirit that would be created, would all tend to strengthen those elements which lie at the foundation of a nation's greatness.

It is absurd to suppose, that British North America, with its half a continent of boundless domain can always hang a dependancy upon England. Its people will and must develop their material interests, and on the spot, they are better judges of how that is to be done, than those who only think for them at a distance. It requires no separation, no change of sovereignty, but it requires a cessation of dependance—Canada must not entangle Great Britain in any way. The latter's position towards all other countries ought to be such, as to leave her free, to act for her own Imperial interests, without being constrained by considerations for Canada, and the only way to accomplish that end, is by Canada becoming united and strong.

Those who foresaw, and boldly shadowed forth this consummation, who advocated not only the union of the Atlantic Provinces, but the admission of the North-West Territories and of British Columbia, will hereafter rank among the class of statesmen, who, rising above the influences of their time, or the pressure of local causes, grasp the future in their hand, and mould the destinies of empire.

But to the debate. Sir Etienne Taché, in the Legislative Council, in a fair and temperate speech, moved the resolution, observing :

“The reasons for its introduction were two-fold. They related, first, to the intrinsic merits of the scheme itself, divested of all other considerations, and next, to the settlement of the domestic difficul-

ties which for some years had distracted the country, and the means we might and ought to employ to restore good feeling, harmony and concord therein. He would first address himself to what he considered the intrinsic merits of the scheme of Confederation, and he would therefore say that if we were anxious to continue our connection with the British Empire, and to preserve intact our institutions, our laws, and even our remembrances of the past, we must sustain the measure. If the opportunity which now presented itself were allowed to pass by unimproved, we would be forced into the American Union by violence, and if not by violence, would be placed upon an inclined plane which would carry us there insensibly. In either case the result would be the same. In our present condition we would not long continue to exist as a British colony. The people of the Northern States believed that Canadians sympathized with the South much more than they really did, and the consequences of this misapprehension were: first, that we had been threatened with the abolition of the transit system; then the Reciprocity Treaty was to be discontinued; then a passport system was inaugurated, which was almost equivalent to a prohibition of intercourse, and the only thing which really remained to be done was to shut down the gate altogether and prevent passage through their territory. Would any one say that such a state of things was one desirable for Canada to be placed in? Will a great people in embryo, as he believed we were, coolly and tranquilly cross their arms and wait for what might come next? For his part he held that the time had now arrived when we should establish a union with the great Gulf Provinces. He called them great advisedly, for they had within themselves many of the elements which went to constitute greatness, and of some of which we were destitute. No one could deny that the Gulf Provinces were of immense importance, if only in respect of their fisheries. Then they were rich in minerals. Their coal alone was an element of great wealth. It had been said that where coal was found the country was of more value than gold. Look at England, and what was the chief source of her wealth if not coal? Deprived of coal, she would at once sink to the rank of a second or third rate power. But Canada had no coal, and notwithstand-

ing all her other elements of greatness, she required that mineral in order to give her completeness. What she had not, the Lower Provinces had; and what they had not, Canada had. Then as to ship-building, it was an industry prosecuted with great vigour and success in those provinces, especially in New Brunswick, and some of the finest vessels sailing under the British flag had been built in the port of St. John, which annually launched a considerable number of the largest class. They were not beggars, nor did they wish to come into the union as such; but as independent Provinces, able to keep up their credit, and provide for their own wants. They would bring into the common stock a fair share of revenue, of property, and of every kind of industry. As to Canada itself from the 21st May, 1862, to the end of June, 1864, there had been no less than five different Governments in charge of the business of the country. Much had been said on the war of races, but that war was extinguished on the day the British Government granted Canada Responsible Government, by which all its inhabitants, without distinction of race or creed, were placed on a footing of equality. The war of races found its grave in the resolutions of the 3rd September, 1841, and he hoped never to hear of it again."

The attack was led by Mr. Currie, ably supported by Mr. Letellier de St. Just and Mr. Sanborn. They pointed in successive columns of statistics to the inequalities of the burdens, as they alleged, to be borne by Canada, and to the constitutional objections put forward on behalf of the French Canadians; but as their arguments were substantially the same as those urged by the opponents of the measure in the Lower House, they will be found in the speeches hereinafter quoted from.

The result in both Houses was the same: the motion was sustained by large majorities; in the Lower House, on a division, by ninety-one members to thirty-three, only five members being absent out of a house of one hundred and twenty-nine, namely:

*Yeas.*—Messieurs Alleyn, Archambault, Ault, Beaubien, Bell, Bellerose, Blanchet, Bowman, Bown, Brosseau, Brown, Burwell,



Cameron (Peel), Carling, Attorney-General Cartier, Cartwright, Cauchon, Chambers, Chapais, Cockburn, Cornellier, Cowan, Currier, De Boucherville, Denis, De Niverville, Dickson, Dufresne (Montcalm), Dunsford, Evanturel, Ferguson (Frontenac), Ferguson (South Simcoe), Galt, Gaucher, Gaudet, Gibbs, Harwood, Haultain, Higginson, Howland, Huot, Irvine, Jackson, Jones, (N. Leeds and Grenville), Jones (South Leeds), Knight, Langevin, Le Boutillier, Attorney-General Macdonald, MacFarlane, Mackenzie (Lambton), Mackenzie (North Oxford), Magill, McConkey, McDougall, McGee, McGiverin, McIntyre, McKellar, Morris, Morrison, Parker, Pope, Poulin, Poupore, Powell, Rankin, Raymond, Rémillard, Robitaille, Rose, Ross, (Champlain), Ross (Dundas), Ross (Prince Edward), Scoble, Shanly, Smith (East Durham), Smith (Toronto East), Somerville, Stirton, Street, Sylvain, Thompson, Walsh, Webb, Wells, White, Willson, Wood, Wright (Ottawa County), and Wright (East York)—91.

*Nays.*—Messieurs Biggar, Bourassa, Cameron (North Ontario), Caron, Coupal, Dorion (Drummond and Arthabaska), Dorion (Hochelaga), Duckett, Dufresne (Iberville), Fortier, Gagnon, Geoffrion, Holton, Houde, Huntington, Joly, Labreche-Viger, Lafranboise, Lajoie, Macdonald (Cornwall), Macdonald (Glen-garry), Macdonald (Toronto West), O'Halloran, Pâquet, Perrault, Pinsonneault, Pouliot, Rymal, Scatcherd, Taschereau, Thibaudeau, Tremblay and Wallbridge (North Hastings)—33.

And in the Upper House by an equally commanding division, namely :

*Contents.*—Honourable Messieurs Alexander, Allan, Armand, Sir N. F. Belleau, Bennett, Fergusson Blair, Blake, Boulton, Bossé, Bull, Burnham, Campbell, Christie Crawford, De Beaujeu, Dickson, A. J. Duchesnay, E. W. J. Duchesnay, Dumouchel, Ferrier, Foster, Gingras, Guevremont, Hamilton (Inkerman), Hamilton (Kingston), Lacoste, Leonard, Leslie, McCrea, McDonald, McMaster, Macpherson, Matheson, Mills, Panet, Price, Read, Renaud, Ross, Ryan, Shaw, Skead, Sir E. P. Taché, Vidal and Wilson.—45.

*Non-contents.*—Honourable Messieurs Aikins, Archambault, Armstrong, Bureau, Chaffers, Currie, Flint, Letellier de St. Just,

Malhiot, Moore, Olivier, Proulx, Reesor, Seymour and Simpson.—15.

In the Lower House, the campaign was opened on the 6th February, 1865, by the Attorney-General West, John A. Macdonald introducing the resolutions, and making a motion similar to the one moved by Sir E. P. Taché in the Upper House. He remarked substantially as follows :

“That in fulfilment of the promise made by the Government to Parliament at its last session, he had to submit a scheme for the Confederation of all the British North American Provinces—one which, as propounded through the press, had received almost no opposition. This subject was not a new one. The attention of the Legislature was first formally called to it by the Minister of Finance, Mr. Galt, some years ago ; but it was not taken up by any party as a branch of their policy, until the formation of the Cartier-Macdonald Administration in 1858. A despatch was addressed by three members of that Administration to the Colonial Office. The subject, however, though looked upon with favour by the country, did not begin to assume its present proportions until the then last session. Then the leading statesmen on both sides came to the common conclusion, that some step must be taken to relieve the country from the dead-lock and impending anarchy that hung over it. With that view, a committee was struck, composed of gentlemen of both sides of the House, of all shades of political opinion, without any reference to whether they were supporters of the Administration of the day or belonged to the Opposition, for the purpose of taking into deliberation the evils which threatened the future of Canada. The committee, by a wise provision, agreed that the discussion should be freely entered upon without reference to the political antecedents of any of its members, and that they should sit with closed doors, so as to be able to approach the subject frankly and in a spirit of compromise. The committee included most of the leading members of the House. The report of that committee was laid before the House, and then came the political action of the leading men of the two parties in the House, which ended in the formation of the

then Government. The principle upon which that Government was formed, was for the purpose of carrying out the object which received, to a certain degree, its completion by the resolutions. All agreed as to the expediency of effecting a union between all the Provinces, and the superiority of such a design, over the smaller scheme of having a Federal Union between Upper and Lower Canada alone. By a fortunate coincidence the desire for union existed in the Lower Provinces, and a feeling of the necessity of strengthening themselves by collecting together the scattered colonies on the sea-board, had induced them to form a convention of their own, for the purpose of effecting a union of the Maritime Provinces of Nova Scotia, New Brunswick, and Prince Edward Island, the Legislatures of those colonies having formally authorized their respective Governments to send a delegation to Prince Edward Island, for the purpose of attempting to form a union of some kind. The Canadian Government appeared before that Convention, and submitted the scheme of the larger union. On its acceptance, though unofficial, they returned to Quebec; and then the Government of Canada invited the several Governments of the sister colonies, to send a deputation from each of them for the purpose of considering the question, with something like authority from their respective Governments. The result was, that on the 10th October they met at Quebec, and the first resolution before the House was passed unanimously. The resolution is, 'That the best interests, and present and future prosperity of British North America, will be promoted by a Federal Union under the Crown of Great Britain, provided such union can be effected on principles just to the several Provinces.' It seemed to all the statesmen assembled, that the best interests, and present and future prosperity of British North America, would be promoted by a Federal Union under the Crown of Great Britain. If we wish to form a great nationality, commanding the respect of the world, able to hold our own against all opponents, and to defend those institutions we prize; if we wish to have one system of government, and to establish a commercial union, with unrestricted free trade, between the people of the five provinces, belonging, as they do, to the same nation, obeying the same

Sovereign, owning the same allegiance, and being, for the most part, of the same blood and lineage; if we wish to be able to afford to each other the means of mutual defence and support against aggression and attack—this can only be obtained by a union of some kind between the scattered and weak boundaries composing the British North American Provinces. He said there were only three modes that were at all suggested, by which the dead-lock in affairs, the anarchy which was dreaded, and the evils which retarded the prosperity of the country, could be met or averted. One was the dissolution of the union between Upper and Lower Canada, leaving them as they were before the union of 1841. That proposition by itself had no supporters. The next mode suggested, was the granting of representation by population. That of itself was not desirable, because it would have left serious grounds of discontent in Lower Canada. The third and only means of solution was the junction of the provinces either in a federal or a legislative union. As regards the comparative advantages of a legislative and a federal union, if practicable, he thought a legislative union would be preferable. But on looking at the subject in the Conference, it was found that such a system was impracticable. In the first place it would not meet the assent of the people of Lower Canada. There was also as great a disinclination on the part of the various Maritime Provinces to lose their individuality, as separate political organizations, as was observed in the case of Lower Canada herself. Therefore, those who were in favour of a legislative union were obliged to modify their views and accept the project of a federal union as the only scheme practicable, even for the Maritime Provinces. Because, although the law of those provinces is founded on the common law of England, yet every one of them has a large amount of law of its own—colonial law framed by itself, and affecting every relation of life, such as the laws of property, municipal and assessment laws; laws relating to the liberty of the subject, and to all the great interests contemplated in legislation; in short, the statutory law of the different provinces was so varied and diversified that it was almost impossible to weld them into a legislative union at once. The Lower Provinces evinced a great

desire for the final assimilation of the laws. One of the resolutions provides that an attempt shall be made to assimilate the laws of the Maritime Provinces and those of Upper Canada, for the purpose of eventually establishing one body of statutory law, founded on the common law of England. One great objection made to a federal union was the expense of an increased number of legislatures ; but it would be shown that the expenses under a federal union would not be greater than those under the existing system of separate governments and legislatures. The admixture of subjects of a general with those of a private character in legislation mutually interfere with each other ; whereas, if the attention of the legislature was confined to measures of one kind or the other alone, the session of parliament would not be so protracted, and therefore not so expensive. Nominally there was a legislative union in Canada, yet, as a matter of fact, since the union in 1841 it was a federal union ; in matters affecting Upper Canada solely, members from that section exercised the right of exclusive legislation, while members from Lower Canada legislated in matters affecting their own section. The whole scheme of Confederation, as propounded by the Conference, as agreed to and sanctioned by the Canadian Government, bears upon its face the marks of compromise. It must be considered in the light of a treaty. Just so surely as this scheme is defeated, will be revived the original proposition for a union of the Maritime Provinces, irrespective of Canada. We know that the United States at this moment are engaged in a war of enormous dimensions ; that the occasion of a war with Great Britain has again and again arisen, and may at any time in the future again arise. We cannot foresee what may be the result ; we cannot say but that the two nations may drift into a war as other nations have done before. It would then be too late when war had commenced to think of measures for strengthening ourselves, or to begin negotiations for a union with the sister provinces. At this moment, in consequence of the ill-feeling which has arisen between England and the United States, the Reciprocity Treaty, it seems probable, is about to be brought to an end ; our trade is hampered by the passport system, and at any moment we may be deprived of permission to carry our goods

through United States channels ; the bonded goods system may be done away with, and the winter trade with the United States put an end to. If we do not, while one avenue is threatened to be closed, open another by taking advantage of the present arrangement, and the desire of the Lower Provinces to draw closer the alliance between us, we may suffer commercial and political disadvantages it may take long for us to overcome. In adopting a federal union we had the advantage of the experience of the United States. It is the fashion now to enlarge on the defects of the constitution of the United States, but I am not one of those who look upon it as a failure. I think and believe that it is one of the most skilful works which human intelligence ever created ; is one of the most perfect organizations that ever governed a free people. To say that it has some defects, is but to say that it is not the work of Omniscience, but of human intellect. By a resolution it is provided, so far as we can legislate for the future, that the head of the executive power shall be the Sovereign of Great Britain. By adhering to the monarchical principle, we avoid one defect inherent in the constitution of the United States. By the election of the President by a majority and for a short period, he never is the sovereign and chief of the nation ; he is never looked up to by the whole people as the head and front of the nation ; he is at best but the successful leader of a party. This defect is all the greater on account of the practice of re-election. During his first term of office, he is employed in taking steps to secure his own re-election, and for his party a continuance of power. We avoid this by adhering to the monarchical principle. In the constitution it is proposed to continue the system of Responsible Government, which has existed in the province since 1841, and which has long obtained in the mother country. This avoids one of the great defects in the constitution of the United States. There the President, during his term of office, is in a great measure a despot, a one-man power, with the command of the naval and military forces—with an immense amount of patronage as head of the Executive, and with the veto power as a branch of the legislature, perfectly uncontrolled by responsible advisers, his cabinet being departmental officers merely, whom he is not obliged by the cou-

stitution to consult with, unless he chooses to do so. With us the Sovereign, or in this country the representative of the Sovereign, can act only on the advice of his ministers, those ministers being responsible to the people through Parliament. Ever since the union of the United States was formed the difficulty of what is called "State rights" had existed, and this had much to do in bringing on the present unhappy war in the United States. We have adopted a different system. We have strengthened the General Government, have given the General Legislature all the great subjects of legislation and expressly declared that all subjects of general interest not distinctly and exclusively conferred upon the Local Governments and Local Legislatures, shall be conferred upon the General Government and Legislature. The desire," said the honourable gentleman, "to remain connected with Great Britain and to retain our allegiance to Her Majesty was unanimous. Not a single suggestion was made, that it could, by any possibility, be for the interest of the colonies, or of any section or portion of them, that there should be a severance of our connection. Although we knew it to be possible that Canada, from her position, might be exposed to all the horrors of war, by reason of causes of hostility arising between Great Britain and the United States—causes over which we had no control, and which we had no hand in bringing about—yet there was a unanimous feeling of willingness to run all the hazards of war, if war must come, rather than lose the connection between the mother country and these colonies. The Executive authority must be administered by Her Majesty's Representative. No restriction is placed on Her Majesty's prerogative in the selection of her representative. The Legislature of British North America will be composed of King, Lords and Commons. The Legislative Council will stand in the same relation to the Lower House, as the House of Lords to the House of Commons in England, having the same power of initiating all matters of legislation, except the granting of money. The Lower House will represent the Commons of Canada, in the same way that the English House of Commons represents the Commons of England, with the same privileges, the same parliamentary usage, and the same parliamentary authority. In settling

the constitution of the Lower House, it was agreed that the principle of representation based on population should be adopted, and the mode of applying that principle is fully developed in the resolutions. By representation by population, universal suffrage is not in any way sanctioned. The three great divisions into which British North America is separated, would be represented in the Upper House on the principle of equality. Each of the three great sections would be represented equally by twenty-four members. The only exception to that condition of equality is in the case of Newfoundland, which has an interest of its own, lying, as it does, at the mouth of the great river St. Lawrence, and more connected, perhaps, with Canada than with the Lower Provinces. There was not a dissenting voice in the Conference against the adoption of the nominative principle for the Legislative Council except from Prince Edward Island. The provision in the constitution, that the Legislative Council shall consist of a limited number of members—that each of the great sections shall appoint twenty-four members and no more, will prevent the Upper House from being swamped from time to time by the ministry of the day, for the purpose of carrying out their own schemes or pleasing their partisans. The fact of the government being prevented from exceeding a limited number will preserve the independence of the Upper House, and make it, in reality, a separate and distinct chamber, having a legitimate and controlling influence in the legislation of the country. The objection that has been taken, that in consequence of the Crown being deprived of the right of unlimited appointment, there is a chance of a dead-lock arising between the two branches of the legislature—a chance that the Upper House being altogether independent of the Sovereign, of the Lower House, and of the advisers of the Crown, may act so independently as to produce a dead-lock, is not sound. It will never set itself in opposition against the deliberate and understood wishes of the people. The members of the Upper House will be like those of the Lower, men of the people, and from the people. The man put into the Upper House is as much a man of the people the day after, as the day before his elevation. Springing from the people, and one of them, he takes his seat in the Council



with all the sympathies and feelings of a man of the people, and when he returns home, at the end of the session, he mingles with them on equal terms, and is influenced by the same feelings and associations, and events, as those which affect the mass around him. Referring to the constant changes which took place in the Legislative Council he called attention to the following facts: At the call of the House in February, 1856, forty-two life members responded; two years afterwards, in 1858, only thirty-five answered to their names; in 1862 there were only twenty-five life members left, and in 1864, but twenty-one. So it is quite clear that, should there be on any question a difference of opinion between the Upper and Lower Houses, the government of the day being obliged to have the confidence of the majority in the popular branch—would, for the purpose of bringing the former into accord and sympathy with the latter, fill up any vacancies that might occur, with men of the same political feelings and sympathies with the government, and consequently with those of the majority in the popular branch; and all the appointments of the Administration would be made with the object of maintaining the sympathy and harmony between the two houses. To the Upper House is to be confided the protection of sectional interests; therefore is it that the three great divisions are there equally represented, for the purpose of defending such interests against the combinations of majorities in the Assembly. It is provided that the selection shall be made from those gentlemen who are now members of the upper branch of the Legislature in each of the colonies, for seats in the Legislative Council of the General Legislature. In the formation of the House of Commons, the system of representation by population has been introduced without the danger of an inconvenient increase in the number of representatives on the recurrence of each decennial period. The whole thing is worked by a simple rule of three. For instance, we have in Upper Canada 1,400,000 of a population; in Lower Canada, 1,100,000. Now, the proposition is simply this—if Lower Canada, with its population of 1,100,000, has a right to sixty-five members, how many members should Upper Canada have, with its larger population of 1,400,000? The same rule applies to the other provinces—the

proportion is always observed and the principle of representation by population carried out, while, at the same time, there will not be decennially an inconvenient increase in the numbers of the Lower House. At the same time, there is a constitutional provision that hereafter, if deemed advisable, the total number of representatives may be increased from 194, the number fixed in the first instance. In that case, if an increase is made, Lower Canada is still to remain the pivot on which the whole calculation will turn. If Lower Canada, instead of 65, shall have 70 members, then the calculation will be, if Lower Canada has 70 members, with such a population, how many shall Upper Canada have with a larger population? The existing laws relative to elections in the separate provinces, were to obtain in the first election to the Confederate Parliament, so that every man who has now a vote in his own province should continue to have a vote in choosing a representative to the first Federal Parliament. And it was left to the Parliament of the Confederation, as one of their first duties, to consider and to settle by an act of their own the qualification for the elective franchise, which would apply to the whole Confederation. The duration of Parliament will be a period of five years. A good deal of misapprehension he said had arisen from the accidental omission of some words from the 24th resolution. It was thought that by it the Local Legislatures were to have the power of arranging hereafter, and from time to time of re-adjusting the different constituencies, and settling the size and boundaries of the various electoral districts. The meaning of the resolution is simply this, that for the first General Parliament, the arrangement of constituencies shall be made by the existing Local Legislatures; that in Canada, for instance, the present Canadian Parliament shall arrange what are to be the constituencies of Upper Canada, and to make such changes as may be necessary in arranging for the seventeen additional members given to it by the constitution; and that it may also, if it sees fit, alter the boundaries of the existing constituencies of Lower Canada. In short, this Parliament shall settle what shall be the different constituencies electing members to the first Federal Parliament. And so the other provinces, the Legislatures of which will fix the limits of their several constitu-

encies in the session, in which they adopt the new constitution. Afterwards the Local Legislatures may alter their own electoral limits as they please, for their own local elections. But it would evidently be improper to leave to the Local Legislature the power to alter the constituencies, sending members to the General Legislature after the General Legislature shall have been called into existence. Were this the case, a member of the General Legislature might, at any time, find himself ousted from his seat by an alteration of his constituency, by the Local Legislature in his section. After the General Parliament meets, in order that it may have full control of its own legislation, and be assured of its position, it must have the full power of arranging and re-arranging the electoral limits of its constituencies as it pleases, such being one of the powers essentially necessary to such a Legislature. As a matter of course, the General Parliament must have the power of dealing with the public debt and property of the Confederation. Of course, too, it must have the regulation of trade and commerce, of customs and excise. The Federal Parliament must have the sovereign power of raising money from such sources and by such means as the representatives of the people will allow. It is provided that all 'lines of steam or other ships, railways, canals, and other works, connecting any two or more of the provinces together, or extending beyond the limits of any province,' shall belong to the General Government, and be under the control of the General Legislature. In like manner 'lines of steamships between the Federated Provinces and other countries, telegraph communication and the incorporation of telegraph companies, and all such works as shall, although lying within any province, be specially declared by the Acts authorizing them, to be for the general advantage,' shall belong to the General Government. For instance, the Welland Canal, though lying wholly within one section, and the St. Lawrence Canals in two only, may be properly considered national works, and for the general benefit of the whole Federation. Again, the census, the ascertaining of our numbers and the extent of our resources, must, as a matter of general interest, belong to the General Government. So also with the defences of the country. One of the great

advantages of Confederation is, that we shall have a united, a concerted, and uniform system of defence. The criminal law too—the determination of what is a crime and what is not, and how crime shall be punished—is left to the General Government. This is a matter almost of necessity. It is one of the defects in the United States system, that each separate state has or may have a criminal code of its own; that what may be a capital offence in one state may be a venial offence, punishable slightly, in another. But under our constitution we shall have one body of criminal law, based on the criminal law of England, and operating equally throughout British America, so that a British American, belonging to what province he may, or going to any other part of the Confederation, knows what his rights are in that respect, and what his punishment will be if an offender against the criminal laws of the land. This is one of the most marked instances in which advantage is taken of the experience derived from the observations of the defects in the constitution of the neighbouring Republic. The 33rd provision is of very great importance to the future well-being of these colonies. It commits to the General Parliament the “rendering uniform all or any of the laws relative to property and civil rights in Upper Canada, Nova Scotia, New Brunswick, Newfoundland and Prince Edward Island, and rendering uniform the procedure of all or any of the courts in these provinces.” The great principles which govern the laws of all the provinces, with the single exception of Lower Canada, are the same, although there may be a divergence in details; on the part of the Lower Provinces a general desire exists to join together with Upper Canada in this matter, and to procure, as soon as possible, an assimilation of the statutory laws and the procedure in the courts, of all these provinces. At present there is a good deal of diversity. It was understood that the first act of the Confederate Government should be to procure an assimilation of the statutory law of all those provinces, which has, as its root and foundation, the common law of England. But to prevent local interests from being over-ridden, the same section makes provision that, while power is given to the General Legislature to deal with this subject, no change in this respect should

have the force and authority of law in any province until sanctioned by the legislature of that province. The General Legislature is to have power to establish a general Court of Appeal of the Federated Provinces. Besides all the powers that are specifically given, the Constitution confers on the General Legislature the general mass of sovereign legislation, the power to legislate on 'all matters of a general character, not specially and exclusively reserved for the local governments and legislatures.' This is precisely the provision which is wanting in the constitution of the United States. It is in itself a wise and necessary provision. It strengthens the central Parliament, and makes the Confederation one people and one government, instead of five peoples and five governments, with merely a point of authority connecting them to a limited and insufficient extent. With respect to the local governments, it is provided that each shall be governed by a chief executive officer, who shall be nominated by the General Government. The General Government assumes towards the local governments precisely the same position as the Imperial Government holds with respect to each of the colonies now; so that as the Lieut.-Governor of each of the different Provinces is now appointed directly by the Queen, and is directly responsible and reports directly to her, so will the executives of the local governments hereafter be subordinate to the representative of the Queen, and be responsible and report to him. Objection has been taken that there is an infringement of the Royal prerogative in giving the pardoning power to the local Governors, who are not appointed directly by the Crown, but only indirectly by the chief executive of the Confederation, who is appointed by the Crown. This provision was inserted in the constitution on account of the practical difficulty which must arise if the power is confined to the Governor-General. It is a subject, however of Imperial interest, and if the Imperial Government and the Imperial Parliament are not convinced by the arguments we will be able to press upon them for the continuation of that clause, then, of course, as the over-ruling power, they may set it aside. There are numerous subjects which belong, of right, both to the local and the general Parliaments. In all these cases it is provided, in order to prevent a conflict of authority, that

where there is concurrent jurisdiction in the General and Local Parliaments, the same rule should apply as now applies in cases where there is concurrent jurisdiction in the Imperial and in the Provincial Parliaments, and that when the legislation of the one is adverse to or contradictory of the legislation of the other, in all such cases the action of the General Parliament must overrule, *ex necessitate* the action of the Local Legislature. We have introduced also all those provisions which are necessary in order to the full working out of the British constitution in these Provinces. Let me again,' said the honourable gentleman, as he closed his clear and powerful speech, 'before I sit down, impress upon this House the necessity of meeting this question in a spirit of compromise, with a disposition to judge the matter as a whole, to consider whether really it is for the benefit and advantage of the country to form a Confederation of all the provinces; and if honourable gentlemen, whatever may have been their preconceived ideas as to the merits of the details of this measure, whatever may still be their opinions as to these details, if they really believe the scheme is one by which the prosperity of the country will be increased, and its future progress secured, I ask them to yield their own views, and to deal with the scheme according to its merits as one great whole. One argument, but not a strong one, has been used against this Confederation, that it is an advance towards independence. Some are apprehensive that the very fact of our forming this union will hasten the time when we shall be severed from the mother country. I have no apprehension of that kind. I believe it will have the contrary effect. I believe that as we grow stronger, that, as it is felt in England we have become a people, able from our union, our strength, our population, and the development of our resources, to take our position among the nations of the world, she will be less willing to part with us than she would be now, when we are broken up into a number of insignificant colonies, subject to attack piecemeal without any concerted action or common organization of defence. I am strongly of opinion that year by year, as we grow in population and strength, England will more see the advantage of maintaining the alliance between British North America and herself. Instead

of looking upon us as a merely dependent colony, England will have in us a friendly nation, a subordinate but still a powerful people, to stand by her in North America in peace or in war. We all feel the advantages we derive from our connection with England. So long as that alliance is maintained, we enjoy, under her protection, the privileges of constitutional liberty according to the British system. We will enjoy here that which is the great test of constitutional freedom—we will have the rights of the minority respected. In all countries the rights of the majority take care of themselves, but it is only in countries like England, enjoying constitutional liberty, and safe from the tyranny of a single despot or of an unbridled democracy, that the rights of minorities are regarded. So long, too, as we form a portion of the British Empire, we shall have the example of her free institutions, of the high standard of the character of her statesmen and public men, of the purity of her legislation, and the upright administration of her laws. In this younger country, one great advantage of our connection with Great Britain will be, that, under her auspices, inspired by her example, a portion of her empire, our public men will be actuated by principles similar to those which actuate the statesmen at home. These, although not material, physical benefits, of which you can make an arithmetical calculation, are of overwhelming advantage to our future interests and standing as a nation. In conclusion, I would again implore the House not to suffer this opportunity to pass; it is one that may never recur."

He was ably sustained by the Attorney-General Cartier on the following day, and by Mr. Galt, who dealt mainly with the commercial and financial interests involved: he said—

"The subjects on which he proposed to address the House were those connected with the trade, resources and financial condition of the several Provinces of British North America. He should divide his remarks into five distinct heads: 1st. Do the commercial and material interests of the several Provinces point to their union as an advantageous measure? 2nd. Is their financial condition such as to permit of this union being carried into practical

effect at this moment, with justice to them all? 3rd. Are the measures proposed in the resolutions before the House fair to each and to all? 4th. Is there a reasonable prospect that the machinery through which these interests are proposed to be governed, will work smoothly and harmoniously? 5th. Does the proposed system for the government of the united Provinces appear likely to prove so expensive as to render it impossible for the people of Canada to consent to it? In dealing with the first question, it was well to offer to the House some few remarks as to the resources of British North America. Possessing as we do, in the far-western part of Canada, perhaps the most fertile wheat-growing tracts on this continent; in central and eastern Canada facilities for manufacturing such as cannot anywhere be surpassed; and in the eastern or Maritime Provinces an abundance of that most useful of all minerals, coal, as well as the most magnificent and valuable fisheries in the world; extending as this country does for two thousand miles, traversed by the finest navigable river in the world, we might well look forward to our future with hopeful anticipation of seeing the realization, not merely of what we have hitherto thought would be the commerce of Canada, great as that might become, but to the possession of Atlantic ports, which we should help to build to a position equal to that of the chief cities of the American Union. But it is not so much by the extent of a country that its power and real greatness are to be estimated, as by its containing within itself the elements of different interests; for it is in the diversity of employment that security is found against those sad reverses to which every country depending mainly on one branch of industry must always be liable. The resources of these colonies, and the extent to which the industry and intelligence of their inhabitants have developed them, are most significantly shown in the trade and navigation tables, which are in the possession of the public. The returns of the trade of Canada in 1863, taking exports and imports conjointly, show an aggregate of \$87,795,000. Taking the census of 1861, this trade represents \$35 per head of the population. The value of the import and export trade of New Brunswick for the same year reaches \$16,729,680, amounting to \$66 per head of its population. The aggregate trade of Nova Scotia for



the same period amounted to \$18,622,359, or \$56 per head of its people. In the case of Prince Edward Island, the import and export trade amounted to \$3,055,568, representing \$37 per head of the population of that colony. The value of the total trade of Newfoundland was \$11,245,032, or \$86 per head. The whole of these figures represent an aggregate trade of all the Provinces amounting to \$137,447,567. Notwithstanding the large population, and the very large amount represented by the trade of Canada, when it is divided per head it falls considerably short of the trade of New Brunswick and Nova Scotia, being a little more than half per head of the former, and not more than two-thirds of that of Nova Scotia. Passing from trade to the ship building and tonnage of those colonies. The returns of 1863 show, in that year, the number of ships built in all those colonies to be no less than 645, with a tonnage amounting to 219,763 tons. This statement of the enormous amount of tonnage built in one year, is as good evidence as can be offered of the facilities we possess for becoming an important maritime power. The industry represented by those figures shows an export value of nearly nine million dollars! The lake-tonnage of Canada amounted to 6,907,000 tons. The sea-going tonnage of Canada amounted to 2,133,000 tons; of New Brunswick, 1,386,000; of Nova Scotia, 1,432,000 tons. Consequently the amount of sea-going tonnage, subject only to a small deduction, was actually about 5,000,000 tons, of which about 2,133,000 was that of vessels trading between the St. Lawrence and foreign ports.\* In making this statement it is due to the House, that it should be made aware that some portion of this trade will not be represented after the contemplated union has taken place. At present, the internal commerce between these colonies appears in the returns of each as imports and exports, but I should be glad if I were able to make on this account a large deduction from the figures I have given. It is matter for regret on the part of all of us that the trade between these colonies—subject all to the same Sovereign, connected with the same empire—has been so small. Inter-colonial trade has been, indeed, of the most insignificant character;

\* The above figures are intended to indicate the annual total of the daily ingoing and outgoing tonnage engaged in the sea and lake trade.

we have looked far more to our commercial relations with the neighbouring, though a foreign, country, than to the interchange of our own products, which would have retained the benefits of our trade within ourselves; hostile tariffs have interfered with the free interchange of the products of the labour of all the colonies, and one of the greatest and most immediate benefits to be derived from their union, will spring from the breaking down of these barriers, and the opening up of the markets of all the provinces to the different industries of each. If we require to find an example of the benefits of free commercial intercourse, we need not look beyond the effects that have followed from the working of the Reciprocity Treaty with the United States. In one short year from the time when that treaty came into operation, our trade in the natural productions of the two countries swelled from less than \$2,000,000 to upwards of \$20,000,000 per annum, and when we are threatened with an interruption of that trade, it is the duty of the House to provide, if possible, other outlets for our productions; to seek by free trade with our own fellow-colonists for a continued and uninterrupted commerce, which will not be liable to be disturbed at the capricious will of any foreign country. In considering the second and, perhaps, the third division—whether the material condition of these Provinces is such as to make the union practicable; and whether the details of the measures proposed are equitable to each and to all, it is necessary first to review the liabilities of each province, the reasons why they were incurred, the objects which have been sought. The public debt of Canada, New Brunswick, and Nova Scotia has, with some slight exceptions, been incurred for public improvements, intended to develop the resources of the country. The public improvements of Canada, her great canals intended to bring the trade of the vast countries bordering on the lakes down to the Gulf of St. Lawrence; the railway system forced upon us in our competition with American channels of trade, stretching from the extreme west to the extreme east of the Province; and the public works that have been undertaken in Nova Scotia and New Brunswick practically form parts of one great whole. Taking the present engagements of the several

Provinces, beginning with Canada, I find that our whole debt, exclusive of the Common School Fund, which does not form a portion of our engagements relatively to the Lower Provinces, amounts to \$67,263,995. The debt of Nova Scotia is \$4,858,547, and that of New Brunswick \$5,702,991; Newfoundland has only incurred liabilities to the extent of \$946,000, bearing interest at five per cent., while Prince Edward Island owes \$240,673. The total liabilities of those Provinces are, therefore, \$11,748,211, against the interest on which may be placed the net revenues of the railways which are the property of those Provinces, and which produced last year a net amount of about \$100,000. In addition to the existing liabilities of Nova Scotia and New Brunswick, there are certain further engagements they have incurred for the extension of their railway system requiring future provision to the extent, in the case of Nova Scotia, of \$3,000,000, and in that of New Brunswick of \$1,300,000. Taking all the engagements, present and future, of Nova Scotia and New Brunswick, it was found that, relatively to their populations, they amounted to about \$25 per head, and this amount, as applied to Canada, would entitle us to enter the union with a debt of \$62,500,000. Some difficulty might have occurred in reducing the Canadian debt to this amount had it not been apparent, on examination, that a considerable portion of it was connected with local advances, such as the Municipal Loan Fund, which does not properly belong to the same category as debt contracted in connection with the system of public improvements, the management of which is intended to be confided to the General Government, but rather partakes of a local character, and should more properly be left in the hands of the Local Legislatures. It will, therefore, be found provided in the resolutions, that in assuming for itself, apart from the General Government, the surplus of debt of about \$5,000,000, the Province of Canada became entitled to withdraw from the general assets all those items which were of a local character, and for which a portion of its debt had been incurred. It was wise, then, to confine the liabilities of the General Government simply to those debts which had been incurred for purposes of general improvement, and to provide locally, in this country, for the

assumption of the surplus, together with the assets which had been created by it."

Hon. Mr. Dorion—"Do the \$67,263,995, stated as the debt of Canada, include the original seigniorial indemnity given to Upper and Lower Canada, under the Act of 1854?"

Hon. Mr. Galt—"Yes; that amount does include the indemnity, and among the arrangements contemplated by the Government, assuming that Confederation does take place, they will submit for the consideration of this House, a project for the assumption by Lower Canada of the seigniorial indemnity provided by the Act of 1859, whereby it will be rendered unnecessary to give an equivalent indemnity to Upper Canada, thus saving upwards of three millions of dollars. It now becomes my duty to submit to the House, a statement of the resources which the several provinces propose to bring into the common stock, for which purpose the financial returns of 1863 have been taken as the standard. From these returns, it would appear that the income and expenditure of the several provinces stood in that year as follows: Nova Scotia, with a population of 338,857, had an income of \$1,185,629, her outlay being \$1,072,274; New Brunswick, with a population of 252,047, had an income of \$894,836, and an outlay of \$884,613; Newfoundland, with a population of 130,000, had an income of \$480,000, the outlay being \$479,420; Prince Edward Island, with a population of 80,000, had an income of \$197,384, the outlay being \$171,718. The total revenue of all these colonies amounted to \$2,763,004, and the total expenditure to \$2,608,025—the united surplus over expenditure for 1863 being \$154,979. It will be observed that as regards these Provinces their income and expenditure are such that they will enter the Confederation with a financial position in no respect inferior to that of Canada. If an objection were made with respect to any Province in regard to its financial position. it would be against Canada. The Lower Provinces have been and are now in a position to meet, from their taxation, all their expenses, and cannot be regarded as bringing any burthen to the people of Canada. It is not necessary to say anything in reference to the financial position of Canada in 1863, but it is gratifying to know that the

deficiency which unfortunately existed during that year was removed in 1864, and that, therefore, we are not obliged now to enter the Confederation in an inferior position, in this respect, to that of the sister colonies. The revenues of each of these Provinces are collected under different systems of taxation, suited to the local industry and the wants of their several populations. It is, therefore, one of the first duties of the General Legislature to consider the modes by which the burden of taxation can be most easily borne by the industry of the whole country, and to assimilate the several sources of revenue which are now in existence in such manner as will least interfere with the profitable exercise of the industry of the people. One thing must be evident that where the taxation is about equal per head, the adjustment of it cannot be attended with any injustice to the people of any of the several provinces. Apart from the advantages from the free trade which will hereafter exist between us, the credit of each and all the Provinces will be greatly advanced by a union of their resources. A larger fund will be available as security to the public creditor, larger industries will be subjected to the action of the Legislature for the maintenance of public credit, and some of those apprehensions which have latterly affected the public credit of this country will be removed. It is proved by the fluctuating quotations of the securities of these Provinces in London that the apprehension of war with the United States—which has affected the prices of Canadian bonds—has not to the same extent affected those of New Brunswick and Nova Scotia, which are less exposed to hostile attack; and the union, while it affords greater resources, will, at the same time, carry with it a greater sense of security. I now propose, to refer to the means which will be at the disposal of the several Local Governments to enable them to administer the various matters of public policy which it is proposed to entrust to them. In the case of Canada the sum of nearly five millions of the public debt has to be borne by Upper and Lower Canada. It will hereafter be for the House to decide how this sum shall be apportioned, but the probability is that the Government will recommend that it shall be divided on the basis of population. Canada will have at its disposal a large amount of the local assets,

including especially the sums due to the Municipal Loan Fund, which will produce an income for the support of their local institutions. As a matter of account between Upper and Lower Canada and the General Government, they will be charged with the interest on their respective proportions of the five millions against the subsidy which it is proposed shall be given to them, while they themselves will collect from the municipalities and other local sources all the revenue and amounts which now enter into the general revenue of the Province of Canada."

Hon. Mr. Dorion—"Will Lower Canada be charged with the municipal loan fund, the seigniorial indemnity, and the educational indemnity?"

Hon. Mr. Galt—"As regards the original seigniorial indemnity and the municipal loan, they are both included in the sixty-seven millions already stated as the liabilities of Canada, and cannot, therefore, form any additional charge against Lower Canada. Indeed, as regards the Municipal Loan Fund, instead of being stated as a liability, it appears that the sums due under it are to be regarded in the light of assets, because we are considering the sums received as assets by Lower Canada. The Municipal Loan Fund being one of them, the sums due to it under the existing provincial arrangements will become payable as an asset to that section of the Province. It will be observed that in the plan proposed there are certain sources of local revenue reserved to the Local Governments, arising from territorial domain, lands, mines, &c., sources of revenue far beyond the requirements of the public service. If the local revenues become inadequate, it will be necessary for the Local Governments to have resort to direct taxation; and one of the wisest provisions in the proposed constitution is to be found in the fact that those who are called upon to administer public affairs will feel, when they resort to direct taxation, that a solemn responsibility rests upon them, and that that responsibility will be exacted by the people in the most peremptory manner. I do not hesitate to say, that if the public men of these Provinces were sufficiently educated to understand their own interests in the true light of the principles of political economy, it would be better now to substitute direct taxation for some of the in-

direct modes by which taxation has been imposed upon the industry of the people, I do not, however, believe that at this moment it is possible, nor do I think the people of this country would support any government in adopting this measure unless it were forced upon them by the pressure of an overwhelming necessity. The local revenue of Upper Canada during the last four years has averaged the sum of \$739,000, and that of Lower Canada \$557,239. Together they amount to nearly \$1,300,000, independent of the 80c. per head which it is proposed to allow the local governments out of the general exchequer, for the purpose of meeting their local expenditures. These local expenditures include such items as the administration of justice, the support of education, grants to literary and scientific societies, hospitals and charities, and such other matters as cannot be regarded as devolving upon the general government. The whole charge, exclusive of the expenses of local government and legislation, on an average of the last four years, has in Lower Canada amounted to \$997,000, and in Upper Canada to \$1,024,622 per annum. To these sums will have now to be added such amounts as may be required to meet the cost of the civil government of the country and of legislation for local purposes. In the case of Nova Scotia, the estimate of outlay in 1864, for objects of a local character, required an expenditure of no less than \$667,000. Some portion of this expenditure was for services that did not require again to be performed; but they have undertaken to perform the whole service in future for \$371,000. In the case of New Brunswick, in 1864 the estimated expenditure was \$404,000, which they have undertaken to reduce to \$353,000; and at the same time they have further undertaken within ten years to make an additional reduction of \$63,000, thus reducing the whole expenditure in the future to \$290,000. Prince Edward Island, with an expenditure of \$124,000, proposes to perform the same local duties that formerly required \$170,000; and in Newfoundland an outlay of \$479,000 has been similarly reduced to \$350,000. The House must now consider the means whereby these local expenditures have to be met. I have already explained that in the case of Canada, and also in that of the Lower Provinces, certain sources of revenue are set aside as being of a purely local

character, and available to meet the local expenditure ; but I have been obliged, in my explanations with regard to Canada, to advert to the fact that it is contemplated to give a subsidy of 80c. per head to each of the Provinces. In transferring to the General Government all the large sources of revenue, and in placing in their hand—with a single exception, that of direct taxation—all the means whereby the industry of the people may be made to contribute to the wants of the state, it must be evident to every one that some portion of the resources thus placed at the disposal of the General Government must in some form or other be available to supply the hiatus that would otherwise take place between the sources of local revenue and the demands of local expenditure. The members of the Conference considered this question with the most earnest desire to reduce to the lowest possible limits the sum that was thus required, and I think that the figures I have already given to the House afford the best possible evidence that no disposition existed, at any rate on the part of our friends from the Lower Provinces, to take from the public exchequer one shilling more than the necessities of their respective communities absolutely demanded. In the case of Canada, perhaps it will be said that a smaller sum would have met our immediate wants, but it was felt that it would be impossible to justify any distinction being drawn between subjects of the same country. A subsidy of 80c. per head was provided, based upon the population according to the census of 1861. The agreement does not contemplate any future extension of this amount. It is hoped that being in itself fixed and permanent in its character, the Local Governments will see the necessity of exercising a rigid and proper control over the expenditure of their several Provinces. The last question necessary to be decided on the present occasion is, whether under the proposed Confederation such additional expenses will be incurred as to render it undesirable. On the one hand we shall be free from the empty parade of small courts entailed by our present system on each of these Provinces, keeping up a pretence of regal show when the reality is wanting ; we shall have the legislation of the General Government restricted to those great questions which may properly occupy the attention of the first men in the



country; we shall not have our time frittered away in considering the merits of petty local bills, and therefore we may reasonably hope that the expenses of the General Legislature will be considerably less than even those of the Legislature of Canada at the present moment,—while, on the other hand, the Local Legislatures having to deal rather with municipal than great general questions, will be able to dispose of them in a manner more satisfactory to the people, and at infinitely less expense than now. I believe, therefore, the simple cost of the Government of the country will not be in reality any greater under the new than under the old system; but there are other items of expenditure for great public objects, the absence of which from the estimates of any country is an indication rather of weakness and of dependence than a subject that ought to form a source of satisfaction. If such items are not now found in the public expenditure, either of Canada or the Lower Provinces, it is the best proof that could be given that our position is one of inferiority, and that we do not possess either the power or the means to undertake such works as make such items necessary. First I will instance the great question of defence, the absence of items of expenditure for which can only be an indication that we are lacking in one of the chief elements of national greatness, that we do not properly value the institutions under which we live, and that we are not willing to make the sacrifices that every free people must make if they are desirous of preserving them. The same argument applies to public works, in connection with which it might be said that great advantage would arise from large expenditure; but with limited resources and an undeveloped territory it might be impossible for any small country to undertake the necessary outlay. Many works of this kind are not directly productive of revenue, although indirectly of the utmost advantage, and if the resources of a country generally cannot be applied to that outlay, the absence of such expenditure ought to be a subject of regret in the community, and not of rejoicing. Let us endeavour by this measure to afford a better opening than we now possess for the industry and intelligence of the people. Let us seek by this scheme to give them higher and worthier objects of ambition. Let us not reject the scheme with

the bright prospect it offers of a nobler future for our youth, and grander objects for the emulation of our public men. Let us not refuse it on small questions of detail, but judge it on its general merits. Let us not lose sight of the great advantages which union offers because there may be some small matters which, as individuals, we may not like. Let the House frankly look at it as a great measure brought down for the purpose of relieving the country from distress and depression, and give it that consideration which is due, not to the arguments of the Government, feeble as they may be in view of the great interests involved, but to the fact that the country desires and cries for, at the hands of the House, some measure whereby its internal prosperity, peace and happiness may be developed and maintained."

Hon. Mr. Holton led the attack on behalf of the opposition. He did not answer the arguments of the supporters of the measure, but denouncing their incompetency and inconsistency, with caustic sarcasm declared that he was not afraid that their speeches should go to the country unanswered. Compared with others, his speech is extremely short. Being the first in opposition, and strikingly characteristic of a prominent member of Parliament, and a leading opponent of confederation, it is given in full. Perhaps also hereafter it may be referred to as a scathing review by a cotemporary liberal, of the style and efficiency of the leading politicians of the day, his Conservative opponents. He said :

"We on this side had some doubts lest the Opposition might be placed at a disadvantage, by allowing the speeches of the Government to go to the country without any comment on them. But if the five speeches to which we have now listened contain all that can be said in favour of this scheme, we have no fear of letting them go unanswered. I listened to the speech of the Attorney-General West with great disappointment. The cause of that disappointment was simple enough. The honourable gentleman was, in that speech, giving the lie to twenty years of his political life. He was offering to the cause he is now advocating one speech against his continuous voice and vote for twenty years. He was struggling, all through that speech, against the conscious-

ness of the falseness of his political position, and what every one conceived would be the brightest effort of his life was the feeblest address he ever delivered on any important question during the twenty years he had sat in this House. The Attorney-General West was followed by the Attorney-General East. I know not how to characterize the speech of that hon. gentleman, further than to say that it was quite characteristic. It was perfectly characteristic. I doubt whether any attorney-general who ever existed, since attorneys-general were first invented, besides that hon. gentleman, could have delivered, on an occasion like this, the speech which he delivered. It may be said of that hon. gentleman, as the poet said of a very different style of man—one who was not an hon. gentleman in the sense in which we are now speaking—‘None but himself can be his parallel.’ No attorney-general, I repeat, since attorneys-general were first invented, could have delivered a speech at all like that pronounced by the Attorney-General East, in opening his side of the great question now submitted to the consideration of Parliament. Then followed the singularly able speech of my honourable friend, the Finance Minister, which was delivered with all that ease and grace that mark all his efforts in this House, and with that fluency of diction which we all admire, and which I am always ready to acknowledge. But I think it will also be admitted by that honourable gentleman’s own friends, that his speech was chiefly remarkable for an adroit avoidance of the very topics on which he was expected, or might have been expected, to address the House, and for a very adroit assumption of those very things which he might have been expected to prove. Such, at least, was the impression which that speech made upon my mind. Then came the speech, the herculean effort of my honourable friend, the President of the Council. That speech was a disappointing speech. I did expect, from the conspicuous part which that honourable gentleman has so long played in the politics of the country, from the leading part he has had in all the proceedings which have conducted to the project now before the House, that we should have had from him, at all events, some vindication of the steps which he has seen fit to take—some vindication of the principles of the proposed union, so contrary to all those princi-

ples which he has hitherto advocated. I say, we did expect that we would have had something of that kind from that honourable gentleman. But, instead of that, his whole speech was mainly an apology for his abandonment of all those objects for which he has contended through his political life, saving only the shadow of representation by population, to attain which shadow he seems to have sacrificed all the material objects, all the real objects, for the attainment of which the agitation for that change has proceeded on his part. Then we have had, to-night, the speech of my honourable friend, the Minister of Agriculture, a speech which I admit was one of very great interest as a historical essay—one which will read very nicely in those reports which we are to get in a few days—one which does very great credit to his literary research and literary taste; but one which, I do venture to say, had very little practical bearing on the question that is now before us. Well, I repeat, I am not afraid that these speeches should go to the country unanswered. The country will see that these honourable gentlemen have utterly failed to establish a cause for revolution. They are proposing revolution, and it was incumbent upon them to establish a necessity for revolution. All revolutions are unjustifiable, except on the ground of necessity. These honourable gentlemen were, therefore, bound to establish this necessity. The country will see, too, that they have failed to explain, to vindicate and to justify the disregard of parliamentary law and of parliamentary usage by which they are attempting to extort from this House an assent, not merely to the principle of union—which would be perfectly proper—but to all the clumsy contrivances adopted by that self-constituted junta which sat in Quebec a few weeks since, for giving effect to that union, and to all those huxtering arrangements by which the representatives of the Lower Provinces were induced to give in their adhesion, and, so far as they could, the adhesion of their provinces to this scheme. I say, they quite failed to explain this and to vindicate it. The country too will see that these honourable gentlemen have carefully refrained from entering into any explanation of the concomitants of this scheme—of the proposed constitutions of the local governments, for instance, which are, at least, as important as the con-

stitution of the Federal Government. It is quite manifest that a union, even if generally desirable, might become undesirable from the bad, or inconvenient, or expensive arrangements incident to the adoption of that union. And that really explains the position of many honourable gentlemen in this House, who like myself, are not opposed to the Federal principle, but who find themselves obliged to go counter apparently to their own convictions, because they cannot accept a union clogged with such conditions as this union is. Then it might have been expected that some further, some more distinct information might have been given than has been given, on the all-important question of education, in respect of which we have been given to understand that some final and permanent system will be enacted by this legislature, in view of the proposed federation of the Provinces. We might also have expected that some information would have been vouchsafed to us in respect to the Intercolonial Railway, which we are in fact voting for, without having gone into committee of the whole. Without having in point of fact any information with regard to it whatever, we are voting the cost of that road, so far as this legislature can do so—a road which will certainly cost us \$20,000,000, and, for aught we know, may cost us \$40,000,000. I do think we should have had some information with respect to that road from these honourable gentlemen, in order that the whole case might have gone to the country. And then, with respect to the defences of the country, what sort of utterances have we had on that subject? We were told by the President of the Council that the subject was engaging the attention of the Imperial Government, and he vindicated union, because defence can be better given by united than by separate colonies. And what have we been told to-night by the Minister of Agriculture? That despatches are received by every second mail from England, telling us that we are entering on a new era with reference to the question of defence. What does all this mean? It means that, in connection with this union, we are to have entailed upon us untold expenditures for the defence of the country. Ought they not to place this information, these despatches, before the House and the country, before any final and

irrevocable action is taken with regard to the scheme? These are a few, and but a few of the leading topics which constitute the contents of this scheme of Federation, in respect to which we had a right to expect the fullest possible information, but in respect to which honourable gentlemen have either maintained a studied reserve, or have spoken, like the Delphic oracles, in language which defies interpretation. I say, then, let these speeches go to the country; and if the country, by perusing them, is not awakened to the dangers which threaten it from the adoption of this crude, immature, ill-considered scheme of honourable gentlemen, a scheme which threatens to plunge the country into measureless debt, into difficulties and confusions utterly unknown to the present constitutional system, imperfect as that system confessedly is—if the country is not awakened to a sense of its danger by the perusal of these speeches, I do not say I will despair of my country, for I will never despair of my country, but I anticipate for my country a period of calamities, a period of tribulation, such as it has never heretofore known.”

On the 16th February, Hon. Mr. Dorion followed in support of Mr. Holton, and in resuming the adjourned debate, after remarking that he had heard no sufficient reasons assigned for changing the views he had before entertained on the subjects of the Elective Council and Intercolonial Railway, and the question of union, when first proposed by Mr. Galt in 1858, proceeded to observe that the present scheme was submitted on two grounds, first, the necessity for meeting the constitutional difficulties which have arisen between Upper and Lower Canada, owing to the growing demands on the part of Upper Canada for representation by population; and, secondly, the necessity for providing more efficient means for the defence of the country than now exist. The first time representation by population was mooted in this House, on behalf of Upper Canada, was, I believe, in the session of 1852, when the Conservative party took it up, and the Hon. Sir Allan Macnab moved resolutions in favour of the principle. We then found the Conservatives arrayed in support of this constitutional change. It had been mooted before on behalf of

Lower Canada, but the Upper Canadians had all opposed it. I think two votes were taken in 1852, and on one of these occasions the Hon. Attorney-General West (Hon. J. A. Macdonald) voted for it; it came up incidentally. In 1854, the Macnab-Morin coalition took place, and we heard no more of representation by population from that quarter—that is, as mooted by the Conservative party, who from that moment uniformly opposed it on every occasion. It was, however, taken up by the present Hon. President of the Council (Hon. Mr. Brown), and he caused such an agitation in its behalf as almost threatened a revolution. I never hesitated to say that something ought to be done to meet the just claims of Upper Canada, and that representation based on population was, in the abstract, a just and correct principle. I held, at the same time, there were reasons why Lower Canada could not grant it. In 1856, when Parliament was sitting in Toronto, I suggested that one means of getting over the difficulty would be to substitute for the present legislative union a confederation of the two Canadas, by means of which all local questions could be consigned to the deliberations of local legislatures, with a central government having control of commercial and other questions of common or general interest. The first time the matter was put to a practical test was in 1858. On the resignation of the Macdonald-Cartier administration, the Brown-Dorion government was formed, and one of the agreements made between its members was that the constitutional question should be taken up and settled, either by a confederation of the two Provinces, or by representation according to population, with such checks and guarantees as would secure the religious faith, the laws, the language, and the peculiar institutions of each section of the country from encroachments on the part of the other. I still hold to the same views, the same opinions. I still think that a federal union of Canada might hereafter extend so as to embrace other territories either west or east; that such a system is well adapted to admit of territorial expansion without any disturbance of the federal economy, but I cannot understand how this can be regarded as any indication that I have ever been in favour of confederation with the other British Provinces. On

the contrary, whenever the question came up, I set my face against it. Such a confederation could only bring trouble and embarrassment; there was no social, no commercial connection between the Provinces proposed to be united—nothing to justify their union at the present juncture. Of course I do not say that I shall be opposed to their confederation for all time to come. Population may extend over the wilderness that now lies between the maritime Provinces and ourselves, and commercial intercourse may increase sufficiently to render confederation desirable. The confederation I advocated was a real confederation, giving the largest powers to the local governments, and merely a delegated authority to the general government; in that respect differing *in toto* from the one now proposed, which gives all the powers to the central government, and reserves for the local governments the smallest possible amount of freedom of action. There was, then, another cause for this Confederation scheme, of which representation by population was made the pretext. It is not so well known, but far more powerful. In the year 1861, Mr. Watkin was sent from England by the Grand Trunk Railway Company. He came with the distinct view of making a large claim on the country for aid, but in the then temper of the people, he soon found that he could not expect to obtain that. He then started for the Lower Provinces, and came back after inducing people there to resuscitate the question of the Intercolonial Railway. Parties were readily found to advocate it, if Canada would only pay the piper. A meeting of delegates took place, resolutions were adopted, and an application was made to the Imperial Government for a large contribution to its cost, in the shape of an indemnity for carrying the troops over the road. Mr. Watkin and Hon. Mr. Vankoughnet, who was then a member of the Government, went to England about this scheme, but the Imperial authorities were unwilling to grant the required assistance, and rejected their propositions. Mr. Watkin, although baffled in his expectations, did not give up his project. He returned again to Canada, and induced the Hon. J. S. Macdonald, and other honourable members of his Cabinet to enter into his views. As to the advantages of the Intercolonial Railway, my



honourable friend had no suspicion whatsoever of the motives which animated these Grand Trunk officials, and that their object was to have another haul at the public purse for the Grand Trunk,—but this was the origin of the revival of the scheme for constructing the Intercolonial Railway. At a meeting of delegates of the several Provinces, which took place in September, 1862, a new scheme for building the Intercolonial was adopted, by which Canada was to pay five-twelfths and the Lower Provinces seven-twelfths. So unpopular was this arrangement that when its terms were made known, if a vote of the people had been taken upon it, not ten out of every hundred, from Sandwich to Gaspé, would have declared in its favour, although Canada was only to pay five-twelfths of its cost. This project having failed, some other scheme had to be concocted for bringing aid and relief to the unfortunate Grand Trunk,—and the Confederation of all the British North American Provinces naturally suggested itself to the Grand Trunk officials, as the surest means of bringing with it the construction of the Intercolonial Railway. Such was the origin of this Confederation scheme. The Grand Trunk people are at the bottom of it. I repeat that representation by population had very little to do with bringing about this measure. Again, is the scheme presented to us the same one that was promised to us by the Administration when it was formed? There were two propositions. The first was that the Government would pledge themselves to seek a Confederation of the British American Provinces, and if they failed in that to federate the two Canadas, and this was rejected; the second, which was accepted by the President of the Council, pledged the Government to bring in a measure for the Confederation of the two Canadas, with provision for the admission of the other Provinces when they thought proper to enter."

Hon. Attorney-General Macdonald—"When they were ready."

Hon. Attorney-General Cartier—"Everything is accomplished."

Hon. Mr. Dorion—"But, I may be asked, granting that the scheme brought down is not the scheme promised to us, what difference can our bringing in the Provinces at once make? This I will explain. When they went into the conference, hon. gentle-

men opposite submitted to have the votes taken by Provinces. Well, they have now brought us in, as was natural under the circumstances, the most conservative measure ever laid before a Parliament. When the Government went into that conference they were bound by the majority, especially since they voted by Provinces, and the 1,400,000 of Upper Canada with the 1,100,000 of Lower Canada—together 2,500,000 people—were over-ridden by 900,000 people of the Maritime Provinces. Were we not expressly told that it was the Lower Provinces who would not hear of our having an elective Legislative Council? If, instead of going into conference with the people of the Lower Provinces, our Government had done what they pledged themselves to do, that is, to prepare a constitution themselves, they would never have dared to bring in such a proposition, as this which is now imposed upon us by the Lower Colonies—to have a Legislative Council, with a fixed number of members, nominated by four Tory Governments. Taking the average time each councillor will be in the Council to be fifteen to twenty years, it will take a century before its complexion can be changed. The new House for the Confederation is to be a perfectly independent body—these gentlemen are to be named for life—and there is to be no power to increase their number. How long will the system work without producing a collision between the two branches of the Legislature? I venture to prophesy that before a very short time has elapsed a dead lock may arise, and such an excitement be created as has never yet been seen in this country. Now, if this constitution had been framed by the members of our Government, we could change some of its provisions; but it is in the nature of a compact, a treaty, and cannot be changed. The composition of the Legislative Council becomes of more importance when we consider that the governors of the Local Legislatures are to be appointed by the General Government, as well as the Legislative Council; their appointment is to be for five years, and they are not to be removed without cause. I will venture upon another prediction, and say we shall find there will be no such thing as responsible government attached to the Local Legislatures.”

Mr. Dunkin—“There cannot be.”

Hon. Mr. Dorion—"There will be two, three, or four ministers chosen by the Lieutenant-Governors, who will conduct the administration of the country, as was formerly done in the times of Sir Francis Bond Head, Sir John Colborn, or Sir James Craig. You will have governments, the chief executives of which will be appointed and hold office at the will of the Governor. Is this House going to vote a constitution with the Upper House as proposed, without knowing what sort of Local Legislatures we are to have to govern us? The whole scheme is absurd from beginning to end. The instincts of honourable gentlemen opposite, whether you take the Hon. Attorney-General East or the Hon. Attorney-General West, lead them to this—they think the hands of the Crown should be strengthened, and the influence of the people, if possible, diminished—and this constitution is a specimen of their handiwork, with a Governor-General appointed by the Crown; with local Governors also appointed by the Crown; with Legislative Councils, in the General Legislature and in all the Provinces, nominated by the Crown; we shall have the most illiberal constitution ever heard of in any country, where constitutional government prevails. The Speaker of the Legislative Council is also to be appointed by the Crown, this is another step backwards, and a little piece of patronage for the Government. Another point:—It is said that this Confederation is necessary for the purpose of providing a better mode of defence for this country. You add to the frontier four or five hundred more miles than you now have, and an extent of country immeasurably greater in proportion than the additional population you have gained; and if there is an advantage at all for the defence of the country, it will be on the part of the Lower Provinces, and not for us. As Canada is to contribute to the expenditure to the extent of ten-twelfths of the whole, the other Provinces paying only two-twelfths, it follows that Canada will pay ten-twelfths also of the cost of defence, which, to defend the largely extended country we will have to defend, will be much larger than if we remained alone. Why, take the line dividing New Brunswick from Maine, and you find it separates on the one side 250,000, thinly scattered over a vast territory, from 750,000 on the other,

compact and powerful. These 250,000, Canada will have to defend, and it will have to pledge its resources for the purpose of providing means of defence along that extended line. And, if rumour be true, the Intercolonial Railway, this so-called great defensive work, is not to pass along Major Robinson's line. The statement has been made—I have seen it in newspapers usually well informed—that a new route has been found that will satisfy everybody or nobody at all; and, while I am on this point, I must say that it is most singular that we are called upon to vote these resolutions, and to pledge ourselves to pay ten-twelfths of the cost of that railway, without knowing whether there will be ten miles or one hundred miles of it in Lower Canada, or whether it will cost \$10,000,000 or \$20,000,000."

Hon. Mr. Holton—"It will be nearer \$40,000,000."

Hon. Mr. Dorion—"It is folly to suppose that this Intercolonial Railway will in the least degree be conducive to the defence of the country. We have expended a large sum of money—and none voted it more cordially and heartily than myself—for the purpose of opening a military highway from Gaspé to Rimouski; and that road, in case of hostilities with our neighbours, would be found of far greater service for the transport of troops, cannon, and all kinds of munitions of war, than any railway following the same or a more southern route possibly can be. That road cannot be effectually destroyed; but a railway lying in some places not more than fifteen or twenty miles from the frontier, will be of no use whatever, because of the readiness with which it may be attacked and seized. The battles of Canada cannot be fought on the frontier, but on the high seas and at the great cities on the Atlantic coast; and it will be nothing but folly for us to cripple ourselves by spending fifteen or twenty millions a year to raise an army of 50,000 men for the purpose of resisting an invasion of the country. Now, when I look into the provisions of this scheme, I find another most objectionable one. It is that which gives the General Government control over all the acts of the Local Legislatures. What difficulties may not arise under this system? Now, knowing that the General Government will be party in its character, may it not

for party purposes reject laws passed by the Local Legislatures, and demanded by a majority of the people of that locality. This power conferred upon the General Government, has been compared to the veto power that exists in England in respect to our legislation; but we know that the statesmen of England are not actuated by the local feelings and prejudices, and do not partake of the local jealousies that prevail in the colonies. It is quite possible for a majority in a Local Government to be opposed to the General Government; and in such a case the minority would call upon the General Government to disallow the laws enacted by the majority? The men who shall compose the General Government will be dependent for their support upon their political friends in the Local Legislatures, and it may so happen that, in order to secure this support, or in order to serve their own purposes or that of their supporters, they will veto laws which the majority of a Local Legislature find necessary and good. What will be the result of such a state of things but bitterness of feeling, strong political acrimony and dangerous agitation? Then, among the powers granted to local legislatures, we find the power to pass by-laws imposing direct taxation. That is the first power they have, and I have no doubt that, before many months have passed after they are constituted, they will find it necessary to resort to it. But, in addition to this, I find that New Brunswick and Nova Scotia, which, no doubt, are the favoured children of the Confederation, have powers not granted to the other provinces. New Brunswick, the resolution declares, shall have the power to impose an export duty on timber, logs, masts, spars, deals and sawn lumber, and Nova Scotia on coal and other minerals, for local purposes; so that while our timber and minerals exported from Upper and Lower Canada will be taxed by the General Government for general purposes, the timber and minerals of New Brunswick and Nova Scotia will be exempt, the revenue derived from them going to the benefit of the local governments, to be expended on local objects. Now, among the other powers granted to the General Government is its control over agriculture and immigration, as well as the fisheries. What will be the operation of this provision? The local legislature

will pass a law which will then go to the General Government; the latter will put its veto upon it, and if that does not answer, it will pass a law contrary to it, and you have at once a conflict. I shall now pass to the consideration of a portion of the financial scheme. I shall certainly not attempt to follow the Hon. Finance Minister in what I admit was the able statement, or rather able manipulation of figures, he made the other day. When that honourable gentleman was able to prove to the satisfaction of the Barings, the Glyn's, and the leading merchants of England, that the investment they would make in the Grand Trunk Railway would yield them at least eleven per cent., it is not astonishing that he was able to show to this House that the finances of the Confederation will be in a most flourishing condition, and that we shall have a surplus every year of at least a million dollars. I have a million more than I want, he exclaims, and I will reduce the duties to fifteen per cent. But the honourable gentleman forgets that he has the Intercolonial Railway to provide for, as well as that military and naval defensive force which we are going to raise. He forgets all this, but the promise is there; and just as he held out to the expected shareholders of the Grand Trunk Railway the eleven per cent. dividends upon their investments, he now tells the people of these several colonies that the customs duties will be reduced to fifteen per cent. The first thing that the Confederation will have to provide for is the Intercolonial Railway, which will certainly cost twenty millions of dollars, the interest upon which, at five per cent., will amount to one million of dollars annually. Then to Newfoundland we are bound to pay \$150,000 a year, for all time to come, to purchase the mineral lands of that colony; while, as regards the other provinces, all the public lands are given up to the local governments. But this is not all, for, in order to manage these 'valuable lands' in Newfoundland, we shall have to establish a Crown Lands department under the General Government. Now, supposing the increased extent of territory to be defended under the Confederation, augments the militia expenditure to the extent of a million a year. Then add the interest of the sum required to build the Intercolonial Railway, five per cent. on \$20,000,000, and we have an annual payment of

\$1,000,000 more, which is increased by \$150,000, the indemnity paid to Newfoundland for its valuable mineral lands. Then we have to pay the local governments, at the rate of eighty cents per head, \$3,056,849. The interest on the debt of Nova Scotia, \$8,000,000, will amount to \$400,000; on that of New Brunswick, \$7,000,000, to \$350,000; that of Newfoundland, \$3,250,000, to \$162,000; and on the debt of Prince Edward Island, \$2,021,425, to \$101,071. Adding all these sums together, we find that the annual expenditure, in addition be it remembered to the burdens which we now bear, will be \$6,237,920, representing a capital of \$124,758,400. The share of Canada in this annual expenditure will be \$1.89 per head, amounting to the sum of \$4,725,000. This is altogether irrespective of the debt of \$62,500,000 with which Canada enters the union. The whole expenditure of the province, exclusive of interest on public debt, cost of legislation, militia, subsidy to ocean steamers, and collection of revenue, which will have to be paid even with Confederation, if it takes place, does not amount to more than \$2,500,000, or one dollar per head of the whole population. Then supposing that Upper Canada pays two-thirds of that sum, or \$1,666,666, and Lower Canada one-third, Upper Canada would only pay \$266,666 more than her share according to population. And it is to get rid of this expenditure of a couple of hundred thousand dollars that the Upper Canadian members of the Government propose that their section of the country should pay an additional yearly expenditure of \$3,181,000, yielding no return whatsoever, and to saddle on Lower Canada an additional expenditure of from \$1,500,000 to \$2,000,000 a-year, the amount depending on the proportion which they respectively contribute to the revenue of the country. And this was only the immediate and necessary expenditure that would fall upon the people of Canada at the very outset. There was not a single sixpence in this estimate for any improvement to be made in the eastern or western portion of the Confederacy. Respecting the defences of the country, he should have said, at an earlier stage of his remarks, that this scheme proposes a union not only with Nova Scotia, New Brunswick, Prince Edward Island and Newfoundland, but also with British Columbia

and Vancouver's Island. I must confess, Mr. Speaker," said the honourable member, "that it looks like a burlesque to speak, as a means of defence, of a scheme of confederation to unite the whole country extending from Newfoundland to Vancouver's Island, thousands of miles intervening without any communication, except through the United States or around Cape Horn."

Hon. Attorney-General Cartier—"There is an interoceanic railway to be built."

Hon. Mr. Dorion—"Yes, I suppose that is another necessity of confederation to which we may soon look forward: some western extension of this Grand Trunk scheme, for the benefit of Messrs. Watkin & Co., of the new Hudson's Bay Company. So far as Lower Canada was concerned, he need hardly stop to point out the objections to the scheme. It was evident from what had transpired, that it was intended eventually to form a legislative union of all the Provinces. The local governments, in addition to the general government, will be found so burdensome, that a majority of the people will appeal to the Imperial Government for the formation of a legislative union. I may well ask," said he, "if there is any member from Lower Canada, of French extraction, who is ready to vote for a legislative union? This confederation is the first necessary step towards it. The British Government is ready to grant a federal union at once; and when that is accomplished, the French element will be completely overwhelmed by the majority of British representatives. Perhaps the people of Upper Canada think a legislative union a most desirable thing. He could tell those gentlemen that the people of Lower Canada are attached to their institutions in a manner that defies any attempt to change them in that way. They will not change their religious institutions, their laws or their language for any consideration whatever. A million of inhabitants may seem a small affair to the mind of a philosopher who sits down to write out a constitution. He may think it would be better that there should be one religion, one language and one system of laws, and he goes to work to frame institutions that will bring all to that desirable state; but the history of every country goes to show that not even by the power of the sword can such changes be accomplished. If a legislative



union of the British American Provinces be attempted, there will be such an agitation in this portion of the Province as was never witnessed before: you will see the whole people of Lower Canada clinging together to resist, by all legal and constitutional means, such an attempt at wresting from them those institutions that they now enjoy. I think that the whole scheme, apart from the construction of the railway, is worse than the railway scheme itself, and ought to be still more strongly opposed. It is a mere revival of a scheme that has been rejected by the people on every occasion on which it has been presented to them during the past seven years. In 1841, nearly twenty-five years ago, Lower Canada entered into the union of the Provinces with a debt of £133,000. Since the union, \$12,000,000 have been expended for public works in Lower Canada, with perhaps another million for other small works; in all \$13,000,000. Twelve or thirteen millions of dollars' worth of public works is all we are able to show for an increase of our debt from £133,000 at the time of the union, to \$27,500,000, which, on going out of the union to enter into the confederation, is the Lower Canada proportion of the \$62,500,000 of public debt we are bringing into it. I do not take into consideration the Municipal Loan Fund indebtedness, nor the Seigniorial Tenure redemption, because if we have received any benefit from the outlay, we are going to be charged for those items separately, over and above our share in the \$62,500,000. From the explanations given the other day by the honourable Finance Minister, I infer that by putting the Seigniorial Tenure to the charge of Lower Canada, and by Upper Canada abandoning its indemnity for the Seigniorial Tenure expenditure, there is no necessity for taking those items into account as part of the liability of Canada in the Confederation; that the charge for the redemption of the Seigniorial Tenure, the township indemnity [under the Seigniorial Act of 1859, the interest on that indemnity, the liability of the Province to the Superior Education Fund, and the loss on the Lower Canada Municipal Loan Fund, amounting in all to about \$4,500,000, will have to be paid by Lower Canada alone. Upper Canada came into the union with a debt of £1,300,000. Immediately after the union, £1,500,000 sterling was borrowed for public works, most of which amount was

expended in Upper Canada ; and yet Upper Canada goes out of the union by simply abandoning its claim for indemnity under the Seigniorial Tenure Act, having nothing to assume but its Municipal Loan Fund and its share in the Federal debt ; while Lower Canada, on the contrary, goes out with a load of \$4,500,000 of local debt, besides the \$27,500,000 which falls to its share to be paid through the General Government. I submit that no such project ought to be voted by the House, before we have the fullest information necessary to enable us to come to right conclusions. We ought, besides, to have a clear statement of what are the liabilities specially assigned to Upper and Lower Canada. It is well that Upper Canada should know if she has to pay the indebtedness of Port Hope, Cobourg, Brockville, Niagara, and other municipalities, which have borrowed from the Municipal Loan Fund, and what these liabilities are ; and it is important for Lower Canada to be told what are the amounts they will be required to tax themselves for. And we ought to obtain some kind of information upon the subject of the Intercolonial Railway—what is the proposed cost, and what route is to be followed ; and before these facts are before the House, we ought not to take it upon ourselves to legislate on the subject. Still further, the people of the country do not understand the scheme. There is a provision that the nomination of the judges of the superior courts shall be vested in the General Government, but it would seem that the constitution of the courts is to be left to the local governments ; and I put the question—what does this mean ? Do you mean that the local governments are to establish as many courts as they please, declare of how many judges they shall be composed, and that the General Government will have to pay for them ? Is a local government to say, here is a court with three judges ; we want five, and those five must be appointed, and paid by the General Government ? He could well understand what was meant by the regulation of the law of divorce ; but what was meant by the regulation of the marriage question ? Is the General Government to be at liberty to set aside all that we have been in the habit of doing in Lower Canada in this respect ? It is said that the division of the debt is a fair one. We have given, say the Government, \$25 of debt to each inhabitant. There is

another aspect in which this question of debt is to be considered. To equalize it, the Conference have increased it on the basis of the population of the several Provinces. This is fair enough at present, supposing that each Province contribute the same proportion to the general revenue, and would continue to be so if their population progressed in the same ratio of increase ; but, from the natural advantages of Upper and Lower Canada, and their greater area of arable lands, there is no doubt they will increase in population and wealth in a much greater ratio than the Lower Provinces ; and in ten years hence, this proportion, which this day appears a fair one, will have much increased for Upper and Lower Canada, while it will have diminished for the Lower Provinces." He maintained that we ought not to pass this measure now, but leave it to another year, in order to ascertain in the meantime what the views and sentiments of the people actually were.

On the 20th, Mr. Joly, sustaining Messrs. Holton and Dorion, expressed his want of confidence in all confederations, denouncing them for their instability and tendency to intestine wars and commotions. He referred to the confederacies of Greece and Italy, citing Lords Brougham and Macaulay, and illustrated by reference to the South American confederacies the correctness of his position, particularly objecting to the weakness of the central power, which he declared to be not the fruit but the root of the system ; that the central power now wielded by England over us was free from the weakness incident to the federal system, and we felt only its benefits ; that there was nothing exceptional in Lower Canada to alter the rule ; that in Lord Durham's time, as described by himself, there was an antagonism between its two races, French and English ; that the union had removed it, and they worked in harmony ; but place them in their former position, and the old sentiment would revive again. He referred to a resolution then before the House, suggesting that for the proposed confederation Canada should be divided into three civil divisions, Western, Central and Eastern, as illustrative of his position ; that at the mere idea of a legislature in which the French element is to be in a majority in Lower Canada, the passions

described by Lord Durham are evinced. "I do not believe," said he, "that the French Canadians will abuse the power of their majority in Lower Canada, by striving to oppress the English Canadians; but there are too many points on which they disagree to allow of their living long in peace together, in spite of their sincere wish to do so, under the system of local government which is proposed to us. The honourable Prime Minister said in the Council: 'I believe the French Canadians will do all in their power to render justice to their fellow-subjects of English origin; and it should not be forgotten that, if the former are in a majority in Lower Canada, the English will be in a majority in the General Government, and that no act of real injustice can take place without its being reversed by the Federal Parliament.' But who is to decide whether any act of the French Canadians is really an act of injustice? The Federal Parliament in which the English element will be all-powerful! In political matters, a disinterested opinion is but seldom come to; the sympathies of the majority in the Federal Parliament will be against us. I see in this the prospect of a position which may prove to be a most dangerous one for us; if the strife should commence, no one can tell when it will end. Confederation, by changing the state of things which established harmony between the English and French races in Lower Canada, will destroy that harmony, and the consequences may be only too easily foreseen. In Upper Canada there is much more homogeneity, and, by consequence, the danger of intestine trouble there is much less great. True it is that the enormous power of the Orangemen, and the law respecting separate schools, may give rise to difficulties, but I fear more for the relations of Upper Canada with the other provinces, and especially the Atlantic Provinces. Upper Canada objects, in general terms, to the construction of the Intercolonial Railway. Its wish is to see the resources of the future Confederation applied to opening up the immense territory of the North-West, and to the enlargement of its canals. The Atlantic Provinces desire the Intercolonial Railway; but they hold in dread the expenditure which would be entailed by the opening up of the North-West territory and the enlargement of the canals. Upper Canada already fears lest the

Atlantic Provinces should unite with Lower Canada against her ; the French Canadians fear for their nationality, threatened by the English majority from the other provinces, and yet Confederation only exists as a scheme. But when the different provinces shall meet in the Federal Parliament as on a field of battle, when they have there contracted the habit of contending with each other to cause their own interests, so various and so incompatible with each other, to prevail, and when, from repetition of this undying strife, jealousy and inevitable hatred shall have resulted, our sentiments towards the other provinces will no longer be the same ; and should any great danger, in which our safety would depend upon our united condition, arise, it would then perhaps be found that our Federal union had been the signal for our disunion. In such a position the greatest danger would result from the neighbourhood of the United States, a nation which for a long time has looked on our Provinces with a covetous eye. They will follow up our political struggles closely, will encourage the discontented, and will soon find an opportunity for interfering in our internal affairs, being called in by the weaker party. History is full of similar occurrences. The Government, knowing well how much the people fear direct taxes, tell them that Confederation involves them in no such risk. What new method are they going to invent then for raising money ? It is perfectly clear that confederation will largely increase our expenditure. And, in face of this increased expenditure, our chief source of revenue is to be considerably diminished. I refer to the import customs duties. We are told that Lower Canada will have a revenue of nearly a million and a half to meet her local expenditure ; with what shall we meet our proportion of the Federal expenditure, which will be far larger ? But I shall now deal with the advantages which we are told must certainly result from confederation. They may be divided into three classes—political, military, and commercial. The honourable Minister of Finance, faithful to the doctrine that the greatness of a State is proportioned to the greatness of its debt, announces to us that our credit will be considerably increased, and that we shall be enabled to borrow much more extensively than we have

hitherto done, a prospect at which he seems greatly to rejoice. This facility of borrowing is not always an unmixed good ; but it must be remembered that our credit will depend entirely on the success of our Confederation. If it should not succeed, if any serious difficulty should arise within it—a thing which is possible—public opinion will be more prompt to take alarm, in that our Federal form of government does not afford strong guarantees for the maintenance of order and peace, and our credit will soon be worth less than the credit of a single Province is worth to-day. Let us be content with our lot ; few nations have a better one. The territorial formation of the future Federation will also be an insurmountable obstacle to the establishment of a strong government ; it amounts to a deformity. We do not need Confederation to give us that unity which is indispensable in all military operations—unity of headship. A commander-in-chief will direct the defence of all our Provinces ; he will forward troops, and, if he can, vessels of war, to the points most seriously threatened, and will assist each Province to defend the post which Providence has already assigned to each in our long line of battle. Moreover, in the event of war with the United States, if we were to trust to numbers we should be sadly disappointed. What we need above all is enthusiasm ; our citizen soldiers must be convinced that they are risking their lives for something worth while ; that they are happier in being under the flag of England than they could be under that of the United States, and that they must lose by an exchange. In the present position of the United States it is not difficult to make them understand that ; the taxes alone with which the Americans are now crushed down, and of which the vast volume is growing from day to day, suffice to shew, at a first glance, how far our position is superior to theirs in a material point of view. But if, in order to meet the extravagant expenture the Confederation must bring with it, the people find themselves taxed beyond their resources, the case will be different. Deprive the French-Canadians of their nationality, and you deprive them of the enthusiasm which would have doubled their strength. I concur with the Government in their desire to form more intimate commercial relations between the different Provinces ; but it is as

well to form a proper appreciation of those advantages, and see whether we cannot secure them without Confederation. The Gulf Provinces possess timber, coal, and fisheries; our own two great articles of export are timber and wheat. With regard to timber, the Gulf Provinces have no more need of ours than we of theirs. As to coal we import from England what we need for our present wants, in ballast, on board the numerous ships which come here for our timber, and we thus get it cheaper than we could import it from the Gulf Provinces. When this supply becomes insufficient to meet our growing wants, it will be necessary to look somewhere for a supply of coal. If the Lower Provinces can furnish it to us at cheaper rates than we can get it in the United States, we shall buy it from them. Upper Canada will probably get its coal from the Pennsylvania mines, which are in direct communication with Lake Erie, on the north shore of which the richest and most thickly settled portion of Upper Canada is situated. As regards fisheries, Canada has a stock of fish in its waters sufficient not only to supply all its own requirements, but to enable it to export largely from Gaspé to Europe. Now as to wheat. The Honourable President of the Council told us that in a single year the Atlantic Provinces paid \$4,440,000 to the United States for flour, and that a portion of that flour came from Upper Canada; and the honourable gentleman asks why should not we ourselves sell our flour to the Lower Provinces? For the simple reason that, instead of having to pay \$4,447,000 to the United States, they would have to pay us \$5,000,000, and they would, therefore, refuse to buy from us. There is no such thing as sentiment in matters of business; men buy in the cheapest market. The Gulf Provinces will buy their flour from the United States so long as they can obtain it at a lower price there than in Canada; and the fact that they do obtain it cheaper from the United States is clearly demonstrated by their buying from the Americans and not from us. But a single glance at the map will account for the difference in price. I do not believe that the Intercolonial Railway can be advantageously employed for the transport of flour from Rivière du Loup to Halifax. He contended that they could secure every one of

these commercial advantages without the Confederation. What hindered them from having free trade with the Gulf Provinces? To sum up all in a few words," said he, "all the advantages are negative, that is to say, Confederation will do no harm to our interests, military or commercial, but neither do they require it. As to the inconveniences of which it may be productive, I leave them to the judgment of the House, who will decide whether they are positive. I am asked: 'If you will have nothing to do with Confederation, what will you have?' I answer—we would remain as we are. That, I am told, is impossible, in our present position with respect to Upper Canada. But are we really bordering on civil strife? Of course it is representation based on population which is the exciting cause. Do the people of Upper Canada demand representation based on population as a condition *sine qua non* of the continuation of our peaceful relations with them? Has this desire to obtain representation based on population taken such deep root in the bosom of Upper Canada, that it is ready to plunge us and itself into the horrors of civil war in order to achieve it? Or is not representation by population rather one of those political clap-traps which ambitious men, who can catch them no other way, set to catch the heedless multitude? I look upon this threat of civil war as resembling a farce. These two reasons advanced by ministers are merely intended as a veil to conceal the true motive for this complete revolution in our constitution; that true motive is simply a desire on their parts to remain in power. He then turned to the details of the scheme, and objected to the provisions respecting the representation, also to the declaration made by the leader of the Government that the Government would accept no amendment, but that the resolutions must be adopted in the shape brought down. He then addressed himself especially to the French Canadian members, and asked them if proper steps were taken to protect the interests of Lower Canada, and sought to arouse their sectional fears by pointing out that the English of Lower Canada might join with the English of Upper Canada, and by means of their majority in the Federal Parliament impose upon them measures objectionable to their interests as French



Canadians. He objected to the proposed military system, and asked :—"why should we vest in the Federal Government the right of giving instruction in the military art, and of arming the other provinces at the expense of Lower Canada? Why, while there is yet time, should we neglect to take those salutary precautions on which our existence as French-Canadians depend? Our Local Government ought to have the same active part in the organization, instruction and equipment of our militia which belongs to all local governments which form part of other confederacies. They offer to protect the French-Canadians; but when, under the present constitution, they can protect themselves, why should they abdicate the right of so doing? The French-Canadians, at the present day, are in a better position than they were at the time of the union. They are at the same time both judges and suitors. They are asked to adopt a new form of government; it is not imposed upon them; and, to induce them to do so, the Hon. Minister of Agriculture tells them that this new form of government was recommended successively by Chief Justice Sewell, Judge Robinson and Lord Durham. The names of these three men ought to suffice to open our eyes; their avowed object always was to obliterate French-Canadian nationality, to blend the races into one only, and that the English; and to attain that end they recommended the system of government now submitted for our approval." The honourable gentleman concluded his address in a powerful appeal to his fellow French-Canadians to preserve their nationality by resisting confederation.

Mr. Joly was immediately followed by the Solicitor-General East, Mr. Langevin, himself a French-Canadian, born and educated in Lower Canada, and identified with its people, its interests, and its prejudices. He observed :

"This question of confederation is bound up with the common interests of empires and the general policy of nations, for it is no unimportant matter for the great nations who bear sway among mankind to know into what hands the Provinces of British North America may fall. On the present occasion the thousand voices of the press proclaim the interest which the question of con-

federation excites both in America and in Europe itself, and how closely the governments observe our proceedings ; and this interest which they feel and proclaim is legitimate and natural, for the measure is destined to make us rank among the nations of the earth. It has been charged that the plan of a confederation was adopted and moved by the present administration, for the mere purpose of stifling the cry of 'representation by population.' Is it not most important that we should stop that cry for representation based on population, in our present condition. Representation by population would have left us Lower Canadians in an inferior position relatively to that of Upper Canada—would have conferred on the latter the privilege of legislating for us, not only in general but in local matters. But the object of the confederation is not merely to do away with existing difficulties. It has become a necessity, because we have become sufficiently great ; because we have become strong, rich and powerful enough ; because our products are numerous enough, and considerable enough ; because our population has become large enough to allow of our aspiring to another position, and of our seeking to obtain an outlet through some seaport for our products. At the present day we stand in a position of vassalage to the United States : with respect to the exportation of our products to Europe, we are at their mercy. The plan of confederation of the two Canadas would only have settled one difficulty, and would have allowed others of the greatest importance to arise ; and among others, that respecting our communication with the seaboard. That plan, for instance, would not have allowed us to construct the Intercolonial Railway ; for it is almost impossible that so great an enterprise should succeed unless it is in the hands of a great central power, and if it is necessary to consult five or six governments before commencing it. But the question of the confederation of the two Canadas is not the only one which is presented as a means of escaping from our difficulties. Some propose that we should remain in the position in which we now are ; others wish for annexation to the United States ; some would, perhaps, be in favour of complete independence ; others would favour a confederation of the two Canadas ; and, lastly, the confederation of all the British North American Provinces is pro-

posed: Well, let us cursorily examine these various propositions. It may be that there are some members who are desirous that we should remain as we are. The honourable members for Hochelaga and Lottbinière (Messrs. Dorion and Joly) consider our position an excellent one, and so, in their speeches, they have told us. They consider that we are extremely prosperous, and that we have nothing to wish for. For my part, I consider that in our present position we are under a great disadvantage: it is, that if we remain isolated and alone, we cannot communicate with the metropolis, except through the United States; if we remain alone, we can aspire to no position, we can give rein to no ambition as a people. Again, we have at the present time as many systems of judicature as we have Provinces; with confederation, on the contrary, this defect will be removed, and there will be but two systems—one for Lower Canada, because our laws are different from those of the other Provinces, because we are a separate people, and because we do not choose to have the laws of the other populations, and the other for the remainder of the Confederation. All the other Provinces having the same laws, or their system of law being derived from one and the same source, may have one and the same system of judicature; and, in fact, a resolution of the Conference allows them to resolve that they will have one code and one judicial system; but an exception is made in favour of Lower Canada and our laws. There are also as many different tariffs as there are different Provinces—as many commercial and customs regulations as Provinces. Currency and the interest of money are also regulated by different systems in the several Provinces. But, with confederation, all these matters would be placed under the control of one central legislature; the currency would become uniform throughout, and capital might be everywhere invested without obstacle. So also it will be with respect to the rights of authors, patents for mechanical inventions, &c. When speaking of the Intercolonial Railway, I made no mention of the Pacific Railway, because I consider that we ought to devote our attention to accomplishing the works of which we at present stand in need. At a later period, when our resources and our population shall have sufficiently increased, we may direct our attention to the Pacific

Railway. And should it become necessary, we can, with confederation, hope to build it in less than ten years; whereas, by remaining by ourselves as we are, we could not hope to have it for perhaps one hundred years. I think that I have now held up in a salient point of view the disadvantages of the *status quo*. The necessary consequence of what I have just demonstrated is, that we cannot remain in the position in which we now are, whether we will or not. The question of representation based on population must be met; that question must be settled. To say that we will grant it, is to wish to place us in a position of inferiority; and I, for my part, will never consent to place my section of the Province in that position. Then there is another alternative that is proposed—annexation to the United States. I do not believe there is a single member in the House or out of the House who would consent to the annexation of Canada to the United States. I now come to the other alternative proposed—that of independence. Men may be found, both in the House and out of it, who would be disposed to say that we had better have independence than confederation. For my part, I believe that the independence of the British North American Provinces would be the greatest misfortune which could happen to them; it would be to leave us at the mercy of our neighbours, and to throw us into their arms. Lastly, we have the fourth alternative—the confederation of the two Canadas, proposed by the honourable member for Hochelaga. The position in which confederation will place us is very different from that which we should have occupied under the system proposed by the honourable member, inasmuch as the seventeen members which Upper Canada will have more than Lower Canada will have nothing to do with our local affairs, our religious questions or particular institutions; and the honourable member for Hochelaga, by his scheme, would have entrusted all that to the good-will of the Upper Canadian majority; but for my part, I would rather entrust the management of these matters to my own people than to them. As regards the seventeen additional members which Upper Canada will have in the Federal Parliament, I am not alarmed at their presence, any more than at that of the members from the Lower Provinces, because in Parliament there will be no questions of race, nationality,

religion or locality, as this legislature will only be charged with the settlement of the great general questions which will interest alike the whole Confederacy, and not one locality only. But, supposing that an unjust measure was passed in the House of Commons of the Federal Legislature, it would be stopped in the Legislative Council ; for there we shall be represented equally with the other sections, and that is a guarantee that our interests will be amply protected. In the Legislative Council we shall have twenty-four members, like Upper Canada and the Lower Provinces. I repeat that the confederation of all the Provinces of British North America is our only remedy. The Confederation would have the effect of giving us more strength than we now possess ; we should form but one nation, one country, for all general matters affecting our interests as a people. Having confederation, the Central Government will be in a position to have its orders carried out over its whole territory ; and when the question of defence comes up, it will not be obliged to consult four or five different legislatures, but it will be able to organize our defences immediately and without obstruction. Besides, we shall have acquired a standing which we have not hitherto attained in our relations with other countries with which we have dealings. It is of no small importance for the inhabitants of a country to have a standing in foreign countries, and not to be treated as men of inferior position. When Canadians go to London or elsewhere out of their own country, they have no recognized position, because we are only a simple colony. But under the Confederation we shall be protected by England, and besides we shall have a position in foreign lands, the position which every man enjoys who belongs to a great nation. Under confederation England will consult us in all matters which affect our interests, and we shall be able to make ourselves effectually heard in London. But we are told : ‘ You wish to form a new nationality.’ What we desire and wish is to defend the general interests of a great country and of a powerful nation, by means of a central power. On the other hand, we do not wish to do away with our different customs, manners and laws ; on the contrary, those are precisely what we are desirous of protecting in the most complete

manner by means of confederation. Under confederation, all questions relating to the colonization of our wild lands, and the disposition and sale of those same lands, our civil laws and all measures of a local nature—in fact everything which concerns and affects those interests which are most dear to us as a people, will be reserved for the action of our local legislature; all our charitable and other institutions will be protected by the same authority. There is also the question of education. That question has been left to our Local Legislature, so that the Federal Legislature shall not be able to interfere with it. It has been said that with regard to agriculture, the powers of legislation would be exercised concurrently by the Federal Legislature and the local Legislatures. Certain general interests may arise, respecting which the intervention of the central Legislature may be necessary; but all interests relating to local agriculture, everything connected with our land will be left under the control of our Lower Canadian Legislature.” After answering the objections that had been taken to the constitution of the Legislative Council, he pointed out that, in the appointment of the Lieutenant-Governors by the Federal Government, we secured a privilege which we had not before possessed; that under the existing system, the Lieutenant-Governors sent from England were responsible neither to the people nor the House but to the English Government alone; whereas, under the proposed arrangement, the Federal Government that appointed was responsible both to our own people and Parliament. He repudiated the imputation thrown upon the delegates, that they would betray and deliver up their several Provinces for an appointment, even of a Lieutenant-Governor or a Chief Justice. In answer to the position taken by Mr. Dorion on the defence question, that our best plan was to remain quiet, and to give no pretext to our neighbours for making war upon us, he well observed, that while our wish was to live with them in peace and quietness, yet the most certain way to avoid an attack and subjugation by our neighbours, to have our independence and our privileges respected, was to show them that we were prepared to defend them at any cost. He clearly explained the power of disallowance in the Federal Government of bills passed by the Local Legislature, and

shewed that neither injustice nor inconvenience could ensue. He entered into the question of Finance, and shewed that under the arrangement, Lower Canada would have a clear revenue of nearly \$1,500,000 for local purposes, a revenue sufficient to meet all its expenses; that the interest on the portion of the public debt to be assigned to Lower Canada would be above \$90,000, and that the total yearly expenditure would reach \$1,237,000, leaving a surplus revenue of \$209,000. Referring to the statement made by Mr. Dorion, that the share of the surplus debt beyond the \$62,500,000 which would be apportioned to Lower Canada would be \$4,500,000, he stated that it would not be so; that Lower Canada would only have its just share of the \$5,000,000 to be divided. Mr. Dorion reminded him that he had forgotten the explanation of the Minister of Finance, who stated that the debt incurred for the redemption of the Seigniorial Tenure, which amounted to \$3,000,000, was not included in the general debt. Mr. Langevin then observed, that the Minister of Finance stated the whole debt, in his speech at Sherbrooke, at \$67,263,994. The amount of the debt is \$75,578,000; but it is necessary to deduct the Sinking Fund and cash in bank, \$7,132,068, reducing it to \$68,445,953. The Minister of Finance also deducted the Common School Fund, which amounts to \$1,181,958, and he arrived at the result I have just given, that is to say, that the real debt of Canada is \$67,263,994. He then defended the financial arrangements with the other Provinces, and passed to the consideration of the future admission of the North-West Territory and British Columbia, quoting from Professor Hind as to the character and facilities of the country. In answer to the endeavours by Messrs. Dorion and Joly to instil mistrust into the minds of the French-Canadian and Catholic population of Lower Canada, he read extracts from letters from the Roman Catholic Archbishop of Halifax, and the Roman Catholic Bishop of Newfoundland, strongly in favour of confederation, and not seeing in it any danger for their flocks; and referred to the fact that Mr. Joly, himself a Protestant, represented a Roman Catholic constituency, as did also several other Protestant members in the House—abundant proof, as he alleged, of the liberality of his fellow-countrymen. Again, referring to the statements

made by Mr. Dorion of the debt with which Lower Canada entered the union in 1841, and that with which she would leave it on confederation, he described in strong terms the position at the two periods. He said that that gentleman conceived he had produced "an argument that would be irresistible by asserting that the distribution of the debt was unfair and burdensome to Lower Canada. To give a greater force to this argument, he stated that Lower Canada entered into the union with a debt of \$400,000, and that she would leave it with a burden of \$30,000,000, after having only expended in the interval the sum of \$12,000,000 for public works within her limits. This argument is most specious. Supposing that our debt was \$400,000, and that to-day it is \$30,000,000, the honourable member must, at all events, admit that the circumstances also have very much changed. At the time of the union our population was only 630,000, and to-day it is 1,250,000. The honourable member, too, must not forget that at the time of the union our territory only produced 21,000,000 bushels of grain, whilst to-day it produces more than 50,000,000 bushels. At the time of the union we had only 1,298 schools, and to-day we have 3,600. At the time of the union these schools were attended only by 39,000 children, whilst to-day they are attended by more than 200,000. At the union the exportations from the ports of Quebec and Montreal amounted to \$9,000,000; to-day they exceed \$18,000,000. At the union the number of vessels built annually in our ship-yards was 48 only; now we have 88, and the tonnage is quadrupled. At the time of the union our importations amounted to \$10,000,000, and to-day they reach \$45,000,000. At the time of the union our exportations and importations amounted to \$16,000,000; to-day they reach the enormous sum of \$87,000,000. And it is with such figures as these before us, that we are to be told that we are leaving the union with a debt of \$30,000,000! At the time of the union, the revenue arising from the tax on bank notes, which affords a fair indication of the extent of business done, amounted to \$2,200; to-day it amounts to \$15,800. At the time of the union, the number of merchantmen arriving in Quebec every year was 1,000; now it is 1,660, and the number of vessels



arriving at all the ports in Lower Canada is 2,463. At the time of the union, the tonnage of these vessels was 295,000 tons; and now in the port of Quebec it is 807,000 tons, and for the whole of Lower Canada 1,041,000 tons. At the time of the union, 25,000 sailors arrived here annually; now we have 35,000. In 1839 the revenue of Lower Canada was \$588,000; when we enter the Confederacy, although we are not called upon to pay any of the expenditure for general purposes, our revenue will be \$1,446,000, that is to say that we shall have, under the confederation, a revenue three times as large as what it was at the time of the union; and instead of having, as we then had, an excess of expenditure amounting to about \$80,000, the total expenditure of Lower Canada, under the confederation, will be about \$1,200,000, leaving a surplus of more than \$200,000! If then our debt has increased, we have made most rapid progress, and we have received the full value for our money. Nor must it be forgotten that at the time of the union of Upper and Lower Canada, the country had not a single railway, and now it is traversed from end to end by one of the finest railways on this continent; and ere long, let us hope in the interest of our commerce and our safety, that this iron band will connect the extreme west with the Atlantic ocean. We entered the union when the Welland Canal had hardly been begun; we leave it with one of the most magnificent canal systems the world has ever seen. And then the telegraph lines. We leave the union with a debt greater than that with which we entered it, but we leave it with a most perfect system of lighthouses, wharves, piers, slides, in fact with a large number of other public works, which have mainly contributed to the settlement and the prosperity of the country, and which have more than doubled its resources since the union. The Grand Trunk Railway alone, for the \$16,000,000 which it has cost us, has contributed to increase the value of our lands by millions and millions of dollars, by enhancing the value of our agricultural productions, which are by its means brought with greater ease to the different markets, and has, moreover, entailed an expenditure in our midst of more than \$70,000,000 for its construction alone. If we entered the union with a debt of \$400,000, and if to-day

we leave it with a debt of \$30,000,000, we can, at all events, show what we have done with the money, by the immense extent of territory, then uncleared, which is now covered with abundant crops, and which have served to keep in the country, not indeed all the children of our farmers, but at least a very great number of them, who but for these improvements would have emigrated *en masse* to the neighbouring country." He then defended the provisions of the proposed constitution, relative to the judiciary and the administration of justice, and pointed out that the civil rights of Lower Canada were preserved. Referring to the power given to the Federal Government in matters touching marriage and divorce, and stating that as Roman Catholics they acknowledged no power of divorce, he claimed credit to the delegates from Lower Canada for the course they pursued. After mature consideration he resolved to leave it, the question of divorce, to the central Legislature, thinking thereby to increase the difficulties of a procedure which is at present so easy. He found this power existing in the constitutions of the different Provinces, and not being able to get rid of it, he wished to banish it as far from us as possible. He then, after referring to the argument of Mr. Joly, as to the weakness inherent in confederations, turned to the subject of the increase of representation from the increase of population, and observed that the resolutions do not prevent Lower Canada from having more than sixty-five representatives, if its population should increase faster than that of the other Provinces. The French translation of these resolutions is erroneous, for it says that "for the purpose of determining the number of representatives from each Province at the end of every decennial census, Lower Canada shall never have either more or less than sixty-five representatives," whereas the English version of the resolutions, which is the official version, says, "Lower Canada shall always be assigned sixty-five members." This does not mean that Lower Canada can never have more than sixty-five members, but that it cannot have less than sixty-five members. He then concluded his able speech with a well-merited defence of the Attorney-General for Lower Canada, the Hon. Geo. E. Cartier. He referred to the numerous public measures he had introduced,

and to the esteem and gratitude in which he was held by his countrymen in Lower Canada. "In the midst of a terrible crisis," he said, "his country confided to him all its interests, all its rights, all its institutions, its nationality, its religion, in a word everything it held most dear. The Hon. Attorney-General received the whole trust into his safe and faithful keeping, and when called upon to render an account, he exhibited all those interests, rights and institutions, our nationality and religion, in fact everything that the people held dear, and restored them guaranteed, protected, and surrounded by every safeguard in the confederation of the British North American Provinces."

On the 22nd February Mr. Rose resumed the adjourned debate in support of the motion. He presumed

"There were few who, in the abstract, would not favour the idea of a union between a number of small states adjoining each other, rather than that they should remain isolated under separate governments. To the idea of union in the abstract between states so circumstanced, no one would be opposed. But the principle ground of the opposition to the present scheme is this, that the mere abstract principle of union does not apply with full force to the five colonies that are parties to this scheme. It is feared by many that it is the first step towards independence; that it may probably result in not only severing our connection with the mother country, but in forcing us to a union with the neighbouring republic. The change will be of that character, that, instead of loosening, or weakening, or diminishing the connection with the mother country, it will tend to put it on a footing which will make it stronger and more enduring. It cannot be denied that there is a state of public feeling growing up in England just now, not confined, as it was a few years ago, to a class of extreme theorists, that the connection which subsists between the colonies—Canada especially—and the mother country, is a source of expense and danger. There is another consideration which makes this subject stand out more prominently before the people of England at the present time than otherwise it would do, and that is the state of its relations with the republic adjoining us, and the enor-

mous military power which the United States have shewn, within the last two or three years, that they possess. It is this which has forced public opinion so strongly in England to a consideration of the actual relations between this country and the mother country, and it is this state of facts with which we must deal now. It is our duty to see whether we cannot find in the union of these colonies security to ourselves and a source of strength to the empire at large. We find in our position towards the United States, and in the great preponderating power they possess, a guarantee that we need not apprehend that there will be anything like practical independence of England asserted by the colonies of North America; because, from the very necessities of our position, we shall always have to look up to her for protection and aid. I put aside, for the moment, the instinct of attachment to the mother country, and I put the case on this ground alone, that the necessity of self-preservation will for centuries—for generations at all events—prevent the possibility of these colonies asserting their independence of England, unless it were, indeed, to become a portion of the republic which adjoins us, and to which, I think, it is neither the interest nor the inclination of any member of this House to become united. Whatever fate may be in store for us, that is a destiny to which no one looks with favour. The genius and instincts of our people are monarchical and conservative—theirs levelling and democratic. I believe that the attachment to England will be increased tenfold by this proposed union. We will have a sentiment of nationality among ourselves; and I consider it to be one of the first duties of a statesman to inculcate that national feeling that gives the people a strong interest in their country's welfare. With a stable government and a strong central power controlling an immense territory, we shall be able to enter upon a well considered, well devised and attractive system of immigration. In this continuous recruiting of our population I see one of the great elements we will have to look to for the perpetuation of the attachment of this country to the Crown. But, it may be said, that from the necessity of our position there is danger that we shall feel our material and commercial interests so strongly bound up with the United States, and feel so reliant

in our own strength as a great country, that we will eventually form a closer alliance with that republic than any of us desire, and that the formation of the present union is the first step towards annexation. I do not think our interests would lead us in that direction. At the present time we are almost entirely dependent upon the United States commercially. We are dependent upon them for an outlet to the ocean during the winter months. If they choose to suspend the bonding system, or by a system of consular certificates make it practically useless; if they abolish the reciprocity treaty, and carry the passport system to a greater degree of stringency, we should feel our dependence upon that country, even in a greater and much more practical way than we do at the present time. And perhaps it is worth our while to consider, whether this may not be the real motive which dictates the policy they are now pursuing! But give us this Intercolonial Railway, affording us communication with Halifax and St. John at all seasons of the year, and we shall be independent of the United States commercially as we now are politically. We may not find this route to the ocean more economical, especially in the winter season, than to go through the United States, but if we have a route of our own to which we may resort, in case of necessity, our neighbours will find it to their interest to give us the use of their channels of communication at a cheaper rate. I see that if we do not unite and form one central Government, giving it the power to direct all the physical energies of this country in whatever direction may be necessary, that we are liable to be overrun by the United States. And this I conceive to be one of the very strongest arguments in favour of the confederation of the Provinces, that it enables us to prepare appropriate defences along the whole frontier of our country. I believe that the formation of a Government having the power to direct the whole strength of five colonies would greatly add to our security. I do not believe that, if we reverted back to our original condition, the Imperial Government would be as much disposed to aid us in the construction of the works necessary for our defence, as if they found that in the presence of a common danger we were united together to repel the common enemy. I say the Imperial Government would not,

in such a case, be actuated simply by a regard to the expense of constructing these works, in which I understand the Lower Provinces will have to bear a share, but she would be deterred from so doing by the further consideration that when built, these works would be less likely to serve the purpose they were designed to accomplish. What we have to guard against is this: a sudden conquest or surprise, for which we might be unprepared. I believe myself that, if works can be constructed, by means of which we can effectually defend the country against sudden attack, no one will grudge the expense. We know that in modern warfare, if you can erect certain works which will compel an enemy to sit down before them, so as to prevent him from making progress into the country, you may by such means defend it for many months. By the construction of certain works at various points, the manning of which is quite within the compass of our power, we can arrest the progress of an invader for many months, we can compel him to expend and exhaust his strength before these works, and we could throw embarrassments in his way such as would take an invading force many months to overcome. It is impossible to have more than a six months' campaign in this country. An aggressive warfare in this country is one thing, and a defensive warfare another, and a very different. Our country is well adapted for defensive purposes, and it is next to impossible to subdue us. The badness of our roads, the difficulties presented by our winters, our deep, broad, and unfordable rivers, and the means we could establish for keeping an enemy in check at certain points for the necessary time, would enable us to resist the United States with all their power and resources. Do we not know that in the event supposed we should find the Atlantic coast swarming with English vessels carrying moveable columns of troops, menacing and landing at every point. The navy of England, the arsenals of England, the purse of England, and all the appliances and requirements of war would be brought to bear upon and be available to us in such a struggle. We should not suffer from the lack of the material of war, which is perhaps the very thing of all other things the most essential. Neutrality has been spoken of. But how could neutrality be

possible in a struggle between England and the United States? The country which cannot put forth an effort to defend itself occupies a despicable position, and forfeits on the score of weakness even the wretched privilege of being neutral. If we show that we are in earnest on this question of defence, England will be encouraged to come to our assistance in time of danger, knowing that she can look to us not only to contribute towards the construction of works, but effectually to defend them when constructed. If we show England that she can depend on a population of four millions, with a strength wielded from a common centre, she will be encouraged to aid us with both men and material of war, and will lend us the assistance necessary to protect ourselves both now and in time to come. I will now say a few words in reference to the objections which have been urged against the character of this scheme, viz., because it embraces those elements of disruption which are to be found in every federal union. That is the objection of many who, while they would be willing to go for a purely legislative union, object to one of a federal character. That is at present utterly impracticable. It is remarkable that a proposition having so few of the objections of a federal system, should have been assented to by the representatives of five distinct colonies, which had heretofore been alien, practically independent, not only of each other, but almost of England, and almost hostile to each other. As to the charge of inconsistency against honourable members on this question, I have only to say that a man who does not change his opinions is a very unsafe man indeed to guide the affairs of a nation. Such a man is like an old sign-post on a road that is no longer used for travel. The sign-post is consistent enough, it remains where it had been placed; but though a type of consistency, it is an emblem of error. There are two main features which to my judgment commend themselves to the attention of every one who has any doubts as to the stability of the system, and which give us a sufficient guarantee, that guarantee which federal unions have heretofore wanted, namely, that it establishes a central authority which it will not be within the power of any of the Local Governments to interfere with or rise up against. It appears to me that they have avoided the errors

into which the framers of the American constitution not unnaturally fell. The great advantage which I see in the scheme is this, that the powers granted to the Local Governments are strictly defined and circumscribed, and that the residuum of power lies in the central Government. You have, in addition to that, the local governors named by the central authority, an admirable provision which establishes the connection of authority between the central power and the different localities ; you have vested in it also the great questions of the customs, the currency, banking, trade, and navigation, commerce, the appointment of the judges, and the administration of the laws, and all those great and large questions which interest the entire community, and with which the General Government ought to be entrusted. There can, therefore, be no difficulty under the scheme between the various sections, no clashing of authority between the local and central Governments in this case, as there has been in the case of the Americans. The powers of the Local Governments are distinctly and strictly defined, and you can have no assertion of sovereignty on the part of the Local Governments, as in the United States, and of powers inconsistent with the rights and security of the whole community. Then, the other point which commends itself so strongly to my mind is this, that there is a veto power on the part of the General Government over all the legislation of the local Parliament. That was a fundamental element, which the wisest statesmen engaged in the framing of the American constitution saw, that if it was not engrafted in it, must necessarily lead to the destruction of the constitution. These men engaged in the framing of that constitution at Philadelphia saw clearly, that unless the power of veto over the acts of the state Legislatures was given to the central Government, sooner or later a clashing of authority between the central authority and the various states must take place. What said Mr. Madison in reference to this point? I quote from *The Secret Debates upon the federal constitution*, which took place in 1787, and during which this important question was considered. On the motion of Mr. Pinkney, 'that the National Legislature shall have the power of negating all laws to be passed by the state legislature, which they may judge improper,' he stated that



he considered 'this as the corner stone of the system, and hence the necessity of retrenching the state authorities in order to preserve the good government of the National Council.' And Mr. Madison said, 'the power of negating is absolutely necessary; this is the only attractive principle which will retain its centrifugal force, and without this the planets will fly from their orbits.' I believe this power of negative, this power of veto, this controlling power on the part of the Central Government is the best protection and safeguard of the system; and if it had not been provided, I would have felt it very difficult to reconcile it to my sense of duty to vote for the resolutions. But this power having been given to the Central Government, it is to my mind, in conjunction with the power of naming the local governors, the appointment and payment of the judiciary, one of the best features of the scheme, without which it would certainly have been open to very serious objection. I will not now criticize any other of the leading features of the resolutions as they touch the fundamental conditions and principles of the union. There has been throughout a most wise and statesman-like distribution of powers, and at the same time those things have been carefully guarded which the minorities in the various sections required for their protection, and the regulation of which each province was not unnaturally desirous of retaining for itself. But there is another objection made to it, that is with reference to the manner in which the rights of the various minorities in the provinces have been protected. I believe that the rights of both minorities—the French minority in the General Legislature and the English speaking minority in the Local Legislature of Lower Canada—are properly guarded. This is an era in the history of both races—the earnest plighting of each other's faith as they embrace this scheme. It is remarkable that both should place such entire confidence in one another; and in future ages our posterity on both sides will be able to point with pride to the period when the two races had such reliance the one on the other, as that each was willing to trust its safety and interest to the honour of the other. But although this feeling of mutual confidence may be strong enough at this time, the Attorney-General East, as representing the

French majority in Lower Canada, and the Minister of Finance, as representing the English speaking minority, have each carefully and prudently endeavoured to place as fundamental conditions in this basis of union such safeguards and protection as the two races may respectively rely upon. Looking at the scheme, then, from the stand-point of an English Protestant in Lower Canada, let me see whether the interests of those of my own race and religion in that section are safely and properly guarded. There are certain points upon which they feel the greatest interest, and with regard to which it is but proper that they should be assured that there are sufficient safeguards provided for their preservation. Upon these points I desire to put some questions to the Government. The first of these points is, as to whether such provision has been made and will be carried out that they will not suffer at any future time from a system of exclusion from the federal or local legislatures, but that they will have a fair share in the representation in both ; and the second is, whether such safeguards will be provided for the educational system of the minority in Lower Canada as will be satisfactory to them. Upon these points some apprehensions appear to exist in the minds of the English minority in Lower Canada ; and although I am free to confess that I have not shared in any fear of injustice at the hands of the majority, as I consider that the action of the past forms a good guarantee for the future, yet I desire, for the full assurance of that minority, to put some questions to my honorable friends in the Government. I wish to know what share of representation the English-speaking population of Lower Canada will have in the Federal Legislature, and whether it will be in the same proportion as their representation in this Parliament? This is one point in which I think the English inhabitants of Lower Canada are strongly interested. Another is with regard to their representation in the Local Legislature of Lower Canada : whether the same proportion will be given to them as is now given to them in this House, that is to say, about one-fourth of the Lower Canadian representation, which is the proportion of the English-speaking to the French-speaking population of Lower Canada, the numbers being 260,000 and 1,100,000 respectively. Now, the

spirit of the resolutions, as I understand them—and I will thank my honourable friend the Attorney-General to correct me if I am in error in regard to them—provides that the electoral districts in Lower Canada for representatives in the first Federal Legislature shall remain intact as they now are ; and, although the resolution is somewhat ambiguously expressed, I take that to be its spirit.”

Hon. Mr. Holton—“Have the kindness to read it, and see.”

Hon. Mr. Rose—“The 23rd resolution reads : ‘The Legislature of each Province shall divide such Province into the proper number of constituencies, and define the boundaries of each of them.’ Then the 24th resolution provides that ‘the Local Legislature may from time to time alter the electoral districts for the purpose of representation in such Local Legislature and distribute the representatives to which the Province is entitled in such Local Legislature, in any manner such Legislature may see fit.’ In these resolutions I presume that power is given to the Legislature of each Province to divide the Province into the proper number of constituencies for representation in the Federal Parliament, and to alter the electoral districts for representation in the Local Legislature. Now, to speak quite plainly, the apprehension—which, I desire to say again, I do not personally share in, but which has been expressed to me by gentlemen in my own constituency—is this, that with respect to the Local Legislature, it will be competent for the French majority in Lower Canada to blot out the English-speaking minority from any share in the representation, and so to apportion the electoral districts that no English-speaking member can be returned to the Legislature. That is an apprehension upon which I would be very glad to have an expression of opinion by my honourable friend the Attorney-General East. As I read the resolutions, if the Local Legislature exercised its powers in any such unjust manner, it would be competent for the General Government to veto its action, and thus prevent the intention of the Local Legislature being carried into effect, even although the power be one which is declared to be absolutely vested in the Local Government, and delegated to it as one of the articles of its constitution.”

Hon. Attorney-General Cartier—"There is not the least doubt that if the Local Legislature of Lower Canada should apportion the electoral districts in such a way as to do injustice to the English-speaking population, the General Government will have the right to veto any law it might pass to this effect, and set it at nought."

Hon. Mr. Holton—"Would you advise it?"

Hon. Attorney-General Cartier—"Yes, I would recommend it myself in case of injustice."

Hon. Mr. Rose—"I think that under this scheme the French minority in the General Legislature and the English minority in Lower Canada will both be amply and satisfactorily protected. Now, in reference to the education measure which the Government has promised to bring down to the House, I believe this is the first time almost in the history of the country that there has been any serious apprehension aroused amongst the English Protestant population of Lower Canada regarding the elementary education of their children. I am not aware that there has ever been any attempt in Lower Canada to deprive the minority of their just rights in respect to the education of their youth. We cannot forget that in no way was there any attempt to prevent us educating our children in the manner we saw fit and deemed best; and the distribution of state funds for educational purposes was made in such a way as to cause no complaint on the part of the minority, I believe we have always had our fair share of the public grants. in so far as the French element could control them, and not only the liberty, but every facility for the establishment of separate dissentient schools wherever they were deemed desirable. A single person has the right, under the law, of establishing a dissentient school, and obtaining a fair share of the educational grant, if he can gather together fifteen children who desire instruction in it. Now, we cannot forget that in the past this liberality has been shown to us, and that whatever we desired of the French majority in respect to education, they were, if it was at all reasonable, willing to concede. I would ask my honourable friend, the Attorney-General East, whether the system of education which is in force in Lower Canada at the time of the proclamation is to

remain and be the system of education for all time to come, and that whatever rights are given to either of the religious sections shall continue to be guaranteed to them? After affirmative answers by Attorney-General Cartier to the questions on several points put by Mr. Rose, the latter observed: The manner and spirit in which the Government have given explanations on the subject, ought to be satisfactory to the people of Lower Canada of the Protestant religion. So far as the three questions to which I have made allusion are concerned, the apprehensions of being shut out from the General Government—being handed over to the French in the Local Parliament of Lower Canada, and our educational rights being interfered with, I feel every assurance that the spirit of the answers just given will be carried out.

After referring in terms of approbation to the debates in the House of Lords on that portion of Her Majesty's speech which referred to the proposed confederation, to the financial position of Lower Canada at the time of entering the union of 1841, and the then present day, in language corroborative of the statements of Mr. Langevin, and stating that of the \$62,000,000 which is regarded as Canada's proportion of the joint debt, \$49,000,000 had been actually expended on and was represented by public works of that value, he turned to the question of the Intercolonial Railway, and answering the objection that it was one of doubtful advantage, if not of positive uselessness, asked: "Can we safely continue in our present position of commercial dependence on the United States? Shall we be denied access to the seaboard for a bale of goods or a bag of letters? Are we to be for all time to come dependent on the fiscal legislation of the United States? Is it to come to this, that in the winter season the Upper Canada farmer shall have no means whereby he can send a barrel of flour, or the Lower Canada merchant a bale of goods, to the seaboard, without the leave of the United States? Are we to be left in this condition of commercial dependency for ever? Under what conditions shall the expense of constructing the Intercolonial Railway be incurred? I believe that that work is a great and grave undertaking, and one that will involve a serious charge on the wealth of the country. But then it is

one which we cannot avoid—it is a necessity. We must have it. It is called for by military reasons and commercial necessity, and the date of its construction cannot safely be postponed. Why, what have we not seen within a very recent period? Restrictions have been put on goods sent through the United States, by the establishment of consular certificates, to such an extent that you could not send a bale of goods through the States without accompanying it with one of these certificates, the cost of which I am told was nearly two dollars—perhaps more than the worth of the package, or more than the cost of the freight. Still further, the Senate of the United States had also before them a motion to consider under what regulations foreign merchandise is allowed to pass in bond through the neighbouring country; and this was evidently done with an intention of abolishing the system under which goods were permitted to pass in bond from England through the United States. I do not hesitate to say that if the bonding system were done away with, half the merchants in Canada would be seriously embarrassed if not ruined for the time. In the winter season you could not send a barrel of flour to England—you could not receive a single package of goods therefrom. The merchants would have to lay in a twelve months' stock of goods, and the farmer would be dependent on the condition of the market in spring, and would be compelled to force the sale of his produce at that moment, whether there was a profitable market for it then or not, instead of having as now a market at all seasons, as well in England as the United States. So that whatever sacrifices attach to the construction of the Intercolonial Railway, we must have it, seeing that it is impossible for us to remain in our present position of isolation and suspense. It is one of the unfortunate incidents of our position which we cannot get rid of. No one can foresee what the future of the neighbouring States will be—whether they will be constructed as one union, or split up into two or more confederacies. If we are alive to the natural advantages of our position, unless we deliberately throw them away, we can, whatever that future may be, secure a profitable intercourse with them. Unless the St. Lawrence and Ottawa cease to flow, and the lakes dry up, those roads to the ocean are

the natural outlets for the west, and we can turn them to good account. We know something of the great productiveness of the Western States. There is, in fact, no limit to that productiveness, and the necessity of their having another outlet to the sea, without being altogether dependent on New York and Boston, is to my mind very plain. This necessity of the powerful western interests must have a controlling influence on the commercial policy of the United States ; and if we can direct the trade of the Western States down the St. Lawrence by giving them additional facilities, it cannot be doubted that we shall find therein a great element of security for the future peace of the two countries. Then, give us the Intercolonial Railway, give us the command of the St. Lawrence, give us a government by which we can direct our national policy, give us the control of the fisheries, and we will be able to secure such reciprocal trade with the United States for Upper Canada as it requires. But if we are disunited—if the Lower Provinces retain the control of the fisheries, and Canada has nothing to give in exchange for the concession she seeks from the United States in the way of commercial intercourse, in breadstuffs and otherwise—I say that in such a case as this we are very much hampered indeed.” Turning to the suggestion that there ought to be a dissolution and an appeal to the people, he contended that such a course would be so anomalous and absurd as not to commend itself to the common sense of the country ; that the elections would not be limited to the consideration or merits of the scheme itself, but be governed by individual predilections and local questions ; that the measure was already stamped with the approval of the people, because their reason and judgment convinced them not only that it was desirable, but a necessity of their condition.

Mr. Dunkin, in replying to Mr. Rose, addressed the House for two days and two nights. His speech was certainly the most elaborate and the most exhaustive of all the speeches either for or against the proposition. Every conceivable and almost inconceivable objection was taken and worked out to its extremest limit. All that a well-read public man, all that a strong party politician, all that an ingenious lawyer, all that a thorough sophist,

a dexterous logician, a timid patriot, or a prophet of evil could array against the scheme was brought up and pressed with unflagging energy. Though worthy of attentive perusal, its extreme length forbids its transmission entire to these pages, and from its one hundred and twenty columns of the official reports, we must endeavour to extract substantially its salient points. Throughout this long speech it must be observed, no improper motive is attributed by Mr. Dunkin to the promoters of the measure. The question is fairly argued upon its merits; too minutely perhaps, but with perfect candour. Amid the asperity of party, such an example cannot be too highly commended.

He feared there was a foregone conclusion in the House against the views he was about to express, and declaring that, abstractedly speaking, he was a unionist in the largest sense, he proceeded to detail his objections to the scheme proposed. He believed it was a measure of disunion instead of union; that it would certainly lead to the severance of Upper and Lower Canada, and would tend to an early separation of the Provinces from the British Empire; that the proposition of a federal union, or any union of the British North American Provinces, had not been discussed until very lately; that in 1858 the proposition could not even obtain a hearing in the House, and all parties were utterly indifferent to it; that study strengthened him in his convictions against the scheme every day; that in the very announcement of it the Canadian Government stated it was their own difficulties which made them desire to bring it about; that down to 1862 the public mind was not occupied with it, and in 1864 it was a mere matter of accident resulting from a vote of the House adverse to the administration, following on the same day on which a report from a committee suggesting confederation was brought in, which report itself was a mere accident, was received by the House with more than cool indifference, and was followed by a succession of accidents more extraordinary than the state of things to which those accidents led; that he himself voted for the committee and sat on it, on the express ground he believed it would do no harm, and that the Attorney-General for Upper Canada, the leader of the House, was on that committee, and voted against the report,



so that what had since happened was unexpected even by the actors in the occurrences ; that the scheme was got up in haste, yet it was brought down as a treaty, and the House was told that its details were not to be criticised ; that it was got up with great ingenuity to catch everybody—legislative councillors, Lieutenant-Governors, uniformity of the laws for all but Lower Canada—promised everything to everybody, but when it was examined it was found to be ambiguous, unsubstantial and unreal ; that it displayed a great deal of that cleverness which might be characteristic of an astute politician, but was far from the wisdom of a statesman ; that the representation of the House of Commons was based on a set of special shifting districts, which from a British point of view was unsound ; that the mode of readjustment of the decennial census was a bad innovation on our usages, and destructive of convenience and stability ; that the Legislative Council, as proposed, would operate as no federal check, was based on no public opinion, could not last, and was a near approach to the worst system which could be devised in legislation ; that the difficulties in the formation of the cabinet would be insurmountable ; that it could not be formed on any other principle than that of a representation of the several Provinces in the cabinet ; that such a formation was inconsistent with British practice and principle ; that the British cabinet was no cabinet of sections ; that if in Canada they had not been able to work satisfactorily with a cabinet of two sections, how were they going to do so with this scheme ? “ It starts,” he said, to use his own words, “ with a principle, as to the election of the House of Commons, which must involve the arraying on the floor of that House, not of a set of members of Parliament coming there to judge and to act each for the whole of British North America, but of a certain fixed number of Upper Canadians, a certain fixed number of Lower Canadians, a certain fixed number of Nova Scotians, of New Brunswickers, of Prince Edward Islanders, of Newfoundlanders, of Red River men, of men from Vancouver’s Island, of British Columbia men, of Saskatchewan men—each to act there for his own Province. If we ever get all these territories laid out into provinces, we are to have just so many sections, numerically most unequal, upon

the floor of this House, and the only abiding distinctions between members will be those represented by the territorial lines between their provinces. The Legislative Council, we have seen, will not be the check which these sections will require. The Executive Council has got to be that check, and in the Executive Council these sections will have to reproduce themselves. Apart from the provinces or vast territory to the west of us, we shall thus have over six such sections on the floor of the Commons House, with their six corresponding sections in the Executive Council, and six parliamentary majorities to be worked together, if possible, while hitherto we have found our two sections and two majorities one too many. Our constitutional difficulties, I repeat, are referable to that very practice, and so it is proposed that we should try a system three times—and more than three times—more complex still. That cleverest of politicians who, for two or three years running, under such a system, shall have managed to carry on his cabinet, leading six or more sections in our Commons House, six or more sections in the Legislative Council, and, forsooth, six or more local parliaments and lieutenant-governors, and all the rest of it besides—that gifted man who shall have done this for two or three years running, had better be sent home to teach Lords Palmerston and Derby their political alphabet. The task will be infinitely more] difficult than the task these English statesmen find it none too easy to undertake.”

Hon. Attorney-General Cartier—“There will be no difficulty.”

Mr. Dunkin—“The honourable gentleman never sees a difficulty in anything he is going to do.” Then he contended that, even assuming the cabinet was brought down to the number it would be possible to allow, say eleven, twelve or thirteen, it would be difficult to satisfy not only the sectional demands for places in it, but the national sub-divisions of the sections, for instance, in Quebec the French, Irish and British; that the mode of appointment and tenure of office of the Lieutenant-Governors was objectionable; that the federal system itself was simply inconsistent with the first principles that must prevail in a properly organized British responsible central government; that the Federal and Local Governments must come into collision on many subjects—

by way of illustration, fisheries, agriculture, immigration, marriage and divorce. He objected to the looseness of the wording of the resolutions; to there being no provision for a separate district for the federal capital; to the provisions respecting the judiciary; to the confusion as to the criminal law, and described in graphic language the painful position of a judge under the proposed system. "We are not quite sure," he said, "whether we are going to have any distinctively federal judiciary or not. There is a power given to have one—there may be one; but we are expressly told that perhaps there will not be. But what are we told on the other hand? Oh, there is no doubt whatever, according to the resolutions laid before us—no doubt whatever—that whether we have a federal judiciary or not, the provincial judiciaries are to be a sort of joint institutions. And a very curious kind of co-partnership the Federal Government and the Provincial Governments—the Federal Legislature and the provincial legislatures—are thus to have in the judicial institutions of the country generally. All the courts, judges, and other judicial officers of the provinces are to be, for all manner of federal purposes, servants of the Federal Government. There is an old saying, 'No man can serve two masters.' But all these unfortunate courts, and all their officers, and specially all their judges, must serve two masters, whether they can or not. All the Superior Court judges—and, in Upper Canada, the judges of the County Courts—are to be named and paid by the Federal authority, and are only to be removable by the Federal authority, on a joint address of the two Houses of the Federal Parliament. But, on the other hand, the provinces are to constitute the courts, are to say what their functions shall be, what the number of the judges, how they are to perform their function, are to give them more work or less, to make their work pleasant or disagreeable, high work or dirty work, as they like. In this way they can wrong a judge just as much as they please; the only check on them being the power of the Federal Government to disallow their legislation. The Federal Government, forsooth, names the judges, and pays them, and alone can remove them. Does that take away the power from the local parliaments and governments, the power to change the constitution of the

court, to change it in the way most distasteful to those judges, to legislate away the court altogether, to legislate down its functions in such a manner as may drive the judge to resign? And we are told there will be no clashing! I have no doubt the honourable Attorney-General East thinks he could manage courts on this system; could have one authority constituting the courts, and another naming and removing the judges, and have the system work harmoniously. He may think so. I do not. I am satisfied if ever the scheme is tried, it will be found that it will not work. Human nature is human nature; and here is a first-rate lot of matters to quarrel over, and to quarrel over seriously. Why, there is even a special refinement of confusion as to criminal matters. Criminal procedure is to be Federal; civil procedure, Provincial; criminal legislation proper, is to be Federal; but with a most uncertain quantity of what one may call legislation about penalties, Provincial; civil rights, in the main, Provincial; but no one can tell how much of Federal interference and overruling, and all with courts Provincial in constitution, but whose judges hold by Federal tenure and under Federal pay. I pity the poor man who is at once a criminal judge and a civil judge. Between the clashing of his masters and the clashing of his book authorities, he had better mind what he is about, with the painful doubt rising at every turn whether Provincial legislation may not be overriden by Federal legislation. His Province may well have legislated on what it holds a local matter, while the Federal Parliament may have legislated on it, thinking it a Federal matter. Anywhere there may well be some bit of Federal legislation contradicting something in a local statute. And do our resolutions say that the federal statute shall always override the local statute? No, only in cases where there is concurrent jurisdiction. And yet our judge, who is to decide these nice questions, is paid by one power and removable by that power, and may have his functions taken away and be persecuted to the death by the other. He will have a bad time of it."

He objected that the distinctions and differences between Upper and Lower Canada would be kept up, instead of being obliterated, and were prophetic of disaster. He exhausted the

comparison between the constitution of the United States and the one proposed for the Confederation, to the disadvantage of the latter, and denounced the financial part of the plan from beginning to end. "The system proposed for adoption," said he, "is not one of entire and simple separation of the Federal from the Provincial treasuries, but a system of the most entire and complex confusion between them. One has to think a good deal upon the subject, and to study it pretty closely, to see precisely how the confusion is going to operate; but there it is, unmistakably, at every turn. I do not mean to say that under all the circumstances of the case, something of this sort was not unavoidable. Of course, in the mere view of making the scheme palatable, it was clever to make the Federal treasury pay for Provincial expenditure; but the system that had need be established should bear testimony, not to cleverness, but to wisdom. Is the system proposed for our acceptance as good, then, as statesmen ought to and would have made it? I think not; and the extraordinary thing is, that it is brought out with a flourish of trumpets, on the ground that in some undescribable way it is to work most economically! Well, to test it, I will take it up in three points of view: first, as to assets; next, as to debts and liabilities; and, lastly, as to revenues. As to the asset part of the question, the tale is soon told. The assets of these Provinces, speaking generally, are of very little commercial value. They are much like the assets of an insolvent trader, with lots of bad debts upon his books; it is of small consequence to whom or how they are assigned. The general principle upon which the scheme proceeds, is to give the Federal Government the bulk of these assets. The only exceptions of any consequence—I am not going into the details of the scheme, but still I must present to the House so much of detail as to show that I am making no rash statement, not borne out by facts—the only important exceptions, I say, to this rule are those I am about to notice. Certain properties, such as penitentiaries, prisons, lunatic asylums, and other public charitable institutions, and other buildings and properties of the kind, which, together with those I have just mentioned, may be characterized as exceptional properties, are to be assigned by the General to the Provin-

cial Governments. Also, with the exception of Newfoundland, the several Provinces are to take the public lands, mines, minerals and royalties in each, and all assets connected with them—in common parlance, their territorial revenues. The General Government is, however, to have the mines, minerals and public lands of Newfoundland, paying for them of course. Then, Upper and Lower Canada are severally to have those assets which are connected with the debts reserved for payment by them respectively; but these will not be worth much, and I shall not take the trouble of saying much about them. It is enough to know that the proportion of the debts to be assumed by the two has not yet, for some reason, been stated, and that the assets connected with them amount to very little." The debts are disposed of in an equally unsatisfactory way, but in the length of discussion the revenues ultimately escaped further attention. He proceeded to point out that the proposed financial system would, if adopted, lead to further demands upon the Federal treasury from each of the Provinces, and that in such demands they would mutually support each other, observing:—"With our Upper and Lower Canada have had pretty good proof of this. We know that whenever we anything has had to be done for one section of this Province, it has constantly been found necessary to do something of the same or of some other kind for the other. If either needed anything very badly, then the ingenuity of the Minister of Finance had to be exercised to discover something else of like value to give the other. In one word, unless I am more mistaken than I think I can be, these local governments will be pretty good daughters of the horse-leech, and their cry will be found to be pretty often and pretty successfully, 'Give, give, give!' He expressed his dread of the expenses connected with the defences, the Intercolonial Railway, the communications with the North-West, the enlargement of the canals, the purchase of the Hudson's Bay Territory, the acquisition of Vancouver's Island, and the making "a grand road all across the continent, which Great Britain shrinks from contemplating herself;" and asked, "Well, with this certain prospect before us of a gigantic outlay, what is the prospect for a gigantic income?" He contemplated the decrease of the revenue,

from the necessity of meeting the wishes of the people of the Lower Provinces, whose tariffs were less; and if so, dreaded the taxation that was to meet the deficiency. "We are marching, said he, fast and steadily towards free trade. We must meet the views of the people of the Lower Provinces, who are hostile to high tariffs, and the demand of the Imperial authorities that we should not tax their manufactures so heavily as, in their phrase, almost to deprive them of our market. And if, with this state of things before us, to oblige the Imperial authorities and the Lower Provinces, under pressure of an inevitable state necessity, we are to reduce our customs rates, or any number of them, below what I may call their figure of largest productiveness, then surely it is little to say that we cannot look forward to an increase in the revenue, or even to a continuance of our present income; and it is rather strange that we should be called upon withal, at the same time, so to change our whole system as to involve ourselves in the enormous extravagances here contemplated. No taxing scheme can ever meet the case. Nothing can be looked to but a device of borrowing without limit—the incurring of an amount of debt that, in interest and sinking fund, must prove to be simply unendurable hereafter. But, in fact, we cannot even borrow to any large amount, unless under false pretences. We cannot borrow without telling tales of our condition, resources and expectations, that in the end will be found out to be lies. We must awaken hopes in the minds of money-lenders abroad, that cannot but prove delusive—the memory of which must work us hereafter an aggravation of punishment that we shall then scarcely need. And when that time of reckoning shall have come, then, staggering under the load, without credit at home or abroad, the country will have to choose whether it will have heavy direct taxation—for heavy taxation there must be—or have recourse to more or less of repudiation, or even run some risk of both. If ever that time shall come, the public men of that day, and the people on whom the burthen will then press, will not bless the memory of those who held out the false hopes and inducements under which it is now sought to decoy us into wild expenditure and crushing debt." He objected to a federation of the Provinces, but wanted a federation of the Empire,

and suggested a Colonial Council—something, perhaps, after the manner of the Council for the East Indies. He asserted that the tendency of the present proposition was rather to separation than to a closer connection with the Empire, and that it must inevitably lead to the former. He declared that a legislative union with the United Kingdom was utterly impossible, and that if the question should arise, whether we are so to be merged in the United Kingdom, or are to separate entirely from it, the answer could only be, At whatever cost, we separate. And it was because he believed that the present scheme would lead to separation, even if it bid fair to answer ever so well in the other respects—because he was an Englishman, and held to the connection with England, he would oppose it. He believed that a commercial union with the Lower Provinces could take place, and he anticipated that the United States would be jealous, and possibly aggressive, if the scheme was carried out. After stating that he had gone through the leading points of his argument so far, he observed: If I am not entirely wrong, the only way in which this proposed machinery can be got to work at all, will be by an aggregation, so to speak, in the first Federal cabinet, of the leading men of the different existing Provincial administrations. The attempt must be made to combine the six majorities, so as to carry on an administration in harmony with the understood wishes of the six several Provinces, irrespective of every consideration of principle, or of sound, far-seeing policy. I do not see how, although this thing may be done at starting, it can be carried on—I was going to say, for any length of time—I might say, for any time, long or short, unless by a system of the most enormous jobbery and corruption.”

He objected to the haste with which the measure was pressed, and combatted the grounds on which it was pressed—considerations connected with the United States, with Great Britain, the Lower Provinces, and with our own domestic affairs. He discussed all these points at great length. With reference to the United States, our attitude would be one of semi-defiance, for which there was no reason. With reference to Great Britain, he referred in strong language to the latent feeling which was showing itself there against the Colonies; quoted largely from the *Edinburgh Review*;



denounced the Goldwin Smith school ; read extracts from the *Times* and the *Edinburgh Review* to show that the measure was hailed as a step towards independence ; and declared that he regarded the cutting the tie as a certain result of this measure ; and “of that again, I hold, said he, the inevitable result to be our early absorption into the Republic south of us, the United States, or the Northern States, be which it may.” After several further observations, he concluded as follows : “I feel that I have taken up a great deal of the time of the House, and that I have presented but imperfectly the views I am anxious to impress upon it as to this great question. But for sheer want of strength, I might have felt it necessary, at whatever risk of wearying the House, to go into some matters more thoroughly, and more especially into that branch of the subject which relates to what I may call the alternative policy I myself prefer to this measure, and would wish to see adopted and carried out. As it is, I have but to say, in conclusion, while warmly thanking the House for the attention and patience with which it has for so many hours listened to me, that I have said nothing but what I firmly believe, and felt myself bound to say ; and that I trust the sober good sense of the people of these Provinces, after full reflection and discussion, will decide rightly upon this the largest question by far that has ever been before them for decision.”

The House listened to this long and able speech with much attention, it only being occasionally interrupted by observations of incredulity from the Hon. Attorney-General Cartier, and playful expressions of confidence in his own ability to meet the dreaded emergencies wherever they arose. The conclusion, as Mr. Dunkin himself said, was foregone against his views.

Mr. Shanly, with clear practical common sense, put the issue of Confederation or Annexation before the House in a remarkably lucid manner. After observing that the opponents of the project while giving it a sweeping condemnation, offer nothing, suggest nothing to replace that which they so summarily reject, and after stating his objections to the Federal system and his preference for a Legislative Union, and finding fault with some of the details,

referring to the public opinion in England and the United States with reference to Canada, and the events then pending in the latter country, he observed :

“It appears to me there are just three states of political existence possible for us here when we emerge from the chrysalis form in which we have hitherto existed. First, there is the attempt to stand alone as a separate nationality on this continent—that is one alternative. Secondly, there is the prospect held out to us in these resolutions, namely, a union of all the British North American Colonies under the flag of England, becoming more and more every year a homogenous British people, and building up a consolidated British Power on this continent. The last and inevitable alternative if we reject the other two is exactly that stated by the honourable member for South Lanark (Mr. Morris)—absorption into the United States. It is in vain to shut our eyes to that fact, or that the time is at hand when we will have to make our selection. The latter alternative, he was satisfied, would be most distasteful to the great mass of the people of this country. \* \* \* \* And in making the choice which I know, said he, the people of this country will make—as between annexation to the United States and connection with Great Britain—as between republicanism and monarchy—as between Canada our country, or Canada our state—I believe they will be choosing that which will best advance the material prospects, and best ensure the future happiness and greatness of the country. If we were to be absorbed into the republic, and become a state of the union, that would in no way relieve us of the great undertakings that are before us for the improvement and development of our resources. We would still have a large debt on our hands, of which, unaided, we would have to bear the burden ; our canals and other public works would be treated, not as national, but as state enterprises, and the expense of enlarging or extending them would have to be charged upon a diminished revenue, for nearly the whole of the revenue we now raise from customs and excise would go, not to the improvement of this state of Canada, but would be poured into the coffers of the General

Government at Washington. I cannot understand how any patriotic Canadian, even of those who regard political matters from a material point of view only, can advocate annexation to the United States. I believe there are many persons in Canada who, though entertaining feelings of true loyalty to the Crown of England, imagine that in some way or other—they cannot exactly tell how—annexation would bring about an extraordinary and sudden state of prosperity. I differ entirely, even in the material and practical points of view, from the theorists and visionaries who entertain so false a conviction. How, I would ask, is this country, with diminished means at its command, to be enabled to carry out those great works through which alone it could hope to become great, but the ways and means for constructing or improving which still puzzle our financiers? I have always been of opinion, since I first came to ponder carefully the future of Canada, that that future does not depend so much upon our lands as upon our waters. The land—the *terra firma*—of Canada is not inviting to those who have tilled the soil of Great Britain or explored the vast fertile plains to the west of Lake Michigan. Our country is just on a par with the northern part of the State of New York, and with the States of Vermont and New Hampshire in respect of climatic conditions and conditions of soil. But we possess one immense advantage over those countries, an advantage which gives us a distinctive position on this continent—the possession of the noble river which flows at our feet. It is through that river and our great chain of inland waters that the destiny of this country is to be worked out. But we cannot fulfil our destiny—or the destiny of this country rather—by standing idle in the market place; by, as one honourable member has suggested, doing nothing to improve our natural highways or create artificial ones, trusting to fortune or to Providence for the development of our resources. I believe that we have a high and honourable destiny before us, but that it has to be worked out by hard toil and large expenditure; and we certainly would not be in a better condition to work it out were we to be united to a country that would at once absorb four-fifths of the revenue on which we now depend for our very existence. The improvement

of our internal navigation is the first great undertaking we should consider, whether for commercial purposes or for purposes of defence. And as regards the promoting of our commercial interest in the improvement of our navigation, what advantage, I would ask, could we expect to gain by becoming a state of the American union? There is not one of the seaboard states but would be in every way interested in diverting the western trade from our into their own channels, and in endeavouring to obstruct the improvements calculated to attract that trade to the St. Lawrence. The Western States, doubtless, would have interests in common with us, but they are not in a position to render us material aid for the construction of our works, being themselves borrowers for the means of carrying out their own internal improvements. I believe, then, that even from a material point of view, every unprejudiced thinker must admit that our future prosperity and importance lie in preserving our individuality, and in making the most of our heritage for our own special advancement. I feel quite certain that nine-tenths of the people of Canada would not be deterred from taking their chance as a nation through the fear that they may some day have to strike a blow in defence of their country, and of all else, whether of reality or of sentiment, that should be dear to a brave and loyal people. We stand here the envied possessors of, take it all in all, the greatest river in the world; the keepers of one of the great portals to the Atlantic; and I trust that Canadians will never be found to yield possession of their heritage till wrested from them by force! And that must be a force, they may rest assured, not merely sufficient to over-match the people of these Provinces, but all the power of the Empire besides.

## CHAPTER VIII.

Death of Sir E. P. Taché—Character—Reconstruction of the Government—Ministerial negotiations—Action of the Government after reconstruction—Confederate Council on Trade—Resolutions—Deputation to Washington—Negotiations at Washington for renewal of the Reciprocity Treaty—Failure—Report to the British Minister at Washington—Terms proposed by Canada—Counter terms by the United States—Public satisfaction at the rejection of the latter—Effect on Confederation—A. D. 1865 & 1866.

Before the close of the session the result of the elections in New Brunswick, and the consequent temporary defeat of Confederation in that Province, was known. The Government thereupon at once closed the business of the session, took a vote of credit, including \$1,000,000 (one million), for defence, and determined to send a deputation to England to confer with the Imperial Government. In the month of April the Attorney-Generals West and East, Macdonald and Cartier, and Messrs. Brown and Galt, set out for that purpose, receiving on their way, as the steamer stopped at Halifax, a perfect ovation, indicative, as was supposed at that time, of the feeling in favour of Confederation in the important Province of Nova Scotia.

About this time the assassination of President Lincoln at Washington created a profound sensation throughout the whole of British North America. Public demonstrations of respect were shewn, and resolutions of sympathy and condolence passed by every legislature then sitting, and by almost every municipality throughout the Provinces. Some little anxiety was entertained at the time as to the course his successor, Mr. Johnson, might pursue towards Canada, urged on as he was by that portion of the press in the United States well known for its hostility to England. It however passed away in a very short time.

Not long after the prorogation of the Legislature, in the month of July, the President of the Council, Sir Etienne P. Taché, died at the ripe age of seventy-one. A Canadian by birth and affec-

tion, he had long filled a distinguished position in the country. Of undoubted loyalty to the Crown of England, his practical mind was not led astray by the theories of the French Revolution, or the meretricious glare of the Empire. The rapid advance of the United States, in trying contrast to the slower progress of his own Province, caused no deviation in his devotion to the British cause. In 1812 he gallantly threw himself into the ranks of those who were struggling, and successfully struggled, to preserve Canada to England. In later years, on the establishment of the principles which gave to Canada the unconditional control of her own local affairs, he entered political life, and became a warm supporter of those measures of progress which tended so rapidly to develop her resources and promote her interests. With the correctness of instinct, he saw that the preservation of the peculiar institutions and privileges of Lower Canada, guaranteed by the treaties of Paris of 1763, and of Versailles of 1783,\* could only be maintained by the continued connection with England, and his is the well-known saying, "that the last shot that would be fired on the American continent in the defence of the British flag, would be by a French-Canadian." He had from the first been a warm advocate of Confederation, and the closing act of his public life was in its support in the legislature. He passed away full of honours and of years, and the future historian of Canada will refer to him as one who left to his countrymen of French descent a name without reproach; to his countrymen of English descent the noble example of a man rising above the prejudices of race, and devoting himself to the advancement of all without distinction. A good man and a true patriot, his memory will long be revered by the statesmen over whom he presided, and by the people whom he loved.

His death caused an important vacancy in the cabinet, and developed in a strong light the hollow nature of the alliance between Messrs. Brown and Macdonald, and the latent causes which in a few months later led to the resignation of the former, and his subsequent bitter hostility.

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\* The stipulations of the Treaties of Paris and Versailles are given in Appendix.

The facts cannot be better set forth than in the official narrative of the Ministerial negotiations which took place for the reconstruction of the Government, and which was laid before Parliament in the session of 1865, namely :

*No. 1.—Memorandum made 4th August, 1865, of conversation, held on the preceding day between Messrs. Macdonald and Brown.*

Mr. Macdonald, yesterday, sought an interview with Mr. Brown and informed him that His Excellency the Governor-General had sent for him, that morning, and had stated his desire that the Administration, as it was formed in 1864, should continue in office, with as few changes as possible, in order to carry out the policy announced by the Government on its formation—that, with that view His Excellency had expressed the opinion that the most obvious mode of supplying the place, vacated by the death of Sir Etienne Taché, would be for Mr. Macdonald to assume the position of first minister—as being the senior member of the Ministry—and that Mr. Cartier would, on the same principle, become the leader of the Lower Canadian section of the Government—and that, for the purpose of carrying those views into effect, he had commissioned Mr. Macdonald to take the post of first minister—at the same time requesting all the other ministers to retain their offices. Mr. Macdonald further informed Mr. Brown that he had assented to this proposition of His Excellency, and had seen Mr. Cartier, who, at once, agreed to it. He then invited Mr. Brown to accede to the proposal of His Excellency.

Mr. Brown replied that he was quite prepared to enter into arrangements for the continuance of the Government in the same position it occupied previous to the death of Sir Etienne Taché ; but that the proposal now made, involved a grave departure from that position. The Government, heretofore, had been a coalition of three political parties, each represented by an active party leader, but all acting under one chief—who had ceased to be actuated by strong party feelings or personal ambitions, and who was well fitted to give confidence to all the three sections of the

coalition that the conditions which united them would be carried out in good faith to the very letter. Mr. Macdonald, Mr. Cartier, and himself (Mr. Brown) were, on the contrary, regarded as party leaders, with party feelings and aspirations; and to place any one of them in an attitude of superiority over the others, with the vast advantage of the Premiership, would, in the public mind, lessen the security for good faith, and seriously endanger the existence of the Coalition. It would be an entire change of the situation. Whichever of the three was so preferred, the act would amount to an abandonment of the coalition basis and a reconstruction of the Government on ordinary party principles, under a party leader unacceptable to a large portion of those on whose support the existence of the Ministry depended. Mr. Brown reminded Mr. Macdonald that when the coalition was formed, the Liberal party in opposition, constituted a majority of the House of Assembly: that, solely for the accomplishment of a great measure of reform essential to the peace and progress of the country, they had laid aside, for the time, party considerations, and consented to form a coalition with their opponents, on conditions which nothing but the strongest sense of public duty could have induced them to accept. He reminded Mr. Macdonald of the disadvantageous and embarrassing position he (Mr. Brown) and his colleagues, Mr. McDougall and Mr. Howland, had occupied during the past year,—united as they were with nine political opponents, who held all the important departments of state;—and he asked him to reflect in what light the liberal party must regard this new proposition to abandon their distinctive position, and place one of their chief opponents in the premiership, though his conservative supporters in Parliament were much inferior, numerically, to the Reform supporters of the coalition. Mr. Brown stated his conviction that the right mode of settling the question, would be to invite some gentleman, of good position in the Legislative Council, under whom all the three great parties to the coalition could act with confidence, to become the successor of Colonel Taché. In no other way, he thought, could the position, heretofore existing, be continued. Mr. Brown concluded by saying that the proposal of Mr. Macdonald was, palpably, one



for the construction of a new Government, and that if the aid of the Reform party of Upper Canada in the Assembly were desired in its formation, a distinct statement of the policy of the new Government must be made, and a definite proposition submitted. Speaking, however, for himself alone, he (Mr. Brown) occupied now precisely the ground that he had held in the negotiations of 1864; he stood prepared to give an outside but frank and earnest support to any administration that might be formed, pledged like the Coalition Government, to carry through Parliament, in the spring session of next year, either a measure for the final completion of the Confederation scheme of the Quebec Conference, or one for removing existing difficulties in Canada, by the introduction of the Federal principle into the system of Government coupled with such provisions as will permit the Maritime Provinces and the North-West Territory to be incorporated into the system.

Mr. Macdonald stated in answer that at the time the Coalition was effected in 1864, Sir Etienne Taché held the position of Premier with him (Mr. Macdonald,) as leader of the Lower House, and of the Upper Canadian section of the Government. That on reference to the memorandum containing the basis of Coalition, it will be seen that Mr. Brown at first preferred to support the Government in its policy as then settled without entering the Government, but that it was afterwards agreed in deference to the wishes of his supporters and at the pressing instance of Mr. Macdonald that he and two of his political friends should enter the Government. These terms were acceded to, the offices that happened to be then vacant placed at Mr. Brown's disposal, and the Coalition was completed. Mr. Macdonald further stated that Sir Etienne Taché was not selected at the time of the Coalition or as a part of the agreement for the Coalition, as first minister, but he had been previously and was then the head of the Conservative Government, and was accepted with all his Lower Canadian colleagues without change. That on the lamented decease of Sir Etienne, His Excellency had, without any previous communication of his opinion to him or (as he understood) to any one else, come to the conclusion that the best mode of carrying on the

Government was (as already stated) for Mr. Macdonald to take one step upward; that Mr. Cartier, as next in seniority should do so also, and that the other arrangements should remain as before. That he (Mr. Macdonald) thought with His Excellency that this was the best solution of the matter, and could not but accede to it; that, however, he had no personal feeling in the matter, and that if he had, he thought it his duty to set aside such feeling for the sake of carrying out the great scheme so happily commenced to a successful issue. He therefore would readily stand aside and waive his pretensions, so that some other party than himself might be appointed to the Premiership; that he thought Mr. Cartier should be that party; that after the death of Colonel Taché Mr. Cartier, beyond a doubt, was the most influential man in his section of the country, and would be selected by the Lower Canadian supporters of the Government as their leader; that neither Mr. Brown nor Mr. Macdonald could dictate to Lower Canada as to their selection of leader; that the Premier must be, according to usage, the leader or senior member either from Upper or Lower Canada; and that as he (Mr. Macdonald) had, in consequence of the position taken by Mr. Brown, waived his own pretensions, it followed that Mr. Cartier should be appointed as Prime Minister. Mr. Macdonald stated in conclusion that although he had no reason to suppose that His Excellency would object to the selection of Mr. Cartier, yet he must of course submit the proposition to him, and obtain His Excellency's assent to it.

Mr. Brown replied that in some of the views suggested by Mr. Macdonald, there was a difference between this proposition and the original one; but still that this, like the other, would be a proposal for the construction of a new Government, in a manner seriously affecting the security held by the Liberal party. Before saying anything upon such a proposition, however, were it formally made, he would desire to consult his friends, Mr. McDougall and Mr. Howland.

The interview then terminated, and the following correspondence took place:

*No. 2.—Hon. John A. Macdonald to Hon. George Brown :*

QUEBEC, August 4, 1865.

MY DEAR SIR,—Immediately after our conversation, the heads of which we have reduced to writing, I obtained His Excellency's permission to propose to you that Mr. Cartier, as being the leader of the ministerial majority of Lower Canada in Parliament, should assume the position of Prime Minister, vacated by the death of Sir Etienne Taché, the other members of the administration continuing to hold their position and offices as before. All the Lower Canadian members of the Council assent to this proposition; so do Mr. Campbell and myself; and I am sure I can also speak for Mr. Solicitor-General Cockburn, who is now absent. May I request the favour of an early reply?

Believe me, my dear Sir, yours faithfully,

JOHN A. MACDONALD.

Hon. Geo. Brown, &c. &c. &c.

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*No. 3.—Hon. George Brown to Hon. John A. Macdonald :*

QUEBEC, August 4, 1865.

MY DEAR SIR,—I have received your letter of this afternoon, inviting me to retain my present position in a Government to be formed under the Premiership of Mr. Cartier. In reply I have now to state, after consultation with Messrs. Howland and McDougall, that we can only regard this proposition as one for the construction of a new Government, in a manner seriously affecting the security heretofore held by the Liberal party. Anxiously desirous as we are, however, that nothing should occur at this moment to jeopardise the plans of the Coalition Government on the constitutional question, we cannot assume the responsibility of either accepting or rejecting it, without consultation with our political friends. This I am prepared to do without any delay, and to that end it will be necessary that I have clearly stated in writing the basis on which Mr. Cartier proposes to construct the new Government.

I am, my dear Sir, yours truly,

GEO. BROWN.

Hon. John A. Macdonald, &c. &c. &c.

No. 4.—*Hon. John A. Macdonald to Hon. George Brown :*

QUEBEC, *Saturday, 5th August, 1865.*

MY DEAR SIR,—I regret to learn from your note of yesterday, that you cannot assume the responsibility, without first consulting your political friends, of either accepting or rejecting the proposition that Mr. Cartier should be placed at the head of the Government, in the stead of the late Sir Etienne Taché, with the understanding that the rest of the Council should retain their present offices and positions under him. I have conferred with Mr. Cartier on the subject, and we agree that, at this late hour, it would be highly inexpedient to wait for the result of this consultation.

Parliament is to assemble on Tuesday next; and in our opinion, it would greatly prejudice the position of the Government, as well as the future prospects of the great scheme in which we are all engaged, if we met Parliament with the administration in an incomplete state, and therefore with no fixed policy.

I have His Excellency's permission to state his concurrence in this view, and his opinion that the public interests require the immediate reconstruction of the Ministry.

Under these circumstances, and to prevent the possibility of the scheme for the confederation of British North America receiving any injury from the appearance of disunion among those who coalesced for the purpose of carrying it into effect, Mr. Cartier and I, without admitting that there are any sufficient grounds for setting either of us aside, have agreed to propose that Sir Narcisse Belleau shall assume the position of First Minister and Receiver-General, *vice* Sir Etienne Taché; that the position and offices of the other members of the Executive Council shall remain as before, and that the policy of the Government shall be the same as was laid before Parliament in July, 1864, as the basis of the Coalition which was then formed. His Excellency authorizes me to make this proposition, and expresses his desire for an early answer.

Believe me, my dear Sir, yours faithfully,

JOHN A. MACDONALD.

Hon. George Brown, &c. &c. &c.

No. 5.—*Hon. George Brown to Hon. John A. Macdonald :*

QUEBEC, 5th August, 1865.

Saturday, 5 P.M.

MY DEAR SIR,—Your note of this afternoon was handed to me by Colonel Bernard ; and having communicated its contents to my colleagues, I now beg to state the conclusions at which we have arrived.

Without intending the slightest discourtesy to Sir Narcisse Belleau, we deem it right to remind you that we would not have selected that gentleman as successor to Sir Etienne Taché ; but as he is the selection of Mr. Cartier and yourself, and as we are equally with you desirous of preventing the scheme for the confederation of British America receiving injury from the appearance of disunion among us, we shall offer no objection to his appointment.

I think, however, that it will be necessary that Sir Narcisse Belleau shall have stated to him, and shall accept, in more distinct terms than you have indicated, the policy on which our Coalition now rests. It is quite right that the basis of June, 1864, should be stated as the basis still ; but he should also clearly understand the modification of that agreement, rendered necessary by succeeding events, and which was ratified by Sir Etienne Taché in March, 1865. The agreement of June, 1864, was as follows :

“The Government are prepared to pledge themselves to bring in a measure next session, for the purpose of removing existing difficulties by introducing the Federal principle into Canada, coupled with such provisions as will permit the Maritime Provinces and the North-West Territory to be incorporated into the same system of government. And the Government will seek, by sending representatives to the Lower Provinces and to England, to secure the assent of those interests which are beyond the control of our own legislation to such a measure as may enable all British North America to be united under a general legislature, based upon the federal principle.”

Sir Narcisse Belleau should understand that occurrences in the Maritime Provinces unfortunately prevented this agreement from being carried out, so far as regards time ; that it became necessary

to consider what course ought to be pursued in consequence of these occurrences; and that we came to an agreement that we should earnestly strive for the adoption of the scheme of the Quebec Conference; but should we be unable to remove the objections of the Maritime Provinces in time to present a measure at the opening of the session of 1866, for the completion of the Confederation scheme, we would then present to Parliament, and press with all the influence of Government, a measure for the reform of the constitutional system of Canada, as set forth in the above agreement of June, 1864.

I remain, my dear Sir, yours truly,

GEO. BROWN.

Hon. John A. Macdonald.

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*No. 6.—Hon. John A. Macdonald to Hon. George Brown:*

QUEBEC, August 7, 1865.

MY DEAR SIR,—Sir Narcisse Belleau returned from the country yesterday, and I am happy to inform you that he has, though with great reluctance, acceded to the request of Mr. Cartier and myself, and accepted the position of First Minister, with the office of Receiver-General.

He accepts the policy of the late Government, as stated in your note of Saturday to me, and adopts it as that which will govern his administration.

This policy will of course be announced in both Houses of Parliament, as soon as possible.

Believe me, faithfully yours,

JOHN A. MACDONALD.

Hon. George Brown, &c. &c. &c.

The Government thus re-formed proceeded with apparent earnestness in the work they had undertaken. The progress of events in New Brunswick was becoming more favourable to the confederate cause, and its ultimate triumph was loudly proclaimed by its friends. But there was a disturbing element in our relations with the United States which boded no good. Most unjustly, an inten-

sity of bad feeling towards Canada had been fostered in that country by designing men—a class who for selfish purposes endeavoured to promote a conflict with Great Britain, and to encourage a pretended desire for revenge for alleged injustice to Ireland. The matter of the St. Alban's raid, throughout which Canada had acted in the most honourable manner towards the United States—had not only repaid the loss sustained, with the inflicting of which she had nothing to do, but had actually legislated, almost in contravention of the sacred right of asylum, to prevent such occurrences for the future—was grossly misrepresented. An invidious passport system was established between the two countries by the United States; notice for the abolition of the Reciprocity Treaty, and the convention respecting the armaments on the lakes, served upon Great Britain; and every means adopted to prevent their renewal and the re-establishment of friendly intercourse. Insulting preparations were openly made, in direct defiance of the United States laws, by Fenians, for the purpose of invading Canada; the public arsenals pillaged of their arms in the very presence of the authorities; wordy proclamations issued, and bombastic drillings carried on, avowedly to seize a portion of an empire with which the United States were at peace, and to inflict injuries on a community which had done them no wrong.

In the presence of such circumstances the Canadian Government acted with moderation and discretion. They permitted no offensive demonstrations to be made, quietly prepared to meet any emergency, and relying upon the loyalty of their countrymen, and the good sense of the main body of the American people, endeavoured to open negotiations for the renewal or temporary continuance of the treaty. The farming interests of Upper Canada had become accustomed to the markets of the United States for the surplus productions of their growing country. An immense trade had sprung up across the lines; not only were friendly relations promoted, but business connections had been made, the disruption of which would lead to serious complications. To those so deeply interested no equivalent trade at the moment suggested itself. There were others, however, who were of a different opinion, who did not regard the treaty as of such vital importance,

though they did not hesitate to approve of its renewal, and desire that all reasonable means should be taken to bring it about. They thought the country would not be injured by being thrown upon its own resources, by being compelled to ascertain what other avenues of trade could be opened up. South America, the West Indies, and the Mediterranean markets wanted their fish and lumber. By Canada these countries and markets had been almost ignored, and Canadian goods filtered through the United States supplied but to a limited degree the demand under a foreign name and foreign character. The internal markets of their own Provinces were open to them. The Maritime Provinces wanted the flour and cereals, the homespuns and tweeds of Canada, and, in return, the coal and fish and manufactures of those Provinces were wanted in Canada. Why not seize these markets and throw down the internal barriers?

In the conflict of opinion the Government adopted the wise course of preparing for both emergencies. On the 15th of July a minute of Council was adopted to send two members of the cabinet to Washington to confer with Sir F. Bruce. This decision, however, subsequent events rendered unimportant. Arising out of an application made by Nova Scotia, the British Government, by a despatch dated the 22nd of July, 1865, suggested to the Governor-General the formation of a Confederate Council, chosen by the different Provinces, and presided over by himself, for the purpose of expressing an opinion to Her Majesty's Government on the negotiation of commercial treaties, and instructed him to communicate with the several Lieut-Governors accordingly. On 14th of August the Governor-General did so, and in the early part of September the Council was formed at Quebec, and was called the "Confederate Council on Commercial Treaties." Under the suggestion of this Council a commission was organized late in the autumn, and sent to the West Indies and South America, and negotiations with the United States in due time opened.

With the latter it is our duty first to deal :

Of the Council on Commercial Treaties Messrs. Brown and Galt were members for Canada, Ritchie for Nova Scotia, Wilmot for New Brunswick, Pope for Prince Edward Island, and Shea



for Newfoundland, being members of their respective Executive Councils. Messrs. Macdonald and Cartier were by courtesy further admitted on behalf of Canada to be present at the Council and take part in the discussion. Under the notice from the United States the treaty was to expire on the 17th of March, 1866.

On the 18th of September, 1865, this Council reduced their views to resolutions, in which they declared the colonies satisfied with the treaty; but that if a new one was entered into, that the coasting trade and registration of vessels ought to be included; and that if terms could not be agreed upon with the United States before the 17th March, it would be desirable that the Imperial Government should endeavour to obtain a prolongation of the treaty to such a period as would enable the negotiations to be brought to a successful issue; and that in the event of negotiations some of the members of the Council should attend at Washington to confer with the British Minister, and afford information in respect to the interests of the British North American Provinces. They also recommended that steps be taken to enable the Provinces to open communication with the West Indies, Spain and South America for the purposes of trade.

The text of the resolutions was as follows :

*Monday, 18th Sept., 1865.*

The Council met.

Present : His Excellency the Governor-General, the Honourable Messieurs Cartier, Brown, Shea, Pope, Ritchie and Wilmot.

The minutes of the last meeting were read and approved.

The report from the committee appointed on the last day of meeting was read, and, in conformity with its purport, the following resolutions were unanimously adopted by the Council.

1st. That the existing treaty of trade with the United States is acceptable, and that its renewal, as it now stands, would be assented to by the respective Provinces.

2nd. That in the opinion of the Council, any reasonable proposals for the modification or extension of the treaty that may be suggested by the United States Government, ought to be entertained by the Provinces.

3rd. That in the event of a new Reciprocity Treaty being negotiated, it would be highly desirable that the coasting trade, and the registration of vessels, should be included in its provisions.

4th. That in the event of the abolition of the treaty by the United States Government, it is the opinion of this Council that all the British North American Provinces should combine cordially together in all commercial matters and adopt such a common commercial policy as will best advance the interest of the whole.

5th. That in the opinion of this Council it would be highly desirable that application be made to Her Majesty's Imperial Government, requesting that steps be taken to enable the British North American Provinces to open communications with the West India Islands, with Spain and her colonies, and with Brazil and Mexico, for the purpose of ascertaining in what manner the traffic of the Provinces with these countries could be extended, and placed on a more advantageous footing.

6th. That in the event of negotiations for a new treaty of Reciprocity with the United States, being opened by Her Majesty's Government, but not concluded before the 17th March next, application be made to Her Majesty's Government suggesting that an arrangement be entered into with the United States Government for such a continuation of the existing treaty, as may afford time for concluding the pending negotiations.

7th. That Her Majesty's Government be requested to authorize the members of this Council, or a committee to be appointed from amongst them, to proceed to Washington, in the event of negotiations being opened for the renewal of the Reciprocity Treaty, in order to confer with the British Minister there, and afford him information with respect to the interests of the British North American Provinces.

The Council then adjourned.

(Signed) W. A. HIMSWORTH,  
*Secretary.*

On the 1st January, 1866, Messrs. Galt and Howland of Canada, Smith of New Brunswick, and Henry of Nova Scotia, delegates

from their respective Governments, of which they were members, went to Washington. Negotiations, with the concurrence of the British Minister, were opened with the United States, and continued until the month of February, without any successful result. The demands of the United States were totally inadmissible ; and on the 6th February, the Delegates delivered the following memorandum (marked A) in reply to the Committee of Ways and Means (Congress being then sitting), to which Committee, under the action of the American Government, they had been referred :

(A.)

WASHINGTON, *February 6, 1866.*

In reference to the memorandum, received from the Committee of Ways and Means, the Provincial Delegates regret to be obliged to state, that the proposals therein contained, in regard to the commercial relations between the two countries, are not such as they can recommend for the adoption of their respective Legislatures. The imposts which it is proposed to lay upon the productions of the British Provinces, on their entry into the markets of the United States, are such as, in their opinion, will be in some cases prohibitory, and will certainly seriously interfere with the natural course of trade. These imposts are so much beyond what the Delegates conceive to be an equivalent for the internal taxation of the United States, that they are reluctantly brought to the conclusion that the Committee no longer desire the trade between the two countries to be carried on upon the principles of reciprocity. With the concurrence of the British Minister at Washington, they are therefore obliged respectfully to decline to enter into the engagement suggested in the memorandum ; but the present views of the United States may soon be so modified as to permit of the interchange of the productions of the two countries upon a more liberal basis.

On the following day they made their report to Sir Frederick Bruce, Her Majesty's Minister at Washington, and returned to their several Governments ; Mr. Henry, the Attorney-General of Nova Scotia, having taken the place of Dr. Tupper, and Mr.

Howland, Postmaster-General of Canada, the place of Mr. Brown.  
The Report was as follows :

WASHINGTON, *February 7th, 1866.*

SIR,—We have the honour to inform your Excellency that our negotiations for the renewal of reciprocal trade with the United States have terminated unsuccessfully. You have been informed, from time to time, of our proceedings, but we propose briefly to recapitulate them.

On our arrival here, after consultation with your Excellency, we addressed ourselves, with your sanction, to the Secretary of the Treasury, and we were by him put in communication with the Committee of Ways and Means of the House of Representatives.

After repeated interviews with them, and on ascertaining that no renewal or extension of the existing treaty would be made by the American authorities, but that whatever was done must be done by legislation, we submitted, as the basis upon which we desired arrangements, the enclosed paper (marked B).

In reply we received the memorandum from the Committee, of which a copy is enclosed (C); and finding, after discussion, that no important modifications in their views could be obtained, and that we were required to consider their proposition as a whole, we felt ourselves under the necessity of declining it, which was done by the memorandum, also enclosed (A).

It is proper to explain the grounds of our final action.

It will be observed that the most important provisions of the expiring treaty, relating to the free interchange of the products of the two countries, were entirely set aside, and that the duties proposed to be levied were almost prohibitory in their character. The principal object of our entering into negotiations was, therefore, unattainable, and we had only to consider whether the minor points were such as to make it desirable for us to enter into specific arrangements.

These points are three in number.

With regard to the first—the proposed mutual use of the waters of Lake Michigan and the St. Lawrence—we considered that the present arrangements were sufficient, and that the common interests

of both countries would prevent their disturbance. We are not prepared to yield the right of interference in the imposition of tolls upon our canals. We believe, moreover, that the privilege allowed the United States, of navigating the waters of the St. Lawrence, was very much more than an equivalent for our use of Lake Michigan.

Upon the second point—providing for the free transit of goods under bond between the two countries—we believe that in this respect, as in the former case, the interests of both countries would secure the maintenance of existing regulations. Connected with this point was the demand made for the abolition of the free ports existing in Canada, which we were not disposed to concede, especially in view of the extremely unsatisfactory position in which it was proposed to place the trade between the two countries.

On both the above points, we do not desire to be understood as stating that the existing arrangements should not be extended and placed on a more permanent basis, but only that, taken apart from the more important interests involved, it did not appear to us at this time necessary to deal with them exceptionally.

With reference to the third and last point—the concession of the right of fishing in the Provincial waters—we considered the equivalent proposed for so very valuable a right to be utterly inadequate. The admission of a few unimportant articles free, with the establishment of a scale of high duties as proposed, would not, in our opinion, have justified us in yielding this point.

While we regret this unfavourable termination of the negotiations, we are not without hope that, at no distant day, they may be resumed, with a better prospect of a satisfactory result.

We have the honour to be,

Your Excellency's most obedient servants,

A. T. GALT, *Minister of Finance, Canada.*

W. P. HOWLAND, *Postmaster-General, Canada.*

W. A. HENRY, *Attorney-General, Nova Scotia.*

A. J. SMITH, *Attorney-General, New Brunswick.*

His Excellency Sir F. Bruce, K.C.B., &c.

## (B.)

1st. Free trade in the natural productions of the United States and the Provinces ; subject, on both sides, to the internal revenue duties.

2nd. That the present arrangement with regard to the fisheries shall continue.

3rd. The free navigation of the internal waters of the continent, coupled with an effort to improve Canadian water communications.

4th. That Canada would adjust her excise duties upon spirits, beer and tobacco, in accordance with a revenue standard to be mutually adopted.

5th. A continuance of the present bonded system through both countries.

## (C.)

1st. That they should decline to admit free any article whatever from Canada, with the exception of burr millstones, rags, firewood, grindstones, plaster and gypsum.

2nd. That they ask a right to fish as at present. They would abolish the present fish bounties, but impose an import duty more than an equivalent to these bounties.

3rd. That the navigation arrangement would continue, providing that no discrimination as to tolls should be made between United States and British craft.

4th. That the present bonding system should continue.

5th. That the following should be the duties levied on other articles proposed to be included in this treaty :

Animals, living, of all sorts, 20 per cent. (ad valorem.)

Apples, and garden fruit and vegetables, 10 per cent. (ad val.)

Barley, 15 cents per bushel.

Beans, except vanilla and castor oil, 30 cents per bushel.

Beef, 1 cent per pound.

Buckwheat, 10 cents per bushel.

Butter, 4 cents per pound.

Cheese, 4 cents per pound.

Corn, Indian and oats, 10 cents per bushel.

Cornmeal, Indian and oatmeal, 15 cents per bushel.

Coal, bituminous, 50 cents per ton.

Coal, all other kinds, 25 cents per ton.

Flour, 25 cents (ad valorem.)

Hams, 2 cents per pound.

Hay, \$1 per ton.

Hides, 10 per cent (ad valorem.)

Lard, 3 cents per pound.

Lumber, pine, round or log, \$1 50 per 1,000 feet.

Pine, sawed or hewn, \$2 50 per 1,000 feet ; planed, tongued and grooved, or finished, 25 per cent. (ad valorem.)

Spruce and hemlock, sawed or hewn, \$1 per 1,000 feet.

Spruce, planed, finished, or partly finished 25 per cent. (ad valorem.)

Shingle bolts, 10 per cent. (ad valorem.)

Shingles, 20 per cent. (ad valorem.)

All other lumber of black walnut, chestnut, bass, whitewood, ash, oak—round hewn or sawed,—20 per cent. ad valorem.)

If planed, tongued and grooved, or finished, 25 per cent. (ad valorem.)

Ores, 10 per cent. (ad valorem.)

Peas, 25 cents per bushel.

Pork, 1 cent per pound.

Potatoes, 10 cents per bushel.

Seed, timothy and clover, 20 per cent. (ad valorem.)

Trees, plants and shrubs, ornamental and fruit, 15 per cent. (ad valorem.)

Tallow, 2 cents per pound.

Wheat, 20 cents per bushel.

Thus ended the efforts to renew a treaty which had covered a reciprocal trade of sixty-eight millions per annum, and which had been looked upon by its promoters in 1854 as tending to cement perpetual amity with the United States. The action of the delegates at Washington met with the universal approval of the people of the Provinces. The propositions of the Government of the United States, as conveyed through the Committee of Ways and Means, it was considered would simply have made the British

Provinces insignificant, outlying portions of their territory, controlled by their laws, without having any voice in their legislation, dependent for their trade and commerce upon the fluctuating views of the preponderating party for the time being in the United States; governed one day by the restrictive policy of Pennsylvania coal owners, and the next by the necessities of gold speculators in New York; unable to enter the British or any foreign market, but with the badge of American vassalage; and having to look in their own legislation and their own parliaments, not to the interests of their own country, but to the directions they might receive from their commercial masters at Washington. It was well for the governments of the day that their delegates returned without having given even a qualified assent. The Provinces were thrown together, and confederation was secured.

To this action of the American Government on the question of reciprocity, and to the Trent affair, the rapid achievement of Canadian union may be mainly attributed. It would have come in time, but the latter acting upon the British Government, and the former upon the British Provinces, brought it about at once; and if hereafter a great northern nation should spring from the confederation, rivalling the United States in power, in constitutional freedom, in commercial enterprise, and in the development of all those elements of strength which indicate a progressive and contented people, rivals in all the pursuits of peace, and equals in the emergencies of war, the United States will have to look back to their own action in 1862 and 1865 as one of the main concurring causes.



## CHAPTER IX.

Resignation of Mr. Brown—Parliamentary explanations—Reasons assigned—  
Examination of minutes of Council and Mr Galt's memorandum—  
Reasons existing—Subsequent conduct—A. D. 1865 & 1856.

But the events narrated in the previous chapter did not take place without producing in the Canadian Cabinet a change of singular significance. In the month of December Mr. Brown, owing, as it was said, to a difference with his colleagues as to the mode in which the negotiations with the United States should be conducted, resigned his seat as President of the Council, and left the cabinet. Mr. McDougall was at that time absent with the West India Trade Commission, and the leader of the Government tendered to Mr. Howland, the remaining member of the Reform party in the cabinet, the position held by Mr. Brown, with the assurance that the conditions on which the Coalition Government had been formed were still to continue. Mr. Howland, after consulting his friends, accepted the position. Mr. Fergusson Blair, another Reformer, and avowed supporter of confederation, was offered and accepted the situation of President of the Council, with the full consent and approbation of his party, went back for re-election, and was triumphantly returned.

Though it was well understood throughout the country that it was on the question of the negotiations for the renewal of the Reciprocity Treaty with the United States that Mr. Brown's resignation had taken place, and, so far as the facts were supposed to be, his views in that respect approved of; yet no specific statement of the difference between himself and his late colleagues had been made either on behalf of the Government or himself, official prudence requiring that pending the negotiations reticence should be observed. The meeting of Parliament was therefore looked forward to with interest when it was known the necessary ministerial explanations must be given. In the meantime the seat of government had been removed to Ottawa. The public

attention was occupied with the Fenian invasion in the spring of 1866. The treaty had been disposed of, and no anxiety was felt on that account. The new elections in New Brunswick had terminated in favour of the confederate party ; the Nova Scotian legislature had passed resolutions authorising their government to act in that direction ; and thus when the Parliament assembled at Ottawa on the 8th of June, 1866, and for the first time held its sittings "in the magnificent buildings erected in the city chosen by Her Majesty as the seat of government," the assembled representatives were prepared to consider dispassionately the reasons which had induced an influential member of the cabinet, and the leader of the liberal section, to abandon his post at the moment when the great object for which he had joined it, and for which he had entered into a coalition contrary to the avowed policy of his political life, was passing through its darkest hour.

Immediately upon the opening of the House, the Attorney-General West, the Hon. John A. Macdonald, introduced in lieu of the ordinary formal bill to assert the privileges of the House, before going into consideration of the speech from the throne, a bill for the suspension of the Habeas Corpus, and the Attorney-General East, Hon. Geo. E. Cartier, a bill for extending to Lower Canada, the Act then in force in Upper Canada for the trial of hostile marauders. These two measures were passed without opposition, were sent up to the Council, passed there and received the Governor-General's assent the same day.

On the re-assembling of the House in the following week, and so soon as the ordinary business had been disposed of, the question of Mr Brown's resignation came up. The mere fact of a particular individual joining or leaving a Government would not as a general rule demand an exhaustive narrative [of the causes which led to it ; but Mr. Brown's position was peculiar—the history of Confederation would not be complete without his name. His persistent assertion of a policy had brought about the dead-lock, which had rendered Constitutional Government almost a mockery in Canada. In 1864 his entering the Government of the day, which he had always persistently opposed and denounced, to bring about a great constitutional change, had met with the approbation

of both friends and foes, and had extorted from his opponents, the admission, that for a good purpose, he was strong enough to treat with indifference, the charges of inconsistency and change which might have deterred a weaker man—that like Peel he could boldly throw himself upon the nation's judgment, and rise above the trammels of party. When, therefore, he left the ship, just as she was going into action, every one looked for a good reason for it.

The fairest way is to give the explanations as they were made in Parliament by the parties themselves.

In the Legislative Council, the Hon. Sir N. F. Belleau on rising to give the Ministerial explanations touching the resignation of the late President of the Council in the autumn previous, observed :

“ It was generally known all over the country that Mr. Brown resigned upon a question regarding the renewal of the Reciprocity Treaty with the United States. The best way to make known to the House the policy of the Government on the subject at the time, was to read the minute in Council on which that gentleman had resigned. It was as follows :

*Copy of a Report of a Committee of the Executive Council, approved by His Excellency the Administrator of the Government, on the 22nd December, 1865.*

The committee have had under consideration the memorandum dated 18th December, 1865, from the honourable the Minister of Finance, submitting for the consideration of your Excellency in Council, that it appears from the report to Congress, of the Secretary of the Treasury of the United States, as well as from the information obtained by him, the Minister of Finance, in recent conversations had at Washington with the Secretary of State and the Secretary of the Treasury of the United States, that the American Government are not disposed to submit to Congress any proposal for the renewal of the Reciprocity Treaty, but consider that the commercial relations between the United States and the British North American Provinces should form the subject of concerted legislation.

That under these circumstances he submits that inasmuch as the treaty will expire on the 17th of March next, there is no reasonable probability that the Congress of the United States will, before that date, decide in any way upon their policy in this respect, while it is manifest that no corresponding legislation could possibly take place in each of the British Provinces; that it is therefore evident that unless some understanding be arrived at with the American Government, for a temporary continuance of existing arrangements, the trade between the two countries must be subject to serious disturbance, by the expiry of the treaty on the 17th March.

That the proposal of the Secretary of the Treasury to substitute legislation in lieu of the treaty, can only apply to those portions of the treaty which refer to commercial subjects. That the national rights involved in the engagements relative to the fisheries, and to the navigation of the great lakes, and the St. Lawrence, cannot, he believed, be dealt with otherwise than by treaty or convention between Great Britain and the United States.

That the subjects embraced in the Reciprocity Treaty are two-fold. That those relating to trade and commerce can, if it be so determined, be reserved for the action of the respective Legislatures, each country pursuing the policy that is most in accordance with its own interests, while those relating to International engagements must either be continued by treaty or each nation will revert to its position prior to the execution of the Reciprocity Treaty.

That as the latter class of subjects has not been referred to by the Secretary of the Treasury, it is possible it has not received full attention in the decision that would appear to have been arrived at for the abrogation of the treaty, as it can scarcely be supposed that the United States desire to reproduce that state of things which was happily put an end to by the execution of the treaty.

That the concessions which were considered to be made by Great Britain in relation to the fisheries question were, however, so intimately blended with the commercial advantages alleged to have been granted by the United States, that it does not, at this

moment, appear possible to consent to the concessions by Great Britain being continued and made permanent in favour of the United States by a new treaty, while the latter country determines to retain within its own control, all the subjects by which equivalents were considered to have been given to the British Provinces.

That if the objections by the United States to a renewal of the commercial treaty rest upon its being an unconstitutional act on their part, it no longer becomes a subject of discussion, and some other course must be devised for the division of the subject, dealing with national rights by treaty, and with commercial relations by legislation. And he offers as his opinion that no insuperable difficulty need be apprehended in this course, if the subject be approached in a spirit of mutual desire to perfect and to perpetuate the friendly intercourse and trade between the two countries; but that it is manifestly impracticable, within the time limited for the termination of the treaty, to give the required consideration to the subject, and to settle all the various details connected with it; and that it is therefore very much to be apprehended that the whole engagements of the treaty will end on the 17th March, unless the Government of the United States acquiesce in their temporary continuance with a view to negotiations. But in case it should be ultimately found necessary to deal with the question of trade by legislation, it must be apparent to the United States Government that extreme difficulty must be experienced in bringing into harmony the views of so many different legislatures, and much time will be required for the purpose. That in view, therefore, of the proposed confederation of the British North American Provinces probably taking place at an early day, it would appear more desirable to defer, if possible, any legislative arrangements with the United States to the Legislature of the Confederated Provinces, especially as the earliest duty of that body will be to revise and assimilate the existing separate systems of finance and trade now existing in each; thus affording the most favourable opportunity for the consideration of any proposals of the American Government relating to trade and revenue.

He, the Minister of Finance, therefore recommends that communication be had with Her Majesty's representative at Washington, for the purpose of submitting to the Government of the United States a proposal for the continuance of the existing treaty for such period as may be agreed upon, for the purpose of negotiation, and that two members of the Council be instructed to put themselves in communication with His Excellency and (subject to his concurrence), with the authorities at Washington on the subject.

The Minister of Finance further recommends that the action proposed to be taken for the purpose of obtaining delay in the abrogation of the treaty be communicated by your Excellency to the Lieutenant-Governors of the Maritime Provinces, and that they be requested to inform their respective governments that it is not the intention of the Canadian Government to depart from the course proposed by the Confederate Council on Commercial Treaties, or act in any manner separately or distinctly from the other Provinces, in the ultimate discussion and decision of the various questions involved; but solely in view of the vast interests in Canada affected by the possible termination of the treaty, to use every exertion, in the meantime, to obtain delay, with the intention hereafter of considering, in connection with the sister Provinces, any suggestions that may be made on the part of the United States, in relation to the future commercial intercourse between the two countries, and that the Maritime Provinces be invited to send representatives to Washington for the same purpose, and be informed that it is proposed to hold a meeting of the Confederate Council on Commercial Treaties at Ottawa, as soon as the position of that question would warrant it, founded upon the information to be received from Washington as to the probable extension or final abrogation of the Reciprocity Treaty.

(Certified.) W. H. LEE, *C. E. C.*

At this stage Mr. Brown, after a long and earnest discussion, said he could not concur in the policy indicated, and if the Council adopted it he would be obliged to take other steps. The question, however, was put and unanimously carried, the Provincial Secretary alone being absent. Upon the declaration that it was passed

Mr. Brown rose and said he would not sign it, and would resign. Before giving his resignation that honourable gentleman had stated, however, that he would support the policy of confederation, and, as far as possible, the general measures of the Government. These were the sensible facts, and it was now for the country to judge them.

On Friday, June the 15th, 1866, in the House of Assembly, the Speaker took the chair at the usual hour.

After the ordinary routine business had been disposed of, on the order of the day being called, the Hon. John A. Macdonald rose and said :

“ In accordance with the promise made yesterday, he would give explanations regarding the changes which had been made in the Administration since last session. The explanations, so far as the Government are concerned, would be short, simple, and occupy the attention of the House but a very brief period. It was known the honourable member for South Oxford had retired from the position of President of the Council, and had been succeeded by the Hon. Fergusson Blair. It was also known, from public rumour, which in this case, contrary to general rule, was correct, that the member for South Oxford had retired from the Government in consequence of a difference of opinion with the majority of the Executive Council on the subject of the best mode of continuing negotiations for the renewal of the Reciprocity Treaty with the United States. The majority of the Council, after long and serious discussion, and full consideration of the whole question, came to a certain conclusion as to the best policy to pursue under the circumstances, and the honourable gentleman who had resigned would not assume the responsibility of adopting that policy. The subject in question had occupied the attention of the whole country for a considerable time—indeed ever since the honourable gentleman entered the Coalition Cabinet it engaged continually the attention of the Government. In December last the members of the Government (who were all here except the Provincial Secretary, then absent on a commercial mission) came to a conclusion upon the best mode of conducting negotiations with the United

States for the renewal of the old Treaty, or for securing by some other arrangement the advantages which flowed to the Province and to the United States from the Treaty of 1854. The Government exceedingly regretted that he could not conscientiously assent to that policy, as in accordance with his view of what was right, and, yielding his opinion to that of the rest of his colleagues, remain in the Council. However, he, like every political man, was the only judge of what was the proper course to pursue; and, while he was subjected to a degree of pressure by his colleagues to withdraw his resignation and yield his opinion, he could not bring himself conscientiously to do so, and said that the only thing that remained was for the Administrator of the Government to accept his resignation, and for the vacant place to be filled up by another. The House knew the honourable member for South Oxford did not hold an ordinary position in the Government as Minister of the Crown. He was not only a Minister holding office like the rest of his colleagues, but he was the representative of a great party, and the leader of the three gentlemen who, at the time of the coalition, went into the Government for the purpose of effecting the great object which now, he was happy to say, was so nearly accomplished; and it was an additional source of regret that the honourable gentleman was not now in the Government, as a minister of the Crown, to witness the success of that project, for which he had sacrificed so much, and worked so earnestly and patriotically. He had, however, pursued the only course that was open to him as a statesman—to resign when he found he could not honestly and conscientiously approve of the course which the Government had made up its mind to follow. Having done so, he (Hon. John A. Macdonald), on behalf of his colleagues, and with the approbation of His Excellency the Administrator of the Government, invited the Postmaster-General, then the head of the Liberal section of the Government, from Upper Canada, to assume the task of filling up the vacancy, and that gentleman replied that he could not give an answer without an opportunity of considering the matter and consulting his friends. He (Mr. Macdonald) could not do better than read to the House a report made by that hon. gentleman on the subject, as follows:—



‘Mr. Howland reported to the Council, that by the resignation of Mr. Brown, he was placed in a position in which he felt that great responsibility rested upon him ; and that before coming to a decision as to whether he should continue in the Government, he felt it to be his duty to consult and obtain the advice of those members of both branches of the Legislature who belonged to the Reform party. Pending this, he would decline to take any part in the proceedings of the Council. He therefore asked the consent of the Council to the step he proposed.’

This consent was accorded, and a letter was at the same time placed in Mr. Howland’s hands, which read as follows :

EXECUTIVE COUNCIL OFFICE,

OTTAWA, Dec. 20th, 1866.

MY DEAR HOWLAND,—I have only time, before you leave, to say to you that the policy of the Coalition Government will in no respect be changed by the resignation of G. Brown ; that all the conditions entered into at the time of the formation of the Coalition Government will be fully carried out ; that I ask you to take Mr. Brown’s position in the Government, and that you have *carte blanche* in the choice of a gentleman of your party to fill the vacant seat in the Council.

In haste, yours sincerely,

JNO. A. MACDONALD.

To Hon. W. P. Howland.

*P.S.*—When I speak of the conditions on which the Coalition Government was formed, I of course refer to original arrangements under Sir E. P. Taché, and to continuations of them when Sir N. F. Belleau became Premier.

J. A. M.

Mr. Howland, continued Mr. Macdonald, after seeing his friends, consented to remain in the Government, and, as he had said before, the Hon. Mr. Blair had accepted the office of President of the Council, with the consent and approbation of his party. These, so far as Government was concerned, were all the explanations they had to offer. The papers on the subject would be submitted to the House.”

Hon. George Brown—" Before proceeding to enter into explanations on the subject of his retirement from the Government, desired it to be distinctly understood that his resignation was entirely on account of the course which had been pursued on the question of the renewal of the Reciprocity Treaty. He was bound to admit that no slight cause would justify him in leaving the Government before the great question of Confederation, for the carrying of which he had taken office, had not been finally disposed of. At the same time, he thought that Confederation had even then reached that point where no danger of its failure, need have been apprehended. He had entered the Government with very great reluctance and would have preferred, as he had stated at the time, to have remained on his own side of the House and sustained the gentlemen opposite in maturing the great question and carrying it to a successful issue. He thought still that it would have been the proper course for himself and his friends to have sustained the Government from their own side of the House, than to have joined in the Government, and he was still prepared to give the Government his hearty and cordial support in carrying out that measure. With regard to the occasion of his leaving the Government, the policy on the Reciprocity question the matter in connection with it which led to his resignation, was the negotiations of Canada with the United States. It was in the course pursued by the Hon. Finance Minister, that he had found his reasons for the course he had taken. He was glad, however, that the policy on which he had resigned had not been carried out, and thought his resignation had done some good in preventing that policy from bearing fruit. The honourable gentleman opposite knowing he (Mr. B.) was present, had not thought fit to give his view of the case, and he begged to state before entering upon it, that he had left the Government in perfect friendship and without any difference or disagreement upon any other question than that of Reciprocity. As the Attorney-General had stated that question was before the Cabinet from the time of the formation of the Coalition Government, and on the 15th July, 1865, feeling it necessary that the Government should know what were the views of the United

States Government that ministers might come down and meet the House with a statement of policy, it was proposed to send a deputation to Washington. A long discussion took place upon this point. The Council did not agree upon it, but on applying for the document it could not be found. A deputation was sent to Washington to ascertain the views of the American Government. We were satisfied with the treaty ; they were not, therefore they should make a proposition to us and not us to them as a basis for renewal of negotiations. The result of that mission was that the American Government desired some arrangement with regard to certain articles in which a great deal of smuggling was carried on from this country to the United States, and he was perfectly satisfied to enter into an arrangement of this kind from first to last. During the last session of Parliament on discussion on the enlargement of the canals, the honourable Minister of Finance had made some remarks which he supposed members would recollect, and which he did not hesitate to say conveyed an idea of the policy of the Government. (Mr. B. then read from Mr. Galt's speech showing that enlargement of canals would only be wise policy for Canada as an inducement to Americans to renew the treaty, &c.) The Ministry last year had suggested to the Imperial Government the propriety of consulting the British American Colonies in any negotiations that might take place for a renewal of the treaty. The British Government had agreed, and appointed the Inter-Colonial Council of Trade. The Canadian Ministers who were members of that Council were the Hon. Attorney-Generals East and West, Hon. A. T. Galt and himself (Mr. B.) He held in his hand the resolutions which had been agreed upon at that Council, after a full discussion, which it was proper he should read. Mr. Brown read resolutions to the effect that the Colonies were satisfied with the present treaty, but willing to enter upon a new one upon any reasonable basis ; that in any new treaty the coasting trade should be included ; and in case of the failure to negotiate before the 17th March, then the Imperial Government should be appealed to, to get a renewal of the then existing treaty for a brief period, to enable negotiations to be carried to a successful issue. These resolutions were agreed to on

the 17th September last. Shortly after that time the departments were removed to Ottawa, the cabinet meetings were held in Montreal, so that, properly speaking, the Government had no abiding place. On the 17th November he had gone to the Lower Provinces on a mission connected with our trade relations, and shortly after his return to Toronto he had been surprised to see in the American papers a statement that Messrs. Galt and Howland, who had been sent on a mission to New York to confer with the Internal Revenue Commissioners, were negotiating with the Committee of Ways and Means in Washington. He thought there surely must have been some mistake, as no authority had been given our delegation to make any propositions, and he feared that this step would have a most dangerous effect on the Lower Provinces, and even be detrimental to the prospects of confederation, as indicating that Canada desired to act without consulting the other governments equally concerned. It was desirable to know exactly what had taken place, and though he had no doubt his honourable friend had acted in the best of faith, still from the course pursued, had it not been for the great question of confederation, he (Mr. B.) would not have stayed in the Government one hour. Mr. B. then read the following memorandum :

“ When the Council met at Ottawa on the 13th December Mr. Galt gave a full narrative of his proceedings in the United States, but did not submit it to writing. I asked him to do so, but he thought it unnecessary, which I think is to be regretted. He stated that he met the Commissioners at New York, and arranged with them that they should report to their Government in favour of a renewal of the Reciprocity Treaty, and of a year's extension of the existing treaty, to enable a new one to be arranged by the Commissioners. He also stated that he had agreed with them for the assimilation of duties during the year, so as to prevent, or at least render unprofitable, smuggling on the border. Mr. Galt then went on to say that after seeing the Commissioners at New York, he proceeded to Washington, where he saw Mr. Seward and Mr. McCulloch. He said both were very friendly, and deprecated any interruption to our commerce; but that Mr. Seward declared no new treaty could be made, and that only reciprocal

legislation could be assented to. Mr. Galt said he combatted this proposal, and shewed the difficulty of getting all the Provinces to consent to reciprocal legislation, to which Mr. Seward replied that he did not care about the Lower Provinces, it was an arrangement with Canada he wanted. Mr. Galt said he urged that the fishery question could not be arranged except by treaty, to which Mr. Seward replied that he did not care about the fisheries, and also that that could be separately arranged. The result was that Mr. Galt proceeded to discuss with Mr. Seward and Mr. McCulloch (separately, I understood) the arrangements possible under reciprocal legislation. He suggested to them that such manufactures of the two countries, as the United States might designate, might be admitted free, provided the same articles from England were admitted into Canada free. He suggested that all the natural products of the two countries should be admitted free, with this exception, that when the Americans impose an excise duty on articles made or grown in their country, they might impose an equal customs duty on the same articles coming in from Canada. He suggested that our inland waters and canals might be made a highway, common to both countries, and maintained at the joint expense of both. He suggested that the customs duties on foreign merchandise of the two countries should be assimilated as far as possible, and when the rate of duty was the same in both countries, such articles should pass free from country to country, and a settlement be made between the governments at the end of each year, on a balance of accounts from the customs entries on the lines. Other suggestions were made by Mr. Galt equally important, and all likely to cause much agitation in the Provinces. Mr. Galt followed up his narrative by proposing that a minute of council be adopted, endorsing what he had done, and authorising him to proceed to Washington and continue his negotiations. A discussion of several days followed. I contended that Mr. Galt had no authority for going on to Washington, and had acted most indiscreetly in making such suggestions, even on his own personal responsibility. That what he had done was in direct opposition to the deliberate decision of the Government and Confederate

Council, and calculated to be most seriously injurious to us in the coming negotiations, I contended that even had Mr. Galt full authority for going to Washington, and had the council not previously determined the line of discussion to be then adopted, the action taken was worse than folly. Mr. Galt had flung at the heads of the Americans every concession that we had in our power to make, and some that we certainly could not make, so that our case was foreclosed before the commission was opened. Every suggestion he had made would be regarded as a boon we were seeking, and our eagerness in making them would convince the Americans more than ever that we were, and that we thought ourselves, at their mercy. But I went on to contend that the worst part of the matter was that all these sacrifices were to be made to secure "Reciprocal Legislation," that is, an Act of Congress and an Act of the Canadian Legislature which either might repeal at any moment. I pointed out the astuteness of these suggestions on the part of the United States Government—that it simply meant an arrangement by which the Americans could get over their present difficulties and have our aid in collecting their revenues—the one sole thing they were then bent on, and after that hold our people dangling from year to year on the Legislation of the American Congress, looking to Washington instead of Ottawa as the controller of their commerce and prosperity,—knowing, as I well did, the determination of the leading United States public men to absorb the Provinces into the Union, I pointed out how admirably this scheme was designed to attain their end, and what a position we would be in, with the public mind excited before each meeting of Congress by articles in the United States press, threatening ruin to our trade—and resolutions proposed in Congress by protectionist members. I also pointed out the effect all this would have on the Lower Provinces. Here had Mr. Galt been settling the basis of a new treaty without one word of communication with the sister colonies, nay, in direct opposition to what they had determined was the best course to pursue. I told my colleagues what had been done by the Confederate Council, that I was bound in honour to stand by the course taken by, and the

promises made to, the members of the Confederate Council. I expressed my fear that great offence would be taken if Mr. Galt's proposal was persisted in, and that result might be the loss of Confederation as well as Reciprocity. I stated that I could not be responsible for Mr. Galt's proposed order in Council, and for his continuing the negotiations alone, and if it were insisted on I must leave the Government. I was asked to state what course I suggested. I said—treat Mr. Galt's proceedings at Washington as unofficial, call the Confederate Council together and at once by telegraph, and commence anew. Make a dead set to have this reciprocal legislation idea upset before proceeding with the discussion, and if you fail after every exertion has been made to restore the proposal for a treaty, then, before breaking off all negotiations, ascertain the conditions proposed, for the purpose of seeing whether all the present advantages of our position should be sacrificed for a boon dependent from day to day on American whim. I endeavoured earnestly to impress my colleagues with the dangerous nature of this reciprocal legislation. I pointed out that, until Mr. Galt met Mr. Seward, such an idea had never been broached by any one. I pointed out also that, apart from its political effect, no extension of the scope of the treaty would be worth much that was capable of repeal at any moment. Who would put his money in any enterprise that might be knocked on the head at a month's notice. I also reminded them that even in the United States those friendly to Reciprocity, and who were striving for its renewal, would be equally dissatisfied with us at such an unreliable arrangement. At last Mr. Galt, after consulting with others, made a suggestion for a compromise. He consented that his proceedings at Washington should be treated as unofficial, that no order in Council be passed on the subject, and that he and Mr. Howland, be sent down to Washington to secure a treaty if they could, but, if not, to find the best terms that could be got, and report to the Government without delay, for their approval. I replied that I quite understood this as intended to strike my name from the Confederate Council of trade, and place Mr. Howland's in lieu of it, that I would not on that account object to the proposal, but accept the compromise. I supposed the matter

settled, but Mr. Galt then proposed that a second draft minute he had placed before the Council should be adopted. I said I thought no minute whatever was to be passed, and on his reading what he proposed now to be adopted, it appeared that the document referred to Mr. Galt's mission to Washington, endorsed his policy, and, instead of calling the Confederate Council together, ordered that an intimation of what had been done, and what was proposed to be done, should be sent to the Governments of the Lower Provinces, so that they might if they chose send representatives to Washington. On pointing out these objections a clause was added intimating that a meeting of the Confederate Council would be held when Messrs. Galt and Howland returned from Washington. He (Mr. B.) had not been able to read the first memorandum, though he had applied for it, but could not get it, that was the reason why the explanations had not been given yesterday, and not as stated in one of the papers, that he required time to refresh his memory. Had both minutes been withdrawn he would have been satisfied, but as only one was withdrawn and the other being substantially the same, he could not consent to undertake the responsibility involved in agreeing to substitute reciprocal legislation for the provisions of a treaty. The Secretary of the Treasury had more than a week to prepare his report, after his conference with our Finance Minister, and even in that report the objection of the treaty being unconstitutional, was not so decidedly put as in Mr. Galt's report. The Secretary only said there were grave doubts whether such treaties were not unconstitutional, as infringing the rights of Congress to legislate on all matters of commerce, and he (Mr. B.) was surprised that his honourable friend should have fallen in with such an absurd proposition. It was a mere delusion to suppose that there could have been any constitutional objection to the treaty, because the United States had made twenty treaties of a similar import since the one of 1854. Having fully considered this matter, and having viewed it in the light of an improper concession to the United States, being of opinion that the Minister of Finance was not authorised to proceed to Washington, and offer terms on



behalf of Canada, and believing that reciprocal legislation would be no rightful substitute for the treaty, he had come to the conclusion that it was his duty to resign his position in the Government. Having decided upon this step, he then considered how he should carry it out. There were two ways, one to place his resignation at once in the hands of the leader of the Government, the other to wait upon the administrator of the Government. He, considering the peculiar circumstances under which he had entered the Government, considered it his duty to adopt the latter course, and lest there should have been any appearance of discourtesy to his friend at the head of the Government, he at once sent his resignation to the Premier. His Excellency the administrator had received him with great kindness, indeed he would never forget the consideration extended him on that occasion. After explaining the whole matter, the administrator said, 'Then, Mr. Brown, I am called upon to decide between your policy and that of the other members of the Government.' He (Mr. B.) replied, 'Yes, sir, and if I am allowed to give advice in the matter, I should say that the Government ought to be sustained, though the decision is against myself. I consider the great question of confederation as of far greater consequence to this country than reciprocity negotiations. My resignation may aid in preventing their policy on the reciprocity question from being carried out, or at least call forth a full expression of public opinion on the subject, and the Government should be sustained if wrong in this for the sake of confederation.' Mr. Brown continued that he was as much in favour of a renewal of the reciprocity treaty as any other member of the House, but he wanted a fair treaty; and they should not overlook the fact, while admitting its benefits, that the treaty was attended with some disadvantages to us. He contended that we should not have gone to Washington as suitors for any terms they were pleased to give us. We were satisfied with the treaty, and the American Government should have come to us with a proposition since they, not we, desired a change. There was something in building up a great country besides mere commercial advantages, and he did not desire that by a system of reciprocal legislation Canada should be bound to sail in the wake of Washington.

Hon. Mr. Galt, after complimenting Mr. Brown on the temper of his explanations, said that he, too, would endeavour to refrain from the use of any word which could provoke acrimonious discussion. He would have been glad if there had been no necessity for him to add a single word to the explanations of Mr. Macdonald, but Mr. Brown had represented him (Mr. Galt) as acting without authority in his first visit to Washington. The fact was that Mr. Brown had left, after some preliminary discussion, for the Lower Provinces; and on subsequent days, in council, he had received the sanction of all his colleagues to the course adopted, and had been authorized, at the same time, to proceed to Washington to lay papers respecting the threatened Fenian invasion before Sir F. Bruce. In his interviews there with the Secretaries of State and Treasury he had not presumed to speak as authorized by the Canadian Government to propose any definite line of policy. He had only endeavoured to ascertain what was the practicable method of obtaining the advantages of continued commercial intercourse. He would not follow the honourable member in the discussion of of the policy actually adopted and pursued by the Government; that would probably be brought up by itself apart from mere personal issue; but for himself he would only say that in the course taken he and his colleagues had sincerely at heart a desire to secure for the people of Canada the benefits derivable from unfettered commercial intercourse with the United States. In respect of the proposal to proceed by legislation, mutually agreed upon, instead of by treaty, there was a good deal to be said in its favour. A treaty must have been negotiated for a term of years; and to settle the basis of a treaty now in 1866, with the burthens of a recent war pressing on the United States government, and preventing them from acting with liberality, and agreeing that it should continue in force until 1876, would be a most disadvantageous manner of proceeding. Legislation on the subject would be as much under our control as under that of the Congress of the United States. We could change ours at any time as well as they, adapting on both sides year by year to changing circumstances, till the United States again found themselves in a position to grant as liberal terms as in 1854. In regard, therefore, to this

basis they had not sacrificed or offered to sacrifice any of the interests or independence of Canada ; and as for looking to Washington, or subjecting the country to Washington influences, if his colleagues or himself could have been weak or base enough to entertain any such designs as hinted at, the country had in the last few weeks shown unmistakably what their will was in this regard. The people had spoken in a manner no Ministry could misunderstand or venture to disregard. One more matter of a personal nature : the honourable gentleman had complained that he had not been furnished with the memorandum submitted by him. Now, that had been rejected at the instance of the honourable member himself. He (Mr. Galt) withdrew it, and it ceased to be a public document. It did not belong to the Executive Council, but to him (Mr. Galt). Yet, lest it might be thought there was anything in it which he had an interest to conceal from the Council, he would himself read it to the House :

‘The Minister of Finance has the honour to submit for the consideration of his colleagues in the Government, that the approach of the period when, under the notice given, the Reciprocity Treaty will expire, renders it necessary to consider the steps necessary to be taken to procure such an extension of the notice from the Government of the United States, as will afford time for fully considering and arranging the best mode for establishing permanent regulations for the trade, navigation and intercourse between the United States and Canada, under the circumstances, and with the view of defining the general limits of the discussion of the question of reciprocity with the American authorities. It appears necessary to decide upon the principles by which the Canadian Government would be guided, in case it should become necessary to proceed by concerted legislation. The Minister of Finance, therefore, respectfully recommends that the following points be now settled as expressing the views of the Administration in regard to the commercial relations of Canada with the United States ; and in the event of the Government of the United States declining to make a treaty of commerce with Great Britain as regards Canada and the other British North American Provinces,

the Canadian Government are willing to endeavour to effect such arrangements by concerted legislation as will establish such regulations as it may agree upon to adopt.

1st. Canada would be willing to agree to the reciprocal interchange of the natural productions, shipping and manufactures of both countries, provided she were not required, in any case, to impose differential duties in favour of the United States.

2nd. Canada would be willing to place the navigation of the great lakes and the St. Lawrence on a footing of perfect equality, and hereafter to consider the best mode of perfecting the canals, so as to afford the greatest possible facilities to the trade of the west. If practicable, the coasting trade of the two countries should be made reciprocal, and the regulations for the transit trade made permanent and satisfactory.

3rd. With the view of preventing illicit trade, Canada would be willing to agree upon the assimilation of the excise duties upon spirits, beer and tobacco, and of the customs duties upon the same and cognate articles. She would also willingly consider any suggestion, by the United States, for the extension of such assimilation to other articles, provided the settlement of the whole commercial relations between the two countries be made upon the principle of perfect reciprocity, and the greater freedom afforded to the citizens of both countries to purchase and sell in the markets they may prefer.

4th. Canada may state that the Maritime Provinces are prepared to unite with her in the discussion of all the subjects arising out of the abrogation of the Reciprocity Treaty, and she therefore desires that the negotiations should be carried on with Commissioners appointed to represent the several Provinces. But as such negotiations could not possibly be completed before the 17th March Canada suggests that the notice for the abrogation of the Treaty be withdrawn, pending negotiations, reserving, however, to both countries the right of imposing customs duties upon any or all of the articles enumerated in the 4th section of the treaty, provided the same do not exceed the duties now levied by the Internal Revenue Act of the United States ; or, if necessary, Canada would accept a declaration from the United States, that they will not

act upon the notice given for the abrogation of the treaty, further than to impose such duties as aforesaid upon the productions of British North America, and will not consider such duties as inconsistent with the reciprocity provided by the treaty, which shall in all other respects be held to be in force.

5th. If no other course can be taken for obtaining an extension of the treaty, the Canadian Government are prepared to recommend, at the next session of Parliament, the enactment of such measures as may, meantime, be agreed upon with the American Government, provided the legislation of both countries be made concurrent and reciprocal.

(Signed) A. T. GALT, *Minister of Finance.*'

“Hon. Mr. Howland said, on Mr. Brown's resignation, he felt placed in a position of peculiar difficulty. Had he consulted his own feelings he would have followed the leader of his party out of Government. But he was convinced that he (Mr. Brown) was wrong and his colleagues right in the course taken. Under these circumstances, seeing that coalition had been formed to effect a certain great object, and that great object might be endangered if coalition were altogether dissolved, he had to call his political friends together at Guelph, and afterwards at his own house in Toronto, and they decided he ought to remain in. In the first instance, he was authorised to offer a seat in the Cabinet to Mr. McKenzie, who, after consultation with Mr. Brown, declined. This place was then offered to Mr. Ferguson Blair, who accepted. This was all he had to say, for he felt it inexpedient to discuss apropos of these personal explanations—the policy of the Government respecting reciprocity.”

No further explanations were made, nor was any action afterwards taken upon the subject.

On an examination of Mr. Brown's speech, we find the reason assigned for his resignation was the policy suggested by Mr. Galt, with reference to the negotiations, and the adoption of that policy by the Government. That policy, according to Mr. Brown's statement, was embraced in two draft minutes by Mr. Galt, one

of them, he says, he could not get. It was, however, subsequently in the debate produced by Mr. Galt, and for the sake of elucidation may here be called No. 1. The other was produced by Sir N. F. Belleau, in the Legislative Council, and for the same reason may here be called No. 2.

No. 1 was abandoned by consent and withdrawn. No. 2, Mr. Galt afterwards proposed, should be adopted, and on an objection made by Mr. Brown, a clause suggested by him was added.

Mr. Brown then says: "Had both minutes been withdrawn, he would have been satisfied, but as only one was withdrawn and the other being substantially the same, he could not consent to take the responsibility involved in agreeing to substitute reciprocal legislation for the provisions of a treaty."

First, then—Were the two substantially the same?

Secondly—Was any proposition to substitute legislation for treaty adopted by the Government?

In No. 1, Mr. Galt suggested for the consideration of his colleagues certain points as guides in case a treaty could not be obtained, and concerted legislation became necessary.

1st. A reciprocal interchange of the natural productions, shipping and manufactures of both countries, provided Canada was in no case required to impose differential duties in favour of the United States.

2nd. To place the navigation of the great lakes and the St. Lawrence on a footing of perfect equality and afterwards to consider the best mode of perfecting the canals. The coasting trade to be made reciprocal, and the negotiations for the transit trade permanent and satisfactory.

3rd. An assimilation of Excise duty on certain named articles, and a readiness to consider the extension of such assimilation to other articles provided it was on a reciprocal footing.

4th. That Commissioners from the other Provinces should be included in the negotiations and that the notice for the termination of the treaty be withdrawn, pending negotiations reserving the right to each country of imposing duties on the articles in the free list, &c.

In minute No. 2, after pointing out that certain rights *must* be the subject of treaty, and others *may* be the subject of concerted legislation and that if the United States Government adhered to their position, viz. : "that such a treaty on their part was constitutional," there was not time to consider the question before the 17th March, and that in view of the proposed Confederation of the Provinces, it would be better to defer any legislation, assuming it was necessary. He recommended

1st. A proposal for the continuance of the existing treaty for an agreed period for the purpose of negotiation and that two members of Council be sent to Washington therefor.

2nd. That the proposed steps be communicated to the Governments of the Maritime Provinces ; and that they be informed that it was not the intention of the Canadian Government to depart from the course proposed by the Confederate Council on Commercial Treaties, but, solely in view of the vast interests in Canada that would be affected by the treaty, to obtain delay, with the intention of considering with the sister Provinces any suggestions made by the United States ; and that the Maritime Provinces be requested to send representatives to Washington ; and that a meeting of the Confederate Council on Commercial Treaties should be held at Ottawa as soon as circumstances would warrant, founded upon the information to be received from Washington as to the probable extension or final abrogation of the treaty.

Throughout No. 1, the adoption of concerted legislation was only a *dernier resort*, and in no case does Mr. Galt propose to substitute it in place of a treaty, if a treaty could be obtained ; but if no treaty could be obtained, then he names certain points to be considered. But that minute was never adopted by the Government, and was, by consent of Mr. Brown and Mr. Galt, withdrawn.

In No. 2, while the possibility of having ultimately to deal with the question by concerted legislation is referred to, the substantive proposition is to obtain an extension of time for the purpose of considering with the sister Provinces any suggestion made by the United States ; and the reiteration is clearly made, of the determination of the Canadian Government "not to depart from the course proposed by the Confederate Council on Commercial

Treaties ;" which course, Mr. Brown states, had been agreed upon by the Council when he was a member, and to which he was a party, and which, it must be remembered, contemplated nothing but a treaty. Thus the two minutes are not substantially the same.

In Sir F. N. Belleau's explanation, in the Legislative Council, he states, " A discussion took place on this minute (No. 2), and it was the contemplated adoption of this minute, to which Mr. Brown objected, and announced his determination of resigning, and on its adoption did resign."

While, therefore, Mr. Brown was right in his abstract proposition, that legislation for such a purpose was not as good as a treaty, he was wrong if it is considered in its application at that time, because it was not proposed. The minute of Council which was proposed to be adopted, and which would be the guide to the instructions the Government would give the delegates, would not authorize them to agree to legislation. They were to obtain a renewal, or an extension of time. If they could not, and legislation only was offered, it would be very proper to see on what terms it was proposed to base such legislation—proper, both in the interests of a renewal of friendly intercourse, and of eventuating if possible in some arrangement that could be adopted, or in ascertaining the terms which might form the basis of a treaty, if one could ultimately be obtained, and to report the same accordingly. Indeed Mr. Brown himself said,—“ If you fail, after every exertion has been made to restore the proposal for a Treaty, then before breaking off all negotiations, ascertain the conditions proposed, for the purpose of seeing whether all the present advantages of our position should be sacrificed for a boon dependent from day to day on American whim.” And that was exactly the plan the negotiations assumed at Washington. When the delegates found the authorities would not hear of a treaty, they submitted a basis for the desired arrangements. In reply, the committee of ways and means submitted theirs. On both sides both propositions were rejected, and the delegates reported accordingly. Had they ventured to transcend their instructions, Mr. Brown's position in the Cabinet would have been more influential to prevent the wrong



the Country would have sustained, than leaving it at the time he did. Throughout the whole official correspondence, or the public records, nothing can be found to justify the assertion that legislation in lieu of a treaty was to be accepted. The time for submitting that proposition had not come, and never did come.

No other explanations on the subject were made in Parliament, and the conclusion is irresistible, that the reason assigned for the resignation was not the reason which existed. Mr. Brown's resignation at such a time, when confederation was about to be put upon its trial, and when the great measure in which he had taken so prominent a part, required the aid of all the talents and patriotism and, if necessary, self-abnegation of the leading men in the country, cannot, it is conceived, be justified. He himself had said, "that the appearance of disunion in the Government would be injurious to the cause of confederation." Either he ought not to have joined the Government, or he ought not to have left it at that time. The people sustained him in the first, they condemned him in the latter. The reason he gave no one accepted as the real reason, and his opponents did not hesitate to say that he left the Government because he was not permitted to be its master, and that jealousy of its other leading men was the true cause. Whether it was so or not, unfortunately—because it is a misfortune, when a political man of high standing affords even plausible grounds for the public to attribute his conduct, in the discharge of public duties, to other than public considerations, still more so when that conduct precludes even his friends from justifying the position he has taken—Mr. Brown's subsequent conduct gave too much reason for the charge. His endeavour from that time to revive the old internecine quarrels, that had existed previous to the coalition; to renew the charges of corruption against his old opponents, which, if true, he at any rate had condoned, by going into the Government with them; his attacks upon his own colleagues of the Reform party, who had joined him in the effort for conciliation, because they would not follow him in his flight; his unceasing attempts to blacken the personal character of the men, who but just previously had been his colleagues, and joint sworn advisers of the Crown; his efforts to sow

disunion among the friends of confederation, and divide its supporters into old party lines at the very moment it needed the greatest consideration, and the most united action ; his jeopardising a great national question, in which not only the interests of Canada but of all British America were involved, to gratify personal or political animosity brought, as they usually do, their own punishment. In one year the work of his suicide was accomplished. At the elections for the Dominion Parliament in 1867 throughout the vast Province of Ontario, in which he had been wont to be a moving power, no constituency returned him, though a candidate, to that first Parliament of the confederation, in which it had been expected he would play so conspicuous a part. The people pronounced him to be an impracticable man, who allowed his temper to over-ride his judgment. A powerful debater, an experienced politician, of indomitable energy, in many respects, but for one weakness, great, he passed away from the sphere of a statesman, and destroyed a power which, wielded with moderation, might have been of incalculable service to his country. A more painful episode never occurred in political life. *Requiescat in pace.*

## CHAPTER X.

Deputation to England—Defence—Imperial policy on Confederation after defeat in New Brunswick—The West Indian and Brazilian Commission—Instructions—Report—Imperial Despatches—Relaxation of the rule with reference to the Inter-Provincial Trade as to British North America—Constitutional question—Galt—Macdougall—Difficulty of dealing with the West Indies—Galt on Colonial Taxation—Action of the Imperial Government—Negotiations in 1862 with France—Remonstrance—Removal of Baron Boilleau—Importance of Trade question—Necessity of concession to Canada by the Imperial Government to make exceptional reciprocal arrangements with South America, and with all the British Colonies wherever situate—Changed position of Canada—Increased responsibilities necessitate increased powers—A.D. 1865.

In order that the narrative might be unbroken on subjects of importance, it has been necessary occasionally to omit reference to concurrent circumstances that were equally bearing on Confederation. It has been already mentioned that at the close of the session in 1865 a deputation of the Canadian Ministers had been sent to England to confer with the Imperial Government on the questions then agitating the country. The position was at this time critical. The American civil war had virtually closed; but the irritation engendered towards Canada and Great Britain during its progress continued. The American Government still enforced the Passport system, and had given notice to the British Government both for the termination of the Reciprocity Treaty, and of the Convention restricting the naval armament on the lakes. The proposal for Confederation, which it was urged would tend to consolidate and strengthen the Provinces for the purposes of defence had been rejected in New Brunswick on an appeal to the people, in the spring of 1865, and its advocates signally defeated. The whole line of frontier from Windsor in Upper Canada to St. Andrew's, in New Brunswick, was threatened with invasion by lawless Fenian marauders. The rapid disbandment of the American army was casting loose a body of reckless adventurers whose desire was plunder, and whose consequent

object was to embroil the two countries. Even the well regulated classes of the American citizens were callous or indifferent. The abnormal excitement resulting from their long war had not yet subsided, and though they could not exactly approve of the act, they did not regret to see the Canadians or the British Government worried at the prospect of invasion or International trouble. It was to them a species of inexpensive revenge. All this tended to create a sense of insecurity. The uncertainty was almost worse than the actual conflict would be.

When, therefore, this deputation went to England, the question, what share the latter was going to take in defending the country was a serious one. Three important points were to be discussed.

First. The proposed Confederation, and by what means it could most speedily be effected.

Secondly. The arrangements necessary for the defence of Canada in the event of war with the United States, and the extent to which the same should be shared between Great Britain and Canada.

Thirdly. The steps to be taken with reference to the Reciprocity Treaty, and the rights conferred by it upon the United States.

The Deputation did their duty well. The third point has already been disposed of. Sir Frederick Bruce, Her Majesty's Minister at Washington, was instructed to negotiate for a renewal of the treaty, and act in concert with the Government of Canada. What took place has been stated.

On the second point, we learn from the report made by the Deputation to the Governor-General, on their return, in July, 1865, that after much discussion with the Imperial Government, the result arrived at was, "that if the people of Canada undertook the works of defence at and west of Montreal, and agreed to expend, in training their militia, until the union of all the Provinces was determined, a sum not less than is now expended annually for that service, Her Majesty's Government would complete the fortifications at Quebec, provide the whole armament for all the works, guarantee a loan for the works undertaken by Canada, and, in the event of war, undertake the defence of every portion of Canada with all the resources of the Empire."

The annual expenditure on the militia had been that year raised from \$300,000 to \$1,000,000; and a report on the whole subject of the defence of Canada, with plans and estimates by the highest military and naval authorities, had been asked for, and confidentially communicated to the Canadian Ministers, which was calculated to remove all doubt as to the capability of defending Canada, so long as the people remained attached to the British flag, and the power of England was wielded in their defence.

Thus satisfactorily was this matter arranged; but the necessary legislation of the Imperial and Provincial Parliaments, and the further consideration of the defensive works, was postponed for the action of the Government and Legislature of the proposed Confederation; the Imperial Government stating, however, at the same time, that they should prosecute with despatch the works for the improvement of the fortifications at Quebec, for which they had obtained a grant, and which had already been commenced.

On the third point, Her Majesty's Government gave the assurance, that it would urge every legitimate means for securing the early assent of the Maritime Provinces to the union, and also renewed the promise of the Imperial guarantee for the construction of the Intercolonial road. It is unnecessary to observe that the idea of coercion towards the Maritime Provinces was not for a moment entertained by any party. The Secretary of State enclosed to the Governor-General a copy of the following despatch, which he had already transmitted to the Lieutenant-Governor of New Brunswick, as indicative of the policy and wishes of Her Majesty's Government:—

DOWNING STREET, *24th June, 1865.*

SIR,—I have the honour to transmit to you the copy of a correspondence between Viscount Monck and myself, on the affairs of British North America, which have lately formed the subject of conferences between Her Majesty's Government and a Deputation from the Canadian Government.

This correspondence having been presented to both Houses of the Imperial Parliament by command of Her Majesty, I have to direct you to communicate it also to the Legislature of New Brunswick, at its next meeting.

You will at the same time express the strong and deliberate opinion of Her Majesty's Government, that it is an object much to be desired, that all the British North American Colonies should agree to unite in one Government. In the territorial extent of Canada, and in the maritime and commercial enterprise of the Lower Provinces, Her Majesty's Government see the elements of power, which only require to be combined in order to secure for the Province which shall possess them all, a place amongst the most considerable communities of the world. In the spirit of loyalty to the British Crown, of attachment to British connection, and of love for British institutions, by which all the Provinces are animated alike, Her Majesty's Government recognize the bond by which all may be combined under one Government. Such an union seems to Her Majesty's Government to recommend itself to the Provinces on many grounds of moral and material advantage, as giving a well-founded prospect of improved administration and increased prosperity. But there is one consideration which Her Majesty's Government feel it more especially their duty to press upon the Legislature of New Brunswick. Looking to the determination which this country has ever exhibited, to regard the defence of the Colonies as a matter of Imperial concern, the Colonies must recognize a right and even acknowledge an obligation incumbent on the home Government to urge with earnestness and just authority the measures which they consider to be most expedient on the part of the Colonies with a view to their own defence. Nor can it be doubtful that the Provinces of British North America are incapable, when separated and divided from each other, of making those just and sufficient preparations for national defence, which would be easily undertaken by a Province uniting in itself all the population and all the resources of the whole.

I am aware that this project, so novel as well as so important, has not been at once accepted in New Brunswick with that cordiality which has marked its acceptance by the Legislature of Canada; but Her Majesty's Government trust that after a full and careful examination of the subject in all its bearings, the Maritime Provinces will perceive the great advantages which, in the opinion of

Her Majesty's Government, the proposed union is calculated to confer upon them all.

I have, &c.,

(Signed) EDWARD CARDWELL.

To His Excellency the Lieut. Governor of New Brunswick.

Plain and simple as this dispatch was, fair and creditable as it seemed to the British Government, the enemies of confederation denounced it in the strongest terms. In every line they saw a covert meaning. It was an instruction that the saleable were to be bought, the obstructive to be removed; that the British Government wanted confederation for the purpose of getting rid of the Provinces, and whatever the means that might be necessary they must be adopted. Roman traditions were invoked,—Tarquin and the poppies revived,—and the dispatch itself sarcastically translated:—

“*Hoc Ithacus velit et magno mercenter Atreidæ.*”

During the summer the Lieutenant-Governor of New Brunswick went to England an anti-confederate. Like good Madeira, mellowed by the voyage, in the autumn he returned a ripened confederate. Dissensions broke out in his council,—new trade revelations were discovered,—a modern Ulysses whispered behind the throne,—and it was gravely said that the back stairs days of George the Third had come again, though responsible Government had been conceded to the Province.

From Nova Scotia Sir Richard Graves Maedonnell, an anti-confederate, was promoted to Hong Kong, and Sir Fenwick Williams of Kars, a gallant soldier, who could hold a fortress, or carry a Province, was sent out to his native land to tell his countrymen that confederation was for their good,—and he did it.

The British Government in expressing its wishes in favour of confederation; and in instructing the Lieutenant-Governors, their own Imperial officers, to aid the movement, and afford the people of the country every opportunity of constitutionally expressing their wishes and opinions on the point, acted legitimately, as the confederates contended, and should not in any way be held responsible for the means adopted by local politicians to attain

the same end. The anti-confederates on the contrary contended, that such influences, however legitimate, were not fairly used, that the self interested motives of local parties tainted the whole measure, and stamped it as one for personal aggrandisement, and not for the general good. Grave as these charges were the consideration of them must for the present be postponed.

The commission appointed at the suggestion of the Confederate Council on Commercial Treaties, mentioned in the preceding chapter, "to proceed to the British West Indies and to the Foreign West India Islands, Brazil and Mexico, for the purpose of enquiry as to the trade of those countries, and of ascertaining how far it might be practicable to extend the commerce then existing between them and British North America," was composed of the Hon. William Macdougall, a member of the Canadian Government, (Chairman), Messrs. Ryan, Delisle, and Dunscomb on behalf of Canada; of Messrs. Macdonald and Levisconte on behalf of Nova Scotia; of Mr. William Smith, Comptroller of Customs at the Port of Saint John, on behalf of New Brunswick; and of Mr. William H. Pope, a member of the Government, on behalf of Prince Edward Island.

Having obtained the sanction of the British Government, and the necessary authorisations from the Foreign and Colonial Secretaries of State in England, to the Foreign and Colonial Governments, and after due consultation in December, 1865, with the authorities in London, as to the general nature of the policy to be pursued, these gentlemen proceeded on their mission in the month of January, 1866.

The instructions under which they were to act were contained in the following letters:—

FINANCE DEPARTMENT,  
OTTAWA, *17th November, 1865.*

GENTLEMEN,—By command of His Excellency the Administrator of the Government, I have the honour to inform you that His Excellency has been pleased to appoint you Commissioners to proceed to the British West Indies and to the foreign West India Islands, Brazil and Mexico, for the purpose of enquiring into the trade of these countries, and of ascertaining how far it may be



practicable to extend the commerce now existing between them and British North America.

The countries referred to all produce articles which enter very largely into the consumption of the people of Canada and the Maritime Provinces, while at the same time they consume the staples of production here to an immense amount. Naturally, therefore, trade should exist, and be carried on between them under the most favourable conditions. Practically, however, it is found that the commerce is very restricted in amount and of slow development.

The causes for this state of things may be found partly, no doubt, in the difficulty which always attends the opening of new markets and the diversion of trade; but principally in the fiscal laws which both on our part and on theirs interfere with the free interchange of our respective commodities. The rapid extension of the productive power of Canada in lumber, cereals and fish, and the early prospect that the great resources of the Maritime Provinces will equally be brought under an uniform commercial policy for all British North America, render it in the opinion of the Government most important that an enquiry should be made into the circumstances and conditions of our trade with the West Indies and South America, and into the best mode by which it can be developed.

The subject becomes of the utmost importance at a time when our important trade with the United States is threatened with interruption, and will certainly hereafter be continued under different conditions from those which have hitherto existed.

Knowing then that the countries to which you are about to proceed offer a market for all the surplus products of British North America, and that they can afford us in exchange all the productions of the tropics, it is most desirable that an effort should be made to remove the artificial obstructions which exist to free commercial intercourse.

The Government have decided to confide this important duty to you, in which it is probable you will be aided by one or more representatives from the Maritime Provinces. It is confidently believed that the views of these gentlemen will coincide with your

own on all points, but if unfortunately material divergence of opinion should be found to exist, it will then be your duty to act under the authority now given you, on behalf of Canada alone, reporting the circumstances to His Excellency to enable him to communicate with the Governments of the Sister Provinces for the purpose of re-establishing joint and united action.

The instructions under which you will act must necessarily be of a very general character, and their application must be left in a great measure to your own discretion, in which the utmost reliance is placed.

You will in all cases report the nature and extent of the productions of the respective countries you visit, their trade, tariffs and all other burdens imposed upon commerce, the ordinary prices current, &c. It will also be desirable to note the several customs of trade among merchants, and other points valuable for the information of our commercial community.

It will then become your duty to consider whether you can offer any suggestions for removing what may appear to you to be obstructions to direct trade with British North America.

It would be improper for the Government to anticipate the action of the Legislature in reference to taxation; but it is necessary that you should be informed that this Government would be prepared to recommend to Parliament the reduction or even the abolition of any customs duties now levied on the productions of these countries, if corresponding favour were shown to the staples of British North America in their markets.

Your first attention will probably be directed to the British West Indies, and subsequently to the Spanish, French and other foreign islands, ultimately visiting Demerara and Brazil. If time will permit you will visit Mexico, but in the disturbed state of that Empire it is not desired that you should much delay your return for this purpose. It is hoped that your labours will be completed by 1st April next.

You will proceed to England as soon as possible, reporting yourselves to the Secretary of State for the colonies, to whom His Excellency will furnish you with letters, and you will, I am sure receive from him such introduction to the British authorities in

the places you intend to visit as will secure every facility for your enquiries.

You will be pleased to report to me, for the information of His Excellency the Administrator of the Government, from time to time, the progress you make, with advice as to the points at which you may be addressed.

I have the honour to be, Gentlemen,

Your obedient humble servant,

A. T. GALT,

*Minister of Finance of Canada.*

The instructions to the Commissioner from New Brunswick were communicated to him by the Governor of that colony, and were as follows :

FREDERICTON, N.B., *December 15th, 1865.*

SIR,—Her Majesty having been pleased to authorize the appointment of Commissioners charged with a mission of enquiry into the most available means of extending the commerce of the British North American Provinces, I have nominated you as Commissioner for the Province of New Brunswick on that behalf, having the fullest reliance on the ability and zeal with which you will discharge the duties entrusted to you.

I have now to instruct you to proceed to the West Indies, there to join and co-operate with the Commissioners appointed on behalf of the other British North American Provinces.

You will, in conjunction with them, endeavour to ascertain how far it may be possible to effect arrangements with any of the British Colonies or foreign possessions in the West Indies, or with the Empires of Mexico or Brazil, by which the trade between these countries and the British North American Colonies would be further developed and extended. You are not authorized to make any engagement or give any pledge on behalf of the Government of New Brunswick, but you are at liberty to make any suggestions which may appear to you to be suitable, and you will discuss the subject of your mission with those appointed to confer with you in the fullest and frankest manner. It will be your duty, in these conferences, to obtain all possible information as to the mutual

commercial concessions and corresponding changes in the respective tariffs of the several colonies and countries referred to, which may seem calculated to facilitate the attainment of the object desired.

You will further generally collect such information at the different places visited as may, in your opinion, be of utility to the commercial community of New Brunswick, or which may tend to open up new markets for the productions of the Province, and new fields for the employment of its industry.

You will from time to time report your proceedings to the Hon. the Provincial Secretary, and on your return to the Province, will make a general report of the information you have obtained.

I have, &c.,

(Signed)           ARTHUR H. GORDON.

W. Smith, Esq., Comptroller of Customs, &c.

The 10th paragraph of the Canadian Instructions should be noted. How far it was in contravention of the Imperial policy as to discriminating duties remains to be seen.

In the month of May, 1866, the Commissioners returned, and in due time made their reports to their respective Governments.

After the usual acknowledgments of the attention and hospitalities with which they were received, the Commissioners make "suggestions" by themselves briefly stated as follows:—

"1st. To establish promptly a line of steamers suitable for the carriage of mails, passengers and freight, between Halifax, Nova Scotia, and St. Thomas, in the West Indies, touching (until the completion of the Intercolonial Railway) at Portland, in the United States, so as to ensure regular semi-monthly communication between the ports mentioned.

2nd. To make a convention or agreement with the Postal authorities of the United States for the prompt transmission of letters, &c., from Canada and the Maritime Provinces, by every United States mail which leaves the ports of Boston or New York for the West Indies, Brazil, Mexico, &c., and also for the transmission through United States mails of correspondence originating in those countries.

3rd. To establish a weekly line of steamers between Montreal and Halifax, and to complete as soon as possible the Intercolonial Railway.

4th. To procure, by reciprocal treaties or otherwise, a reduction of the duties now levied on flour, fish, lumber, pork, butter, and other staple productions of British North America, in the West Indies, and especially with Brazil and the Colonies of Spain.

5th. To obtain, if possible, from the Spanish and Brazilian authorities a remission of the heavy dues now chargeable on the transfer of vessels from the British to the Spanish and Brazilian flags.

6th. To procure, by negotiation with the proper authorities, an assimilation of the Tariffs of the British West India Colonies in respect to flour, lumber, fish, and other staples of British North America, a measure which would greatly facilitate commercial operations, and may well be urged in view of the assimilation about to be made in the tariffs of Canada and the Maritime Provinces.

7th and lastly. To promote, by prudent legislation and a sound fiscal policy, the rapid development of the great natural resources of the British North American Provinces, and to preserve, as far as lies in their power, the advantage which they now possess, of being able to produce at a cheaper cost than any other country most of the great staples which the inhabitants of the tropics must procure from northern ports."

The report then proceeds to give very valuable statistical information of the trade and productions of the various West India Islands, of British Guiana, and of Brazil, with evidence of the desire of the authorities in those countries to enter into the consideration of any propositions tending to promote the object for which the Commission was sent out.

From the return of the Commission to the present time no action has been taken upon this report. For the first two years immediately following it may be said that the moulding of the constitution under the new Confederation, which had come into being on the 1st of July, 1867, commanded the undivided attention of the Government. But with reference to all that part of

the report and "suggestions" which related to the establishment of trade by means of "Reciprocal Treaties or otherwise," it may be questioned whether its contravention of the Imperial policy as to discriminating duties was not of itself a sufficient objection.

The 10th paragraph says: "It would be improper for the Government to anticipate the action of the Legislature in reference to taxation; but it is necessary that you should be informed that this Government would be prepared to recommend to Parliament the reduction, or even the abolition, of any customs duties now levied on the productions of those countries, if corresponding favour were shown to the staples of British North America in their markets."

Among the enclosures transmitted by the Colonial Secretary to the Governor-General, on the 14th of February, 1851, and on record in the Canadian Journals, was the following, which had been previously sent as an instruction to the Lieutenant-Governor of New Brunswick:—

No. 220.

DOWNING STREET, *1st Nov., 1850.*

SIR,—It is with much regret that I have learnt from your dispatch, No. 59 of the 7th ultimo, that dissatisfaction has been occasioned among the inhabitants of New Brunswick, by the instructions given you to withhold your assent from any Acts which may be passed by the Provincial Legislature, in contravention of the system of commercial policy, which the Imperial Parliament and Her Majesty's Government have judged it advisable to adopt, with a view to the interests of the empire at large.

2. While it is the desire of Her Majesty's Government to advise the Crown to use its authority in such a manner, as to interfere as little as possible with the management of their own affairs, by the Legislatures of the several colonies, there are subjects on which measures cannot be adopted by an individual colony, without affecting the interests of others, and perhaps of the whole empire.

3. Measures for the regulation of trade are of this description, and from the very foundation of our colonial empire the Imperial Parliament and Government have always claimed, and exercised,

the right of deciding on the commercial policy, which should be adopted by all British colonies.

4. Until a recent period, this authority was used for the maintenance of restrictions upon trade, in many cases very onerous both to the mother country and the colony. These have now, for the most part, been abolished, and Her Majesty's Government are not prepared to consent, that they should be partially re-imposed on particular colonies, without considering the effect of such re-imposition upon that general system of policy, which has been adopted in their place.

5. As you have pointed out, bounties might be given in particular colonies, in such a manner as might be very injurious to others; and the imposition of differential duties on foreign produce by a particular colony, on the grounds stated in the memorandum of the Executive Council, would be still more objectionable, as they might probably clash with the engagements of this country under treaties.

6. It is true that there are still differential duties levied in the Australian colonies, but these are the remains of a former system, which has not yet been entirely changed. They were imposed by authority of Parliament, and Parliament has now empowered the Local Legislatures to abolish them; at the same time prohibiting those Legislatures from imposing any differential duties in future.

7. These are the general considerations on which Her Majesty's Government have acted with reference to this subject, and being satisfied that a steady adherence to that system of commercial policy which has been sanctioned by Parliament, is the course best calculated to promote the general welfare of the British empire as a whole, and the interests of New Brunswick as an important part of that empire, it is out of my power to withdraw or modify the instructions I have already transmitted to you.

I have, &c.,

(Signed) GREY.

In 1855 Mr. Hamilton Merritt, a distinguished member of the Canadian Parliament, had as "chairman of a Committee of the Legislative Assembly of Canada, appointed to inquire into the

commercial intercourse between Canada and Great Britain, the British North American Colonies, the West India possessions, the United States, and other Foreign Countries," himself opened communication with the Government of Barbadoes on the subject matter embraced in the report made by the Committee to the House, though the report had not been adopted, or any action taken thereupon either by the House or the Canadian Government. The Council and Assembly of Barbadoes acquiesced in the propositions put forward by Mr. Merritt, and passed the following resolutions :—

HOUSE OF ASSEMBLY, *17th April, 1855.*

Whereas a message has been sent to this House by His Excellency the Governor, under date the 20th March, 1855, enclosing copy of correspondence relative to a proposed free interchange between this Island and Canada of the native products of the two countries, and recommending the same to the favourable consideration of this House.

And whereas this House has given the subject, as set forth in the said message and enclosure, most careful consideration, and has come to the conclusion that the proposed interchange of commodities, the native products respectively of this Island and of Canada free of duty, would be ultimately beneficial to both countries, and be attended with peculiar advantages to the people of this Island in particular, and that it is to the interests of the people of this Island to accede to the same ; therefore,

I. Resolved, that this House pledge itself to pass an act for admitting articles being the native productions of Canada into this Island free of duty, so soon as information shall have duly reached this House that a similar act has been passed by the Legislature of Canada, for admitting into that country, duty free, articles being the native productions of this Island.

II. Resolved, that it be made a special provision of such acts respectively, that the free commercial intercourse thus entered upon between the two countries may be terminated at any time by either country, on giving one whole year's notice of such intended termination, to the other country, through their respective



executives, moved thereunto by a resolution of the Legislature of the country giving such notice.

(Signed) JOHN MAYERS,  
*Clerk of the General Assembly.*

These resolutions with the addresses founded thereon, were in due course transmitted by Sir Wm. Colebrooke, the Governor of Barbadoes, to the Governor-General of Canada, and also to the Colonial Secretary in London. The Governor-General of Canada in his despatch of 20th July, 1855, to the Secretary, Lord John Russell, explained Mr. Merritt's position, and stated he had not been aware of the steps taken by Mr. Merritt until he had received the communication from Barbadoes. In reply he received the following circular, which, he was informed, was transmitted for his information and guidance, and which had already been addressed to the Governors of the several West Indian Colonies on this subject :

(CIRCULAR.)

DOWNING STREET, *11th August, 1855.*

SIR,—I have to acquaint you that the attention of Her Majesty's Government has been called to a proposal which has been made for the mutual abolition of custom duties upon the productions of Canada and of the West India Colonies.

In a recent despatch from the Governor-General of Canada, dated the 20th ultimo, I am informed that the communication in which that arrangement was proposed for consideration, emanated from the chairman of a committee of the Legislative Assembly of Canada. It appears, however, that neither the suggestion itself nor the Report of the Committee, which was subsequently presented to the Legislative Assembly, has been discussed by the Legislature of Canada, and that it would be premature to suppose that the Executive Government or the Legislature of Canada are committed to the adoption of the policy therein indicated.

I transmit to you for your information a copy of a letter from the Lords of the Committee of Privy Council for Trade, to whom a despatch from the Governor of British Guiana, respecting this proposition, was referred for consideration.

Her Majesty's Government would regard the proposed arrangement as very objectionable; on the grounds, *First*, that it would separate commercially so far as such an arrangement is concerned, the colonies who entered into it from the rest of the Empire; *Secondly*, that it would be injurious not only to the interests of consumers in the colonies, who were a party to the arrangement, but to the interests of producers in every other part of the Empire; and, *Thirdly*, that it would be inconsistent with the Imperial policy of free trade.

It is the earnest desire of Her Majesty's Government to maintain and extend a course of policy which shall closely unite together by ties of mutual interest the whole of Her Majesty's Colonial Empire with the mother country. To such a policy any measures tending to form the colonies into separate groups with peculiar and exceptional commercial relations, would be opposed, and Her Majesty's Government, therefore, trust that they will not be asked to submit for Her Majesty's approbation, acts or ordinances, giving effect to measures of that character.

I have the honour to be,

Sir, yours, &c., &c.,

(Signed) WM. MOLESWORTH.

In a despatch of the 12th July, 1855, the Imperial policy had with equal precision been declared to embrace the intercourse between colony and colony. It says:—

“But this policy of freedom for the producer and the trader, as well as the consumer, would be seriously affected, if colonial legislatures were to establish differential duties in favour of their own natural productions or manufactures, whether against the British or the foreign producer. And a similar violation of the principles of free trade would result, if favour were shown in the legislation of a colony, to one colony over another, by the reduction or total abolition of duties in favour of particular colonies.”

In a still later despatch, of the 15th July, 1856, already cited in a previous part of this work, Mr. Labouchere, in referring to the treaty then lately made with the United States, and suggesting

certain modifications in the Canadian tariff as desirable in consequence thereof, observes :—

“It must be admitted that so long as any articles are admitted duty free from the United States, which are subject to duty when the produce of the United Kingdom, the British colonies or other foreign countries, this treaty clashes with the provisions of several existing treaties with other countries, while at the same time it presents an exception to the whole course of recent legislation ; a state of things which certainly tends to encourage other propositions equally at variance with economical principles—such, for instance, as that which has been put forward for the mutual abolition of duties between the West Indies and the North American Provinces.”

By a correspondence on the subject of a renewal of the Reciprocity Treaty with the United States, laid before the Canadian Parliament in May, 1869, after confederation, it will be seen from the report of Mr. Rose, then Minister of Finance, that with reference to the trade between the North American Provinces themselves, a departure from this principle had been acquiesced in for several years, and in 1861 was distinctly recognized by Her Majesty's Government. In 1868, by a despatch, dated 24th July, to the Governor-General, it is declared that no objection is made “to the power taken to admit the produce of any of the neighbouring North American Provinces duty free ;” and a bill, passed by the Legislature of Prince Edward Island, to admit Canadian flour into that Island duty free, which had passed through the United States, whilst flour the growth of the United States was liable to duty, was, after discussion assented to ; but no extension of the modification is made to the British West Indies or other colonies.

In the despatch and enclosures from the Secretary of State for the Colonies, approving of the minute of the Confederate Council on Trade, and transmitting Her Majesty's approbation of the proposal to send out the commissioners to the West Indies and South America, the Imperial Government, in the most delicate but at the same time in the most distinct manner, calls “attention

to the difficulties which may arise with respect to foreign countries having reciprocity treaties with this country, if any colony or colonies should make arrangements for giving to one foreign country advantages which are not given to others," and gently reminding the Canadian Government "that this point had been so much discussed on the occasion of negotiating the treaty between the United States and British North America, that it is not necessary now to do more than express a hope that it may be found possible to avoid similar difficulties in the present case."

From these despatches, it is difficult to see how the mission, under its instructions, could prove otherwise than abortive. Judging from the report made by the Commissioners, it must be presumed, they took the same view—wisely avoided the difficulties, and contented themselves, on their return, with stating that they had had a pleasant voyage, and recommending steam communication between Halifax and St. Thomas, with other similar conveniences for passengers and letters, "and the completion of the Intercolonial Railway as soon as possible."

But this matter is too important to be thus lightly passed over. The names of two prominent Canadian statesmen are involved. Mr. Galt had been for years the Finance Minister of Canada—the unflinching advocate of the right of Canada to regulate her own taxation, without interference on the part of the Imperial Government; of all men in Canada, perhaps, the most familiar with the Imperial despatches on this subject; the minister who, on the mere suggestion thrown out by the Duke of Newcastle, in 1859, of the bare possibility that Her Majesty might have been advised to disallow the Canadian Tariff Bill of that session, indignantly replied, "that Her Majesty cannot be advised to disallow such acts, unless her advisers are prepared to assume the administration of the affairs of the Colony, irrespective of the views of its inhabitants;" an avowed advocate of free trade, and most earnestly desirous of opening the West Indian and South American markets to the productions of Canada. Mr. Macdougall was equally known as a bold and advanced Liberal, a Free-trader, and one not likely to succumb in anything affecting Canadian interests to Imperial dictation. Both were then members of the Government; both were

earnest advocates of confederation ; Mr. Galt, from the first its early friend, having, as far back as 1858, made it his declared policy when he joined the Government of that day. Yet this 10th paragraph in the instructions was prepared by them, and acted upon by them in apparent opposition to the Imperial policy, so far as the public can judge from the published official journals and documents.

As a constitutional question, in the present more demonstrative position of Canada, it becomes one of great importance. As applied to the mere question of this past West India commission it is of none. In the future, it is plain the question of the West Indian and South American trade cannot much longer be delayed, other important questions springing immediately out of confederation may have deferred its consideration for a time, but whatever Government may be in power action must be taken upon it soon. As a matter of fact, though the British Government did not by any despatch assent to the instructions given by Mr. Galt, yet those instructions were made the subject of earnest discussion with Her Majesty's Government, by Mr. Macdougall and his co-commissioners when in London, and as asserted by Mr. Macdougall, assented to by the Government, as far as the proposition concerned the British West India Islands. No official record however, or report of the circumstances can be found in Canada, among the papers laid before Parliament.

The instructions it is said were prepared by Mr. Galt, in full assertion of the right of Canada to make such reciprocal arrangements with other countries, or with colonies having responsible governments. And it is to be observed, that the language used does not necessarily imply that it was the intention to introduce a system of differential duties, if the negotiations succeeded ; on the contrary, the object could be accomplished by rendering duty free similar articles from all countries. Then what was the use of the commission ? It would look like deception towards the country to which Canada sent the deputation, and proposed, in consideration of reciprocity, to extend certain privileges, at the same time to pass an act, giving the same privileges to other countries which refused reciprocity in return. Such a change, if

general, would be a mere matter of internal legislation as to the tariff, requiring no negotiations abroad. Either the instructions were hampered by the despatches or they were nugatory, as they could not be carried out in the direction indicated.

The difficulty of making trade arrangements with the West India Islands is increased, both by their number as separate governments, and by the fact that they do not possess responsible government. More in the light of Crown colonies their legislation is immediately under Imperial control, but these obstacles after all are only partial, the main difficulty lies in the restriction imposed by the Imperial Government against differential duties. An enlightened effort on the part of Great Britain to make, in matters of trade, all the nations of the earth one family ; but an effort in which most of those nations steadily refuse to join. To the latter Brazil offers a striking exception ; but she could not enter into such arrangements with Canada as those contemplated by the 10th paragraph, however willing, if remonstrated with by Her Majesty's Government, as being contrary to the commercial policy of the empire.

The constitutional question as to the right of taxation, to any extent, not infringing the above rule, is considered as definitely settled. It is succinctly and well laid down by Mr. Galt, as Finance Minister, in a report made by him to the Government on the 25th of October, 1859, on the occasion above referred to :

“ Respect to the Imperial Government must always dictate the desire to satisfy them, that the policy of this country is neither hastily or unwisely formed, and that due regard is had to the interests of the mother country as well as of the Province. But the Government of Canada acting for its Legislature and people, cannot, through these feelings of deference which they owe to the Imperial authorities, in any manner waive or diminish the right of the people of Canada to decide for themselves both as to the mode and extent to which taxation shall be imposed. The Provincial Ministry are at all times ready to afford explanations in regard to the Acts of the Legislature to which they are a party ; but subject to their duty and allegiance to Her Majesty, their re-

sponsibility in all general questions of policy must be to the Provincial Parliament by whose confidence they administer the affairs of the country. And in the imposition of taxation it is so plainly necessary that the administration and the people should be in accord, that the former cannot admit responsibility or require approval, beyond that of the Local Government. Self-Government would be utterly annihilated if the views of the Imperial Government were to be preferred to those of the people of Canada. It is therefore the duty of the present Government distinctly to affirm the right of the Canadian Legislature to adjust the taxation of the people in the way they deem best, even if it should unfortunately happen to meet the disapproval of the Imperial Ministry. Her Majesty cannot be advised to disallow such acts, unless her advisers are prepared to assume the administration of the affairs of the colony irrespective of the views of its inhabitants. The Imperial Government are not responsible for the debts and engagements of Canada, they do not maintain its Judicial, Educational or Civil Service, they contribute nothing to the internal Government of the country and the Provincial Legislature acting through a Ministry directly responsible to it, has to make provision for all these wants. They must necessarily claim and exercise the widest latitude as to the nature and extent of the burdens to be placed upon the industry of the people. The Provincial Government believes that His Grace must share their own convictions on this important subject, but as serious evil would have resulted had His Grace taken a different course it is wiser to prevent future complication by distinctly stating the position that must be maintained by every Canadian Administration. These remarks are offered on the general principle of Colonial Taxation."

This report then further proceeds at great length to discuss the details of the Canadian tariff of that year, and to defend the course pursued. It was transmitted to the Duke of Newcastle, and formed the subject of a long examination by the statistical department of the Board of Trade, under the direction of the Committee of the Privy Council for Trade. The report of the examination was sent to the Canadian Government in a despatch

dated the 31st January, 1860, as the reply of the Lords of the Committee of the Privy Council for Trade. While it adheres in a modified degree to the objections to some of the details previously expressed, it nowhere questions the broad principles asserted by Mr. Galt. This point, therefore, may be considered as disposed of.

But in no way—with the exception of the British North American Provinces before mentioned—has any concession been made of the right of Canada to enter into reciprocal arrangements with particular countries or colonies, for the admission of the products of each other, on terms different from those which are extended by Canada to other countries and colonies making no such arrangement. On the contrary, with reference to foreign countries, this right is expressly denied, and with reference to our own sister colonies, the despatches heretofore quoted, and the principles there laid down, have never been withdrawn.

In 1862 negotiations, to a certain degree successful, were opened by the Canadian Government directly with France, through the instrumentality of the Baron Boilleau, then French Consul at Quebec, for the admission of Canadian produce and the registration of Canadian shipping in France, on very advantageous terms, and a corresponding reduction of duties on French wines and other French products was made in the Canadian tariff. The attention of the merchants in New Brunswick was called to similar propositions in a communication addressed by the Baron Boilleau to his Vice-Consul at the port of St. John, under date of December 30th, 1862, and there can be little doubt that under the enlightened trade policy of the Emperor Napoleon, at that time a large trade would have sprung up between France and the French West India Islands on the one hand, and Canada and the other British North American Provinces on the other; but the British Government, on learning of this unofficial mode of making treaties by one of her colonies with foreign countries, except through herself, at once remonstrated with France, and the Baron Boilleau was removed from Canada.

From that time up to the West India Commission no effort in this direction had been made. It is impossible the question can



slumber much longer. No matter of more importance looms up before the Canadian statesman than this question of the foreign trade of the country, particularly so far as it affects the Maritime Provinces. Compared to it, the fact whether the administration of the public affairs of the country is in the hands of one party or the other is utterly insignificant.

In Canadian Parliaments where there are no churches to be dis-established, no vexed tenants' rights to be legislated upon, no abuses dating from the time of Elizabeth to be removed, no poor laws to worry, and no great public social reforms to be inaugurated, the "outs" will always accuse the "ins" of corruption, the "ins" will always accuse the "outs" of obstruction, but the material progress of Canada will go on whatever party may rule, whether a liberal conservative or a radical grit may hold the reins of power. The mercantile man only plays with politics as a pastime; commercial enterprise is utterly indifferent as to who may open the gate, provided it is opened. What the country wants is an outlet for its labour, not solely for its wheat and flour, but for its lumber, its ships, its other manufactures. What cottons are to Manchester, and cutlery to Sheffield and Birmingham, ships and lumber are to Canada. England will have markets for her cottons and cutlery—Canada ought to have for her ships and lumber. From the report of the West India Commission it appears that but very little exertion is necessary on behalf of Canada to obtain from the Brazilian Empire reciprocal advantages of the very greatest value, not only the interchange of manufactures and natural productions, which are mutually essential to each other, but the coasting trade and the registration of vessels. To the Maritime Provinces alone, the last two concessions would be inestimable. There is no country in the world where small coasting vessels of two or three hundred tons, can be built so cheaply as in New Brunswick and Nova Scotia. Brazil embraces the most extensive sea coast, and commands the largest rivers. It produces in abundance everything that Canada does not produce, but what Canada wants; yet no arrangements can be made with Brazil for interchanges, conducing to our mutual benefit, unless in our country the same privileges

are given to Spain and other nations, who will make no concession in return ; thus not only lessening the advantage which operates as the inducement to the country willing to make the concession, but depriving Canada of the opportunity of raising a revenue except by direct taxation, or the abandonment of duties even for purposes of revenue on the main articles of trade in favour of nations, which tax her products of exchange to the highest extent, and with whom Canada would be willing to enter into the same reciprocal arrangements if they would. The rule, of which this is an illustration, extends to all foreign countries, and applies also to our intercolonial trade. It cripples the expansion of Canada, and becomes a matter for most serious consideration. When it is desirable to avoid difficulties with the United States, which may involve Imperial responsibilities or affect Imperial interests, exceptional treaties and exceptional legislation are easily made, and the celebrated "most favoured nation" clause is treated with indifference.

It is difficult to see why the British Colonies, as members of the same family cannot have the most perfect freedom of trade with each other without necessarily admitting foreign nations to the enjoyment of the same rights. The intercourse between Australia and Canada and Jamaica and Canada ought to be as free as between Ireland and England. The drawing them together by the bonds of trade and a mutuality of interest will do more to cement the British races throughout the world and constitute them as rallying reserves for the British Empire in case of contest with foreign nations than any other course that could be adopted.

Under the present system Canada has no more material interest in Australia, or Australia in Canada, than each may have in Spain, and Jamaica so far as any benefit to be derived from her sister colonies, might as well belong to Russia. The suggestion of an Imperial Confederation and representation in the British Parliament however desirable it might be some years hence, when Canada and Australia shall have assumed an importance in population and wealth corresponding to the extent of their territories, and would bring to the Councils of the Empire au

influence commensurate with the substantial aid they could afford in case of an Imperial conflict with other nations (for without such substantial aid, pecuniary as well as otherwise, they could hardly expect to have any weight in a question involving peace or war) is at present, in Canada at least, deemed inopportune. Few apparently regard it with favour. Groups of Colonies or Provinces in contiguous positions may be judiciously confederated, so as to give strength and uniformity; but as far as public opinion has yet expressed itself, Canadians, simply as Canadians, do not desire any place in the Imperial Parliament or any participation in the Home Rule of the British Islands. Their first duty, it is believed, is to consolidate and connect their own country, to bend all their energies to the development of Canadian prosperity, to work in thorough harmony as far as possible with the Imperial policy in all questions of trade and foreign connections, but not in any way to mix themselves up in matters of internal Imperial policy. The conflict in England between those who are seeking to change her old institutions and those who desire to preserve the ancient landmarks, will be keen enough without the intervention of colonists who do not contribute to her taxation and who do not permit any interference with their own. The views of a Dominion like Canada or Australia so far as affects their own interest can be far more impressively brought to bear on the Imperial Government by the distinct action of their own Government and Parliament than by any mere personal influence of a few members in a large assembly, who from their representative character might have power to bind, but whose power to oppose would be almost futile.

No more boundary lines will be agreed upon without consulting the Colony affected, and where the Colonies have responsible governments, there is nothing else in which the Imperial Parliament can affect them except their trade. One rule for those under the British flag, and one rule for those under any other, is an intelligible proposition. One rule, one tariff—the same on the same article from any part of the British Empire; one rule, one tariff, (but not necessarily identical with the former), the same on the same article from any foreign country—except in cases where

under the right to be conceded by the Imperial Government of entering into free or reciprocal trade with any foreign nation, on terms not discriminating against the goods or manufactures of Great Britain, a free or reciprocal arrangement may have been made—is a simple chart to steer by.

Uniformity of tariff for purposes of revenue suitable to its necessities might thus be secured in each colony or group of colonies, and would exist everywhere, varying only in degree as each colony might want to raise more or less revenue. Each would know that with reference to the Empire the same rule pervaded every part,—with reference to foreign nations the same; only that those of the latter who chose to deal liberally could do so—those who did not could not complain as the option was their own. Thus the “most favoured nation” clause would be complied with.\*

Under such a system a great Canadian trade might be brought about with South America. The preparation for it could be at once inaugurated by Canada without any intervention on the part of the Imperial Government, by the at once subsidising by the Dominion Government of a line or lines of steamers to the West Indies and South America, as suggested by the Commissioners in their report. Inefficiently as this would supply the great want, still it would be a commencement; mutual wants would be discovered, mutual sources of supply would at once suggest

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\* Since the above was in press information has reached us from Australia that movements in a similar direction, though not to the same extent, being merely inter-provincial, are in progress there. A conference of delegates from New South Wales, Queensland, South Australia, Tasmania, and Victoria recently met at Melbourne, when after much discussion on the important questions of Intercolonial Policy, the following points were unanimously agreed upon: as a reply to a dispatch then recently received from Lord Kimberly, the Colonial Minister, namely, —

1st. That the Australian Colonies claim to enter into arrangements with each other through their respective legislatures, so as to provide for the reciprocal admission of their respective products and manufactures, either duty free or on such terms as may be mutually agreed upon.

2nd. That no treaty entered into by the Imperial Government with any foreign power should in any way limit or impede the exercise of such right.

3rd. That Imperial interference with intercolonial fiscal legislation should finally and absolutely cease.

4th. That so much of any act or acts of the Imperial Parliament as may be considered to prohibit the full exercise of such right should be repealed.

themselves, and the larger and bolder conception would not then be long in forcing itself upon the country. The proposition which has been sometimes mooted of a Zolverein with the United States is simply a commercial amalgamation with that country to the exclusion of all others, except on such terms as her policy might dictate. It would not only render impossible our present connection with England; but it may be seriously doubted, whether even if it could be obtained consistently with that connection it is desirable. It would be impolitic in Canada, under any circumstances, even if separated from England, to tie her hands to one country, however good the market that country may offer. The more varied the channels of trade, the more diverse the nations with which she may have to deal, the more varied will be the development of her own powers, and the greater the stimulus to bring into existence latent, but unused sources of wealth. Some nations want, what others do not want, and the effort to supply the varied demand tells upon the productive enterprise of the country. Desirable, therefore, as may be the market of the United States, the price paid for obtaining it by such means would be too high. The British and Colonial markets, including the East India possessions, embracing a population of nearly 200,000,000; Brazil with a coast line of 3000 miles, and a population over 10,000,000, willing to trade with us, to say nothing of other foreign nations who may hereafter be willing to do so on liberal reciprocal arrangements, would all be thus rendered subsidiary to the attainment of trade with the 38 or 40,000,000 of the United States,—a trade less varied from similarity of production, bringing into competition rather than exchange the articles of the two countries, and from geographical position entirely neutralising one of the great elements of advantage—her marine—which Canada now possesses. [*See Appendix.*]

Not only would such a Zolverein render impossible all independent action abroad. Not only would it make Canadian progress dependent entirely upon the fluctuations of business or politics in the United States; but it would in a very short time merge Canada into the United States politically as well as commercially

The Zollverein of the German States terminated in their political absorption into Prussia, and history under similar circumstances on the American continent would but repeat itself. Canada with her unbounded, but yet undeveloped resources with her comparatively light taxation, with her freedom from the necessity of maintaining burdensome and expensive armaments or diplomatic relations, has a magnificent future before her, if following the example of the parent state, she will look to the whole world as her customers and not restrict herself by an injudicious alliance to any one country.\*

The question requires the consideration of the ablest mercantile minds. It is in the direction of free trade, it is not seeking to protect any one interest at the expense of another, or to make a distinction in favour of particular nations. If the United States will not give her coasting trade or exchange ships, but Brazil will, why should not Canada be at liberty to do so with Brazil? If Brazil will take Canadian lumber and fish at duties so low as to create a great trade, in consideration of Canada taking back Brazillian coffee, sugars, and tobacco on the same terms as might, under the provision before referred to, be applied to Jamaica coffee, sugar, and tobacco, or the coffee, sugar, and tobacco of any British Colony, why should such an arrangement not be made with Brazil, simply because the United States refused to make a similar one? At present all must come in alike, and no induce-

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\* At the meeting of the National Board of Trade which took place at St. Louis, in the United States, in the early part of December 1871, the following resolutions were submitted as the terms on which such a Zollverein should be established, and which, singular to say, received the approval of one prominent Canadian then present :

1. The introduction of all the manufactures, products of the United States, into the Dominion of Canada, free of import duty and the like concession by the United States to the manufactures and products of the Dominion.

2. Uniform laws to be passed by both countries for internal taxation, the sums collected from these sources to be placed in a common treasury and to be divided between the two Governments by a per capita, or some other equally fair ratio.

3. The admission of Dominion built ships and vessels to American registry, enrolment and license, and to all privileges of the coasting and foreign trade.

4. The Dominion to enlarge its canals and improve the navigation of the St. Lawrence and to aid in the building of any great lines of international railroad and to place the citizens of the United States in the same position as to the use of such works as enjoyed by the citizens of the Dominion, the United States and the several states giving the citizens of the Dominion the same rights and privileges over works of the same character in the United States.

ment can, therefore, be held out to Brazil to give Canada her markets ;—but if Canada could make a distinction in favour of the British Colonies, and of such nations as would be liberal with her, an immediate expansion of the trade of the country would follow.

By a proper representation to the Imperial Government it is thought a change in the present policy could be brought about in that direction.

So far as Canada is concerned justice demands it. Thrown now entirely upon her own resources for the defence against aggression from abroad, and the maintenance of order within her long line of frontier of many thousand miles, with every soldier of Her Majesty's regular forces withdrawn, with heavily increased expenses incidental to the government of extensive and, in some degree, as yet unproductive territories, and to the construction of immense public works, rendered necessary by her geographical position, and the assumption of duties hitherto borne by the Imperial Government, her powers must rise to her responsibilities, her means of raising a revenue adequate to her necessities must be unquestioned. No rightly-minded Canadian would desire to place his country in antagonism to the commercial policy of the empire ; but if the internal policy of the Imperial Government throws upon Canada certain duties, then (however opposed to a particular sub-division of the general policy of the empire, which general policy involves the good government of the whole) it must be regarded as a part of that general policy, that Canada should carry out the duty so assigned in a way least burdensome to her own people. The rules of good government admit of no other construction.

The responsibilities thus thrown upon Canada she accepts. Similar responsibilities educated the old thirteen colonies to become a nation. Their citizens became soldiers, their soldiers statesmen. What made Pepperall and Franklin, Washington and Adams, Hamilton and Marshall the men they were? Long before the Revolution they were dealing with questions beyond the sphere of local politics. Those young Provinces trained their Home Guards to meet the Indian Philip, and sent their regiments

to wrest Louisburg from France ; but the trader of Boston could not buy a knife from France, or a yard of cloth from Germany. Their commerce had but one groove.

The history of Caspar Hauzer shews that the mind untrained, however naturally strong, remains in a state of imbecility, though the physical frame may attain its fair proportions. The Canadian statesman has now to consider other matters than those of mere internal regulation. He has to look abroad to the development of foreign trade, to his position with foreign countries. "Far as the breezes bear, the ocean rolls," his commerce is free. He must see to its sustenance, to its extension. He wishes to act in full accord with the mother country ; whatever policy she deems best for herself, as a general rule, is best for Canada ; what strengthens her strengthens peace ; but to all rules there must be some exception, and the South American and Intercolonial trade with Canada comes within the exception.

After all, the West India Commission may do the country some service.



## CHAPTER XI.

The Fenian Invasion of 1866—Lower Canada Education Bill—Action of the Government—Galt's resignation—Subsequent conduct—Constitution of the Local Governments and Legislatures for Upper and Lower Canada—Resolutions and amendments—Parliamentary action of prominent Upper Canadian Politicians on Representation by Population—Address to the Queen—Announcement of Deputation—Expiry of the Parliament of Old Canada—A. D. 1866.

The Fenian Raid which took place in the summer of this year (1866),—one of the most wanton and outrageous violations of international law that has occurred since modern civilization began, —though not one of the causes which led to Confederation, was yet one of those incidents which essentially proved the necessity of that military organization which, it was alleged, would spring from Confederation, and which was one of the first measures carried after Confederation was adopted.

It exemplified in a strong degree the alacrity with which the young men of the country were ready to spring to arms at the call of duty, and intensified the devotion of her people to Canada; but it proved the defect which exists in most Volunteer organizations, that of too great an anxiety to rush into combat, too great an idea of individuality, instead of waiting to carry out the combinations which an experienced and prudent commander may determine on.

Military subordination is as essential to the successful conducting of a campaign as personal courage. If the accounts of the Invasion can be relied on, the latter was conspicuous—the former may be improved. Apart from the opinion prevalent in Canada, of mismanagement and inattention in the highest military authority at that time in Upper Canada, there was also singular want of proper information, and ignorance of the topography of the country. In an enemy's country, apparently, the routes could not have been more thoroughly unknown—on this point all seemed confusion. Yet the whole affair took place in a small angle of the oldest settled part of Canada, had been anticipated in that quarter

for weeks before, and looked for by those in charge of the military defence of the country.

For the want of proper topographical information it seems difficult to find an excuse. It is as essential to the defence of a frontier as ammunition is to the discharge of a firearm; and the attainment of it falls as much within a legitimate military expenditure as the preliminary drilling of a body of men. In many parts of old Canada, and throughout the Maritime Provinces, whole counties are mapped out at private expense with perfect accuracy—with every road and hill, orchard and stream, house, forest and lake—so that in such delineated districts an authority in command, however remote, may with certainty direct the movement of troops, so as to concentrate any required number on any given point. In Prince Edward Island, a stranger may land at one end, traverse the whole in any direction, and find any place he desires to reach, without instructions from any individual, if he has sufficient intelligence to examine a map. The ordnance surveys of England and Ireland are not more correct as to surface details or distances.

Col. Peacock's plan, it is now generally admitted, was judicious; and had his orders been carried out, the Fenians must have been placed between two converging forces and utterly annihilated. As it was, while the honor of the conflict fell entirely to the local troops, the loss was such, it was considered, as ought not to have been incurred, and the equivocal character of the triumph might have been avoided. Both would have been avoided by a couple of hours' delay, and Her Majesty's Regulars would have been at hand to sustain the gallant rashness of young men who required to be checked more than be encouraged. But more than all, such punishment would probably have been inflicted upon the marauders as would have prevented the subsequent attempts, four years after, to repeat the outrage.

Again, if these same accounts can be relied on, there was an entire absence of those preliminary preparations which are essential to any success in war.

Two writers have given their narratives—Major Denison, of the Governor-General's Body Guard, and Mr. Alexander Somer-

ville, well known in Canada as the "Whistler at the Plough." Both are apparently written with fairness, after a thorough examination of the locality, and the attainment of the most reliable information. The former is a well known cavalry officer in Canada, the author of several able works on the utility of that branch of the service, was with the advancing force, and came upon the field at Ridgway, on the staff, shortly after the engagement. If their statements are correct—and there does not appear to have been any official or authoritative contradiction of them—the Volunteers were hurried to the front without sufficient ammunition or proper supplies of food—without the necessary equipments for a march—with a divided command, and without any previous co-operation—with deficient transport arrangements, uncertainty of direction, and no sufficient medical preparation.

The orders of Col. Peacock, of Her Majesty's 16th Regiment, commanding in the field, were heedlessly departed from, without any immediate necessity or proper justification, and a well arranged plan disconcerted by two officers of standing—one of them an officer of Her Majesty's Regular Army. The Volunteers were unnecessarily carried into action at Ridgway unsupported, when, by their orders, they should have been at an intermediate station, and waited for the junction of Col. Peacock's division. From not having obtained any previous information as to the nature of the enemy's force, a serious misapprehension arose which threw them into confusion, and led to great loss of life.

It is painful to read of boys slaughtered by such mismanagement, and worse to be told that, young and inexperienced as they were, they saw the error, but in obedience to the bugle call, twice repeated, retired and closed in, only to certain death.

This invasion, however, proved two things conclusively. First, That we had depended too long for the defence of the country upon Her Majesty's Regular troops, and that, in order to prevent disaster for the future, it was necessary that the entire military organization of the country should be put upon a better footing. Secondly, That if in the future the Government did its duty, and prepared in time, the personal courage and patriotism of the people would be sufficient for their own defence.

Lessons of this character, however painful at the time, are generally beneficial in their results; and, in consequence, we can at this day (in 1871) point to a system sound in theory and prompt in action—a system which, tried on three occasions within eighteen months, has thrown into the field with wonderful rapidity a body of well drilled, able men—able in number, discipline and spirit to meet the emergencies which demanded their services.

In the spring of 1870, when the second Fenian invasion was made, and terminated in the disgraceful rout of the marauders at Eccles' Hill, on the Eastern Townships frontier, 13,000 men well equipped, well drilled, ready for active service, with all arms, ammunition and appointments complete were, in forty-eight hours, assembled from the Ottawa and Central district alone, and transferred to one of the expected points of attack on the line of the St. Lawrence canals. Equally sufficient numbers were, with equal promptitude, brought together in the western section, where an irruption was expected, and the Eastern Townships had their quota without calling for aid from any other point, though General Lindsay, in command at Montreal, forthwith sent Her Majesty's 69th regiment to the frontier—on which occasion His Royal Highness Prince Arthur saw his first active service in the field.

Very shortly after, the Canadian soldiers shared the fatigues of that long two months' march with Her Majesty's 60th Rifles, through six hundred miles of wilderness, to Manitoba, and at a still later day, in the autumn of 1871, when the ice was forming on the lakes, and the storms of winter commencing, at a week's notice two hundred men, fully armed and equipped, were sent off on the same journey, and accomplished it with success in less than three weeks. The Canadian Army may not have the port or bearing on parade of Her Majesty's regular forces; but in the field the men though rough are ready—good shots, good axemen, muscular, capable of fatigue, when well commanded subordinate, and ready at all times to fight for the protection of their country and flag. This result has, since Confederation, been attained by the gradual introduction of an efficient and judicious system, worked up under many disadvantages and against great prejudices, a system which has received the approbation of Her Majesty's Government, and

of the highest military authorities in England, and has at the same time earned for itself the respect of our neighbours in the United States.\*

It does not come within the province of this work, to enter into the details of the invasion of 1866, or to refer to it in other than general terms. A grateful country marked its appreciation of the services of its soldiers. Compensation and pensions were granted by Parliament to the wounded survivors, and to the widows and orphans of those who fell. The University of Toronto erected a monument in honor of its young students, who, leaving the quiet studies of its halls, had commenced and closed their lives on the field of battle in defence of the liberties of their country, and the press throughout British America commemorated, in becoming language, events which it is well should not be forgotten.

The losses sustained by this and subsequent similar invasions, have been made the subject of remonstrance with the Imperial Government, and with the trials and punishment of the prisoners which followed, the conduct of the Government and people of the United States, of the representative of Her Majesty's Government at Washington, and of the Imperial authorities in England, together with the question of international duties as between England and the United States, and between both and Canada on this subject, will have to be considered when we come to the parliamentary and other proceedings which followed the consummation of Confederation in 1867.

In August, 1866, Mr. Galt resigned his position as Finance Minister, and retired from the Cabinet on the determination of the Government not to proceed with the Lower Canada Education Bill. This Bill was wisely abandoned by the Government, owing to the determination expressed by their Lower Canada supporters, not to permit this Bill to pass unless a similar Bill with reference to the Roman Catholic minorities in Upper Canada was carried

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\* The system was originated in Old Canada, by Major-General P. L. Macdougall, ably assisted by Colonel Dyde, of Montreal, and the volunteer officers, both in Upper and Lower Canada; adopted in New Brunswick and Nova Scotia by the Lieutenant Governors of those Provinces, assisted with equal ability by their officers; and after Confederation improved, extended throughout the whole Dominion by Act of Parliament, and effectively worked out by Sir George E. Cartier, the Minister of Militia, with the Adjutant-General Colonel Robertson Ross.

*pari passu*. This their Upper Canada supporters would not assent to, alleging that their existing law, but lately passed, worked well and fairly, giving no dissatisfaction, and requiring no amendment. In announcing the determination of the Government, the Hon. John A. Macdonald, after pointing out that if the Bill before the House was pressed, there would be the unfortunate spectacle of the majority in Lower Canada in a conflict with the majority in Upper Canada, just as they were on the eve of separation, observed that "The provisions of this Bill formed part of the guarantees provided by Confederation, and any laws on this subject in force when Confederation is consummated, could not afterwards be altered, and each section would have felt itself suffering under grievances, which there was no constitutional method of escaping from. Canada, therefore, instead of starting on a new race of Confederation in peace and harmony, would present to the Lower Provinces an unfortunate spectacle of two houses divided against themselves. Instead of a double majority, we should have had a double minority."

Mr. Galt, who was regarded as the exponent of the feelings and wishes of the Protestant minority in Lower Canada, had identified himself with this bill, and pledged himself to its support. Whilst therefore, he admitted that the course pursued by the Government was, under the circumstances, the most judicious, he felt it was one he could not personally support. "It was not," he said, "that he thought the Protestants of Lower Canada would be dealt with unfairly by the Catholic majority, but it was because he had, in his place in the House and in the Government, taken a certain ground on this question, which rendered it impossible for him to be responsible for the policy of the Government on this measure."

Mr. Galt's conduct on this occasion commanded the respect of all parties. His secession from the Government at the moment was much regretted, as one of the ablest and most earnest supporters of the great measure of confederation, then about to pass through its trying ordeal, the final arrangement and adjustment of its component parts; but the conviction was general that he would not be less its friend, because no longer a member of the

Government, and that it would still receive his powerful co-operation, a conviction which subsequent events amply justified.

About a month after the opening of the session of 1866, the honourable the Attorney-General John A. Macdonald introduced certain resolutions to provide for the Local Governments and Legislatures of Lower and Upper Canada respectively, when the union should be effected. For the Maritime Provinces no such provisions were requisite. Their constitutions would remain in operation as before confederation, restricted only by such limitations as would be introduced by the Imperial Act effecting the union ; but with reference to the two Canadas they were again to be reconstructed into different Provinces, and separately clothed with the legislative powers necessary for the management of their local affairs.

Little public excitement or discussion was aroused on the subject, but the teachings of history seemed as it were to be reversed—Lower Canada with its French element preferred to follow Conservative England and retain two chambers, while Upper Canada with its English element preferred to follow in the wake of Republican France, and have only one chamber, “one and indivisible.” The French were more English than the English ; the English were more French than the French.

Provision was first made for the proper maintenance in each of responsible Government. Two chambers were then provided for Lower Canada, to be called “The Legislative Council,” and “The Legislative Assembly.” One chamber only for Upper Canada to be called “The Legislative Assembly.”

The Legislative Council of Lower Canada was to be composed of twenty-four members, appointed by the Crown for life, British subjects by birth or naturalization, thirty years of age, with a continuous real property qualification in Lower Canada of \$4000, over all incumbrances, debts, and liabilities, the Council itself being the sole tribunal for the adjudication of any question as to the qualification of its members ; the Speaker to be appointed by the Crown, holding office during pleasure, and voting only when there was a tie, each councillor representing one of the twenty-four electoral divisions, into which Lower Canada was then

divided, for the purpose of representation in the Legislative Council of United Canada of that day, and residing or possessing his qualification in the division which he represented. Thus it will be perceived that the constitution of this branch of the Legislature of Lower Canada was to be eminently Conservative, possessing both a territorial, personal, and pecuniary character.

For the Lower House or Legislative Assembly, the existing sixty-five Electoral Divisions into which Lower Canada was then divided for representation in the House of Assembly of United Canada were retained, and a distinct provision was inserted, that such number should not be altered, unless both the second and third readings of any bill to effect such alteration should be passed with the concurrence of three-fourths of the members of the said Legislative Assembly.

The lone Assembly of Upper Canada was to be composed of eighty-two members representing constituencies then designated and declared.

Provision was also made, that the existing laws regulating elections then in force in United Canada, and applicable to either Upper or Lower Canada, should continue in force until altered or amended by the Legislatures newly to be constituted, only that the term of each House should continue for four years, unless sooner dissolved by the Lieutenant-Governor of the Province to which it belonged, and that a longer period than twelve months should not intervene between any two sessions of the Legislature.

Thus, as contrasted with Lower Canada, it will be seen that the constitution of the Local Legislature of Upper Canada was singularly democratic; and in reality the only similarity which existed between the two, in the preliminary formation, namely, the property qualification of candidates or members, was abolished by the Legislature of Upper Canada, among its first acts after coming into power under Confederation.

The 38th and 41st paragraph of the Quebec Resolutions were re-resolved, that the Lieutenant-Governors of the several Provinces of the Confederation, when formed, should be appointed by the Governor-General under the great seal of Canada, to hold office for five years, unless removed for cause; such cause to be imme-



diately communicated in writing to the Lieutenant-Governor on the exercise of the power of removal, and to both Houses of the Confederated Parliament within the first week of the first session afterwards ; and that the Local Government and Legislature of each Province should be constructed in such manner as the existing Legislature of each Province should provide.

During the debate which followed the moving of these resolutions, an additional provision, that the appointment of the first Lieutenant-Governors should be provisional only, and strictly during pleasure, was carried without a division ; the necessity for such a provision being so apparent as to require no discussion, inasmuch as their appointment on the day of the inauguration of the Confederation would have to emanate from the Governor-General, on the advice of a Privy Council which would not at the time have itself received the sanction of the people.

An amendment, moved by Mr. Galt, seconded by the Attorney-General West, (the introducer of the resolutions) doing away with the proposed restrictions as to the alteration of the number of the representatives in the Legislative Assembly of Lower Canada ; and the limits of the Electoral Districts,—confining the latter to certain specified districts only, and permitting the alteration on being assented to by a majority of the members representing the said specified districts,—was also carried on a division, the matter being apparently one springing from local causes only, and intended to provide that certain constituencies—those inhabited by people of British origin—should not be altered as to their limits, except with the concurrence of the majority of their own representation.

An additional resolution was also passed, providing for the adjustment of the debts, credits and liabilities, properties and assets of Upper and Lower Canada by arbitration, which was subsequently embodied in the British North America Act of 1867, but for which no provision had been made in the Quebec Resolutions.

A motion made by Mr. M. C. Cameron, and seconded by Mr. Mackenzie, limiting the Executive Council of the Local Governments to five members, was negatived.

When the question of concurrence in the resolutions came up, Mr. Dorion endeavoured to assimilate the proposed constitution of

the Local Legislature of Lower Canada to that proposed for Upper Canada, but his motion was negatived on a division of 69 to 31, apparently a party vote.

An effort in a similar direction on behalf of Upper Canada was made by Mr. Cameron of Peel, seconded by Mr. Morris, to obtain two Chambers for Upper Canada; but the division showed only 13 in favour of the motion, and 86 against it.

Mr. Dorion then endeavoured to have the Legislative Council for Lower Canada made elective, but failed, the division being very much as on his former motion, 31 to 63.

He then proposed a very important amendment, "that no member of the Legislative Council should hold any office of emolument under either the General or Local Government; nor receive, either directly or indirectly, any salary, remuneration or indemnity whatsoever for such office, or for his services as such member of the Legislative Council, while he shall have a seat in the Council;" this provision not to apply to Executive Councillors and the salaries attached to the respective departments or offices they shall fill;" but this amendment was also lost on a division of 26 to 67.

An effort to have the Speaker of the Legislative Council chosen by its members, made by Mr. Dorion, equally failed by a vote of 24 to 63.

A similar fate befell a motion made by Mr. Cauchon, seconded by Mr. Dorion, to strike out the provision relative to the alteration of the limits of particular Electoral Districts, except with the concurrence of the majority of the members representing the said Districts,—the vote being 24 to 68; and the formation of the Local Legislatures of the two new Provinces to be re-formed out of old Canada, so far as indicated by the then existing Legislature of old Canada at its last session, may be said to have finally closed.

During the debates which took place on these several resolutions and amendments, nothing of particular interest occurred, save, perhaps, the views of one or two members on the subject of representation by population—views which it may be important to reproduce, as evidencing the construction put upon the term in Upper Canada by some of its leading public men, pending the discussion on the details of Confederation, and as bearing upon the terms on which other Provinces might afterwards be admitted.

On the motion made by the Attorney-General John A. Macdonald, for concurrence in the schedule distributing the new seats in Upper Canada, he explained that as village municipalities were constantly springing up in Upper Canada, they would of course be included in the constituency, within the limits of which they were situated. The Hon. George Brown thereupon declared that the plan before the House did not carry out the principle of representation by population. "On looking at the schedule," he said, "he found one constituency, Niagara, with only 4,470 of a population, and another, Essex, with no less than 25,211. In adding up the population of the ten smaller constituencies he found they contained a population of 82,258, while the ten largest constituencies contained over 231,000. By adding the population of the twenty smallest constituencies together, it appeared that they contained only 214,000. Thus we had 214,000 people having twice as many members as 231,000. Then taking the representation east of Kingston, he found seventeen members whose constituencies had an average population of 14,000, while the seventeen western constituencies contained an average population of 18,000. He thought a better plan would have been to have given a second member to the largest constituencies, than to have made new ones."

Mr. Mackenzie said, "That three principles should have been regarded in distributing the representation, namely, population, area, and probable value of the land." On these three heads he proceeded to show that gross injustice had been done to Lambton, and moved an amendment that another member be given to that county.

Mr. Rankin called the attention of Mr. Brown to the fact, that one of his principal justifications for having gone into the coalition was, that he had obtained representation by population for Upper Canada, and now he had done his best to prove that it had not been gained.

Mr. Jones, of North Leeds, was extremely glad that the principle had not been carried out in the distribution of new seats, but that the prospective development of the country had also been considered.

Mr. Mc Kellar supported Mr. Mackenzie's amendment.

It was lost on a division, names and numbers not taken.\*

An address was then voted to Her Majesty the Queen, praying that a measure might be submitted to the Imperial Parliament to provide for the Local Government and Legislatures of Upper and Lower Canada, when the union of British North America was effected, on the basis of the resolutions passed by the House, and (after unavailing efforts made by Mr. Dorion, to secure an appeal to the people of Canada before the final adoption of the new constitution,) was engrossed, and an address passed to the Governor-General, to transmit the same to the Secretary of State for the Colonies, to be laid at the foot of the Throne.

The Hon. Attorney-General Macdonald announced, a day or two after, in reply to an enquiry from Mr. Holton, that it had been decided to send a deputation to England, headed by the Governor-General, to arrange with the Imperial authorities the necessary steps for Confederation; and on the following day—the 15th of August, 1866—the last Parliament of old Canada closed its last sitting.

Thus passed away in calm a Constitution which, born in strife and turmoil, sprung from mal-administration and rebellion—forced upon a reluctant Province (the oldest and, at the time, most important section of the Union), without consulting its people, and against the wishes of the majority of its inhabitants—had nevertheless, during twenty-five years of unexampled prosperity and material progress, laid the foundation deep and strong of true Constitutional liberty—had removed the asperities of Race, and taught the united descendants of France and England that the true source of their future greatness and power on this continent would lie in a mutual regard for each other's rights, a mutual forbearance for each other's prejudices, and a generous, strong, conjoint effort towards consolidating their extensive territories, and developing their vast resources, under one Government and one flag.

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\* Journals, 1866, 361. Debates, 1866, 87.

## CHAPTER XII.

Vancouver Island—Canadian Pacific Railway—Thunder Bay Mining Region—Departure of Deputation for England—Legislative action of Nova Scotia and New Brunswick—Future consideration of details of contest in those Provinces—Political Acrobats—Departure of Deputations from New Brunswick and Nova Scotia—Remonstrance on non-arrival of Canadian Deputation—Reply—Proposition relative to Prince Edward Island—Formation of London Conference—Resolutions—Differences from Quebec Resolutions—Discussions and Bills framed—Additional Clauses in Act as ultimately passed—Propositions on Intercolonial Railway—Guarantee—Imperial Legislation—Return of Deputation—Legislation in New Brunswick and Nova Scotia on Dual Representation—Resignations of Members—Imperial Honours—Royal Proclamation—Charge of corruption against Canadian statesmen—First of July, 1867—A. D. 1866 and 1867.

The preliminary labours in the Provinces were now closed. The question was about to be transferred to England. Let us pause and look at its magnitude. Up to this time we have been dealing only with old and settled Provinces, where men had been for years trained in public life, where commerce had its well established channels, and where, resting on the Atlantic, the people were in daily intercourse with England, with the United States, and the other well advanced nations of the world. We must now turn to regions more favoured by nature, but less utilised by man. Away over in the far-west, opposite the coast of China, nestling as it were under the wild and lofty but gold-bearing precipices of the Rocky Mountains, which threw their long shadows across the little strait that divided it from the continent, in the bight of the warm Gulf Stream from the Pacific, lay a little Island, not unlike England in size and climate. It had no past, beyond the mere unchanging roll of its seasons. A hundred years ago, Vancouver had landed on its shores, and left it the heritage of his name, nothing more. Its situation was singularly adapted for commerce, but commerce had not sought it. Between it and the civilized world was an unbroken wilderness. The trapper had scaled the Rocky Mountains, and for many years the pioneers of the Hudson Bay and North-West Territories had roamed over trackless prai-

ries of great beauty ; but for all purposes of utility, in the wide sense which may be given to that term in the present day, the intervening country was practically unknown. Some years before, in 1846, by the Oregon Treaty, large portions of this valuable country had been given away by the British Government, in utter ignorance of its value, to demands made, in the plainest violation of the well understood rules regulating international territorial boundaries, cutting off the access of the products of well watered regions to the sea, sacrificing the national character of great tracts for a mere temporary convenience, and producing no lasting accord with the country to which the concession was made. But still immense territories were left—territories immense in extent, and still more measureless in their productive powers. These territories and that Island it was proposed to bring within the Confederation. But when? Not the boldest of the delegates dared to suppose it would be accomplished while his years still left him the energy of action. Two thousand miles, almost without a road, and with but few human habitations, where no laws guarded life or property, and no traffic supplied food, lay between the westernmost part of Canada and this Island. Mountains which were deemed inaccessible ; lakes and rivers, the depth and strength of current of which were unknown, were between ; but still the original plan of confederation embraced them.

In the present day, reality is faster than romance. Five years had not passed, from the day the delegates were sent to England, before the end was accomplished ; and from Halifax on the Atlantic to Vancouver on the Pacific, the intervening lands recognized the rule of the Dominion. But the result of good government is yet to be seen ; and the first amid the undertakings which the Dominion, after its complete incorporation, assumed to bring about, was a thorough union between its eastern and western shores by the construction of a railway between the two oceans and across the continent.

As the consummation of this work is essential to the well-being of Confederation, and as without it the original plan of union would be comparatively abortive, it may not be out of place to consider it for a few moments.

The great grain-producing countries of Europe, watered by the Danube and its tributaries, Hungary, Transylvania, Moldavia and Wallachia, centering their trade at Odessa on the Black Sea, and constituting the great European grain market for the British Isles and the Western kingdoms, France, Spain, Portugal, Norway Sweden, Denmark and the Germanic Confederation, afford but a faint development of the producing powers of the North-West Territories.

Odessa itself has no outlet but through the Bosphorus, commanded by foreign forts and foreign fleets. Vancouver Island is open to the Pacific, and while Englishmen and the descendants of Englishmen possess it, no power will stop them on the sea. Through lands more rich than Europe's grain fields, to a port more open than Odessa, the Canadian Pacific Railway is to pass. Its distance, its probable cost, its facilities for construction are worth knowing.

Exclusive of bays, inlets, and the estuary of the St. Lawrence, the Canadian coast line on the Atlantic, south of latitude 60°, is 3,750 miles; on the Pacific, 1,250 miles; and 1,800 on the great lakes.\* From several accessible ports on the Atlantic coast line, besides the large harbour of Halifax, and the commercial city of Saint John; from the cities, towns and villages all along the lakes Ontario and Erie, and from the St. Lawrence at Rivière du Loup, through Montreal, railways already constructed, or in the course of construction, converge on, and connect with Ottawa, the capital of the Dominion. A new road, direct from Quebec to Ottawa, on the northern and eastern side of the St. Lawrence and Grand River has been explored, and offers for its construction are under consideration. Therefore, starting from Ottawa, both as a political and commercial centre, as on the direct line to the Pacific, as most convenient from the maritime provinces, and in immediate communication with the sea-ports of Quebec and Montreal, the distance may be taken. At present the most correct estimates, allowing for sinuosities and necessary deflections, are—

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\* Russell.

	MILES.
1st. From the City of Ottawa to Fort Garry.....	1100
2nd. From Fort Garry to Le tete Jaune, or the Leather Pass	1000
3rd. Thence to Bute Inlet,—or Westminster, at the mouth of the Fraser River .....	600
	<hr/>
	2700
Present distance by rail from Ottawa to Montreal, intersecting Grand Trunk .....	180
	<hr/>
	2880

This last distance from Ottawa to Montreal will, within three years, be shortened forty miles, by two roads explored and reported on; for the building of which companies have been incorporated, and the preliminary steps taken. Therefore, for practical calculations, as regards the Pacific line, the total distance between seaport and seaport may be estimated at 2,840 miles.\* For the first 600 miles above Ottawa no very serious difficulty occurs, thence by or round Lake Nepigon more obstructions are met with, but nothing that modern skill cannot overcome; thence on to Fort Garry no impediments of consequence. Of this portion of the line, from Ottawa to Fort Garry, though not in an agricultural point of view as attractive as the prairie lands beyond, the greater part, nevertheless, possesses fair average growing qualities, with abundance of wood and water, and the conveniences for settlement; but its main value is in its immense mineral deposits, extending in a north-westerly direction over one hundred miles in the vicinity of Thunder Bay, in the Silurian and Huronian rocks which lie between the northerly coast of Lake Superior and the Laurentian range, and so far as at present known, embracing the richest silver deposits in the world, yielding in some cases, for instance at Silver Islet, from \$15,000 to \$18,000 to the ton of rock, and on an average from \$1,000 to \$2,000 at the same place.† Gold and tin are also found in the

\* Russell makes the distance 2,846.

† These statements are made upon the best authority, that of Mr. Dawson, C.E., the engineer appointed by the Dominion Government in charge of that district, and the well-known constructor of the Dawson route from Thunder Bay to Fort Garry—a man of undoubted competence and veracity—and are further confirmed by the reports both of the present and former managers of the mine. The Montreal Mining Company's Report of



same district, and the geological formations indicate that these minerals abound in great quantities throughout an area of many hundred square miles in the same region.

In that portion through the prairie lands from Fort Garry to the Rocky Mountains, estimated by Mr. Russell before the late explorations at 1,300 miles, no engineering difficulty of any character can be found. The fertility and beauty of these lands have been so often described by men well known, and of such undoubted authority, that their names are sufficient to render comment unnecessary. Sir George Simpson, Professor Hind, Mr. Dawson, C.E., Colonel Synge and Captain Palliser, of the Royal Engineers, Lord Milton and Cheadle, Captain Pope and Lieutenant Saxon, of the American army, all agree upon the point of its rare productiveness.

December 7, 1868, says:—The following table gives the results found by the several assay-ists, the ton being taken at 2,240 lbs., and the value of silver at \$1.24 per ounce troy. This value is based upon the price then quoted in England for bar silver, namely, 5¾d. sterling per ounce.

	PERCENTAGES.				
	No. 1.	No. 2.	No. 3.	No. 4.	Aver.
Prof. Chapman.....	14.96	7.88	5.27	1.71	5.023
Dr. Hayes .....	41.17	11.26	5.82	1.18	8.471
Mr. Macfarlane.....	13.14	7.03	4.94	1.82	5.168

	OUNCES PER TON.				
	No. 1.	No. 2.	No. 3.	No. 4.	Aver.
Prof. Chapman.....	4,886	2,574	1,721	558	1,804
Dr. Hayes .....	15,064	3,678	1,901	385	2,767
Mr. Macfarlane.....	4,292	2,384	1,613	594	1,690

	SILVER, VALUE PER TON.				
	No. 1.	No. 2.	No. 3.	No. 4.	Aver.
Prof. Chapman.....	\$5,058	\$3,191	\$2,134	\$691	\$2,236
Dr. Hayes .....	\$18,679	4,560	2,357	477	3,431
Mr. Macfarlane.....	5,332	2,956	2,000	736	2,095

If the average of the results of the three assayists, as given above, is taken, it amounts to 6.387 per cent. = 2.087, or \$2,587 88 per ton.

Both Dr. Hayes and Professor Chapman are of opinion, that, no matter how intimately the particles of the powdered ore may be mixed together, it is not possible, in the case of such rich ores, to get two assay portions of exactly similar composition. With regard to No. 1 sample, which consisted of hand specimens not ground or powdered down, it was hardly anticipated that the various assays of this number would correspond very closely, and thus the richer product obtained by Dr. Hayes is accounted for. The value of the silver contained in 1,336 lbs. of ore, the product of one blast of some surface pieces taken from under water, then in the Company's possession, at this rate amounted to \$1,543 48.

The climate, notwithstanding its high northern latitude—owing to the curvature of the isothermal line—is not more severe than in central Canada.

In the passes through the Rocky Mountains the Canadian Pacific commands a route 3,240 feet lower than any of the passes on the American side of the boundary line—which is approached at so gradual an elevation, that the traveller is not aware that he has reached the summit until he sees the flow of the descending waters on the other side.

Of the remaining distance through British Columbia to the sea, though difficulties do exist from the mountainous character of the country in some parts, yet they are not such as the ordinary engineering skill of the present day cannot easily overcome. "Thus," says Mr. Russell, in 1868, in a most able pamphlet on the Red River country and Hudson Bay and North West Territories, "we possess a route to the Pacific through our central prairie country and British Columbia that, beside traversing the Rocky Mountains far more favourably at half the elevation of the lines through the United States, is as remarkable for passing through a great extent of well watered fertile country, as they are for the general aridity and remarkable barrenness of a great part of the country they traverse." "We command," says he, "both for the purposes of defence or commerce, the best and shortest railway route to the interior and the Pacific."

The total distance, as given by the same authority, from the Pacific to Montreal—the head of sea navigation on the St. Lawrence—is 2846 miles; whereas the distance from San Francisco to New York is 3,284. And the distance from China or Japan to Bute Inlet, or the mouth of the Fraser River, in British Columbia, by any route being 550 miles shorter than to San Francisco, a cargo shipped at either China or Japan for Liverpool, would have the advantage of 988 miles less distance to be shipped in a sea-going steamer on the Atlantic, by the Canadian Pacific, than by any American Pacific route. But if the distance be taken from China or Japan to Liverpool itself, the discrimination in favor of the former is still more striking. For instance:—

	MILES.	MILES.
From San Francisco to New York.....	3,284	
“ New York to Liverpool.....	3,073	
	—	6,357
From Bute Inlet, or the mouth of the Fraser River to		
Montreal.....	2,846	
“ Montreal to Liverpool.....	2,800	
	—	5,646
		711
Difference from China or Japan .....		550
		—
Total difference in favour of the Canadian Pacific, from China or Japan to Liverpool.....		1,261

In the session of 1871, the Canadian Parliament made an appropriation for an exploratory survey of the route, and nearly half a million of dollars has been expended during the past year in its accomplishment. Arrangements were also made with British Columbia, on her coming into the Union, that Government aid should be afforded to the construction of the road, both by money subsidies and land grants, and that it should be proceeded with and completed within ten years.

There is nothing to indicate that its cost of construction will exceed the average cost of construction in America, namely, \$30,000 or \$35,000 per mile, fully equipped—the extra difficulties of the Rocky Mountains and British Columbia being more than counterbalanced by the greater facilities in the prairie lands.

These details have been fully given, because as the construction of the Intercolonial Road, from Halifax to Quebec, was made one of the conditions on which the Atlantic Provinces came into the Union, so the construction of the Pacific was made one of the conditions on which British Columbia came in.

The Canadian looks upon this road as the back-bone of Confederation. It is not a question of politics or party. It rises above personal considerations. It is a question of the existence or dissolution of the Union—and cost what it may, whether much or little, it must be built.

We must now proceed with the narrative of what occurred in England.

In the month of November, the Canadian deputation, Messrs. Macdonald, Cartier, Galt, Howland, Macdougall, and Langevin, set out on their mission. They were to meet the representatives of the other Provinces in London, and finally settle the terms on which the Confederation was to be carried out. The contracting parties were reduced in number, Newfoundland and Prince Edward Island had both withdrawn from the contemplated arrangements; the latter, by the absolute repudiation of its Government; the former, by the inability of its Government to obtain the assent of its people.

In New Brunswick and Nova Scotia long and arduous contests had been carried on. In the former, the people had been twice appealed to. On the first occasion they had rejected the proposition by overwhelming majorities at the polls. On the second, a year afterwards, they had reversed their previous decision by equally overwhelming majorities, and had accepted it. In Nova Scotia, there had been no appeal to the people. The Government, supported by the leaders of the opposition who had been the delegates to Quebec, firm in its adhesion to the agreement entered into at the convention, had, after the first defeat in New Brunswick, bided its time, until the prospect of the coming change in that province justified unity of action.

Throughout the whole of the Provinces, with the exception of Prince Edward Island, the delegates to the conference, "*fideles inter perfidos*."—had stood faithfully to the arrangements entered into at Quebec, and in some instances sacrificed power and place rather than depart from the obligations assumed with their fellow representatives, after mature deliberation, in the adoption of a great scheme to further the interests of British America. Succeeding years have proved how right they were, and Prince Edward Island hereafter, when she will have become one of the brightest ornaments of the Dominion, will look back with pain upon the vacant places her recreant representatives have left on the roll of men who were instrumental in evolving a great and strong nation out of the weakness of disjointed colonies.

The Legislatures, both of Nova Scotia and New Brunswick, had, in the sessions of 1866, authorized their respective Governments

to send deputations to London ; and in the summer those deputations had proceeded on their mission, and were then awaiting the arrival of the Canadian deputation.

The details of the contests both in New Brunswick and Nova Scotia must form the subject of distinct chapters. At the present moment, perhaps, those details are of little importance to the main question. It is better that at the close of this volume we should see the structure complete : in what respect it differed from the original design, and in what degree the alterations tended to the public good. As preliminary to the more complete understanding of the parliamentary discussions after confederation, of those measures introduced by ministers which were necessary to the inauguration of the constitutional government, and formation of the new Dominion, the history of those details may not be uninteresting, or without the benefit which experience teaches may be derived from the lessons of the past. *Divide et Impera* was the well-known maxim of Machiavelli, and the people are sometimes led by devious ways to what is for their good. In times of great change, even though the revolution be peaceful, political acrobats flourish best, and the reward of personal ambition is more frequently found by opposition, in the first instance, to good measures, than by supporting them.

The deputations from the maritime provinces in the month of July, 1866, as already mentioned, in accordance with the authority from their respective Legislatures, and as was assumed at the time with the full understanding that the Canadian deputation would about the same period do the same, proceeded to London. Up to the 12th of September the latter had not arrived. On that day, Messrs. Tupper and Tilley, on behalf of themselves and their colleagues, addressed the following remonstrance to the Secretary of State for the Colonies, on the subject of the delay caused by their non-arrival :

ALEXANDRA HOTEL, 12th September, 1866.

MY LORD,—As delegates from the Provinces of Nova Scotia and New Brunswick, appointed to confer with delegates from Canada and with Her Majesty's Government, upon the question of a Con-

federation of the British North American Provinces, we are naturally anxious to terminate the suspense in which we have been left since our arrival here, relative to the time when we may hope to accomplish the object of our mission.

Believing, as we do, that the abrogation of the Reciprocity Treaty and the Fenian invasion of Canada were largely owing to the failure of the Provinces we represent to agree promptly to form an united government, as proposed by the Quebec Conference in 1864, and approved by the Imperial Government, and that the adoption of Confederation would be the best means of securing the renewal of the treaty, and discouraging Fenian designs upon British America, the Governments of Nova Scotia and New Brunswick have been most anxious that no time should be lost in accomplishing the Union of the Provinces.

With that view, Messrs. Tupper and Archibald visited Ottawa on the 29th of June last, and after conferring with His Excellency the Governor General and the Canadian Government, it was mutually agreed that delegates from the two Lower Provinces should proceed to England by the steamer leaving Halifax on the 19th July, and that delegates from Canada should follow by the steamer leaving Quebec on the 21st of July.

Subsequently, Lord Monck intimated by telegraph that the change of Government in England would render it necessary to hear from England before the departure of the delegates. The delegates from Nova Scotia and New Brunswick, after the arrival of the latter at Halifax, jointly communicated to the Canadian Government their views as to the necessity for immediate action, and their intention to leave on the 19th of July, as arranged at Ottawa; and it was only on the eve of their departure that they received a telegram from the Hon. J. A. Macdonald, saying that Lord Monck declined to go to England or to send a delegation until authorized by the new Secretary of State. At the interview with which we were honoured by your Lordship, on our arrival in London on the 30th of July, we understood your Lordship to say that you would send a message by the Atlantic cable to the Governor-General, asking if the Canadian delegates had left, and if not, requesting that they would come without delay. Your Lordship

subsequently did us the honor to inform us that a despatch had been sent on the 11th of August, requesting the Governor-General to arrange for the Canadian delegates to proceed to England as soon as possible, and expressing the hope that in any case they would not be later than the latter part of September.

Although we have since our arrival been favoured with frequent opportunities of discussing the question of Confederation with your Lordship and other members of Her Majesty's Government, we have, up to the present time, received no information as to the period when we may expect the delegates from Canada. We feel it, therefore, due to the Provinces we represent, that we should respectfully solicit your Lordship to ascertain, and communicate to us, how soon we may expect the delegates from Canada to arrive here, in order that we may govern ourselves accordingly.

We have, &c.,

(Signed) CHARLES TUPPER.  
S. L. TILLEY.

To the Right Hon. the Earl of Carnarvon,  
Secretary of State for the Colonies.

On the 17th September they received the following reply from the Under-Secretary of State :

GENTLEMEN,—With reference to my letter of the 12th instant, I am directed by the Earl of Carnarvon to acquaint you that his Lordship has received a telegram from Lord Monck, to the effect that in the present state of Fenian affairs, the principal members of the Ministry, who must be delegates, could not leave the Province, and probably not before the closing of navigation.

Lord Carnarvon regrets the occurrence of these unforeseen delays, which must entail so much inconvenience upon you and your colleagues, both in your public and private capacity ; and he is most anxious to help you, as far as in his power, to meet the difficulties of the present turn of affairs. It will probably be your wish to deliberate amongst yourselves as to your joint course of action ; having done which, his Lordship will be happy to confer with you, and to give you his best co-operation.

(Signed) T. FREDERICK ELLIOT.

The Hon. C. Tupper.

The Hon. S. L. Tilley.

During the intervening period, the Nova Scotia and New Brunswick deputations proceeded to discuss the action of Prince Edward Island, which it was then well understood rejected all consideration of the terms proposed at the Quebec Conference, and on the 24th September submitted to Lord Carnarvon the following proposition, with a request that he would transmit the same to the Governor-General and the Lieutenant-Governor of the Island :

“The Delegates from Nova Scotia and New Brunswick, after much consultation and mature deliberation, having decided to ask further pecuniary advantages for the Provinces they represented, arrived at the conclusion that, if successful, similar advantages might be extended to Prince Edward Island, and, therefore, a further effort should be made to induce Prince Edward Island to enter the Confederation, agreed to the following proposition :

At a meeting of the delegates from Nova Scotia and New Brunswick, held at the Alexandra Hotel, London, on the 22nd day of September, 1866, all being present except the Honourable Mr. Wilmot, it was unanimously resolved, that inasmuch as the co-operation of Prince Edward Island, though not indispensable to an Union of the other North American Provinces, is on many accounts very desirable; and as the settlement of the Land Question, which has so long and so injuriously agitated that colony, would be attended with great benefit, and at the same time place the Local Government of the Island, by the possession of the Proprietary Lands, more on a footing with the other Provinces, which have Crown Lands and minerals as a source of local revenue; therefore

*Resolved*, That in case the Legislature of the Island should authorize the appointment of delegates to act in conjunction with those from the other Provinces, in arranging a plan of co-operation prior to the meeting of the Imperial Parliament, the delegates from Nova Scotia and New Brunswick are hereby pledged to support the policy of providing such an amount as may be necessary for the purchase of the proprietary rights, but not to exceed \$800,000.

(Signed,) CHARLES TUPPER,  
S. L. TILLEY.



The Canadian deputation which had left for England on the 7th of November had now arrived, and the conference of the three Provinces was duly organized at the Westminster Palace Hotel, on the 4th of December. The Hon. John A. Macdonald in the chair. It sat continuously from that day to the 24th, when certain resolutions were formally agreed upon, and transmitted to the Secretary of State for the Colonies.

These resolutions were substantially a reiteration of those agreed upon at the Quebec Conference, with the following differences :

1. The entire omission of "the Representative of the Sovereign" in the fifth resolution, relative to the command of the naval and military forces of the Dominion, it being the intention that they, though a local force, should be directly under the command of the Sovereign, as the head of the empire. This was different from the old constitution of the Provinces, under which the Governor-General and the Lieutenant-Governors claimed, as representatives of the Queen, to exercise, and did exercise military command over the local forces within their respective Governments.

2. In the sixth resolution, constituting the Legislature, the term "Sovereign" was inserted as a distinct and co-ordinate branch of the Legislature, a proviso which under the constitution was necessarily understood, but the declaration of which was no doubt accidentally omitted in the Quebec resolution.

3. The eighth resolution was altered by giving to Nova Scotia and New Brunswick twelve members in the Senate instead of ten, and making provision for the reduction to ten when Prince Edward Island came into confederation.

4. In the twelfth, by making the necessary qualifications of a senator, to embrace both a continuous property possession and continuous residence in the Province for which he was appointed, except in case of an official residence at the capital.

5. The 23rd and 24th resolutions, as to the provisions for altering the electoral districts, were entirely omitted, it being considered that all necessary powers in that direction were sufficiently embraced in the general terms, giving jurisdiction to the General Parliament and Local Legislatures.

6. The establishment of "penitentiaries" as an incident of the criminal code, was withdrawn from the Local and given to the General Government. And the powers of legislating upon the "Sea Coast and Inland Fisheries" which, under the Quebec resolutions, had been made concurrent, was limited exclusively to the General Parliament, while the power of legislating upon the "solemnization of marriage" was included in the property and civil rights assigned to the Local Government, whereas before it had not been.

7. To the provision in the 29th section, appropriating to the General Government the power of legislating for the uniformity of the laws, relative to property and civil rights, was added a clause that the power of altering, repealing, or amending laws so legislated upon "should thereafter remain with the General Government only."

8. The pardoning power, which under the 44th Quebec resolution was given to the Lieutenant-Governors, was restricted to cases not "capital"—and the provisions of the 43rd, respecting education, affecting the rights and privileges of the Protestant or Catholic minorities in the two Canadas were extended to the minorities in any province having rights or privileges by laws as to denominational Schools at the time when the union went into operation. And an additional provision was made that "in any province where a system of separate or dissentient schools by law obtains, or where the Local Legislature may hereafter adopt a system of separate or dissentient schools, an appeal shall be to the Governor-General in Council of the General Government from the acts and decisions of the local authorities, which may affect the rights or privileges of the Protestant or Catholic minority in the matter of education, and the General Parliament shall have power in the last resort to legislate on the subject."

9. An increased subsidy, in addition to the 80 cents per head, of \$80,000, \$70,000, \$60,000 and \$50,000 was made severally to Upper Canada, Lower Canada, Nova Scotia and New Brunswick, and the capitation subsidy of 80 cents in both New Brunswick and Nova Scotia extended until the population reached 400,000.

10. A distinct provision for an Imperial guarantee of £3,000,000 sterling for the Intercolonial Railway closed the substantial distinctions between the resolutions agreed upon at Quebec and those submitted to the Imperial Government at London.

Upon these resolutions so submitted, certain bills were prepared by the conference in conjunction with the legal officers of Her Majesty's Government, and at a number of interviews commencing on the 24th of January, and continuing for several days afterwards, their details were again discussed, amended and added to, until at last a draft bill was finally agreed upon, which subsequently became the British North America Act of 1867. This Bill so agreed upon was submitted to the Imperial Parliament by Her Majesty's Ministers—carried—finally enacted on the 29th of March, 1867, and on the proclamation made in accordance with the provisions thereof, became on the 1st July, 1867, the Constitution of Canada.

Apart from those formal details of the bill, which were essential to its proper construction, it is only necessary to observe—Firstly, that power was given—not provided for in the resolutions—to increase the numbers of the Senate and House of Commons under certain circumstances, but with express limitations; while secondly, no power of pardon was conceded to the Lieutenant-Governors; and thirdly, the power of legislating upon the subject matter of laws of the several provinces, relating to property and civil rights, which had once been legislated upon by the General Parliament, was simply made "unrestricted," instead of exclusive, in the General Parliament.

But it was necessary that there should be further Imperial legislation. The provisions respecting the Intercolonial Railway, though no part of the constitution, were parts of the agreement upon which the constitution was based, and without which it would not have been acceded to. As the construction of this work formed, both during the preliminary contests and after confederation, the subject of constant and earnest discussion and of much political conflict, and at one time was made the subject of a gross charge of breach of faith against the Canadian Govern-

ment and Parliament, it is as well to examine the negotiations that took place respecting it at the time the Imperial Act was passed, giving the Imperial guarantee.

On the 29th of January the chairman submitted to Lord Carnarvon, the Secretary of State for the Colonies, the following memorandum :

In December, 1862, the delegates from the several provinces proposed to Her Majesty's Government that the Imperial guarantee should be given on the following conditions, viz.:—

1. That the loan shall be for £3,000,000 sterling.
2. That the liabilities of each colony shall be apportioned as follows :—£1,250,000 for Canada; £875,000 for New Brunswick; £875,000 for Nova Scotia.
3. The debentures shall bear interest at the rate of  $3\frac{1}{2}$  per cent.
4. The interest shall be paid half-yearly in London, on the first of May and on the first of November.
5. That the sum borrowed shall be re-paid in four instalments: £250,000 in ten years; £500,000 in twenty years; £1,000,000 in thirty years; £1,250,000 in forty years.
6. The net profits of the road shall be applied towards the extinction of the debt.
7. That the loan shall be the first charge on the revenue of each colony after the existing debts and charges.
8. That the Imperial Government shall have the right to select one of the engineers to be appointed to make the surveys for the location of the road.
9. That the selection of the line shall rest with the Imperial Government.
10. That if it is concluded that the work is to be constructed and managed by a Joint Commission, it shall be constituted in the following proportions:—Canada shall appoint two of the Commissioners; New Brunswick and Nova Scotia each one. These four shall name a fifth before entering upon the discharge of their duties.
11. That such portions of the railways now owned by the Governments of New Brunswick and Nova Scotia, which may be re-

quired to form part of the Intercolonial road, will be worked under the above Commission.

12. That all net gains or loss resulting from the working and keeping in repair of any portion of the roads constructed by Nova Scotia and New Brunswick, and to be used as a part of the Intercolonial road, shall be received and borne by these Provinces respectively. and the surplus, if any, after the payment of interest, shall go in abatement of interest of the whole line between Halifax and Riviere du Loup.

13. That the rates shall be uniform over each respective portion of the road.

14. That the Crown lands required for the railway or stations shall be provided by each Province.

The following counter proposition was made on the part of Her Majesty's Government :

1. That bills shall be immediately submitted to the Legislatures of Canada, Nova Scotia and New Brunswick, authorizing the respective Governments to borrow £3,000,000, under the guarantee of the British Government, in the following proportions: Five-twelfths, Canada; three and one half twelfths, Nova Scotia; three and one half twelfths, New Brunswick.

2. But no such loan to be contracted on behalf of any one Colony, until corresponding powers have been given to the Governments of the other two Colonies concerned, nor unless the Imperial Government shall guarantee payment of interest on such loan until repaid.

3. The money to be applied to the completion of the railway connecting Halifax with Quebec, on a line to be approved by the Imperial Government.

4. The interest to be a first charge on the Consolidated Revenue Funds of the different Provinces after the Civil List, and the interest of existing debts; and as regards Canada, after the rest of the six charges enumerated in the 5 & 6 Vic. cap. 118, and 3 & 4 Vic. cap. 35 (Act of Union).

The debentures to be in series as follows, viz. :

£250,000	to be payable	ten years	after contracting loan ;
£500,000	“	twenty years	“
£1,000,000	“	thirty years	“
£1,250,000	“	forty years	“

In the event of these debentures, or any of them, not being redeemed by the colonies at the period when they fall due, the amount unpaid shall become a charge upon their respective revenues, next after the loan, until paid. The principal to be repaid as follows :

1. Decade, say 1863 to 1872 inclusive, £250,000 in redemption of the first series at or before the close of the first decade from the contracting of the loan.

2. Decade, say 1873 to 1882 inclusive, a sinking fund of £40,000 to be remitted annually, being an amount adequate, if invested at 5 per cent, compound interest to provide £500,000 at the end of the decade ; the sum to be remitted annually to be invested in the names of trustees, in colonial securities of any of the three provinces prior to or forming part of the loan now to be raised, or in such other colonial securities as Her Majesty's government shall direct, and the then colonial governments approve.

3. Decade, say 1883 to 1892 inclusive, a sinking fund of £80,000 to be remitted annually, being an amount adequate, if invested at 5 per cent compound interest, to provide £1,000,000 at the end of the decade. The amount when remitted to be invested as in the case of the sinking fund for the preceding decade.

4. Decade, say 1893 to 1902, inclusive, a sinking fund of £100,000 to be remitted annually, being an amount adequate, if invested at 5 per cent compound interest, to provide £1,250,000, being the balance of the loan at the end of the decade. This amount, when remitted to be invested as in the preceding decade.

5. Should the sinking fund of any decade produce a surplus, it will go to the credit of the next decade, and in the last decade the sinking fund will be remitted or reduced accordingly.

It is of course understood that the assent of the Treasury to these arrangements pre-supposes adequate proof of the sufficiency of the colonial revenues to meet the charges intended to be imposed upon them.

6. The construction of the railway to be conducted by five commissioners; two to be appointed by Canada, one by Nova Scotia, and one by New Brunswick. These four to choose the remaining commissioner.

7. The preliminary surveys to be effected at the expense of the colonies, by three engineers or other officers nominated; two by commissioners and one by the Home Government.

8. Fitting provision to be made for the carriage of troops, &c.

9. Parliament not to be asked for this guarantee until the line and surveys shall have been submitted to and approved of by Her Majesty's Government, and until it shall have been shown, to the satisfaction of Her Majesty's Government, that the line can be constructed without further application for an Imperial guarantee.

This proposal was accepted by Nova Scotia and New Brunswick, but objected to by Canada.

By the despatch of Mr. Cardwell, dated 17th June, 1864, the engagement of Her Majesty's Government to grant the guarantee was renewed; but consideration of the terms was postponed for future arrangement.

In consequence of the proposed confederation of the provinces, many of the clauses in both these propositions appear to be no longer required, and it is submitted that the terms of the Canada Guarantee Act of 1842, should be in the main followed. The delegates therefore propose to Her Majesty's Government

1. That a loan of £3,000,000 sterling, to be negotiated with a guarantee of the Imperial Parliament, the proceeds to be applied to the construction of the Intercolonial Railway.

2. The rate of interest to be 4 per cent., payable half-yearly and both principal and interest to form the first charge upon the revenue of the Confederation, after existing debts and charges.

3. A sinking fund at the rate of 1 per cent. per annum to be provided by the Confederation, to be invested in the securities of the Confederation existing prior to the guaranteed loan, or in such other securities as may be suggested by the Confederation, and approved by Her Majesty's Government.

The trustees of the sinking funds to consist of one officer to be appointed by the Imperial Government, and another by the Government of the Confederation.

(Signed) JOHN A. MACDONALD,  
*Chairman.*

London, 29th, January, 1867.

On the 12th February, a deputation of the Conference, consisting of Messrs. Galt, Howland, Tupper and Tilley, waited, by invitation, upon the Chancellor of the Exchequer, and explained fully the object of having the guarantee of the Imperial Government placed upon the footing contained in the above memorandum.

This interview was satisfactory, and left no doubt that the guarantee was not only secured, but that there would be no difficulty in arranging the details connected therewith. The deputation on that occasion left a memorandum with the Chancellor of the Exchequer, respecting the financial position and trade of British North America. (*vide Appendix.*)

After protracted negotiations, and much discussion of the statistical information supplied to Her Majesty's Government, the latter agreed to ask Parliament for a guarantee of £3,000,000 sterling. Great difficulty arose with reference to the investment of the Sinking Fund, and the legislation required by Canada previous to the attaching of the guarantee. The Treasury Department insisted that Canada should provide, by a special law for raising the necessary revenue, to defray the interest on the loan before any guarantee should be made; and that the Sinking Fund should be invested in British funds. After a series of interviews they were induced to abandon their first condition, as to proof of the revenue required to meet the loan, and also to agree to the proposal of the delegates that the Sinking Fund should be invested in colonial and other securities, at the option of Canada.\*

Finally, the draft of a Bill was agreed upon, which was introduced and carried by the Ministers in the Imperial Parliament, under the title of "An Act for authorizing a guarantee of interest on a loan to be raised by Canada towards the construction of a

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\* New Brunswick Journals, 1867, 404.



railway connecting Quebec and Halifax," (12th April, 1867); and became the law under which the funds for the construction of the work were found.

After the close of the negotiations in England, the deputations returned to their different Provinces. In Nova Scotia and New Brunswick, where the existing Legislatures were still in full force and in session, resolutions were almost immediately introduced, and bills founded upon them passed into law, preventing dual representation, or the same individual being at the same time a member of the Local Legislature and of the Dominion Parliament. The extreme jealousy of the over-ruling power of the Federal Government, the desire to preserve unfettered the action of the Local Legislatures, and the independent maintenance of their rights, and the rights of their Provinces, with the avoidance of a divided responsibility, were the inducements to this legislation. The Provinces of Upper and Lower Canada having at that time no separate Legislatures, no action could be taken by those Provinces in that direction, and the then Legislature of those two Provinces under the old union, did not deem it proper to express any opinion on the point. After confederation the subject was one of repeated discussion in the Dominion Parliament, but on all occasions it was held to be a matter of local regulation, to be governed by the decision of the Local Legislatures themselves. In reviewing the debates on this subject in the confederate Parliament, in the subsequent volume of this work, the policy of its adoption or rejection will have to be more fully entered into. At present it is sufficient to say that during the first three or four years after confederation, the leading members of the Local Legislatures of both Upper and Lower Canada, then become Ontario and Quebec, and the members of their Local Governments held seats in the Dominion Parliament, and as a general rule supported the administration of the day. In New Brunswick, on the proclamation of the union, the members of the Local Government, the Speaker of the House, and such other members as intended to be candidates for the Dominion Parliament, forthwith resigned their seats in the Local Legislature, and were returned by their

several constituencies to the Federal Legislature. In Nova Scotia they did the same, but at that time the anti-confederate hostility to the movement had become a passion. The leader of the Government, Dr. Tupper, alone survived the wreck of his party, and with the member for Guysboro', Mr. Stewart Campbell, represented in the Dominion Parliament, the confederate element from that Province.

Before leaving England, Her Majesty had been pleased to confer the honour of a K.C.B. on the chairman, and C.B. on several members of the Conference. On the 22nd day of May, 1867, a royal proclamation was issued at Windsor Castle, declaring that, on the 1st July, 1867, the Imperial Act should come in force, and that on and after that day the Provinces of Canada, Nova Scotia and New Brunswick should form and be one Dominion, under the name of Canada, and designating the members of the old Legislative Councils of the several Provinces who were to constitute the Senate. A cabinet was in the meantime formed, under the Premiership of Sir John A. Macdonald, composed alike of Conservatives and Liberals, to be announced with the inauguration of the Dominion; and the people of the several Provinces quietly awaited the day when the constitutions under which they had prospered would pass away, and a new era be opened to British North America.

An able writer, in a work just published,\* in his revelations of the dark side of our acquisition of India, observes,—“Events of historical importance are of two kinds, the silent and the noisy; and all things considered, the silent are of much more consequence than those whose taking place clamors for observation. In Bengal a great event, or coming into light of a new fact on the scroll of human destiny noiselessly revealed itself.” In Canada, on the bright side of history, may we not say, a great event on the scroll of human destiny was noiselessly revealing itself. No blood was shed, no rupture made, no Clive or Warren Hastings robbed in the name of justice, or deceived and betrayed in the name of humanity; no Sheridan or Burke can hereafter arise to

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\* Torrens' Empire in Asia. 1872.

make their names immortal by the impeachment of its actors. Yet a change was taking place, not less significant in its bearing upon the interests of that empire from which the conquerors of India and the colonists of Canada came. A change by which a country far exceeding India in extent, with its hardy northern races, while forming, for the future, a great and powerful nation, was yet to remain an integral portion of that empire of its own free will ; with no wrongs like the dusky sons of India to avenge, no treachery to repay with treachery, no blood-stained annals of mutiny and crime to darken its future years. Truly the silent events of history, all things considered, are of the most importance.

Much has been said and written about the corruption of Canadian statesmen. If the charge be intended for any thing beyond a mere vague assertion, or to have any personal application, it is utterly untrue. For five and twenty years, it cannot be said of any one public man, who has been a member of a government in any one of the provinces, that he has made use of his position to advance his own pecuniary interests ; nor, with the exception of one or two, has even political malice ventured to make the charge. There is not one perhaps, who, had he devoted the same attention and the same energy exclusively to his private affairs that he has given to the public, would not have been in far more independent circumstances. It is notorious that the salaries of ministers, judges, and other public officials in Canada are based upon the circumstances of the country many years since, and are, at the present day, on a scale totally inadequate to the increased expenses of living. Bank presidents, railway managers and others, whose remuneration is based upon ability to discharge their duties, receive treble and quadruple the amount the best paid public man in Canada can hope to obtain, though the services are not more onerous, or the responsibilities so great. Among that most valued class of public servants who constitute the permanent staff of the departments, where knowledge and experience are invaluable to preserve regularity and uniformity, the ablest and the best frequently leave the public service, to find in other employments more adequate compensation ; and the benefit of long training and tried integrity is thus lost.

It is true the remedy is in the hands of the Canadian Parliament; but in Canada, as well as in England, the public service sometimes suffers from an injudicious economy in the public expenditure, and the proposition for any change in an improved direction is at once met by reference to the salaries in the United States and republican simplicity, ignoring the fact that in that country small salaries are supplemented by inordinate fees, and sometimes—sometimes too often—by the grossest corruption. That the value of a collectorship of customs in New York—a government and not a municipal appointment—is estimated at \$100,000 per annum, while the prime minister of Canada receives as a salary \$5,000, and the highest chief justice in the Dominion but \$5,500, a little over a £1,000 sterling, and no fees.

No public official in Canada can, if he is “blessed with Solomon’s quiver full of them,” possibly bring up, educate and plant his family on an official salary, and it therefore redounds to their credit that, Canadian statesmen can challenge the charge of corruption and defy the proof. They are not open even to the imputation of the Spartan quality conveyed in La Bruyere’s subtle sarcasm, “L’honnête homme est celui qui ne vole pas sur les grands chemins et qui ne tue personne.”\*

If the application is intended in their political capacity, then Canadian statesmen may safely refer to the practice of their countrymen in England, and to the conduct of the Imperial cabinet and statesmen. The exercise of patronage in the appointment to office of the supporters of Government, where integrity and capacity to discharge the duties of the office exist, is simply the history of English parliamentary government, and is perfectly legitimate. If the charge be intended only in that general sense, which it is impossible to reduce to anything definite either individually or collectively, though it might be treated with indifference, and reference be made to the days of Walpole and Pelham, and even of the later Pitt, not forgetting Lord Panmure’s celebrated Crimean telegram, “Take care of Dowb”—and Canadian statesmen might in this respect court comparison with any Government

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\*“Honest man, (undetected) pilfer, steal or prig, but don’t rob on the public highway, or commit murder.”

that now exists, or has existed in England during the last half-century—it is simply necessary to deny the charge in the strongest terms. Canadian statesmen do not pretend to be Purists. They are principally practical men, who have worked their way to position by the advocacy of progressive measures and the exercise of sound common sense. Very few of them can claim the benefit of hereditary distinction, and most of them are indebted to their personal qualities alone for any influence they command. They are very much like their English prototypes; and the press in Canada would expose corruption, individually or collectively, if it really existed, quite as readily as the press in England. Such charges, when made in Canada, in the general terms in which they are made, are, it is generally considered, used as election cries, and mostly come from parties who have been members of the same Government, and, having separated, like quarrelling members of the same family, abuse each other with intensest hatred. It is to be regretted that such a practice should ever have obtained. But it does more harm to Canada abroad than at home. Such charges, when made by English writers, may in almost every instance be traced to some disappointed applicant for place. Too many strangers come out to Canada, thinking their appointment to office would be conferring a great boon upon the country, and are vexed at the want of appreciation evinced by its inhabitants. They forget that they must work on the soil before they can reap its fruits.

On the 1st July, 1867, Lord Monck issued a proclamation announcing his appointment as Governor-General of the Dominion, and Canadians assumed the control of territories vast in their extent and resources, which, under wise legislation and honest industry, will, with God's blessing, advance in prosperity and influence, and add to the welfare and happiness of the human race.

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# APPENDIX.

(Chap. 2, page 79.)

## STATEMENTS

*Explanatory of the Financial Position of Canada, and a comparison thereof with the position of the other British North American Colonies in 1864.*

(Issued by the Department of the Minister of Finance, Canada in 1865.)

STATEMENT respecting the Funded Debt of Canada, and the Sinking Funds held for its redemption.

Year.	Funded Debt.	Sinking Funds held for its redemption.	Net Funded Debt.
1861.. .. .	\$65,626,478	\$7,453,458	\$58,173,020
1862.. .. .	67,567,408	7,620,434	59,946,974
1863.. .. .	65,238,649	4,883,177	60,355,472
1864.. .. .	61,824,367	1,536,792	60,287,575

These figures are from the "Statements of Affairs of the Province," being Table I., in the Public Accounts of each year, signed by Wm. Dickinson, Esq., Deputy Inspector General.

STATEMENT respecting Imports into Canada, and Duty paid thereon, in each year since 1861.

Year.	Imports.	Duty.	Per Centage of Duty on Total Imports.
1861 .. . . .	\$43,054,836	\$4,768,193	11.1
1862 .. . . .	48,600,633	4,652,749	9.6
1863 .. . . .	45,964,493	5,169,173	11.2
1864 .. . . .	52,498,066	6,637,503	12.6

The figures relating to the Imports and Duty for 1861, 1862 and 1863 are from the Trade and Navigation Returns, prepared each year under the superintendence of R. S. M. Bouchette, Esq., Commissioner of Customs and Excise. Those for 1864 are from *MSS.* tables.

STATEMENT respecting the Population of Canada at the periods undermentioned.

POPULATION BY THE CENSUS OF JANUARY, 1852.

Upper Canada.	Lower Canada.	Total.
952,004 .....	890,261 .....	1,842,265

POPULATION BY THE CENSUS OF JANUARY, 1861.

Upper Canada.	Lower Canada.	Total.
1,396,091 .....	1,111,566 .....	2,507,657

POPULATION, ASSUMING THE SAME RATE OF INCREASE, IN JANUARY OF EACH SUCCEEDING YEAR.

	Upper Canada.	Lower Canada.	Total.
1862 .....	1,456,800 .....	1,139,400 .....	2,596,200
1863 .....	1,520,100 .....	1,167,800 .....	2,687,900
1864 .....	1,586,130 .....	1,196,949 .....	2,783,079
1865 .....	1,655,100 .....	1,226,800 .....	2,881,900

The figures for 1852 and 1861 are from the Official Reports of the Census.

CALCULATION as to the Duty paid *per* head of the population of Canada, during the last four years; also as to the Debt, Ordinary Revenue\* and Ordinary Expenditure *per* head.

Year.	Duty per head.	Debt per head.	Revenue per head.	Expenditure per head.
1861 .....	\$1 83	\$22 31	\$3 35	\$4 27
1862 .....	1 73	22 30	3 10	4 03
1863 .....	1 85	21 69	3 48	3 75
1864 .....	2 30	20 92	3 79	3 52

\* For the amount of Revenue and Expenditure see pages 402-3-4-5.

CONDENSED BALANCE SHEET OF THE PROVINCE OF  
CANADA, ON DECEMBER 31ST, 1864.

DR.		
Funded Debt—Direct .....	\$60,950,101	13
Do. Indirect .....	874,266	64
		\$61,824,367
Indebtedness to Trust Funds :—		
School Funds .....	1,966,813	87
Indian Funds .....	1,614,519	00
Miscellaneous Funds ....	569,650	59
		4,150,983
Miscellaneous Accounts .....		735,239
Bank Accounts .....		3,350,507
Liabilities in connection with the Seigniorial Tenure .....		4,118,202
Consolidated Fund .....		2,043,761
		\$76,223,061

NOTE.—To arrive at the \$67,500,000 at which Canada is to enter the Confederation, see the Calculation on page 405.

CR.		
Sinking Funds .....		\$1,536,792
Provincial Works, viz. :—		
*(a) St. Lawrence Canals .....	\$7,406,269	86
(b) Welland Canal .....	7,309,849	16
(c) Chambly Canal and River Richelieu Improvements .....	433,807	83
(d) Burlington Bay Canal .....	308,328	32
(e) Lake St. Peter Improvements .....	1,098,225	08
(f) Ottawa Works .....	1,148,690	16
Improvement of the Trent .....	558,506	20
(g) Harbours and Light Houses .....	2,549,617	42
Roads and Bridges .....	1,726,695	34
Government Buildings at Ottawa ..	1,812,508	71
(h) Loans to Incorporated Companies ..	142,154	52
Miscellaneous Works and Buildings	1,860,862	13
		26,355,524
Due by Building and Harbour Funds (i) .....		874,266
Railway Debenture, Accounts :—		
(j) Grand Trunk Railway, including Subsidiary Lines .....	15,312,894	17
(k) Great Western Railway .....	2,810,500	00
(l) Northern Railway .....	2,311,666	67
		20,435,060
Railway Interest and Special Accounts .....		9,642,025
Municipal Loan Fund Accounts (n) .....		12,890,837
Miscellaneous Accounts .....		1,064,439
Due by Trust Funds .....		779,439
Consolidated Fund Investment Account .....		689,635
Bank of Upper Canada, Special Account .....		1,250,000
Bank Accounts, including Crown Lands (\$60,036 64) .....		705,039
		76,223,061

\* For Notes see succeeding page.



(a) The St. Lawrence and Welland Canals—together 54 miles long, with 54 locks and a lockage of 535 feet—enable vessels to pass from the Upper Lakes to the Ocean.

The St. Lawrence Canal locks, 24 in number, besides guard-locks, are 9 feet deep, 45 broad and 200 long, and can pass vessels 186 feet long,  $44\frac{3}{4}$  broad and 9 deep.

(b) The Welland Canal locks, are 10 feet deep,  $26\frac{1}{2}$  broad and 150 long, and can pass vessels 142 feet long, 26 broad and 10 deep.

(c) The Chambly Canal enables vessels to pass from the St. Lawrence into Lake Champlain. It has 9 locks (besides the St. Ours), 7 feet deep, 24 broad and 122 long.

(d) The Burlington Bay Canal, or Cut, opens up Burlington Bay to the trade of Lake Ontario.

(e) The Improvements St. Peter Lake will soon enable sea-going vessels to go up to Montreal, drawing 20 feet of water. They have been effected by dredging.

(f) The "Ottawa Works" are Timber Slides and Dams, enabling the Lumber of the Ottawa Country to be floated down to tide-water without injury from falls or rapids.

(g) The Light Houses and Harbours include those on the Lakes as well as on the salt water.

(h) The principal loan was to the Desjardin's Canal Company. This Canal connects the town of Dundas with Burlington Bay.

(i) \$481,426 67 of this is due by Montreal Harbour.

(j) The Grand Trunk R. R. Co. now controls 1,377 miles of railway, in addition to the 54 miles of the Ottawa and Prescott Railway, which it works for the Ottawa and Prescott Railway Company.

(k) The Great Western Railway and its branches are 345 miles in length.

(l) The Northern Railway is 94 miles long.

(n) The advances made to the various Municipalities under the Municipal Loan Fund Account, secured the construction of various important works, such as the Ottawa and Prescott Railway; the Brockville and Ottawa Railway, 81 miles; the London and Port Stanley Railway, 24 miles. Also Water Works and other valuable local improvements.

COMPARATIVE STATEMENT OF THE ENTIRE PAYMENTS AND REVENUES OF THE PROVINCE OF CANADA, 1861, 1862, 1863 AND 1864, DISTINGUISHING ORDINARY FROM EXTRAORDINARY PAYMENTS AND REVENUES.

P A Y M E N T S.		1861.	1862.	1863.	1864.
		\$	\$	\$	\$
1.	Interest on Public Debt, charges of Management, &c	3,962,488	4,021,219	3,995,257	4,126,317
2.	Redemption of Public Debt	2,738,872	279,831	4,166,375	3,957,740
3.	Civil Government, including Pensions	471,795	529,093	479,368	473,198
4.	Administration of Justice, including Prison Inspection, &c	849,329	851,479	878,338	846,516
5.	Legislation	463,125	432,048	627,378	379,959
6.	Education, Grants to Literary Societies and Geological Survey	545,000	597,770	566,380	492,392
7.	Hospitals and Charities	274,842	397,687	259,942	299,331
8.	Militia and Enrolled Force	84,688	98,445	48,116	317,061
9.	Agricultural Societies, Grants to	102,620	108,349	105,666	110,019
10.	Public Works and Buildings, Rents and Repairs, Roads and Bridges, Steam and Coast Service.	1,799,966	1,389,144	1,247,668	1,393,107
11.	Redemption of Seigniorial Rights	224,133	379,849	222,608	199,699
12.	Advances and Payments to Subsidiary Lines	751,669	304,032	89,519	12,200
13.	Municipalities Fund	445,314	313,385	143,334	104,119
14.	Indian Fund and Indian Annuities	135,146	139,439	175,760	168,420
15.	Minor Payments	389,075	249,354	260,090	262,621
16.	Collection of Revenue	1,507,463	1,424,779	1,228,733	1,408,093
Redemption of Public Debt (to be deducted)		14,742,834	11,395,023	14,909,182	14,544,882
		2,738,872	279,831	4,166,375	3,957,740
Expenditure		12,003,962	11,116,092	10,742,807	10,587,142
From this may also be deducted the following exceptional expenditure:—					
Cost of the Ottawa Buildings		655,149	17,739	248,348	458,077
Subsidiary Lines		346,000	83,590	.....	.....
Extraordinary Advances		364,945	199,012	48,000	.....
Reception of H. R. H. the Prince of Wales		63,225	.....	.....	.....
		1,423,319	297,341	296,348	458,077
Leaving as the Total Expenditure, less exceptional items		10,480,643	10,818,751	10,446,459	10,129,065

RECEIPTS.

	1861.	1862.	1863.	1864.
1. Customs.....	\$ 4,774,562	\$ 4,652,183	\$ 5,171,080	\$ 6,664,326
2. Excise.....	344,665	500,313	829,802	860,914
3. Post Office and Ocean Postage.....	457,726	498,717	438,864	664,946
4. Public Works and Provincial Steamers.....	355,198	421,461	575,823	429,010
5. Territorial.....	678,923	650,886	682,796	584,846
6. Interests on Investments, Premium and Discount.....	508,236	398,110	520,524	319,487
7. Minor Revenues of the Consolidated Fund.....	131,983	99,238	71,410	165,410
8. Miscellaneous Receipts on open Accounts.....	268,473	252,098	287,014	320,650
9. Debentures and Stock.....	2,756,306	2,220,760	4,622,192	4,354,582
10. Sales of Public Works and Buildings.....	7,697	1,362	3,228	15,646
11. Municipal Loan Fund.....	279,388	130,074	354,755	174,850
12. Investment ex Consolidated Canadian Loan.....	867,749	60,000	21,368	.....
13. Ocean Steam Company.....	189,620	1,225	.....	.....
14. Bank of Upper Canada—Special Account.....	1,000	.....	39,966	236,667
15. Grand Trunk R. R. Advance and Postal Subsidy Account.....	116,483	230,806	145,260	165,016
16. Miscellaneous Guaranteed and Advance Accounts.....	325,025	201,938	171,448	164,606
17. Municipalities Fund.....	161,455	249,229	172,681	189,918
18. Education and School Funds.....	256,629	195,790	223,410	176,698
19. Indian Fund.....	28,942	24,005	51,487	38,107
20. Minor Trust Funds.....	145,521	.....	.....	.....
21. Received on Trust from Provident Savings Bank, Bursar of University, and Quebec Bishopric.....	12,655,581	10,629,204	14,382,508	15,526,549
Receipts from Sales of Debentures and Stock (to be deducted).....	2,756,306	2,220,760	4,622,192	4,354,582
Revenue.....	9,899,275	8,408,444	9,760,316	11,171,967
From this may also be deducted the following exceptional Receipts :—				
Grand Trunk Railway Advance Account.....	1,000	.....	39,966	.....
Ocean Steam Company Advance Account.....	189,620	1,225	.....	.....
Investment ex Consolidated Canadian Loan.....	867,749	60,000	21,368	.....
Received on Trust, &c. (item 21).....	145,521	.....	.....	.....
Bank of Upper Canada Special Account.....	.....	.....	.....	236,667
Leaving as the total Revenue, less exceptional items.....	1,203,890	61,225	61,334	236,667
.....	8,695,385	8,347,219	9,698,982	10,935,300

This Statement is taken from the Table prefixed to the Public Accounts of 1861, 1862, 1863 by John Langton, Esq., Auditor. The figures for 1864, are from a Return laid before Parliament.

STATEMENT relating to the Area, Acres surveyed, and Acres disposed of, in the five Eastern Colonies of British North America, 1865.

Province.	Area in Square Miles.	Acres Surveyed to Dec. 31, 1863.	Acres disposed of by Sale or Grant to Dec. 31, 1863.
Newfoundland .....	40,200	.....	*100,000
Nova Scotia .....	18,660	.....	*5,748,893
New Brunswick .....	27,105	7,850,000	7,551,909
Prince Edward Island .....	2,100	.....	*1,365,400
Canada .....	331,280	49,084,587	39,331,791
Total .....	419,345	.....	54,097,993

The figures marked with an asterisk (\*) are not taken from official sources, but are believed to be approximately correct.

There would thus remain 214,282,817 acres in the hands of the Crown.

POPULATION AND ITS RATE OF INCREASE.

Province.	Population by the last Census.	Date of that Census.	Rate of annual increase since previous Census—per cent.	Estimated population, Jan. 1864, assuming the same rate of increase.
Newfoundland* .....	124,288	1857	1.50	137,000
Nova Scotia .....	330,857	1861	1.82	349,300
New Brunswick .....	252,047	1861	2.60	272,780
Prince Edward Island .....	80,857	1861	2.07	85,992
Canada .....	2,507,657	1861	3.48	2,783,079
Total .....	3,295,706	.....	.....	3,628,151

\* Including the Labrador Shore.

The population is calculated to the end of 1863, (or beginning of 1864,) in order to arrive at a correct estimate of the Debt, Revenue, &c., of the several Provinces per head, for which see next page.

REVENUE, EXPENDITURE, DEBT, IMPORTS, DUTY AND EXPORTS IN 1863.

Province.	Revenue, 1863.	Expenditure, 1863.	Funded Debt, 1863, less Sinking Fund held for its redemption.	Imports, 1863.		Exports, 1863.
				Total Value.	Total Duty.	
Newfoundland .....	\$480,000	\$479,420	\$946,000	\$5,242,724	\$483,640	\$6,002,212
Nova Scotia .....	1,185,629	1,072,274	4,853,547	10,201,391	861,989	8,420,968
New Brunswick .....	899,991	884,613	5,702,991	7,764,824	*767,354	8,964,784
Prince Edward Island .....	197,384	171,718	240,573	1,428,028	145,372	1,627,540
Canada .....	9,760,316	10,742,807	60,355,472	45,964,493	5,169,173	41,831,532
Total, 1863 .....	12,523,320	13,350,832	72,103,583	70,601,460	7,427,528	66,847,036
Canada, 1864 .....	10,918,337	10,587,142	60,287,575	52,498,066	6,637,503	38,665,446

\* There is also a duty on Exports (Lumber) of \$68,634.

Calculations as to the Revenue, Expenditure, Debt, Imports, etc., per head of the Population in each Province.

Province.	Population to the square mile.	Revenue per head of the population.	Expenditure per head of the population.	Debt per head of the population.	Imports per head of the population.	Duty per head of the population.	Exports per head of the population.
		\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.
Newfoundland .	3.41	3 50	3 49	6 90	38 27	3 53	43 81
Nova Scotia . . .	18.72	3 39	3 10	13 91	29 20	2 46	24 11
New Brunswick	10.06	3 29	3 24	20 91	28 46	2 81	32 86
Pr. Edward Isl.	40.95	2 29	2 00	2 79	17 61	1 69	18 93
Canada . . . . .	8.40	3 51	3 86	21 69	16 51	1 85	15 03
Average . . .	8.32	3 45	3 68	19 83	19 18	2 04	18 42
Canada, 1864 . .	8.69	3.79	3.67	20.93	18.23	2.30	13.42

The following calculation shows how the debt at which Canada is to enter the Confederation was arrived at. The figures are somewhat different from those on the balance sheet on page 400, chiefly because a large amount of debt has been paid off by the Sinking Funds, and from changes incident to the transactions of the year 1864.

THE AUDITOR'S STATEMENT OF THE LIABILITIES OF CANADA, IN 1863.

Debenture Debt, direct and indirect . . . . .	\$65,238,649 21
Miscellaneous liabilities . . . . .	64,426 14
Common School Fund . . . . .	1,181,958 85
Indian Fund . . . . .	1,577,202 46
Banking Accounts . . . . .	3,396,982 81
Seigniorial Tenure :	
Capital to Seigniors . . . . .	\$2,899,711 09
Chargeable on Municipalities' Fund . . . . .	196,719 66
On account of Jesuits' Estates . . . . .	140,271 87
Indemnity to the Townships . . . . .	891,500 00
	4,118,202 62
	75,578,022 09
Less—Sinking Funds . . . . .	\$4,883,177 11
Cash and Bank Accounts . . . . .	2,248,891 87
Common School Fund . . . . .	1,181,958 85
	8,314,027 83
Leaving as Net Liabilities . . . . .	\$67,263,994 26

COASTING TRADE.—(*Chap. 6, page 157.*)

As the question of the Coasting Trade is of much importance to Canada, both at present and still more so in view of future contingencies—and her policy on this subject differs from that of the Imperial Government—it is as well to refer to the Imperial and Canadian Acts, by which it was and is regulated, namely :

THE CUSTOMS CONSOLIDATION ACT, (IMPERIAL,) 16 & 17 Vic.,  
*Cap. 107, A.D., 1853.*

Sec. 163.—No goods or passengers shall be carried from one part of any British possession in Asia, Africa, or America, to another part of the same possession, except in British ships.

Sec. 328.—If the Legislature or proper legislative authority of any of the British possessions abroad shall present an address to Her Majesty, praying Her Majesty to authorize or permit the conveyance of goods or passengers from one part of such possession to another part thereof, in other than British ships; or if the Legislatures of any two or more possessions, which, for the purposes of this Act, Her Majesty in Council shall declare to be neighbouring possessions, shall present addresses or a joint address to Her Majesty, praying Her Majesty to place the trade between them on the footing of a coasting trade, or of otherwise regulating the same, so far as relates to the vessels in which it is to be carried on, it shall thereupon be lawful for Her Majesty, by Order in Council, so to authorize the conveyance of such goods or passengers, or so to regulate the trade between such neighbouring possessions, as the case may be, on such terms and under such conditions as to Her Majesty may seem good.

By the Merchants' Shipping Colonial Act, 1869, (Imperial Act,) Sec. 328, of 16 and 17 Vic., Cap. 107, just quoted, was at once repealed.

Sec. 163 was declared to be repealed after two years, unless in the British possessions some local Act or ordinance was in the meantime passed, retaining its provisions.

Canada, by the same Act it was declared, was to be deemed to be one British possession, thus doing away with any inference

that the pre-existing rights of the separate Provinces, to legislate or act in this matter, still continued.

Canada, not concurring in the views of the British Government and Parliament, that the coasting trade should be thrown open to the United States or other foreign nations—which would not reciprocate to the same degree—immediately passed an Act (Chap. 14, 1870, Canadian Statutes, Coasting Trade,) preserving the provisions of Sec. 163, of Cap. 107, 16 and 17 Vic. (A.D. 1853), so far as applicable to Canada; under which Act “no foreign vessels will be allowed to carry goods or passengers between any parts or places in the Dominion, unless allowed to do so by order of the Governor in Council, who has power under the Act to open the coasting trade to the shipping of any foreign country in which British ships and vessels are admitted to the coasting trade of such country.”—(Vide *Marine and Fisheries' Report, 1871, 62.*)

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LOWRY'S PAMPHLET, p. 10.—(*Page 178, Chap. 6.*)

The Official Returns show the real decrease in 1866 and 1867 to have been over \$9,000,000, but of the increase in 1868 \$2,000,000 must be credited to the Provinces of New Brunswick and Nova Scotia, which had come into confederation on the 1st of July, 1867.

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TERRITORIAL FISHERY RIGHTS.—(*Page 183, Chap. 6.*)

The value of these fishery rights may be best estimated by reference to the very able report of the Minister of Marine and Fisheries, the Hon. Peter Mitchell, for the year 1870, laid before Parliament in the session of 1871. He says, speaking of the fish caught by British and American fishermen, “The aggregate value of the fish products of the Provincial fisheries is nearly \$17,000,000, and is susceptible of being increased to a very much greater value.” “The estimated annual catch of the American fishermen, chiefly within the three mile limits, is valued at about \$8,000,000,” employing a capital of \$9,000,000. The actual value for exportation in the confederated Provinces alone, exclusive of any caught by foreigners, is over \$7,000,000. The increase in Nova Scotia,

in the case of mackerel, is very marked, having gone up, as appears by the returns for 1871, from 85,264 barrels in 1870 to 142,898 barrels in 1871. If to the \$7,000,000 for exportation \$1,000,000 be added for home consumption, the annual value is upwards of \$8,000,000. The system adopted during the last three years, both as to the regulation of the sea coast and inshore, as well as the inland fisheries, has materially increased their productiveness, and is improving the position of our fishermen. Mr. Mitchell says (page 70), "There is a general concurrence of opinion that the active exclusion of foreign fishermen from the waters of Canada, has enabled Canadian fishermen to pursue their calling to much greater advantage than formerly."

With reference to the constant negotiations with the United States in regard to these fisheries, it may be observed, there is no compensation, pecuniary or commercial—except the most unrestricted access to the markets of the United States, on equal terms with their own fisherman, without bounties or discriminating duties of any kind in favor of the latter—that can in any way be equivalent to the concession of the joint enjoyment of the fisheries in Canadian waters. It would be a mockery, by treaty or otherwise, to say that their markets will be thrown open, if the competitors with Canadian fishermen in those markets are to receive exceptional advantages, which neutralize the privileges of access thereto. If on one side privileges are given, on the other the exclusive territorial right equalizes the position; but if the joint use is added to the former, the advantage is all on one side. It is true, no one can prevent the United States Congress from legislating, by bounties or otherwise, as they please; but it is equally true the Canadian territorial fishing rights cannot be taken away without the consent of the Canadian Parliament. It may be questioned whether, in view of Canada's future position as a maritime nation, any equivalent can be offered for the concession of the joint use of the in-shore fisheries.

The exclusive right of Canada to these fisheries is so undoubted under the law of nations, that even the proposition in the late Treaty of Washington (1871), to pay a pecuniary sum for the difference in value that might be proved to exist between the rela-



tive value of the right of fishing in American waters and of fishing in Canadian waters, though serving as an admission, was not requisite in any way to strengthen the right.

The legal authorities on this question have been most admirably collated in a small pamphlet, by Mr. W. F. Whitcher, the Commissioner of Fisheries of the Marine and Fishery Department.

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HOWE'S COMMENTS ON THE IMPERIAL POLICY—(Page 188, Chap. 6.)

So prevalent is this idea of the United States getting the better of England in negotiations, that even Ministers of the Crown are not always reticent. Since the foregoing was in press, the Hon. Joseph Howe, the Secretary of State for the Provinces, delivered an address in Ottawa, from which the following extract is taken. "The Cabinet, it is said, not concurring in these views, had it suppressed immediately; but the enterprise of the *Globe* newspaper disinterred it, before the sod had hardened, and it was published broadcast." Coming from a Cabinet minister, it will doubtless be quoted as of weight; but it is submitted that on two points at least, it does not in any sense represent the true feelings of Canadians. The latter have not that abject dread of the United States which would be engendered by such reasoning; nor have they that distrust of the British Government which would be implied from the alleged facts as stated. The withdrawal of the troops was a mere matter of internal Imperial policy, which has done Canada good instead of harm. If Great Britain retains the expensive charge of the fortifications at Halifax, nothing more in peace ought to be expected. The British Government have given the assurance to Canada, that if the latter would do her duty towards maintaining an efficient militia, the former, "in the event of war, would undertake the defence of every portion of Canada with all the resources of the empire." And there lies at the bottom of the English character a principle which, with all its forbearance, will never let a portion of the empire be severed from it in dishonour:

*(Special Telegraph to the Globe.)*

OTTAWA, February 29, 1872.

The following is an extract from the lecture delivered by Hon. Joseph Howe, on Tuesday night, before the Young Men's Christian Association. It is the part which has been taken exception to in the Cabinet, and which has led to the suppression of the entire speech by the press. It may be relied on as accurate:

“He (Mr. Howe) had said that to meet the requirements of this position they must endeavour to grasp the whole Dominion; and he would add, that in no country he had ever heard or read of, in ancient or modern times, was the strain on the mental and bodily powers of the whole population greater than it was in this Dominion. We could not afford to have a laggard, an idler, or a coward; there were not four millions of us all told, and we had undertaken to govern half a continent, with forty millions of ambitious and aggressive people on the other side of a frontier three thousand miles long. If each British American could multiply himself five-fold we should not have more than half the brain power and physical force necessary to keep our rivals in check, and to make our position secure. To enable them correctly to estimate their true position, it would only be necessary to enquire into the reasons why France, with a warlike population of thirty millions, studded with fortresses, and with its capital elaborately protected by engineering skill, was, during the last summer, overrun, beaten down, and stripped of hundreds of millions of pounds by the victorious Prussians. What was the explanation of the extraordinary military phenomena which had startled the world in 1871? Why, simply that the Prussians contrived to have one man and a-half, and sometimes two, to one, on nearly every battle-field where they met their enemies. Whether they were better prepared, whether their combinations were more scientific, or their strategy was more perfect, may be a matter of controversy; but as far as he had been enabled to study the aspects of the war, the French were overpowered because they were outnumbered. In any contest with our neighbours, assuming that we were united to a man, if the enemy knew his business we must expect to have

ten men to one against us,—ten needle-guns, or Sniders, or Enfields, whatever the weapon might be,—so that they would perceive that they must face at least five or six times the odds by which the French were overpowered. But that was not the worst of it. Ten children were born on the other side of the line for one that was born on this, and however we might change the proportions by increased energy, five emigrants went to the United States for every one that came to Canada, so that at the end of every decade, the disproportions would be multiplied to our disadvantage. We might overlook these inequalities, and live in a fool's paradise of imaginary security; but if we were wise we would face our dangers, and prepare for them with a clear appreciation of their magnitude. But it might be said, Were we not a part of the great Empire upon which the sun never sets, which contains three hundred millions of people, whose wealth defied estimate, whose army was perfect in discipline, and whose great navy dominated the sea? What had we to fear when such an Empire protected us? This was our ancient faith and proud boast. Under every trial, in the full belief that they were British subjects, that the allegiance which they had to the Crown of England entitled them to protection, our forefathers helped to conquer and organize these provinces. But of late new doctrines had been propounded in the mother country. The disorganization of the Empire had been openly promulgated in leading organs; our brethren within the narrow seas had been counselled to adopt a narrow policy; to call home their legions, and leave the Provinces without sympathy or protection; and under the influences of panic and imaginary Battles of Dorking, troops were to be massed in the British Islands and their shores were to be surrounded by iron-clads. One Cabinet Minister told them that British America could not be depended upon; another that he hoped the whole continent would peacefully repose and prosper under republican institutions; and the third, on the eve of negotiations that were to involve our dearest interests, stripped Canada of every soldier, gathered up every old sentry-box and gun-carriage that he could find, and shipped them off to England. He did not desire to anticipate the full discussion which Parliament would give to England's recent diplomatic

efforts to buy her own peace at the sacrifice of our interests, or to that comedy of errors into which she had blundered. But he might say that the time was rapidly approaching when Canadians and Englishmen must have a clear understanding as to the obligations of the future. If Imperial policy is to cover the whole ground upon the faith of which our forefathers settled and improved, let this be understood. We will know then what to do. But if shadows, clouds and darkness were to rest upon the future; if thirty millions of Britons were to hoard their rascal counters within two small islands, gather round them the troops and war ships of the Empire, and leave four millions of Britons to face forty millions, and to defend a frontier of 3,000 miles, then let us know what they are at, and our future policy would be governed by that knowledge. No cabinet had yet dared to shape this thought and give it utterance. Leading newspapers had told us that our presence within the Empire was a source of danger, and the time for separation was approaching, if it had not already arrived. Noble Lords and Commoners had sneeringly told us we might go when we were inclined. As yet, neither the Crown, Parliament, nor people of England had deliberately averred this policy of dismemberment, although the tendency of English thought and legislation daily deepened the conviction that the drift was all that way. His young friends must wait for further development; not without anxiety for the future, but with a firm reliance on the goodness of Providence and our own ability to shape the policy of our country as to protect it by our wit, should Englishmen, unmindful of the past, repudiate their national obligations."

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*Chap. 8, page 286.—From Chalmers' Collection of Treaties, vol. 1, A.D. 1555 to 1787. (Edition of 1790.)*

#### TREATIES OF PARIS AND VERSAILLES, 1763 AND 1783.

The definitive treaty of peace and friendship between His Britannic Majesty, the most Christian King, and the King of Spain; concluded at Paris the 10th day of February, 1763. To which the King of Portugal acceded on the same day.

In the name of the most holy and undivided Trinity, Father, Son, and Holy Ghost. So be it.

Be it known to all those to whom it shall or may in any manner belong.

It has pleased the Most High to diffuse the spirit of union and concord among the Princes, whose divisions had spread the troubles in the four parts of the world, and to inspire them with the inclination to cause the comforts of peace to succeed the misfortunes of a long and bloody war, which having arisen between England and France, during the reign of the most serene and most potent Prince George the Second, by the grace of God, King of Great Britain, of glorious memory, continued under the reign of the most serene and most potent Prince George the Third, his successor, and, in its progress, communicated itself to Spain and Portugal; consequently the most serene and most potent Prince George the Third, by the grace of God King of Great Britain, France, and Ireland, Duke of Brunswick and Lurenburg, arch-treasurer and elector of the holy Roman Empire, the most serene and most potent Prince, Lewis the Fifteenth, by the grace of God, most Christian King, and the most serene and most potent Prince Charles the Third, by the grace of God, King of Spain and of the Indies, after having laid the foundations of peace in the preliminaries, signed at Fontainebleau the 3rd of November last; and the most serene and most potent Prince Don Joseph the First, by the grace of God, King of Portugal and of the Algarves, after having acceded thereto, determined to complete without delay this great and important work. For this purpose the high contracting parties have named and appointed their respective ambassadors extraordinary and ministers plenipotentiary, &c., who after having duly communicated their full powers in due form, &c., agreed upon articles the tenor of which is as follows:

1. There shall be a Christian, universal, and perpetual peace, as well by sea as by land, and a sincere and constant friendship shall be re-established between their Britannic, most Christian, Catholic and most faithful Majesties, and between their heirs and successors, kingdoms, dominions, provinces, countries, subjects, and

vassals, of what quality and condition soever they be, without exception of places or persons; so that the high contracting parties shall give the greatest attention to maintain between themselves and their said dominions and subjects, this reciprocal friendship and correspondence, without permitting on either side any kind of hostilities by sea or by land, to be committed from henceforth, for any cause or under any pretence whatsoever, and everything shall be carefully avoided which might hereafter prejudice the union happily re-established, applying themselves on the contrary on every occasion to procure for each other whatever may contribute to their mutual glory, interests, and advantages, without giving any assistance or protection, directly or indirectly, to those who would cause any prejudice to either of the high contracting parties: there shall be a general oblivion of everything that may have been done or committed before, or since, the commencement of the war which is just ended.

4. His most Christian Majesty renounces all pretensions which he has heretofore formed, or might form, to Nova Scotia or Acadia, in all its parts, and guarantees the whole of it, and with all its dependencies, to the King of Great Britain: moreover, his most Christian Majesty cedes and guarantees to his said Britannic Majesty, in full right, Canada, with all its dependencies, as well as the Island of Cape Breton, and all the other islands and coasts in the Gulf and River Saint Lawrence, and, in general, everything that depends on the said countries, lands, islands, and coasts, with the sovereignty, property, possession, and all rights acquired by treaty or otherwise, which the most Christian King and the Crown of France have had till now over the said countries, islands, lands, places, coasts, and their inhabitants, so that the most Christian King cedes and makes over the whole to the said King and to the Crown of Great Britain, and that in the most ample manner and form, without restriction, and without any liberty to depart from the said cession and guarantee, under any pretence, or to disturb Great Britain in the possessions above-mentioned. His Britannic Majesty, on his side, agrees to grant the liberty of the Catholic religion to the inhabitants of Canada: he will consequently give the most precise and most effectual

orders, that his new Roman Catholic subjects may profess the worship of their religion, according to the rites of the Romish Church, as far as the laws of Great Britain permit. His Britannic Majesty further agrees, that the French inhabitants, or others who had been subjects of the most Christian King in Canada, may retire, with all safety and freedom, wherever they shall think proper, and may sell their estates, provided it be to subjects of his Britannic Majesty, and bring away their effects, as well as their persons, without being restrained in their emigration, under any pretence whatsoever, except that of debts, or of criminal prosecutions: the term limited for this emigration shall be fixed to the space of eighteen months, to be computed from the day of the exchange of the ratifications of the present treaty.

5. The subjects of France shall have the liberty of fishing and drying, on a part of the coasts of the Island of Newfoundland, such as it is specified in the 13th article of the Treaty of Utrecht; which article is renewed and confirmed by the present treaty (except what relates to the Island of Cape Breton, as well as to the other islands and coasts in the mouth and in the Gulf of the St. Lawrence): and His Britannic Majesty consents to leave to the subjects of the Most Christian King the liberty of fishing in the Gulf of St. Lawrence, on condition that the subjects of France do not exercise the said fishery but at the distance of three leagues from all the coasts belonging to Great Britain, as well those of the continent as those of the islands situated in the said Gulf of St. Lawrence. And as to what relates to the fishery on the coasts of the Island of Cape Breton out of the said Gulf, the subjects of the Most Christian King shall not be permitted to exercise the said fishery but at the distance of fifteen leagues from the coasts of the Island of Cape Breton; and the fishery on the coast of Nova Scotia or Acadia, and every where else out of the said Gulf, shall remain on the footing of former treaties.

6. The King of Great Britain cedes the Islands of St. Pierre and Miquelon, in full right to His Most Christian Majesty, to serve as a shelter to the French fishermen; and his said Most Christian Majesty engages not to fortify the said islands, and to erect no buildings upon them, but merely for the convenience of

the fishery ; and to keep upon them a guard of fifty men only for the police.

7. In order to re-establish peace on solid and durable foundations, and to remove forever all subjects of dispute with regard to the limits of the British and French territories on the Continent of America, it is agreed that for the future the confines between the dominions of His Britannic Majesty and those of His Most Christian Majesty in that part of the world, shall be fixed irrevocably by a line drawn along the middle of the River Mississippi from its source to the Iberville, and from thence by a line drawn across this river and the lakes Maurepas and Pontchartrain, to the sea ; and for this purpose the Most Christian King cedes in full right and guarantees to His Britannic Majesty the river and port of Mobile, and everything which he possesses or ought to possess on the left side of the river Mississippi, except the town of New Orleans and the island in which it is situated, which shall remain to France ; provided that the navigation of the river Mississippi shall be equally free, as well to the subjects of Great Britain as to those of France, in its whole length and breadth, from its source to the sea, and expressly that part which is between the said Island of New Orleans and the right bank of that river, as well as in the passage both in and out of its mouth. It is further stipulated that the vessels belonging to the subjects of either nation shall not be stopped, visited, or subjected to the payment of any duty whatever. The stipulations inserted in the 4th article in favour of the inhabitants of Canada, shall also take place with regard to the inhabitants of the countries ceded by this article.

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#### TREATY OF VERSAILLES, 1783.

4. His Majesty the King of Great Britain is maintained in his right to the Island of Newfoundland, and to the adjacent islands, as the whole were assured to him by the thirteenth article of the treaty of Utrecht, excepting the islands of St. Pierre and Miquelon, which are ceded in full right by the present treaty to His Most Christian Majesty.



5. His Majesty the most Christian King, in order to prevent the quarrels which have hitherto arisen between the two nations of England and France, consents to renounce the right of fishing, which belongs to him in virtue of the aforesaid article of the treaty of Utrecht, from Cape Bonavista to Cape St. John situated on the eastern coast of Newfoundland, in fifty degrees north latitude; and His Majesty the King of Great Britain consents on his part, that the fishery assigned to the subjects of His Most Christian Majesty, beginning at the said Cape St. John, passing to the north, and descending by the western coast of the island of Newfoundland, shall extend to the place called Cape Raye, situated in forty seven degrees fifty minutes latitude. The French fishermen shall enjoy the fishery which is assigned to them by the present article, as they had the right to enjoy that which was assigned to them by the treaty of Utrecht.

6. With regard to the fishery in the Gulf of Saint Lawrence, the French shall continue to exercise it conformably to the fifth article of the treaty of Paris.

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DECLARATION.

The King having entirely agreed with His Most Christian Majesty upon the articles of the definitive treaty, will seek every means which shall not only insure the execution thereof, with his accustomed good faith and punctuality, but will besides give, on his part, all possible efficacy to the principles which shall prevent even the least foundation of dispute for the future.

To this end, and in order that the fishermen of the two nations may not give cause for daily quarrels, His Britannic Majesty will take the most positive measures for preventing his subjects from interrupting in any manner, by their competition, the fishery of the French during the temporary exercise of it, which is granted to them upon the coasts of the island of Newfoundland; and he will, for this purpose, cause the fixed settlements, which shall be formed there, to be removed. His Britannic Majesty will give orders that the French fishermen be not incommoded, in cutting the wood necessary for the repair of their scaffolds, huts, and fishing vessels.

The thirteenth article of the treaty of Utrecht, and the method of carrying on the fishery, which has at all times been acknowledged, shall be the plan upon which the fishery shall be carried on there, and it shall not be deviated from by either party; the French fishermen building only their scaffolds, confining themselves to the repair of their fishing vessels, and not wintering there; the subjects of His Britannic Majesty, on their part, not molesting in any manner the French fishermen during their fishing, nor injuring their scaffolds during their absence.

The King of Great Britain, in ceding the islands of St. Pierre and Miquelon to France, regards them as ceded for the purpose of serving as a real shelter to the French fishermen, and in full confidence that these possessions will not become an object of jealousy between the two nations; and that the fishery between the said island and that of Newfoundland, shall be limited to the middle of the channel.

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#### COUNTER-DECLARATION.

The principles which have guided the King in the whole course of the negotiations which preceded the re-establishment of peace, must have convinced the King of Great Britain that His Majesty has had no other design than to render it solid and lasting, by preventing as much as possible, in the four quarters of the world, every subject of discussion and quarrel. The King of Great Britain undoubtedly places too much confidence in the uprightness of His Majesty's intentions, not to rely upon his constant attention to prevent the islands of St. Pierre and Miquelon from becoming an object of jealousy between the two nations.

As to the fishery on the coast of Newfoundland, which has been the object of the new arrangements settled by the two sovereigns upon this matter, it is sufficiently ascertained by the fifth article of the treaty of peace, signed this day, and by the declaration likewise delivered to-day, by His Britannic Majesty's Ambassador Extraordinary and Plenipotentiary; and His Majesty declares that he is fully satisfied on this head.

In regard to the fishery between the island of Newfoundland and those of St. Pierre and Miquelon, it is not to be carried on, by either party, but to the middle of the channel; and His Majesty will give the most positive orders that the French fishermen shall not go beyond the line. His Majesty is firmly persuaded that the King of Great Britain will give like orders to the English fishermen.

The other articles and stipulations of these treaties have no bearing upon Canada.

The 14th Geo. III., cap. 83, A.D. 1774—"An Act to make more effectual provision for the government of Quebec"—guarantees to the Canadians the exercise of the Roman Catholic Religion, subject to the royal supremacy.

Sec. 5.—And for the more perfect security and ease of the minds of the inhabitants of the said Province, it is hereby declared, That His Majesty's subjects, professing the religion of the Church of Rome, of and in the said Province of Quebec, may have, hold, and enjoy the free exercises of the religion of the Church of Rome, subject to the King's supremacy, declared and established by an Act, made in the first year of the reign of Queen Elizabeth, over all the dominions and countries which then did, or thereafter should, belong to the Imperial crown of this realm; and that the clergy of the said Church may hold, receive, and enjoy their accustomed dues and rights, with respect to such persons only as shall profess the same religion.

RETURN (in answer to an Address from the House of Commons) of Vessels owned and Registered in the Dominion of Canada on the 1st July, 1867.—(Chap. 10, Page 357.)

DESCRIPTION OF VESSEL.	TOTAL		OCCUPATION.												VALUE.	Number of men employed.	
	Sea Going.		River or Lake.		Trading.		Fishing.										
	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.			
Steamers, Paddle .....	221	27,108	9	2,613	212	24,495	221	27,108	.....	.....	.....	.....	.....	.....	.....	2,539,070	2,535
Do. Screw .....	114	18,658	9	7,615	105	11,043	114	18,658	.....	.....	.....	.....	.....	.....	.....	1,188,660	1,294
Ships .....	164	168,612	164	168,612	.....	.....	164	168,612	.....	.....	.....	.....	.....	.....	.....	4,904,474	3,555
Barques .....	397	177,044	377	170,910	20	6,134	397	177,044	.....	.....	.....	.....	.....	.....	.....	5,491,970	5,039
Brigs .....	117	27,562	117	27,562	.....	.....	117	27,562	.....	.....	.....	.....	.....	.....	.....	789,352	1,971
Brigantines .....	537	97,337	520	92,625	17	4,712	537	97,337	.....	.....	.....	.....	.....	.....	.....	2,926,631	4,225
Schooners .....	3,471	191,080	2,774	134,191	697	56,889	1,713	136,235	1,758	54,845	.....	.....	.....	.....	.....	4,809,783	16,365
Sloops .....	61	3,686	4	54	57	3,632	59	3,632	2	54	.....	.....	.....	.....	.....	65,760	226
Barges .....	348	35,258	.....	.....	348	35,258	348	35,258	.....	.....	.....	.....	.....	.....	.....	397,472	1,555
Scows .....	65	5,940	.....	.....	65	5,940	65	5,940	.....	.....	.....	.....	.....	.....	.....	68,360	267
Bateaux .....	129	8,689	.....	.....	129	8,689	129	8,689	.....	.....	.....	.....	.....	.....	.....	86,890	426
Wood boats .....	121	7,193	.....	.....	121	7,193	121	7,193	.....	.....	.....	.....	.....	.....	.....	71,930	360
Not rigged .....	77	8,176	.....	.....	77	8,176	77	8,176	.....	.....	.....	.....	.....	.....	.....	92,690	317
Total .....	5,822	776,343	3,974	604,182	1848	172,161	4,062	721,444	1,760	54,899	.....	.....	.....	.....	.....	23,583,062	37,235
Ontario .....	481	66,959	1	125	480	66,834	480	66,937	1	22	.....	.....	.....	.....	.....	2,787,800	3,192
Quebec .....	1,428	155,690	304	63,012	1,124	92,678	1,386	153,959	42	1,731	.....	.....	.....	.....	.....	4,633,945	8,548
New Brunswick .....	826	200,777	588	188,399	238	12,378	717	198,132	109	2,645	.....	.....	.....	.....	.....	5,904,505	6,207
Nova Scotia .....	3,087	352,917	3,081	352,646	6	271	1,479	302,416	1,608	59,501	.....	.....	.....	.....	.....	10,256,812	19,288
Total .....	5,822	776,343	3,974	604,182	1848	172,161	4,062	721,444	1,760	54,899	.....	.....	.....	.....	.....	23,583,062	37,235

Shipping owned and registered at the Ports of Amherst, in the Province of Quebec, and Guysborough and Purgwash, in the Province of Nova Scotia, not included in the above, no returns having been received. Total Tonnage owned in the Dominion on 1st July, 1867—5,822 vessels, 776,343 tons.

R. S. M. BOUCHETTE, Commissioner of Customs.

CUSTOMS DEPARTMENT, Ottawa, 28th April, 1868.

AS TO THE COUNTRY WEST OF FORT GARRY—(*Chap. 12, page 377*).

Sir George Simpson speaks in glowing terms of this portion of the Saskatchewan Valley. He says: "The rankness of the vegetation savoured rather of the torrid zone, with its perennial spring, than of the northern wilds—brushing the luxuriant grass with our knees; and the hard ground of the surface was beautifully diversified with a variety of flowers, such as the rose, hyacinth and tiger lily."

Lieutenant Saxon depicts the scenery of these fertile valleys as magnificent, and the banks of the rivers on either side luxuriant beyond description. He says: "Vast forests cover the hill-tops and fill the valleys; the climate is mild, and cattle keep fat in winter as well as in the summer on its nutritious grasses."

In a work called "Eighty Years' Progress in British North America," edited by Hind, Keefer, Hodgins, Robb, Perley and Murray, is the following description of the Fertile Belt, a part of the prairie plateau of Rupert's Land:

"The Fertile Belt of the North-West consists of the richest arable soil, partly in the form of open prairie, partly covered with groves of aspen. It stretches from the Lake of the Woods to the foot of the Rocky Mountains, about eight hundred miles, and averages from eighty to one hundred miles in breadth. The North Saskatchewan flows through this fertile belt in a valley varying from one-fourth of a mile to one mile in breadth, and excavated to the depth of two or three hundred feet below the level of the plains or prairie through which it flows, until it reaches the low country some miles east of Fort La Corne. The area of this remarkable strip of rich soil and pasturage is about 40,000,000 acres. It was formerly a wooded country, but by successive fires it has been partially cleared of its forest growth, but abounds with the most luxuriant herbage, and generally possesses a deep, rich soil of vegetable mould. The winter of this region is not more severe than that of Lower Canada. The snow is never very deep, and in the wildest tracts the natural pasturage is so abundant that horses and cattle may be left to obtain their own food during the greater part of the winter. This perennial supply of food for cattle might have been predicted from the fact that the North Saskat-

chewan, west of Carlton, supports vast herds of buffalo during the winter season; and formerly the whole of the Fertile Belt used to be the favourite winter quarters of countless herds, who fattened on the rich abundance of the natural grasses—scraping the snow away with their feet, and never failing to obtain abundance of well preserved hay beneath. The whole of the Fertile Belt is well fitted for settlement and agricultural colonization.”

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AS TO LAND AND ROUTE FROM LAKE SUPERIOR TO FORT GARRY.

1. Mr. Ryerson says: “Along the banks of Rainy Lake are large quantities of as rich land as can be found in America.”

2. As to the Lake of the Woods and Rainy River—“Sir Geo. Simpson describes this country as a gentle slope of green sward, finely wooded.”

Again—Around this lake “the shores are low, with grassy intervals far inland.”

3. Where the Winnipeg River, running from the Lake of the Woods, joins the Winnipeg Lake, at Fort Maurepas—Mr. Ryerson says: “This district is very rich—spring wheat being grown here to perfection.”

4. Of the land lying between Fort Garry on the Red River and the Lake of the Woods—Capt. Pope says: “The Red River valley is an unbroken level of rich prairie, intersected by well timbered tributaries. Elm, oak, maple, ash, &c., abound. From richness of soil, uniform surface, and water, it is among the finest wheat countries in the world. All the cereals and vegetables grow in abundance. Climate salubrious.”

“The soil,” says Sir Geo. Simpson, speaking of the same place, “is a black mould, producing extraordinary crops; the wheat being plump and heavy; it returns forty bushels to the acre.”

See Dawson, from pages 1 to 29.

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CAPTAIN PALLISER'S OBSERVATIONS.

The basin of the Winnipeg is 920 miles long by 380 wide, and contains about 360,000 square miles—about as large as Canada.

Of this the Fertile Belt, consisting of the richest arable soil, stretches from the Lake of the Woods to the foot of the Rocky Mountains—800 miles, by 80 to 100 in width.

The area of rich soil and pasturage is 40,000,000 acres; weather not more severe than Canada (Lower); and pasture so abundant that horses and cattle may be left to themselves during the greater part of the winter.

There is a large portion of this Fertile Belt entirely distinct from Rupert's Land. The valleys of the Assiniboine and Saskatchewan contain 65,000 square miles of cultivable land, of which 27,000 or 17,000,000 acres are at once available for the agriculturist.

(Chap. 12, page 392.)

MEMORANDUM RESPECTING THE FINANCIAL POSITION OF  
BRITISH NORTH AMERICA, REVENUE AND EXPENDI-  
TURE, FOR THE LAST FINANCIAL YEAR, 1866.

REVENUE.

Canada .....	\$12,432,748
Nova Scotia .....	1,665,071
New Brunswick.....	1,212,021
	<hr/>
	\$15,309,840

EXPENDITURE.

Canada .....	\$11,711,320
Nova Scotia (about) .....	1,600,000
New Brunswick .....	1,080,047
	<hr/>
	14,391,367
Surplus.....	\$918,473

N.B.—MILITIA EXPENDITURE,—LAST YEAR.

Canada .....	\$1,638,868
Nova Scotia .....	156,460
New Brunswick.....	152,148
	<hr/>
	1,947,476

PUBLIC DEBT OF CANADA WILL BE—

Ontario and Quebec.....	\$62,500,000
Nova Scotia .....	8,000,000
New Brunswick.....	7,000,000
	<hr/>
	77,500,000

## CHARGES ON PUBLIC DEBT,—LAST YEAR.

Canada .....	\$3,692,412	
Nova Scotia .....	297,580	
New Brunswick .....	349,283	
		4,339,275
After Union, will be about .....		\$4,350,000

## TRADE AND SHIPPING.—IMPORTS.

	<i>Total</i>	<i>From Great Britain.</i>
Canada .....	\$48,610,477	\$28,984,599
Nova Scotia .....	14,381,662	6,315,988
New Brunswick .....	7,086,595	2,284,449
	<u>\$70,078,734</u>	<u>\$37,585,036</u>

## EXPORTS.

Canada .....	\$53,930,789	\$12,766,668
Nova Scotia .....	8,830,693	764,472
New Brunswick .....	5,534,726	2,594,651
	<u>\$68,296,208</u>	<u>\$16,125,791</u>

Exclusive of Coin and Bullion.

## TONNAGE,—ENTRIES INWARDS.

	<i>Tons.</i>
Canada .....	938,946
Nova Scotia .....	929,929
New Brunswick .....	807,161
	<u>2,676,036</u>

## OUTWARDS.

	<i>Tons.</i>
Canada .....	1,113,386
Nova Scotia .....	772,017
New Brunswick .....	754,876
	<u>2,640,279</u>
Tons .....	5,316,315

## SHIPPING OWNED IN

	<i>Tons.</i>
Canada .....	230,429
Nova Scotia .....	403,409
New Brunswick .....	309,695
	<u>943,533</u>
Tons .....	943,533



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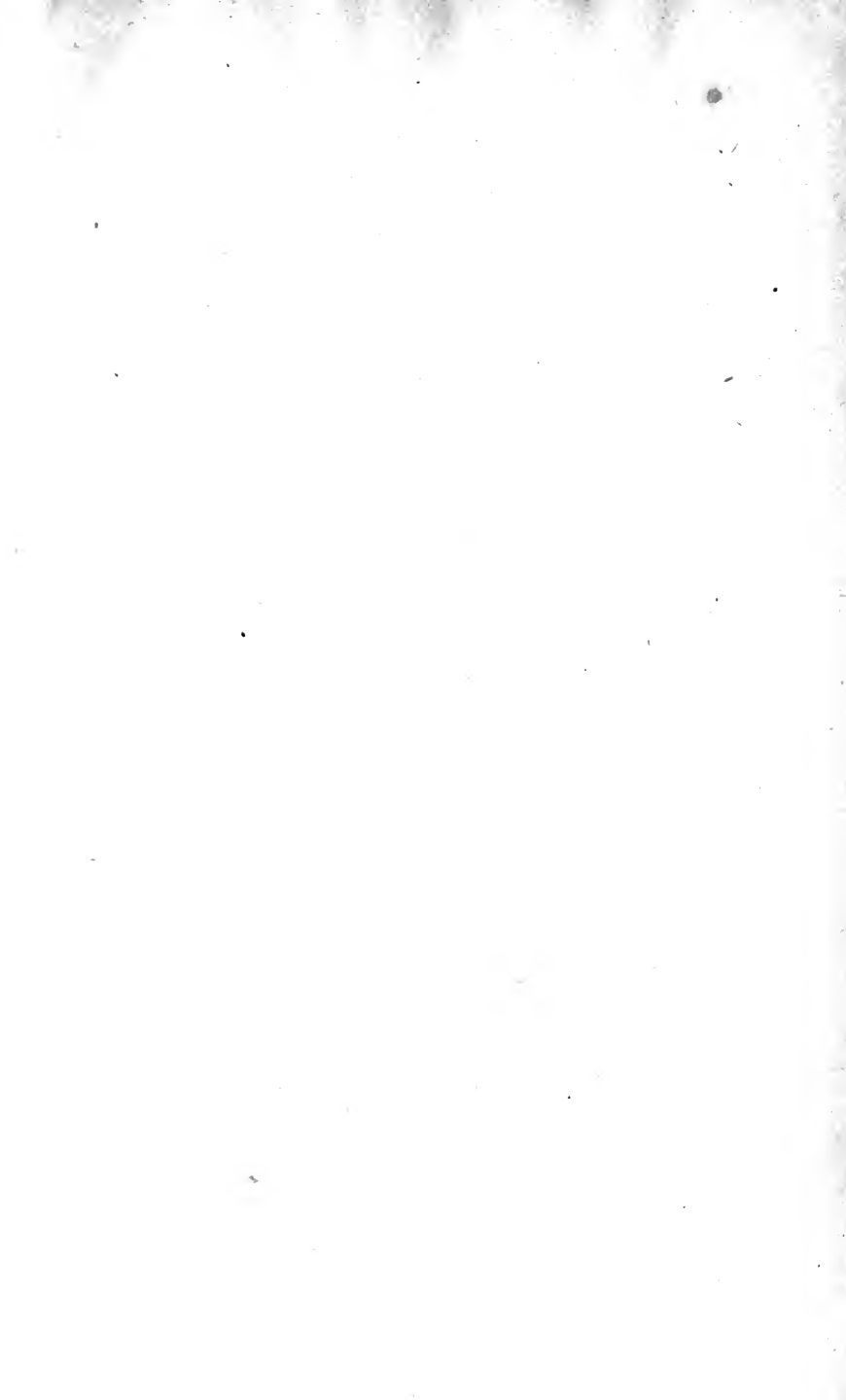
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