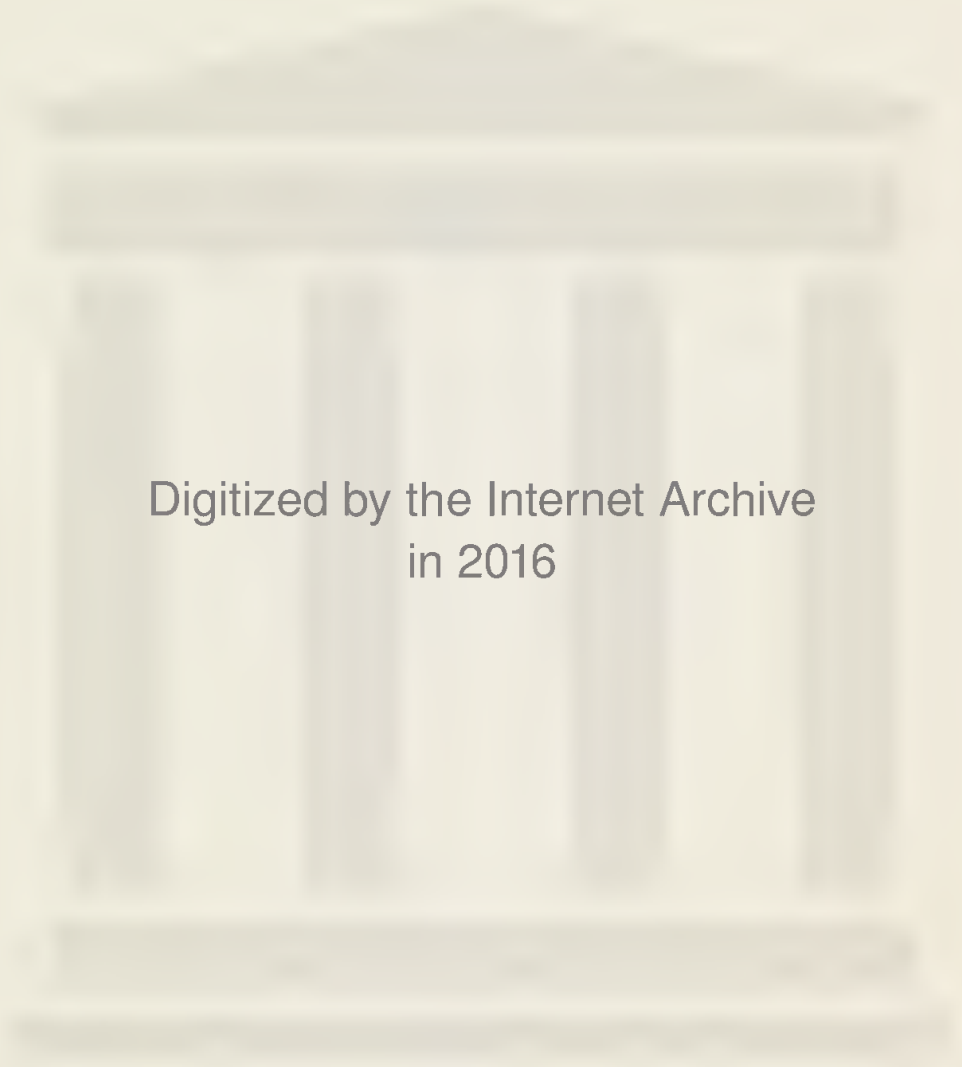

CHRONICLES OF CANADA

Edited by George M. Wrong and H. H. Langton

Thirty-two volumes

28

THE FATHERS OF CONFEDERATION

BY

A. H. U. COLQUHOUN

Part VIII

The Growth of Nationality

THE FATHERS OF CONFEDERATION

THE FATHERS OF CONFEDERATION

A Chronicle of the Birth of the Dominion

BY

A. H. U. COLQUHOUN

TORONTO
GLASGOW, BROOK & COMPANY
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TO

COLONEL GEORGE T. DENISON

WHOSE LIFE-WORK IS PROOF THAT

LOYALTY TO THE EMPIRE IS

FIDELITY TO CANADA

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CHAPTER I

THE DAWN OF THE MOVEMENT

IE sources of the Canadian Dominion must sought in the period immediately following e American Revolution. In 1783 the Treaty Paris granted independence to the Thirteen olonies. Their vast territories, rich resources, d hardy population were lost to the British own. From the ruins of the Empire, so it emed for the moment, the young Republic se. The issue of the struggle gave no indition that British power in America could er be revived; and King George mournlly hoped that posterity would not lay at s door 'the downfall of this once respectle empire.'

But, disastrous as the war had proved, ere still remained the fragments of the once ighty domain. If the treaty of peace had orn the Empire of the Thirteen Colonies d the great region south of the Lakes, it had t unimpaired the provinces to the east and

north — Nova Scotia, Newfoundland, a Canada—while still farther north and we an unexplored continent in itself, stretchi to the Pacific Ocean, was either held in t tight grip of the Hudson's Bay Company was shortly to be won by its intrepid riv the North-West Company of Montreal. The were not lacking men of prescience a courage who looked beyond the misfortun of the hour, and who saw in the dominio still vested in the crown an opportunity repair the shattered empire and restore it a modified splendour. A general union of t colonies had been mooted before the Revol tion. The idea naturally cropped up aga as a means of consolidating what was le Those who on the king's side had borne leading part in the conflict took to heart t lesson it conveyed. Foremost among the were Lord Dorchester, whom Canada ha long known as Guy Carleton, and Willia Smith, the Loyalist refugee from New Yor who was appointed chief justice of Low Canada. Each had special claims to be co sulted on the future government of the countr During the war Dorchester's military servic in preserving Canada from the invaders ha been of supreme value; and his occupati

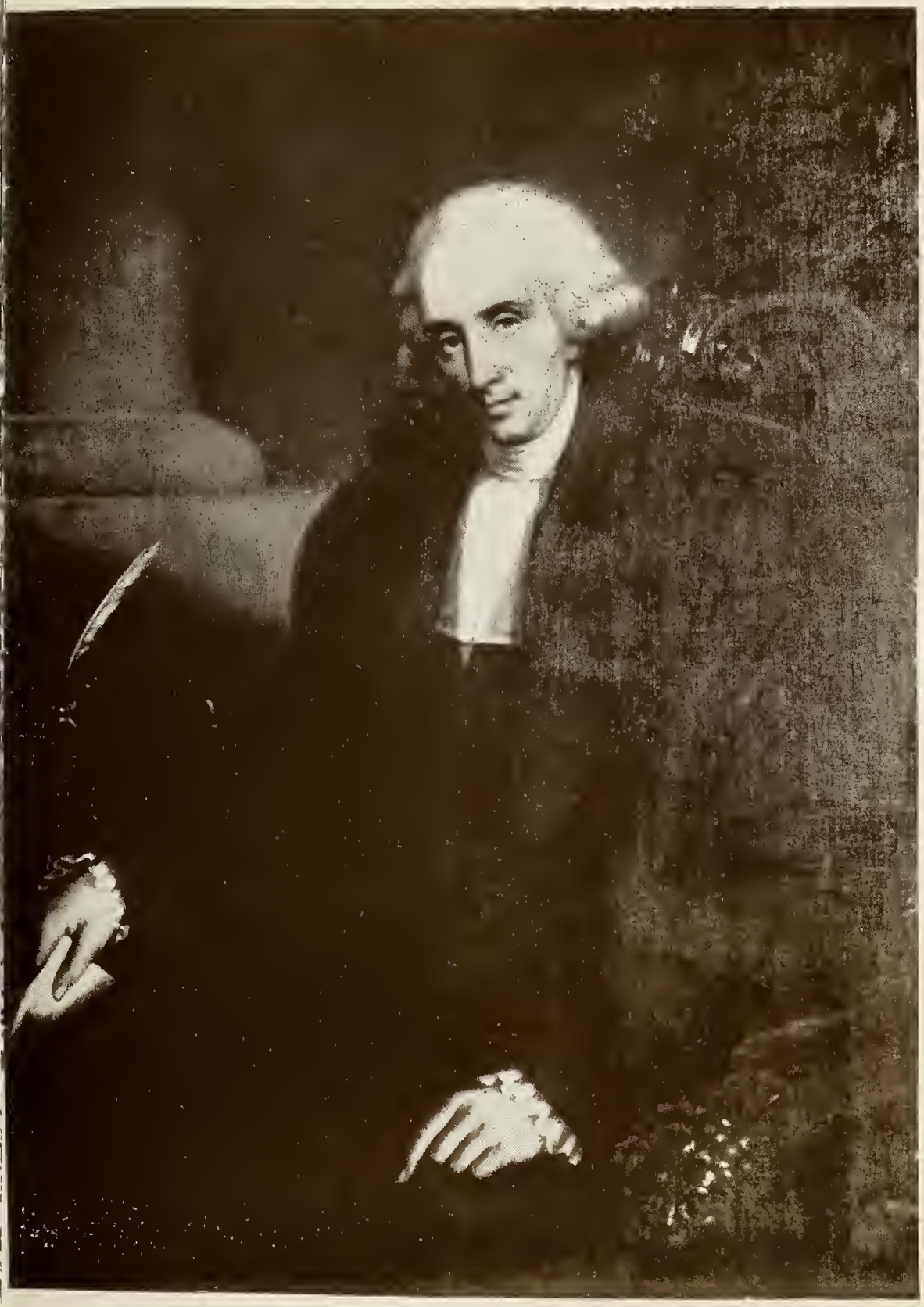
f New York after the peace, while he guided nd protected the Loyalist emigration, had urnished a signal proof of his vigour and agacity. William Smith belonged to a amily of distinction in the old colony of New ork. He possessed learning and probity. His devotion to the crown had cost him his ortune. It appears that it was with him, ather than with Dorchester, that the plan riginated of uniting the British provinces nder a central government. The two were lose friends and had gone to England together. hey came out to Quebec in company, the one s governor-general, the other as chief justice. he period of confusion, when constructive easures were on foot, suggested to them the eed of some general authority which would nsure unity of administration.

And so, in October 1789, when Grenville, he secretary of state, sent to Dorchester the raft of the measure passed in 1791 to divide uebec into Upper and Lower Canada, and nvited such observations as 'experience and ocal knowledge may suggest,' Dorchester rote:

> I have to submit to the wisdom of His Majesty's councils, whether it may not be

> advisable to establish a general gover
> ment for His Majesty's dominions up
> this continent, as well as a governo
> general, whereby the united exertions
> His Majesty's North American Provinc
> may more effectually be directed to t
> general interest and to the preservation
> the unity of the Empire. I inclose a co
> of a letter from the Chief Justice, wi
> some additional clauses upon this subje
> prepared by him at my request.

The letter referred to made a plea for a co
prehensive plan bringing all the provinces t
gether, rather than a scheme to perpetua
local divisions. It reflected the hopes of t
Loyalists then and of their descendants at
later day. In William Smith's view it w
an imperfect system of government, not t
policy of the mother country, that had broug
on the Revolution. There are few histori
documents relating to Canada which poss
as much human interest as the reminisce
letter of the old chief justice, with its mela
choly recital of former mistakes, its remin
that Britons going beyond the seas would
evitably carry with them their instinct
liberal government, and its striking prophe



WILLIAM SMITH

From a portrait in the Parliament Buildings, Ottawa

that 'the new nation' about to be created would prove a source of strength to Great Britain. Many a year was to elapse before the prophecy should come true. This was due less to the indifference of statesmen than to the inherent difficulties of devising a workable plan. William Smith's idea of confederation was a central legislative body, in addition to the provincial legislatures, this legislative body to consist of a council nominated by the crown and of a general assembly. The members of the assembly were to be chosen by the elective branches of the provincial legislatures. No law should be effective until it passed in the assembly 'by such and so many voices as will make it the Act of the majority of the Provinces.' The central body must meet at least once every two years, and could sit for seven years unless sooner dissolved. There were provisions for maintaining the authority of the crown and the Imperial parliament over all legislation. The bill, however, made no attempt to limit the powers of the local legislatures and to reserve certain subjects to the general assembly. It would have brought forth, as drafted, but a crude instrument of government. The outline of the measure revealed the honest en-

thusiasm of the Loyalists for unity, but as a constitution for half a continent, remote and unsettled, it was too slight in texture and would have certainly broken down. Grenville replied at length to Dorchester's other suggestions, but of the proposed general parliament he wrote this only: 'The formation of a general legislative government for all the King's provinces in America is a point which has been under consideration, but I think it liable to considerable objection.'

Thus briefly was the first definite proposal set aside. The idea, however, had taken root and never ceased to show signs of life. As time wore on, the provincial constitutions proved unsatisfactory. At each outbreak of political agitation and discontent, in one quarter or another, some one was sure to come forward with a fresh plea for intercolonial union. Nor did the entreaty always emanate from men of pronounced Loyalist convictions; it sometimes came from root-and-branch Reformers like Robert Gourlay and William Lyon Mackenzie.

The War of 1812 furnished another startling proof of the isolated and defenceless position of the provinces. The relations between Upper Canada and Lower Canada, never cordial

became worse. In 1814, at the close of the war, Chief Justice Sewell of Quebec, in a correspondence with the Duke of Kent (Queen Victoria's father), disclosed a plan for a small central parliament of thirty members with subordinate legislatures.[1] Sewell was a son-in-law of Chief Justice Smith and shared his views. The duke suggested that these legislatures need be only two in number, because the Canadas should be reunited and the three Atlantic colonies placed under one government. No one heeded the suggestion. A few years intervened, and an effort was made to patch up a satisfactory arrangement between Lower Canada and Upper Canada. The two provinces quarrelled over the division of the customs revenue. When the dispute had reached a critical stage a bill was introduced in the Imperial parliament to unite them. This was in 1822. But the proposal to force two disputing neighbours to dwell together in the same house as a remedy for disagreements failed to evoke enthusiasm from either. The friends of federation then drew together, and Sewell joined hands with Bishop Strachan

[1] It has been said that Attorney-General Uniacke of Nova Scotia submitted, in 1809, a measure for a general union, but of this there does not appear to be any authentic record.

and John Beverley Robinson of Upper Canada in reviving the plea for a wider union and in placing the arguments in its favour before the Imperial government. Brenton Halliburton judge of the Supreme Court of Nova Scotia (afterwards chief justice), wrote a pamphlet to help on the cause. The Canada union bill fell through, the revenue dispute being settled on another basis, but the discussion of federation proceeded.

To this period belongs the support given to the project by William Lyon Mackenzie. Writing in 1824 to Mr Canning, he believed that

> a union of all the colonies, with a government suitably poised and modelled, so as to have under its eye the resources of our whole territory and having the means in its power to administer impartial justice in all its bounds, to no one part at the expense of another, would require few boons from Britain, and would advance her interests much more in a few years than the bare right of possession of a barren, uncultivated wilderness of lake and forest, with some three or four inhabitants to the square mile, can do in centuries.

Here we have the whole picture drawn in a few strokes. Mackenzie had vision and brilliancy. If he had given himself wholly to this task, posterity would have passed a verdict upon his career different from that now accepted. As late as in 1833 he declared: 'I have long desired to see a conference assembled at Quebec, consisting of delegates freely elected by the people of the six northern colonies, to express to England the opinion of the whole body on matters of great general interest.' But instead of pursuing this idea he threw himself into the mad project of armed rebellion, and the fruits of that folly were unfavourable for a long time to the dreams of federation. Lord Durham came. He found 'the leading minds of the various colonies strongly and generally inclined to a scheme that would elevate their countries into something like a national existence.' Such a scheme, he rightly argued, would not weaken the connection with the Empire, and the closing passages of his Report are memorable for the insight and statesmanship with which the solid advantages of union are discussed. If Lord Durham erred, it was in advocating the immediate union of the two Canadas as the first necessary step, and in announcing as one of his objects

the assimilation to the prevailing British typ in Canada of the French-Canadian race, a thin which, as events proved, was neither possibl nor necessary.

Many of the advocates of union, neve blessed with much confidence in their cause were made timid by this point of Durham' reasoning. His arguments, which were in tended to urge the advantages of a complet reform in the system and machinery of govern ment, produced for a time a contrary effect Governments might propose and parliament might discuss resolutions of an academic kind while eloquent men with voice and pen sough to rouse the imaginations of the people. Bu for twenty years after the union of the Canada in 1841 federation remained little more tha a noble aspiration. The statesmen who wielde power looked over the field and sighed tha the time had not yet come.

CHAPTER II

OBSTACLES TO UNION

HE prospect was indeed one to dismay the ost ardent patriot. After the passage of the nstitutional Act of 1791 the trend of events d set steadily in the direction of separation. ature had placed physical obstacles in the ad to union, and man did his best to render e task of overcoming them as hopeless as ssible. The land communication between e Maritime Provinces and Canada, such as was, precluded effective intercourse. In nter there could be no access by the St awrence, so that Canada's winter port was the United States. As late as 1850 it took n days, often longer, for a letter to go from alifax to Toronto. Previous to 1867 there ere but two telegraph lines connecting Hali- x with Canada. Messages by wire were luxury, the rate between Quebec and ronto being seventy-five cents for ten rds and eight cents for each additional rd. Neither commerce nor friendship could

be much developed by telegraph in those day and, as the rates were based on the distanc a telegram sent from Upper Canada to No Scotia was a costly affair. To reach the R River Settlement, the nucleus of Manitob the Canadian travelled through the Unit States. With the colonies of Vancouv Island and British Columbia the East h practically no dealings. Down to 1863, as Richard Cartwright once said,[1] there exist for the average Canadian no North-West. great lone land there was, and a few men parliament looked forward to its ultimate a quisition, but popular opinion regarded vaguely as something dim and distant. course of time railways came, but they we not interprovincial and they did nothing bind the East to the West. The railway s vice of early days is not to be confound with the rapid trains of to-day, when traveller leaves Montreal after ten in the mo ing and finds himself in Toronto before o'clock in the afternoon. Said Cartwright, the address already cited:

> Even in our own territory, and it w a matter not to be disregarded, the st

[1] Address to Canadian Club, Ottawa, 1906.

of communication was exceedingly slow and imperfect. Practically the city of Quebec was almost as far from Toronto in those days, during a great part of the year, as Ottawa is from Vancouver to-day. I can remember, myself, on one occasion being on a train which took four days to make its way from Prescott to Ottawa.

Each province had its own constitution, its riff, postage laws, and currency. It pro-oted its own interests, regardless of the exist-ce of its British neighbours. Differences ose, says one writer, between their codes of w, their public institutions, and their com-ercial regulations.[1] Provincial misunder-andings, that should have been avoided, iously retarded the building of the Inter-lonial Railway. 'The very currencies differ,' id Lord Carnarvon in the House of Lords. n Canada the pound or the dollar are legal nder. In Nova Scotia, the Peruvian, Mexi-n, Columbian dollars are all legal; in New unswick, British and American coins are cognized by law, though I believe that the illing is taken at twenty-four cents, which less than its value; in Newfoundland, Peru-

[1] *Union of the Colonies*, by P. S. Hamilton. Halifax, 1864.

vian, Mexican, Columbian, old Spanish dolla
are all equally legal; whilst in Prince Edward
Island the complexity of currencies and
their relative value is even greater.' Wh
the Reciprocity Treaty was negotiated
Washington in 1854, Nova Scotia felt, wi
some reason, that she had not been adequate
consulted in the granting to foreign fisherm
of her inshore fisheries. In a word, the ch
political forces were centrifugal, not cent
petal. All the jealousy, the factious spirit, a
the prejudice, which petty local sovereignti
are bound to engender, flourished apace; and t
general effect was to develop what Europe
statesmen of a certain period termed Partic
larism. The marvel is not that federati
lagged, but that men with vision and courag
forced to view these depressing conditions
close range, were able to keep the idea alive
There was some advance in public opini
between 1850 and 1860, but, on the whol
adverse influences prevailed and little w
achieved. The effects of separate politic
development and of divided interest we
deeply rooted. Leaders of opinion in t
various provinces, and even men of the sa
province, refused to join hands for any gre
national purpose. Party conflict absorb

heir best energies. To this period, however, elongs the spadework which laid the foundations of the future structure. The British American League held its various meetings nd adopted its resolutions. But the League as mainly a party counterblast to the Annexation Manifesto of 1849 and soon disappeared. o this period, too, belong the writings of ble advocates of union like P. S. Hamilton f Halifax and J. C. Taché of Quebec, whose reatises possess even to-day more than historical value. Another notable contribution o the subject was the lecture by Alexander Morris entitled *Nova Britannia*, first delivered t Montreal in 1858 and afterwards published. et such propaganda aroused no perceptible nthusiasm. In Great Britain the whole uestion of colonial relations was in process f evolution, while her statesmen were doubtul, as ours were, of what the ultimate end ould be. That a full conception of colonial lf-government had not yet dawned is shown y these words, written in 1852 by Earl Grey o Lord John Russell: '*It is obvious that if the olonies are not to become independent states, me kind of authority must be exercised by the overnment at home.*'

This decade, however, witnessed some de-

finite political action. In 1854 Johnston, the Conservative Opposition leader in the Nova Scotia legislature, presented a motion in these terms: '*Resolved*, That the union or confederation of the British Provinces on just principles, while calculated to perpetuate their connection with the parent state, will promote their advancement, increase their strength and influence, and elevate their position.' This resolution, academic in form, but supported in a well-balanced and powerful speech by the mover, drew from Joseph Howe, then leader of the government, his preference for representation in the British House of Commons. The attitude of Howe, then and afterwards, should be examined with impartiality, because he and other British Americans, as well as some English statesmen, were the victims of the honest doubts which command respect but block the way to action. Johnston, as prime minister in 1857, pressed his policy upon the Imperial government, but met with no response. When Howe returned to power, he carried a motion which declared for a conference to promote either the union of the Maritime Provinces or a general federation, but expressing no preference for either. Howe never was pledged to federation as his fixed

SIR ALEXANDER T. GALT

From a photograph by Topley

olicy, as so many persons have asserted. e made various declarations which betokened ncertainty. So little had the efforts put rth down to 1861 impressed the official mind at Lord Mulgrave, the governor of Nova otia, in forwarding Howe's motion to the olonial Office, wrote: 'As an abstract ques- on the union of the North American colonies s long received the support of many persons weight and ability, but so far as I am aware, political mode of carrying out this union s ever been proposed.'

The most encouraging step taken at this ne, and the most far-reaching in its conse- ences, was the action of Alexander Galt in nada. Galt possessed a strong and inde- ndent mind. The youngest son of John lt, the Scottish novelist, he had come across e ocean in the service of the British American nd Company, and had settled at Sherbrooke the Eastern Townships of Lower Canada. ough personally influential and respected, wielded no general political authority, for lacked the aptitude for compromise de- anded in the game of party. He was the tspoken champion of Protestant interests the Catholic part of Canada, and had boldly clared for the annexation of Canada to the

United States in the agitation of 1849. Hi views on clericalism he never greatly modified but annexation to the United States he aban doned, with characteristic candour, for federa tion. In 1858 he advocated a federal unio of all the provinces in a telling speech in parlia ment, which revealed a thorough knowledg of the material resources of the country, afte wards issued in book form in his *Canada 1849 to 1859*. During the ministerial crisis o August 1858 Sir Edmund Head asked Galt t form a government. He declined, and ind cated George Cartier as a fit and proper perso to do so. The former Conservative Cabine with some changes, then resumed office, an Galt himself, exacting a pledge that Confedera tion should form part of the government policy, assumed the portfolio of Finance. Th pledge was kept in the speech of the governo general closing the session, and in October that year Cartier, with two of his colleague Galt and Ross, visited London to secure a proval for a meeting of provincial delegat on union. Galt's course had forced the que tion out of the sphere of speculation. A car ful student of the period [1] argues with poi

[1] See the chapter, 'Parties and Politics, 1840-1867,' by J. Morison, in *Canada and its Provinces*, vol. v.

hat to Galt we owe the introduction of the olicy into practical politics. In the light of ter events this view cannot be lightly set ide. But the effort bore no fruit for the oment. The colonial secretary, Sir Edward ulwer Lytton, declined to authorize the nference without first consulting the other ovinces, and the government did not feel self bound because of this to resign or con- lt the constituencies. In other words, the uestion did not involve the fate of the Cabinet. ut Galt had gained a great advantage. He d enlisted the support of Cartier, whose fluence in Lower Canada was henceforth erted with fidelity to win over the French a policy which they had long resisted. The use attained additional strength in 1860 by e action of two other statesmen, George rown and John A. Macdonald, who between em commanded the confidence of Upper nada, the one as Liberal, the other as Con- rvative leader. Brown brought before parlia- ent resolutions embodying the decisions of e Reform Convention of 1859 in favour of a deration confined to the Canadas, and Mac- nald declared unequivocally for federative ion as a principle, arguing that a strong ntral government should be the chief aim

Brown's resolutions were rejected, and th
movement so auspiciously begun once mo
exhibited an ominous tendency to subsid
The varying fortunes which attended the cau
during these years resembled its previous vici
situdes. It appeared as if all were for a part
and none were for the state. If those wh
witnessed the events of 1860 had been aske
for their opinion, they would probably hav
declared that the problem was as far fro
solution as ever. Yet they would have bee
mistaken, as the near future was to show
A great war was close at hand, and, as wa
so often does, it stimulated movements an
policies which otherwise might have la
dormant. The situation which arose out
the Civil War in the United States neith
created nor carried Confederation, but
resulted, through a sense of common dange
in bringing the British provinces together an
in giving full play to all the forces that we
making for their union.

CHAPTER III

THE EVE OF CONFEDERATION

A DAY of loftier ideas and greater issues in all the provinces was about to dawn. The ablest politicians had been prone to wrangle like washerwomen over a tub, colouring the parliamentary debates by personal rivalry and narrow aims, while measures of first-rate importance went unheeded. The change did not occur in the twinkling of an eye, for the cherished habits of two generations were not to be discarded so quickly. Goldwin Smith asserted [1] that, whoever laid claim to the parentage of Confederation, the real parent was Deadlock. But this was the critic, not the historian, who spoke. The causes lay far deeper than in the breakdown of party government in Canada. Events of profound significance were about to change an atmosphere overladen with partisanship and to strike the imaginations of men.

[1] *Canada and the Canadian Question,* by Goldwin Smith, p. 143.

The first factor in the national awakeni was the call of the great western doma British Americans began to realize that th were the heirs of a rich and noble possessi The idea was not entirely new. The f traders had indeed long tried to keep sec the truth as to the fertility of the plains; b men who had been born or had lived in t West were now settled in the East. They h stories to tell, and their testimony was e phatic. In 1856 the Imperial authorities h intimated to Canada that, as the licence of t Hudson's Bay Company to an exclusive tra in certain regions would expire in 1859, it w intended to appoint a select committee of t British House of Commons to investigate t existing situation in those territories and report upon their future status; and Cana had sent Chief Justice Draper to London her commissioner to watch the proceedin to give evidence, and to submit to his gove ment any proposals that might be ma Simultaneously a select committee of t Canadian Assembly sat to hear evidence a to report a basis for legislation. Canada bold claimed that her western boundary was t Pacific ocean, and this prospect had long e couraged men like George Brown to look f

ard to extension westward, and to advocate , as one solution of Upper Canada's political ievances. It was a vision calculated to use the adventurous spirit of the British ce in colonizing and in developing vast and known lands. Another wonderful page was out to open in the history of British expan- on. And, hand in hand with romance, went e desire for dominion and commerce.

But if the call of the West drew men partly y its material attractions, another event, of wholly different sort, appealed vividly to eir sentiment. In 1860 the young Prince Wales visited the provinces as the repre- ntative of his mother, the beloved Queen ictoria. His tour resembled a triumphal rogress. It evoked feelings and revived emories which the young prince himself, leasing though his personality was, could ot have done. It was the first clear revel- tion of the intensity of that attachment the traditions and institutions of the mpire which in our own day has so itally affected the relations of the self- overning states to the mother country. In letter from Ottawa[1] to Lord Palmerston,

[1] *Life of Henry Pelham, fifth Duke of Newcastle,* by John Martineau, p. 292.

the Duke of Newcastle, the prince's offici adviser, wrote:

> I never saw in any part of England such extensive or beautiful outward demonstrations of respect and affection, either to the Queen or to any private object o local interest, as I have seen in every one of these colonies, and, what is more important, there have been circumstances attending all these displays which have marked their sincerity and proved that neither curiosity nor self-interest were the only or the ruling influences.

Of all the events, however, that startled the British provinces out of the self-absorbed contemplation of their own little affairs, the Civi War in the United States exerted the most immediate influence. It not only brought close the menace of a war between Great Britain and the Republic, with Canada as the battle-ground, but it forced a complete readjustment of our commercial relations. Not less important, the attitude of the Imperial government toward Confederation underwent a change. It was D'Arcy McGee who perceived, at the very outset, the probable bear-

ng of the Civil War upon the future of Canada. I said in the House during the session of 1861,' e subsequently declared, 'that the first gun red at Fort Sumter had a message for us.' The situation became plainer when the *Trent* Affair embroiled Great Britain directly with he North, and the safety of Canada appeared o be threatened. While Lincoln was anxiously ondering the British demand that the Con-ederate agents, Mason and Slidell, removed y an American warship from the British teamer the *Trent*, should be given up, and Lord Lyons was labouring to preserve peace, he fate of Canada hung in the balance. The gents were released, but there followed ten ears of unfriendly relations between Great Britain and the United States. There were murmurs that when the South was subdued he trained armies of the North would be urned against the British provinces. The ermination of the Reciprocity Treaty, which rovided for a large measure of free trade be-ween the two countries, was seen to be reason-bly sure. The treaty had existed through a period which favoured a large increase in the exports of the provinces. The Crimean War at first and the Civil War later had created an unparalleled demand for the food products

which Canada could supply; and although the records showed the enhanced trade to be mutually profitable, with a balance rather in favour of the United States, the anti-British feeling in the Republic was directed against the treaty. Thus military defence and the necessity of finding new markets became two pressing problems for Canada.

From the Imperial authorities there came now at last distinct encouragement. Hitherto they had hung back. The era of economic dogma in regard to free trade, to some minds more authoritative than Holy Writ, was at its height. Even Cobden was censured because, in the French treaty of 1861, he had departed from the free trade theory. The doctrine of *laissez-faire*, carried to extremes, meant that the colonies should be allowed to cut adrift. But the practical English mind saw the sense and statesmanship of a British American union, and the tone of the colonial secretary changed. In July 1862 the Duke of Newcastle, who then held that office and who did not share the indifference of so many of his predecessors[1] to the colonial connection, wrote sympathetically to Lord Mulgrave, the governor of Nova Scotia:

[1] Between 1852 and 1870 there were thirteen colonial secretaries.

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 the harmony of all the British communities in North America.

Nova Scotia, always to the front on the question, had declared for either a general union or a union of the Maritime Provinces, and this had drawn the dispatch of the Duke of Newcastle. A copy of this dispatch was sent to Lord Monck, the governor-general of Canada, for his information and guidance, so that the attitude of the Imperial authorities was generally known. It remained for the various provincial Cabinets to confer and to arrange a course of action. The omens pointed to union in the near future. But, as it happened, a new Canadian ministry, that of Sandfield Macdonald, had shortly before assumed office, and its members were in no wise pledged to the

union project. In fact, as was proved later several of them, notably the prime minister himself, with Dorion, Holton, and Huntington, regarded federation with suspicion and were its consistent opponents until the final accomplishment.

The negotiations for the joint construction of an intercolonial railway had been proceeding for some time. These the ministry continued but without enthusiasm. The building of this line had been ardently promoted for years. It was the necessary link to bind the provinces together. To secure Imperial financial aid in one form or another delegates had more than once gone to London. The Duke of Newcastle had announced in April 1862 that the nature and extent of the guarantee which Her Majesty's government would recommend to parliament depended upon the arrangements which the provinces themselves had to propose.[1] There was a conference in Quebec. From Nova Scotia came Howe and Annand, who two years later fought Confederation; from New Brunswick came Tilley and Peter Mitchell, who carried the cause to victory in their province. Delegates from the Quebec meeting

[1] Dispatch of the colonial secretary to the lieutenant-governor of New Brunswick.

ent to London, but the railway plan broke own, and the failure was due to Canada. The isode left a bad impression in the minds of ie maritime statesmen, and during the whole 1863 it seemed as if union were indefinitely ostponed. Yet this was the very eve of onfederation, and forces already in motion ade it inevitable.

CHAPTER IV

THE HOUR AND THE MEN

THE acceptance of federation in the province of Canada came about with dramatic simplicity. Political deadlock was the occasion, rather than the cause, of this acceptance. Racial and religious differences had bred strife and disunion, but no principle of any substance divided the parties. The absence of large issues had encouraged a senseless rivalry between individuals. Surveying the scene not long after, Goldwin Smith, fresh from English conditions, cynically quoted the proverb 'the smaller the pit, the fiercer the rats.' The upper and lower branches of parliament were elective, and in both bodies the ablest men in the country held seats. In those days commerce, manufacturing, or banking did not, as they do now, withhold men of marked talent from public affairs. But personal antipathies magnified into feuds, embittered the relations of men who naturally held many views in

mmon, and distracted the politics of a pro-
nce which needed nothing so much as peace
d unity of action.

The central figures in this storm of contro-
rsy were George Brown and John A. Mac-
nald, easily the first personages in their re-
ective parties. The two were antipathetic.
eir dispositions were as wide asunder as the
les. Brown was serious, bold, and master-
l. Macdonald concealed unrivalled powers
statecraft and in the leadership of men
hind a droll humour and convivial habits.
om the first they had been political anta-
nists. But the differences were more than
litical. Neither liked or trusted the other.
own bore a grudge for past attacks reflect-
g upon his integrity, while Macdonald, despite
s experience in the warfare of party, must
ten have winced at the epithets of the *Globe*,
own's newspaper. During ten years they
re not on speaking terms. But when they
ined to effect a great object, dear to both,
truce was declared. 'We acted together,'
ote Macdonald long after of Brown, 'dined
public places together, played euchre in
ossing the Atlantic and went into society
England together. And yet on the day
ter he resigned we resumed our old positions

and ceased to speak.'[1] To imagine that o all men those two should combine to carr federation seemed the wildest and most im probable dream. Yet that is what actuall happened.

In June 1864, during the session of parlia ment in Quebec, government by party co lapsed. In the previous three years there ha been two general elections, and four Cabinet had gone to pieces. And while the politician wrangled, the popular mind, swayed by in fluences stronger than party interest, con vinced itself that the remedy lay in the federa system. Brown felt that Upper Canada looke to him for relief; and as early as in 1862 h had conveyed private intimation to his Con servative opponents that if they would ensu Upper Canada's just preponderance in parli mentary representation, which at that da the Liberal ministry of Sandfield Macdonal refused to do, they would receive his count nance and approval. In 1864 he moved for select committee of nineteen members to co sider the prospects of federal union. It s with closed doors. A few hours before th defeat of the Taché-Macdonald ministry

[1] *Memoirs of Sir John Macdonald*, by Sir Joseph Pope, vol. p. 265.

GEORGE BROWN

From a photograph in the possession of Mrs Freeland Barbour, Edinburgh

une, he, the chairman of the committee, reorted to the House that

> a strong feeling was found to exist among the members of the committee in favour 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 referred to a committee at the next session of Parliament.

hree years later, on the first Dominion Day, ıe *Globe*,[1] in discussing this committee and s work, declared that 'a very free interıange of opinion took place. In the course the discussions it appeared probable that a ıion of parties might be effected for the purose of grappling with the constitutional diffiılties.' Macdonald voted against the comittee's report. Brown was thoroughly in ırnest, and the desperate nature of the polical situation gave him an opportunity to ove his sincerity and his unselfishness.

[1] This portion of the lengthy survey of the new Dominion in e *Globe* of July 1, 1867, is said to have been written by George own himself.

On the evening of Tuesday, June 14, 1864 immediately after the defeat of the ministry on an unimportant question, Brown spoke to two Conservative members and promised to co-operate with any government that would settle the constitutional difficulty. These members, Alexander Morris and John Henry Pope, were on friendly terms with him and became serviceable intermediaries. They were asked to communicate this promise to Macdonald and to Galt. The next day saw the reconciliation of the two leaders who had been estranged for ten years. They met 'standing in the centre of the Assembly Room' (the formal memorandum is meticulously exact in these and other particulars), that is, neither member crossing to that side of the House led by the other. Macdonald spoke first, mentioning the overtures made and asking if Brown had any 'objection' to meet Galt and himself. Brown replied, 'Certainly not.' Morris arranged an interview, and the following day Macdonald and Galt called upon Brown at the St Louis Hotel, Quebec. Negotiations, ending in the famous coalition, began.

The memorandum read to the House related in detail every step taken to bring about the coalition, from the opening conversation

hich Brown had with Morris and Pope. It as proper that a full explanation should be ven to the public of a political event so extra- rdinary and so unexpected. But the narra- ve of minute particulars indicates the com- lete lack of confidence existing between the arties to the agreement. The relationships social life rest upon the belief that there is a ode of honour, affecting words and actions, hich is binding upon gentlemen. The memo- ndum appeared to assume that in political fe these considerations did not exist, and iat unless the whole of the proceedings were t forth in chronological order, and with am- litude of detail, some of the group would ek to repudiate the explanation on one point another, while the general public would dis- elieve them all. To such a pass had the xtremes of partyism brought the leading men parliament. If, however, the memorandum a very human document, it is also histori- lly most interesting and important. The aders began by solemnly assuring each other iat nothing but ' the extreme urgency of the resent crisis ' could justify their meeting to- ether for common political action. The idea iat the paramount interests of the nation, hreatened by possible invasion and by com-

mercial disturbance, would be ground for such a junction of forces does not seem to have suggested itself. After the preliminary skirmishing upon matters of party concern the negotiators at last settled down to business.

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 trouble. 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 common to all to a General Legislature.[1]

Mr Brown rejoined that this would not be acceptable to the people of Upper Canada as a remedy for existing evils. That he believed that federation of all the provinces ought to come, and would come about ere long, but it had not yet been thoroughly considered by the people and even were this otherwise, there were

[1] Sir Joseph Pope states that in the printed copy of this memorandum which Sir John Macdonald preserved there appears immediately following the word 'Legislature' at the end of this paragraph, in the handwriting of Mr Brown, these words 'Constituted on the well-understood principles of federal gov.'

so many parties to be consulted that its adoption was uncertain and remote.

Mr Brown was then asked what his remedy was, when he stated that the measure acceptable to Upper Canada would be Parliamentary Reform, based on population, without regard to a separating line between Upper and Lower Canada. 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 found on the federation principle suggested by the report of Mr Brown's committee, it did not appear to them likely that anything could be settled.

At this stage, then, Brown thought federation should be limited to Canada, believing the larger scheme uncertain and remote, while the others preferred a federal union for all the provinces. At a later meeting Cartier joined the gathering and a confidential statement was drawn up (the disinclination to take one another's word being still a lively sentiment), so that Brown could consult his friends. The ministerial promise in its final terms 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.

This basis gave satisfaction all round, and the proceedings relapsed into the purely political diplomacy which forms the least pleasant phase of what was otherwise a highly patriotic episode, creditable in its results to all concerned. Brown fought hard for a representation of four Liberals in the Cabinet, preferring to remain out of it himself, and, when his inclusion was deemed indispensable, offering to join as a minister without portfolio or salary.

inally Macdonald promised to confer with
m upon the personnel of the Conservative
ement in the Cabinet, so that the incoming
iberals would meet colleagues with whom
armonious relations should be ensured. The
tes ordained that, since Brown had been the
rst to propose the sacrifice of party to
ountry, the arrangement arrived at was the
ast advantageous to his interests. He had
ne satisfaction of feeling that the Upper
anada Liberals in the House supported his
ction, but those from Lower Canada, both
nglish and French, were entirely unsympa-
netic. The Lower Canada section of the
inistry accordingly remained wholly Con-
ervative.

It does not require much depth of political
xperience to realize the embarrassment of
Brown's position. The terms were not easy
or him. In a ministry of twelve members he
nd two colleagues would be the only Liberals.
The leadership of Upper Canada, and in fact
he real premiership, because Taché was frail
nd past his prime, would rest with Macdonald.
The presidency of the Executive Council, which
vas offered him, unless joined to the office of
rime minister, was of no real importance.
Some party friends throughout the country

would misunderstand, and more would scof
He had parted company with his loyal per
sonal friends Dorion and Holton. If, a
Disraeli said, England does not love coalitions
neither does Canada. For the time being, and
as events proved, for a considerable time, th
Liberal party would be divided and helpless
because the pledge of Brown pledged also th
fighting strength of the party. Although th
union issue dwarfed all others, questions woul
arise, awkward questions like that of patron
age, old questions with a new face, on whic
there had been vehement differences. Fo
two of his new colleagues, Macdonald and Galt
Brown entertained feelings far from cordial
Cautious advisers like Alexander Mackenzi
and Oliver Mowat counselled against a coali
tion, suggesting that the party should suppor
the government, but should not take a share
in it. All this had to be weighed and a de
cision reached quickly. But Brown had pu
his hand to the plough and would not turn
back. With the dash and determination tha
distinguished him, he accepted the proposal
became president of the Executive Council
with Sir Etienne Taché as prime minister, and
selected William McDougall and Oliver Mowat
as his Liberal colleagues. Amazement and

consternation ran like wildfire throughout Upper Canada when the news arrived from Quebec that Brown and Macdonald were members of the same government. At the outset Brown had feared that 'the public mind would be shocked,' and he was not wrong. But the sober second thought of the country in both parties applauded the act, and the desire for union found free vent. Posterity has endorsed the course taken by Brown and justly honours his memory for having, at the critical hour and on terms that would have made the ordinary politician quail, rendered Confederation possible. There is evidence that the Conservative members of the coalition played the game fairly and redeemed their promise to put union in the forefront of their policy. On this issue complete concord reigned in the Cabinet. The natural divergences of opinion on minor points in the scheme were arranged without internal discord. This was fortunate, because grave obstacles were soon to be encountered.

If George Brown of Upper Canada was the hero of the hour, George Cartier of Lower Canada played a rôle equally courageous and honourable. The hostile forces to be encountered by the French-Canadian leader were

formidable. Able men of his own race, like Dorion, Letellier, and Fournier, prepared to fight tooth and nail. The Rouges, as the Liberals there were termed, opposed him to a man. The idea of British American union had in the past been almost invariably put forward as a means of destroying the influence of the French. Influential representatives, too, of the English minority in Lower Canada, like Dunkin, Holton, and Huntington, opposed it. Joly de Lotbinière, the French Protestant, warned the Catholics and the French that federation would endanger their rights. The Rouge resistance was not a passive parliamentary resistance only, because, later on, the earnest protests of the dissentients were carried to the foot of the throne. But all these influences the intrepid Cartier faced undismayed; and Brown, in announcing his intention to enter the coalition, paid a warm tribute to Cartier for his frank and manly attitude. This was the burial of another hatchet, and the amusing incident related by Cartwright illustrates how it was received.

In that memorable afternoon when Mr. Brown, not without emotion, made his

SIR GEORGE CARTIER

From a painting in the Château de Ramezay

statement to a hushed and expectant House, and declared that he was about to ally himself with Sir George Cartier and his friends, for the purpose of carrying out Confederation, I saw an excitable, elderly little French member rush across the floor, climb up on Mr Brown, who, as you remember, was of a stature approaching the gigantic, fling his arms about his neck, and hang several seconds there suspended, to the visible consternation of Mr Brown and to the infinite joy of all beholders, pit, box, and gallery included.

t last statesmanship had taken the place of arty bickering, and, as James Ferrier of ontreal, a member of the Legislative Council, marked in the debates of 1865, the legistors 'all thought, in fact, that a political illennium had arrived.'

CHAPTER V

THE CHARLOTTETOWN CONFERENCE

NOT an instant too soon had unity come
Canada. The coalition ministry, having a
journed parliament, found itself faced wi
a situation in the Maritime Provinces whi
called for speedy action.

Nova Scotia, the ancient province by t
sea, discouraged by the vacillation of Cana
in relation to federation and the constructi
of the Intercolonial Railway, was bent up
joining forces with New Brunswick and Prin
Edward Island. The proposal was in t
nature of a reunion, for, when constitutio
government had been first set up in No
Scotia in 1758, the British possessions alo
the Atlantic coast, save Newfoundland, w
all governed as one province from Halif
But the policy in early days of splitting up t
colonies into smaller areas, for convenience
administration, was here faithfully carried o
In 1770 a separate government was confer

pon Prince Edward Island. In 1784 New Brunswick was formed. In the same year he island of Cape Breton was given a governor nd council of its own. Cape Breton was re-nited to the parent colony of Nova Scotia in 320, but three separate provinces remained, ach developing apart from the others, thus omplicating and making more difficult the hole problem of union when men with fore-ght and boldness essayed to solve it. Nova cotia had kept alive the tradition of leader-ip. The province which has supplied three ime ministers to the Canadian Dominion ver lacked statesmen with the imagination to rceive the advantages which would flow from e consolidation of British power in America. In 1864, a few weeks before George Brown the Canadian House had moved for his lect committee on federal union, Dr Charles upper proposed, in the legislature of Nova otia, a legislative union of the Maritime rovinces. The seal of Imperial authority d been set upon this movement by the dis-tch, already quoted, from the Duke of New-stle to Lord Mulgrave in 1862.

A word concerning the services of Charles upper to the cause of union will be in order re. None of the Fathers of Confederation

fought a more strenuous battle. None face political obstacles of so overwhelming a char acter. None evinced a more unselfish patriot ism. The overturn of Tilley in New Brunswick of which we shall hear presently, was a mis fortune quickly repaired. The junction o Brown, Cartier, and Macdonald in Canad ensured for them comparatively plain sailing But the Nova Scotian leader was pitted agains a redoubtable foe in Joseph Howe; for fiv years he faced an angry and rebellious pro vince; he gallantly gave up his place in th first Dominion ministry in order that anothe might have it; and at every turn he displaye those qualities of pluck, endurance, and dex terity which compel admiration. The Tuppe were of Puritan stock.[1] The future prim minister, a practising physician, had score his first political victory at the age of thirty four by defeating Howe in Cumberland count Throughout his long and notable career, superabundance of energy, and a characte istic which may be defined in a favourab sense as audacity, never failed him.

[1] See *Recollections of Sixty Years in Canada*, p. 2. T original Tupper in America came out from England in 16 Sir Charles Tupper's great-grandfather migrated from C necticut to Nova Scotia in 1763.

When the motion was presented to appoint elegates to a conference at Charlottetown, to onsider a legislative union for the three mari- me provinces, the skies were serene. The lea met with a general, if rather languid, pproval. There was not even a flavour of artisanship about the proceedings, and the elegates were impartially selected from both des. The great Howe regarded the project ith a benignant eye. At this time he was ie Imperial fishery commissioner, and it as his duty to inspect the deep-sea fishing ounds each summer in a vessel of the nperial Navy. He was invited to go to harlottetown as a delegate, and declined in ie following terms:

I am sorry for many reasons to be compelled to decline participation in the conference at Charlottetown. The season is so far advanced that I find my summer's work would be so seriously deranged by the visit to Prince Edward Island that, without permission from the Foreign Office, I would scarcely be justified in consulting my own feelings at the expense of the public service. I shall be home in October, and will be very happy to co-operate in

carrying out any measure upon which th conference shall agree.

A more striking evidence of his mood at thi juncture is afforded by a speech which he de livered at Halifax in August, when a party o visitors from Canada were being entertaine at dinner.

> I am not one of those who thank Go that I am a Nova Scotian merely, for I a a Canadian as well. I have never thoug I was a Nova Scotian, but I have looke across the broad continent as the gre territory which the Almighty has given for an inheritance, and studied the mo by which it could be consolidated, t mode by which it could be united, t mode by which it could be made stro and vigorous while the old flag still flo over the soil.[1]

In the time close at hand Howe was to fi these words quoted against him. Meanwh they were a sure warrant for peace a harmony.

In addressing the Assembly Tupper stat that his visit to Canada during the previo

[1] *The Speeches and Public Letters of Joseph Howe,* edited J. A. Chisholm, vol. ii, p. 433. Halifax, 1909.

ear had convinced him that for some time ie larger union was impracticable. He had und in Upper Canada a disinclination to iite with the Maritime Provinces because, om their identity of interest and geographical sition, they would strengthen Lower Canada. ower Canada was equally averse from union rough fear that it would increase the English fluence in a common legislature. Tupper voured the larger scheme, and looked for- ard to its future realization, which would be lped, not hindered, by the union of the aritime Provinces as a first step. Other eakers openly declared for a general union, d consented to the Charlottetown gathering a convenient preliminary. The resolution ssed without a division; and, though the embers expressed a variety of opinion on tails, there was no hint of a coming storm.

The conference opened at Charlottetown on ptember 1, the following delegates being esent: from Nova Scotia, Charles Tupper, illiam A. Henry, Robert B. Dickey, Jonathan Cully, Adams G. Archibald; from New unswick, S. L. Tilley, John M. Johnson, hn Hamilton Gray, Edward B. Chandler, . H. Steeves; from Prince Edward Island, H. Gray, Edward Palmer, W. H. Pope,

George Coles, A. A. Macdonald. Newfound land, having no part in the movement sent no representatives. Meanwhile Lor Monck, at the request of his ministers, ha communicated with the lieutenant-governo asking that a delegation of the Canadia Cabinet might attend the meeting and la their own plans before it. This was readil accorded. The visitors from Canada arrive from Quebec by steamer. They were Geor Brown, John A. Macdonald, Alexander Galt, George E. Cartier, Hector L. Langevi William McDougall, D'Arcy McGee, and Ale ander Campbell. No official report of th proceedings ever appeared. It is impro able that any exists, but we know from ma subsequent references nearly everything importance that took place. On the arriv of the Canadians they were invited to addre the convention at once. The delegates fro the Maritime Provinces took the ground th their own plan might, if adopted, be a bar the larger proposal, and accordingly suggest that the visitors should be heard first. T Canadians, however, saw no reason to fe the smaller union. They believed that Co federation would gain if the three provinc by the sea could be treated as a single un

But, being requested to state their case, they naturally had no hesitation in doing so. During the previous two months the members of the coalition must have applied themselves diligently to all the chief points in the project. It may be supposed that Galt, Brown, and Macdonald made a strong impression at Charlottetown. They spoke respectively on the finance, the general parliament, and the constitutional structure of the proposed federation. These subjects contained the germs of nearly all the difficulties. When the delegates reassembled a month later at Quebec, it is clear, from the allusions made in the scanty reports that have come down to us, that the leading phases of the question had already been frankly debated.

Having heard the proposals of Canada, the delegates of the Maritime Provinces met separately to debate the question that had brought them together. Obstacles at once arose. Only Nova Scotia was found to be in favour of the smaller union. New Brunswick was doubtful, and Prince Edward Island positively refused to give up her own legislature and executive. The federation project involved no such sacrifice; and, as Aaron's rod swallowed up all the others, the dazzling prospects held out by Canada eclipsed the other proposal, since they

provided a strong central government without destroying the identity of the component parts. The conference decided to adjourn to Halifax, where, at the public dinner given to the visitors, Macdonald made the formal announcement that the delegates were unanimous in thinking that a federal union could be effected. The members, however, kept the secrets of the convention with some skill. The speeches at Halifax, and later on at St John, whither the party repaired, abounded in glowing passages descriptive of future expansion, but were sparing of intimate detail. A passage in Brown's speech at Halifax created favourable comment on both sides of the ocean.

> In these colonies as heretofore governed [he said] 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 sustain —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

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.

These and other utterances, equally forceful and appealing directly to the pride and ambition of the country, were not without effect in moulding public opinion. The tour was a campaign of education. By avoiding the constitutional issues the delegates gave little information which could afford carping critics an opportunity to assail the movement prematurely. It is true, some sarcastic comments were made upon the manner in which the Canadians had walked into the convention and taken possession. At the Halifax dinner the Governor of Nova Scotia, Sir Richard Graves

Macdonnell, dropped an ironical remark on th
'disinterested' course of Canada, which plainl
betrayed his own attitude. But the gathe
ing was, in the main, highly successful an
augured well for the movement.

The Charlottetown Conference was there
fore an essential part of the proceedings whic
culminated at Quebec. The ground had bee
broken. The leaders in the various province
had formed ties of intimacy and friendshi
and favourably impressed each other. At th
time were laid the foundations of the allianc
between Macdonald and Tilley, the Liber
leader in New Brunswick, which made it po
sible to construct the first federal ministr
on a non-party basis and which enlisted in th
national service a devoted and trustworth
public man. Tilley's career had few blemish
from its beginning to its end. He was
direct descendant of John Tilley, one of th
English emigrants to Massachusetts in th
Mayflower, and a great-grandson of Samu
Tilley, one of the Loyalists who removed
New Brunswick after the War of Indepen
ence. He had been drawn into politics again
his wishes by the esteem and confidence of h
fellow-citizens. A nominating convention
which he was not present had selected him f

he legislature, and his first election had taken place during his absence from the country. Yet he had risen to be prime minister of his province; and his was the guiding hand which brought New Brunswick into the union. His defeat at first and the speedy reversal of the verdict against Confederation form one of the most diverting episodes in the history of the movement.

The ominous feature of the Charlottetown Conference was the absence of Joseph Howe, the most popular leader in Nova Scotia. This was one of the accidents which so often disturb the calculations of statesmen. When the delegates resumed their labours at Quebec he was in Newfoundland, and he returned home to find that a plan had been agreed upon without his aid. From him, as well as from the governors of Nova Scotia and New Brunswick, the cause of federation was to receive its next serious check.

CHAPTER VI

THE QUEBEC CONFERENCE

THE Quebec Conference began its sessions o the 10th of October 1864. It was now th task of the delegates to challenge and over come the separatist tendencies that ha dominated British America since the dismem berment of the Empire eighty years before They were to prove that a new nationalit could be created, which should retain intact th connection with the mother country. Fo an event of such historic importance no bette setting could have been chosen than th Ancient Capital, with its striking situation an its hallowed memories of bygone days. Th delegates were practical and experienced me of affairs, but they lacked neither poetic an imaginative sense nor knowledge of the past and it may well be that their labours were in spired and their deliberations influenced b the historic associations of the place.

The gathering was remarkable for the varie

alents and forceful character of its principal nembers. And here it may be noted that the onstitution was not chiefly the product of egal minds. Brown, Tilley, Galt, Tupper, and thers who shared largely in the work of con-truction were not lawyers. The conference epresented fairly the different interests and ccupations of a young country. It is to be ecorded, too, that the conclusions reached ere criticized as the product of men in a urry. Edward Goff Penny, editor of the lontreal *Herald*, a keen critic, and afterwards senator, complained that the actual working eriod of the conference was limited to four-en days. Joseph Howe poured scorn upon ttawa as the capital, stating that he preferred ondon, the seat of empire, where there were reserved 'the archives of a nationality not eated in a fortnight.' Still more vigorous ere the protests against the secrecy of the scussions. A number of distinguished jour-alists, including several English correspon-nts who had come across the ocean to rite about the Civil War, were in Quebec, nd they were disposed to find fault with e precautions taken to guard against pub-city. The following memorial was presented the delegates:

The undersigned, representatives o
English and Canadian newspapers, fin
that it would be impossible for them satis
factorily to discharge their duties if an in
junction of secrecy be imposed on the con
ference and stringently carried into effec
They, therefore, beg leave to sugges
whether, while the remarks of individua
members of your body are kept secret, th
propositions made and the treatment the
meet with, might not advantageously b
made public, and whether such a cours
would not best accord with the real int
rests committed to the conference. Suc
a kind of compromise between absolu
secrecy and unlimited publicity is usuall
we believe, observed in cases where a
European congress holds the peace of th
world and the fate of nations in its hand
And we have thought that the Briti
American Conference might perhaps co
sider the precedent not inapplicable to t
present case. Such a course would ha
the further advantage of preventing i
founded and mischievous rumours regar
ing the proceedings from obtaining cu
rency.[1]

[1] Pope's *Confederation Documents.*

his ingenious appeal was signed by S. Phillips ay, of the London *Morning Herald*, by harles Lindsey of the Toronto *Leader*, and by rown Chamberlain of the Montreal *Gazette*. mong the other writers of distinction in tendance were George Augustus Sala of the ondon *Daily Telegraph*, Charles Mackay of *he Times*, Livesy of *Punch*, and George Brega the New York *Herald*. But the conference ood firm, and the impatient correspondents ere denied even the mournful satisfaction of ief daily protocols. They were forced to be ntent with overhearing the burst of cheer- g from the delegates when Macdonald's otion proposing federation was unanimously lopted. The reasons for maintaining strict crecy were thus stated by John Hamilton ray,[1] a delegate from New Brunswick, who terwards became the historian of the Con- deration movement:

> After much consideration it was determined, as in Prince Edward Island, that the convention should hold its delibera-

[1] There were two delegates named John Hamilton Gray, one ose views are quoted here, the other the prime minister of nce Edward Island. Only one volume of Gray's work on nfederation ever appeared, the second volume, it is said, being nished when the author died in British Columbia.

tions with closed doors. In addition t
the reasons which had governed the con
vention at Charlottetown, it was furthe
urged, that the views of individual members
after a first expression, might be change
by the discussion of new points, differin
essentially from the ordinary current o
subjects that came under their considera
tion in the more limited range of the Pro
vincial Legislatures; and it was held tha
no man ought to be prejudiced, or be liabl
to the charge in public that he had on som
other occasion advocated this or that doc
trine, or this or that principle, inconsisten
with the one that might then be deeme
best, in view of the future union to b
adopted. . . . Liberals and Conservative
had there met to determine what was be
for the future guidance of half a continen
not to fight old party battles, or stand b
old party cries, and candour was soug
for more than mere personal triumph. T
conclusion arrived at, it is thought, w
judicious. It ensured the utmost fre
dom of debate; the more so, inasmuch
the result would be in no way bindi
upon those whose interests were to
affected until and unless adopted after t

greatest publicity and the fullest public discussions.

at the conference decided wisely admits of doubt. The provincial secretaries of the veral provinces were appointed joint secre-ies, and Hewitt Bernard, chief clerk of the partment of the attorney-general for Upper nada, was named executive secretary. In longhand notes, found among the papers Sir John Macdonald, and made public thirty ars later by Sir Joseph Pope, we have the y official record of the resolutions and de-tes of the conference. Posterity has reason be grateful for even this limited revelation the proceedings from day to day. It enables to form an idea of the difficulties overcome d of the currents of opinion which com-ed to give the measure its final shape. No dent of Canadian constitutional history will ve unread a single note thus fortunately served. The various draft motions, we are d by Sir Joseph Pope, are nearly all in the ndwriting of those who moved them, and it s evidently the intention to prepare a com-te record. The conference was, however, ch hurried at the close. When it began, Sir enne Taché, prime minister of Canada, was

unanimously elected chairman.[1] Each provinc was given one vote, except that Canada, as cor sisting of two divisions, was allowed two vote After the vote on any motion was put, the del gates of a province might retire for consultatio among themselves. The conference sat as if i committee of the whole, so as to permit of fr discussion and suggestion. The resolution having been passed in committee of the whol were to be reconsidered and carried as if parli ment were sitting with the speaker in the cha

The first motion, which was offered by Ma donald and seconded by Tilley, read : *That t*

[1] A list of the delegates, who are now styled the Father Confederation, follows :

From Canada, twelve delegates—SIR ETIENNE P. TAC receiver-general and minister of Militia ; JOHN A. MACDONA attorney-general for Upper Canada; GEORGE E. CARTI attorney-general for Lower Canada; GEORGE BROWN, pr dent of the Executive Council; OLIVER MOWAT, postmas general ; ALEXANDER T. GALT, minister of Finance ; WILL McDOUGALL, provincial secretary ; T. D'ARCY McGEE, mini of Agriculture; ALEXANDER CAMPBELL, commissione Crown Lands ; J. C. CHAPAIS, commissioner of Public Wo HECTOR L. LANGEVIN, solicitor-general for Lower Can JAMES COCKBURN, solicitor-general for Upper Canada.

From Nova Scotia, five delegates—CHARLES TUPPER, vincial secretary; WILLIAM A. HENRY, attorney-gen R. B. DICKEY, member of the Legislative Council ; JONAT McCULLY, member of the Legislative Council; ADAMS ARCHIBALD, member of the Legislative Assembly.

From New Brunswick, seven delegates—SAMUEL LEON

st interests and present and future prosperity British North America will be promoted by a deral union under the crown of Great Britain, ovided such union can be effected on prin-ples just to the several provinces. This motion, neral in its terms, asserted the principle hich the conference had met to decide. It ssed unanimously amid much enthusiasm. support it, one may think, involved no ious responsibility, since any province could a later stage raise objections to any methods oposed in carrying out the principle. But secure the hearty and unanimous accept-ce of a federal union, as the basis on which provinces were ready to coalesce, was really submit the whole issue to the crucial test.

LEY, provincial secretary; WILLIAM H. STEEVES, minister iout portfolio; J. M. JOHNSON, attorney-general; PETER TCHELL, minister without portfolio; E. B. CHANDLER, nber of the Legislative Council; JOHN HAMILTON GRAY, nber of the Legislative Assembly; CHARLES FISHER, nber of the Legislative Assembly.

om Prince Edward Island, seven delegates—COLONEL JOHN MILTON GRAY, president of the Council; EDWARD PALMER, rney-general; WILLIAM H. POPE, colonial secretary; A. A. CDONALD, member of the Legislative Council; GEORGE ES, member of the Legislative Assembly; T. HEATH VILAND, member of the Legislative Assembly; EDWARD ELAN, member of the Legislative Assembly.

om Newfoundland, two delegates—F. B. T. CARTER, ker of the Legislative Assembly; AMBROSE SHEA.

Macdonald's motion reflects, in its careful an comprehensive phrasing, the skill in parlia mentary tactics of which he had, during man years, displayed so complete a mastery. T commit the conference at the outset to e dorsement of the general principle was to rend subsequent objection on some detail, howev important, extremely difficult for earnest a broad-minded patriots. The two small pr vinces might withdraw from the scheme, they subsequently did, but the larger province led by men of the calibre of Tupper and Tille would feel that any subsequent obstacle mu be of gigantic proportions if it could not overcome by statesmanship. After cheerful taking this momentous step, which irresistib drove them on to the next, the conference pr ceeded to discuss Brown's motion proposi the form the federation was to assume. The was to be a general government dealing wi matters common to all, and in each provin a local government having control of lo matters. The second motion was likew unanimously concurred in. Having, as were, planted two feet firmly on the grou the conference was now in a good position stand firmly against divergences of view, p vincial rivalries, and extreme demands.

CHAPTER VII

THE RESULTS OF THE CONFERENCE

HE constitution which the founders of the Dominion devised was the first of its kind on great scale within the Empire. No English ecedents therefore existed. Yet their chief n was to preserve the connection with Great itain, and to perpetuate in North America e institutions and principles which the mother parliaments, during her splendid history, had queathed to the world. The Fathers could ok to Switzerland, to New Zealand, to the nerican Republic, and to those experiments d proposals in ancient or modern times hich seemed to present features to imitate examples to avoid.[1] But they were guided, rforce, by the special conditions with which ey had to deal. If they had been free to ake a perfect contribution to the science of vernment, the constitution might have been

[1] D'Arcy McGee published a treatise in 1865 entitled *Notes on eral Government Past and Present,* presenting a useful summary he various constitutions.

different. It is, of course, true of all existin federations that they were determined largel by the relations and circumstances of the com bining states. This is illustrated by compa ing the Canadian constitution with those the two most notable unions which followe Unlike Canada, Australia preferred to lea the residue of powers to the individual state while South Africa adopted a legislative i stead of a federal union. For Canada, a legi lative union was impracticable. This was d partly to the racial solidarity of the Frenc but even more largely to the fully develop individualism of each province. It is to t glory of the Fathers of Confederation that t constitution, mainly constructed by the selves as the product of their own experien and reflection, has lasted without substant change for nearly half a century. They we forced to deal with conditions which they h not created, yet could not ignore—conditio which had long perplexed both Imperial a colonial statesmen, and had rendered gove ment ineffective if not impossible. Th found the remedy; and the result is seen the powerful and thriving nationality wh their labours evolved.

To set up a strong central government w

ıe desire of many of the delegates. Mac-
onald, as has been recorded already, had
ɔntended for this in 1861. He argued to
ıe same effect at the conference. The Civil
Var in the United States, just concluded,
ad revealed in startling fashion the dangers
ising from an exaggerated state sovereignty.
We must,' he said, 'reverse this process by
rengthening the general government and
nferring on the provincial bodies only such
ɔwers as may be required for local purposes.'
'hen Chandler of New Brunswick perceived
ith acuteness that in effect this would mean
gislative union, Macdonald, as we gather
ɔm the fragmentary notes of his speech,
ade an impassioned appeal for a carefully
fined central authority.

I think [he declared] the whole affair would fail and the system be a failure if we adopted Mr Chandler's views. We should concentrate the power in the federal government and not adopt the decentralization of the United States. Mr Chandler would give sovereign power to the local legislatures, just where the United States failed. Canada would be infinitely stronger as she is than under such a system

as proposed by Mr Chandler. It is sa
that the tariff is one of the causes of dif
culty in the United States. So it would
with us. Looking at the agricultural i
terests of Upper Canada, manufacturing
Lower Canada, and maritime interests
the lower provinces, in respect to a tari
a federal government would be a mediato
No general feeling of patriotism exists
the United States. In occasions of dif
culty each man sticks to his individual stat
Mr Stephens, the present vice-preside
[of the Confederacy], was a strong unio
man, yet, when the time came, he we
with his state. Similarly we should sti
to our province and not be British Ame
cans. It would be introducing a sour
of radical weakness. It would ruin us
the eyes of the civilized world. All write
point out the errors of the United State
All the feelings prognosticated by Tocqu
ville are shown to be fulfilled.

These and other arguments prevaile
Several of the most influential delegates we
in theory in favour of legislative union, a
these were anxious to create, as the be
alternative, a general parliament wieldi

ramount authority. This object was at-
ned by means of three important clauses in
e new constitution: one enumerating the
wers of the federal and provincial bodies
pectively and assigning the undefined re-
ue to the federal parliament; another con-
ring upon the federal ministry the right to
miss for cause the lieutenant-governors;
d another declaring that any provincial law
ght, within one year, be disallowed by the
ntral body. Instead of a loosely knit federa-
n, therefore, which might have fallen to
ces at the first serious strain, it was resolved
bring the central legislature into close con-
t at many points with the individual citizen,
d thus raise the new state to the dignity of
ation.

How the designs of the Fathers have been
dified by the course of events is well known.
e federal power has been restrained from
due encroachment on provincial rights by
decisions, on various issues, of the highest
rt, the judicial committee of the Imperial
vy Council. The power to dismiss lieu-
ant-governors was found to be fraught with
nger and has been rarely exercised. The
missal of Letellier, a strong Liberal, from
lieutenant-governorship of Quebec by the

Conservative ministry at Ottawa in 1879, gav rise to some uneasiness and criticism. Th reason assigned was that his 'usefulness wa gone,' since both houses of parliament ha passed resolutions calling for his removal He was accused of partisanship towards hi ministers. The federal prime minister, Si John Macdonald, assented reluctantly, it i said, to the dismissal. But some of the fact are still obscure. The status of the office an the causes that would warrant removal were thus given by Macdonald at Quebec, accordin to the imperfect report which has come dow to us :

> The office must necessarily be durin pleasure. The person may break down misbehave, etc. . . . The lieutenant-gover nor will be a very high officer. He shoul be independent of the federal govern ment, except as to removal for cause and it is necessary that he should not b removable by any new political party It would destroy his independence. He should only be removable upon an address from the legislature.

The power of disallowance, the third expedient for curbing the provinces, was exercised with

ne freedom down to 1888. In that year a
iebec measure, the Jesuits' Estates Act,
th a highly controversial preamble calcu-
ed to provoke a war of creeds, was not dis-
owed, although protests were carried past
rliament to the governor-general personally.
ie incident directed attention to the previous
actice at Ottawa under both parties and a
w era of non-intervention was inaugurated.
sallowance is now rare, except where Im-
rial interests are affected, and never occurs
the ground of the policy or impolicy of the
easure. The provinces, as a matter of prac-
e, are free within their limits to legislate as
ey please. But the Dominion as a self-
verning state has long passed the stage where
e clashing of provincial and federal juris-
ctions could shake the constitution.

When the conference, however, considered
ovincial powers it went to the root of a
deral system. The maritime delegates as a
iole displayed magnanimity and statesman-
ip. Brown, as the champion of Upper
nada, was concerned to see that the inter-
ts of his own province were amply secured.
e held radical views. When he spoke, the
lm surface of the conference, where a mode-
te and essentially conservative constitution-

alism sat entrenched, may have been ruffled The following is from the summary which has been preserved of one of his speeches:[1]

> As to local governments, we desire in Upper Canada that they should not be expensive, and should not take up political matters. We ought not to have two electoral bodies. Only one body, members to be elected once in every three years. Should have whole legislative power—subject to lieutenant-governor. I would have lieutenant-governors appointed by general government. It would thus bring these bodies into harmony with the general government. In Upper Canada executive officers would be attorney-general, treasurer, secretary, commissioner of crown lands and commissioner of public works. These would form the council of the lieutenant-governor. I would give lieutenant-governors veto without advice, but under certain vote he should be obliged to assent. During recess lieutenant-governor could have power to suspend executive officers. They might be elected for three years or

[1] The quotations in this chapter are taken from Pope's *Confederation Documents.*

otherwise. You might safely allow county councils to appoint other officers than those they do now. One legislative chamber for three years, no power of dissolution, elected on one day in each third year. Departmental officers to be elected during pleasure or for three years. To be allowed to speak but not to vote.

more suggestive extract than this cannot be ınd in the discussion. From the astonished rtier the ejaculation came, ' I entirely differ :h Mr Brown. It introduces in our local dies republican institutions.' From the evity of the report we cannot gather the ole of Brown's meaning. Apparently his ı was a strictly businesslike administra- n of provincial affairs, under complete ular control, but with the executive func- ns as far removed from party domination erring human nature would permit. There y be seen here points of resemblance to an ierican state constitution, but Brown was more a republican than was Napoleon. was, like Macdonald, an Imperialist who oured the widest national expansion for ıada. The idea of a republic, either in the tract or the concrete, had no friends in the

conference. Galt believed independence the proper aim for a young state, but we find him stating later: 'We were and are willing to spend our last men and our last shilling for our mother country.' [1] Many years after Confederation Sir Oliver Mowat declared independence the remote goal to keep in view. These opinions were plainly speculative. Neither statesman took any step towards carrying them out, but benevolently left them as a legacy, unencumbered by conditions, to a distant posterity.

At the conference Mowat was active to strengthen the central authority, as also was Brown. But there was general agreement, despite Brown's plea for a change, that the local governments should take the form preferred by themselves and that ministerial responsibility on the British model should prevail throughout. Upon the question of assigning the same subjects, such as agriculture, to both federal and provincial legislatures, Mowat said:

> The items of agriculture and immigration should be vested in both federal and local governments. Danger often arises when there is exclusive jurisdiction and not s

[1] At Cornwall, March 2, 1866.

often in cases of concurrent jurisdiction. In municipal matters the county and township council often have concurrent jurisdiction.

the famous contests for provincial rights hich he was afterwards to wage before the urts, and always successfully, Mowat was t necessarily forgetful that he himself moved the power of disallowance over provincial vs to be given to the federal authority. With e caution and clearness of mind that governed political course, he naturally made sure of ground before fighting, and could thus safely eak a lance with the federal government. e provincial constitutions were, therefore, t to be determined by the provinces themves, and this freedom to modify them conues, 'except as regards the office of lieuant-governor.' No province has yet proed any constitutional change which could regarded as an infringement of the inviolacy that office, and no circumstances have sen to throw light upon the kind of measure ich would be so regarded.[1]

)ne more point, touching upon provincial onomy, deserves to be noticed. In the

t is worth noting that almost any change of importance d affect the office of the lieutenant-governor and thus enge federal interference.

resolutions of the conference, as well as in th British North America Act, the laws passe by the local legislatures are reviewable for or year by the *governor-general*, not by the *gove nor-general in council*. The colonial secretar drew attention in 1876 to this distinction i the expressions used, and suggested that was intended to place the responsibility deciding the validity of provincial laws upo the governor-general personally. The ab and convincing memoranda in reply were com posed by Edward Blake, the Canadian minist of Justice. He contended that under the lett and spirit of the constitution ministers mu be responsible for the governor's action. H view prevailed, and thus within ten years aft Confederation the principle that the crown representative must act only through his a visers on all Canadian matters was mai tained. There was nothing in the availab records in 1876 to explain why the ter 'governor-general' instead of 'governo general in council' was employed.[1] It i

[1] We know now from Sir Joseph Pope's *Confederation Do ments* (p. 140) that it was proposed in the first draft of the uni bill to have interpretation clauses, and one of these declared th where the governor-general was required to do any act it w to be assumed that he performed it by the advice and consent his executive council.

owever, an unassailable principle that the ntrol of the crown over the Canadian ovinces can be exercised only through the deral authorities.

When the conference had accepted the out- ie of the federal and provincial constitutions e danger points might reasonably have been nsidered past. But there remained to be dis- ssed the representation in the federal parlia- ent and the financial terms. These were e rocks on which the ship nearly split. Re- esentation by population in the proposed ouse of Commons had been agreed upon at arlottetown; but when the Prince Edward and delegates saw that, with sixty-five mbers for Lower Canada as a fixed number, e proportion assigned to the Island would five members only, they objected. They re dismayed by the prospect, and when the ancial proposals also proved unsatisfactory, eir discontent foreshadowed the ultimate thdrawal of the province from the scheme. e other provinces accepted without demur e basis of representation in the new House Commons.

The composition of the Senate, however, ought on a crisis. 'We were very near oken up,' wrote Brown in a private letter on

October 17, 'on the question of the distrib tion of members in the upper chamber of t federal legislature, but fortunately we ha this morning got the matter amicably co promised, after a loss of three days in discus ing it.' The difficulty seems to have been select the members of the first Senate with d regard to party complexion, so as not operate in Upper Canada, as Brown felt, u fairly against the Liberals. Finally, an agre ment was arranged on the basis that t senators should be drawn from both partie and this was ultimately carried out.

A far more important point, whether t second chamber should be nominated elected, caused less debate. Macdonald open the discussion with his usual diplomacy:

> With respect to the mode of appoi ments to the Upper House, some of us a in favour of the elective principle. Mo are in favour of appointment by the crow I will keep my own mind open on th point as if it were a new question to m altogether. At present I am in favour appointment by the crown. While I not admit that the elective principle h been a failure in Canada, I think we h

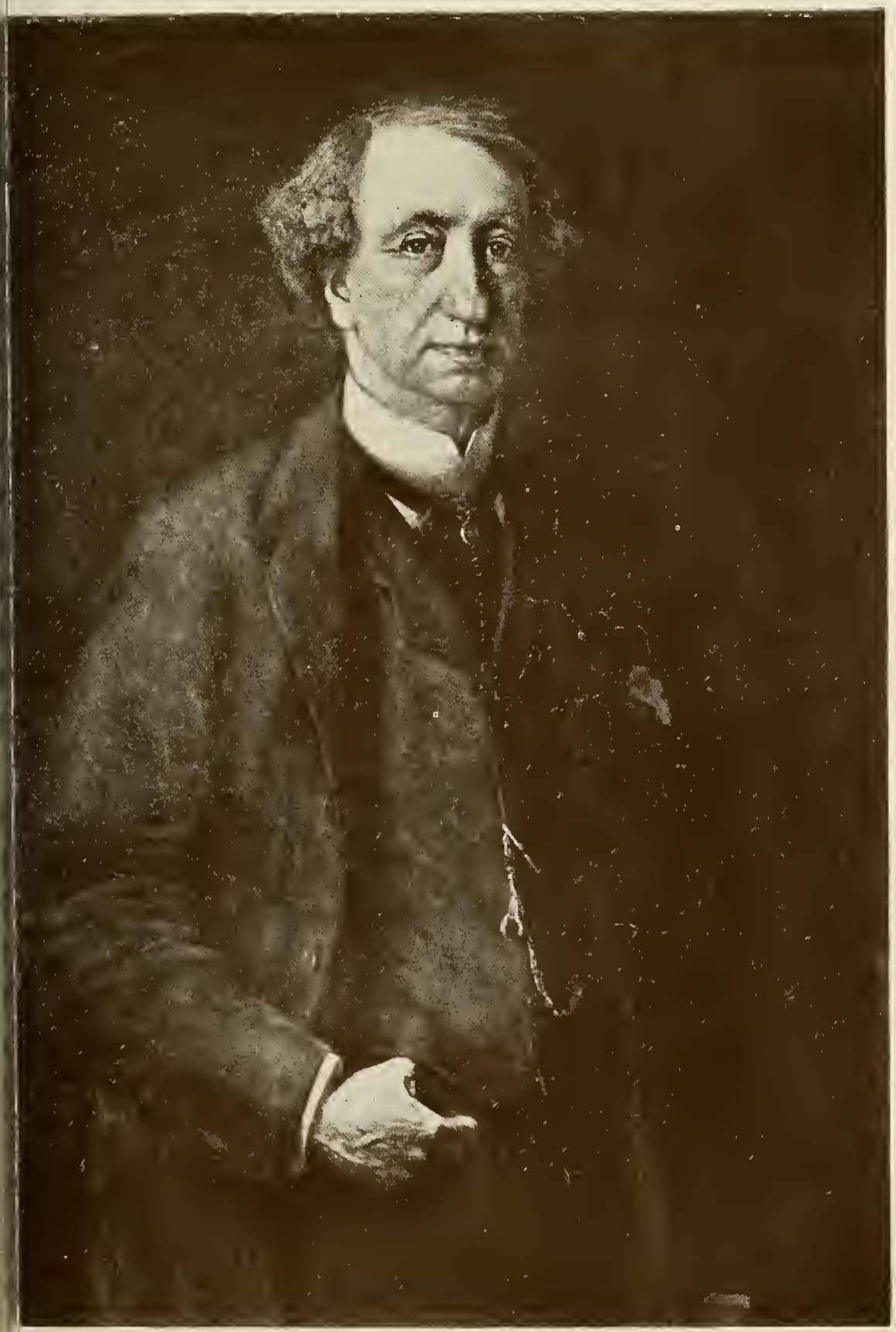
better return to the original principle, and in the words of Governor Simcoe endeavour to make ours ' an image and transcript of the British constitution.'

iffering on other issues, Brown and Mac-
onald were at one on this. They were op-
osed to a second set of general elections,
artly because it would draw too heavily on
e organizations and funds of the parties.
s an instance of the stability of Brown's
ews, it should be remembered that he never,
any period, approved of an elective second
amber. The other Liberal ministers from
pper Canada, Mowat and McDougall, stood
the elective system, but the conference
ted it down. The Quebec correspondence
the *Globe* at this time throws some light on
e reasons for the decision : ' Judging from
e tone of conversation few delegates are in
vour of election. The expense of contest-
a division is enormous and yearly increases.
e consequence is there is great difficulty in
tting fit candidates, and the tendency is
seek corrupt aid from the administration of
day. There is also fear of a collision be-
een two houses equally representing the
ople. It is less important to us than to the

French. Why should we not then let Low Canada, which desires to place a barri against aggression by the west, decide t question and make her defensive powers strong as she likes? It would be no gre stretch of liberality on our part to accord to her.' During the debates on Confeder tion in the Canadian Assembly, in the follo ing year, Macdonald derided the notion th a government would ever 'overrule the ind pendent opinion of the Upper House by filli it with a number of its partisans and politic supporters.' This, however, is precisely wh has taken place. The Senate is one of t few unsatisfactory creations of the Fathers Confederation.[1]

The question of the financial terms w surrounded with difficulties. The Mariti Provinces, unlike Upper Canada, were witho the municipal organization which provides f local needs by direct taxation. With the

[1] In the copy of the Confederation debates possessed by writer there appears on the margin of the page, in Will McDougall's handwriting and initialled by himself, these wor 'In the Quebec Conference I moved and Mr Mowat seconde motion for the elective principle. About one-third of the deleg voted for the proposition, Brown arguing and voting agains At this date (1887) under Sir John's policy and action the Se contains only 14 Liberals; all his appointments being made f his own party.'



SIR JOHN A. MACDONALD

From the painting by A. Dickson Patterson

he provincial government was a nursing nother and paid for everything. Out of the eneral revenue came the money for bridges, oads, schools, wharves, piers, and other improvements, in addition to the cost of maintaining the fiscal, postal, and other charges of the rovince. The revenue was raised by customs uties, sales of crown lands, royalties, or export uties. The devotion to indirect taxation, which not absent from provinces with municipal odies, was to them an all-absorbing passion. he Canadian delegates were unsympathetic. ohn Hamilton Gray describes the scene:

> 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 extremest 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 amongst themselves, and see if they could not agree upon something.[1]

[1] Gray's *Confederation*, p. 62.

On this committee were Brown and Galt ac
ing for Canada, while the others were Tuppe
Tilley, Archibald, Pope, and Shea. Th
scheme set forth in the resolutions was th
result. It need not be detailed, but the sixt
fourth resolution, on which was centred th
keenest criticism, reads as follows:

> In consideration of the transfer to th
> general parliament of the powers of tax
> tion, an annual grant in aid of each pr
> vince shall be made, equal to 80 cents p
> head of the population as established b
> the census of 1861, the population of New
> foundland being estimated at 130,00
> Such aid shall be in full settlement of a
> future demands upon the general gover
> ment for local purposes and shall be pa
> half-yearly in advance to each province.

The system of provincial subsidies has ofte
been denounced. The delegates may hav
thought that they had shut the door to furth
claims, but the finality of the arrangement w
soon tested, and in 1869 Nova Scotia receive
better terms. There were increases in the su
sidies to the provinces on several subseque
occasions, and no one believes the end has y
been reached. The growing needs of the pr

inces and the general aversion from direct axation furnish strong temptations to make emands upon the federal treasury.

The conference, after adopting the seventy-wo resolutions embodying the basis of the nion, agreed that the several governments ould submit them to the respective legis-tures at the ensuing session. They were be carried *en bloc*, lest any change should ntail a fresh conference. The delegates made tour of Canada, visiting Montreal, Ottawa, nd Toronto, where receptions and congratula-ons awaited them. Their work had been one quickly. It had now to run the gauntlet parliamentary discussion.

CHAPTER VIII

THE DEBATES OF 1865

In the province of Canada no time was lost i placing the new constitution before parli ment. A dilatory course would have bee unwise. The omens were favourable. Suc opposition as had developed was confined t Lower Canada. The Houses met in Januar 1865, and the governor-general used this la guage in his opening speech :

> With the public men of British Nort America it now rests to decide whether th vast tract of country which they inhab shall be consolidated into a State, com bining within its area all the elements national greatness, providing for the s curity of its component parts and contr buting to the strength and stability of th Empire ; or whether the several Provinc of which it is constituted shall remain i their present fragmentary and isolated co dition, comparatively powerless for mutu

aid, and incapable of undertaking their proper share of Imperial responsibility.

The procedure adopted was the moving in each House of an address to the Queen praying that a measure might be submitted to the Imperial parliament based upon the Quebec resolutions. The debate began in the Legislative Council on the 3rd of February and in the Assembly three days later. The debate in the popular branch lasted until the 13th of March; in the smaller chamber it was concluded by the 23rd of February.

These debates, subsequently published in a volume of 1032 pages, are a mirror which reflects for us the political life of the time and the events of the issue under discussion. They set forth the hopes and intentions of the fathers with reference to their own work; and if later developments have presented some surprises, some situations which they did not foresee, as was indeed inevitable, their prescience is nowhere shown to have been seriously at fault. Some of the speeches are commonplace; a few are wearisome; but many of them are examples of parliamentary eloquence at its best, and the general level is high.

The profound sincerity of the leaders of the

coalition, whether in or out of office, is not to be questioned. The supporters of the union bore down all opposition. Macdonald's wonderful tact, Brown's passionate earnestness, and Galt's mastery of the financial problem, were never displayed to better advantage; while the redoubtable Cartier marshalled his French compatriots before their timidity had a chance to assert itself. Particularly interesting is the attitude which Brown assumed towards the French. He had been identified with a vicious crusade against their race and creed. Its cruel intolerance cannot be justified, and every admirer of Brown deplores it. He met them now with a frank friendliness which evoked at once the magnanimity and readiness to forgive that has always marked this people and is one of their most engaging qualities. Said Brown:

> The scene presented by this chamber at this moment, I venture to affirm, has few parallels in history. One hundred years have passed away since these provinces became by conquest part of the British Empire. I speak in no boastful spirit. I desire not for a moment to excite a painful thought. What was then the fortune of

war of the brave French nation might have been ours on that well-fought field. I recall those olden times merely to mark the fact that here sit to-day the descendants of the victors and the vanquished in the fight of 1759, with all the differences of language, religion, civil law and social habit nearly as distinctly marked as they were a century ago. Here we sit to-day seeking amicably to find a remedy for constitutional evils and injustice complained of. By the vanquished? No, sir, but complained of by the conquerors! [French-Canadian cheers.]

Here sit the representatives of the British population claiming justice—only justice; and here sit the representatives of the French population, discussing in the French tongue whether we shall have it. One hundred years have passed away since the conquest of Quebec, but here sit the children of the victor and the vanquished, all avowing hearty attachment to the British Crown, all earnestly deliberating how we shall best extend the blessings of British institutions, how a great people may be established on this continent in close and hearty connection with Great Britain.

In thus proclaiming the aim and intent of the advocates of Confederation in respect to the Imperial link, Brown expressed the views of all. It was not a cheap appeal for applause, because the question could not be avoided. It came up at every turn. What was the purpose, the critics of the measure asked, of this new constitution? Did it portend separation? Would it not inevitably lead to independence? and if not, why was the term 'a new nationality' so freely used? In the opening speech of the debate Macdonald met the issue squarely with the statesmanlike gravity that befitted the occasion:

> No one can look into futurity and say what will be the destiny of this country. Changes come over peoples and nations in the course of ages. But so far as we can legislate, we provide that for all time to come the sovereign of Great Britain shall be the sovereign of British North America.

And he went on to predict that the measure would not tend towards independence, but that the country, as it grew in wealth and population, would grow also in attachment to the crown and seek to preserve it. This prophecy, as we know, has proved true.

The fear of annexation to the United States gured likewise in the debate, but the condition f the Republic, so recently in the throes of vil war, was not such as to give rise to serious pprehension on that score. The national ntiment, however, which would naturally rise when the new state was constituted, as a proper subject for consideration, since might easily result in a complete, if peaceful, volution.

There were other uncertain factors in the tuation which gave the opponents of Con- deration an opportunity for destructive iticism. The measure was subjected to the osest scrutiny by critics who were well quali- d to rouse any hostile feeling in the country such existed. Weighty attacks came from ssentient Liberals like Dorion, Holton, and ndfield Macdonald. A formidable opponent, o, was Christopher Dunkin, an independent nservative, inspired, it may be supposed, the distrust of constitutional change enter- ined by his immediate fellow-countrymen, e English minority in Lower Canada.

Brown bore the brunt of the attack from stwhile allies and faced it in this fashion :

> No constitution ever framed was without defect ; no act of human wisdom was ever

> free from imperfection. . . . To assert the
> that our scheme is without fault, would b
> folly. It was necessarily the work
> concession; not one of the thirty-thre
> framers but had on some points to yie
> his opinions; and, for myself, I free
> admit that I struggled earnestly, for day
> together, to have portions of the schem
> amended.

This was reasonable ground to take and dre
some of the sting from the criticism.

But all the criticism was not futile. Som
of the defects pointed out bore fruit in th
years that followed. As already stated, th
financial terms were far from final, and a d
mand for larger subsidies had soon to be me
Friction between the federal and provinci
powers arose in due course, but not precise
for the reasons given. The administratio
of the national business has cost more tha
was expected, and has not been free, to em
ploy the ugly words used in these debate
from jobbery and corruption. The cost of
progressive railway policy has proved infinite
greater than the highest estimates put for
by the Fathers. The duty of forming
ministry so as to give adequate representatio

all the provinces has been quite as difficult Dunkin said it would be. To parcel out the nisterial offices on this basis is one of the written conventions of the constitution, and s taxed the resources of successive prime nisters to the utmost. With all his skill, as shall see later, Sir John Macdonald nearly ve up in despair his first attempt to form a nistry after Confederation. Yet it must said, surveying the whole field, that the tics of the resolutions failed to make out a se.

Both in the Legislative Council and in the sembly the resolution for a nominated second amber caused much debate. But the elec- e principle was not defended with marked thusiasm. By the Act of 1840 which united e Canadas the Council had been a nominated dy solely. Its members received no in- mnity; and, as some of them were averse m the political strife which raged with ecial fury until 1850, a quorum could not vays be obtained. Sir Etienne Taché drew affecting picture of the speaker frequently xing the chair at the appointed time, wait- in stiff and solemn silence for one hour by e clock, and at last retiring discomfited, since mbers enough did not appear to form a

quorum. To remedy the situation the I
perial parliament had passed an Act providi
for the election of a portion of the membe
Fresh difficulties had then arisen. The el
toral divisions had been largely formed
grouping portions of counties together; t
candidates had found that physical enduran
and a long purse were as needful to gain a se
in the Council as a patriotic interest in pub
affairs; and it had become difficult to secu
candidates. This unsatisfactory experience
an elective upper chamber made it compar
tively easy to carry the resolution providi
for a nominated Senate in the new constitutio

The agreement that the resolutions must
accepted or rejected as a whole led Dorion
complain that the power of parliament
amend legislation was curtailed. What val
had the debate, if the resolutions were in t
nature of a treaty and could not be mould
to suit the wishes of the people's represent
tives? The grievance was not so substanti
as it appeared. The Imperial parliamen
which was finally to pass the measure, cou
be prompted later on to make any alter
tions strongly desired by Canadian publ
opinion.

Why were not the terms of Confederatio

omitted to the Canadian people for ratification? The most strenuous fight was made parliament on this point, and in after years, , constitutional writers, gifted with the sdom which comes after the event, have clared the omission a serious error. Goldwin ith observed that Canadians might convably in the future discard their institutns as lacking popular sanction when they re adopted, seeing that in reality they were posed on the country by a group of politins and a distant parliament. In dealing h such objections the reasons given at the ne must be considered. The question was cussed at the Quebec Conference, doubtless ormally.[1] The constitutional right of the islatures to deal with the matter was unestioned by the Canadian members. Shortly er the conference adjourned, Galt in a eech at Sherbrooke [2] declared that, if during e discussion of the scheme in parliament y serious doubt arose respecting the public ling on the subject, the people would be led upon to decide for themselves. The

[1] See the remark of McCully of Nova Scotia that the delegates uld take the matter into their own hands and not wait to cate the people up to it.—Pope's *Confederation Documents*, o.

[2] November 23, 1864.

Globe, which voiced the opinion of Brow said :

> If on the assembling of Parliament t majority in that body in favour of Co federation shall be found so large as make it manifest that any reference to t country would simply be a matter of for Ministers will not, we take it, feel wa ranted in putting the country to gre trouble and expense for the sake of th unessential formality.

When challenged in parliament the gover ment gave its reasons. The question of Co federation had, in one form or another, be before the country for years. During 18 there had been elections in eleven ridings f the Assembly and in fourteen for the Legisl tive Council. The area of country embrac by these contests included forty counties. the candidates in these elections but four o posed federation and only two of them we elected. Brown stated impetuously that n five members of parliament in Upper Cana dare go before the people against the schem No petitions against it were presented, and i opponents had not ventured to hold meetin knowing that an enormous majority of t

ople favoured it. This evidence, in Upper nada, was accepted as conclusive. In Lower nada appearances were not quite so con-ncing. The ministry representing that sec-on was not a coalition, and the Liberal leaders, th French and English, organized an agita-n. But afterwards, in the campaign of 67, Cartier swept all before him. It was so argued that parliament was fresh from e people as recently as 1864, and that though e mandate to legislate was not specific, it as sufficient. The method of ascertaining the pular verdict by means of a referendum was oposed, but rejected as unknown to the con-tution and at variance with British practice. Parliament finally adopted the resolutions r a vote of ninety-one to thirty-three in the ssembly and of forty-five to fifteen in the egislative Council. Hillyard Cameron, politi-lly a lineal descendant of the old Family mpact, supported by Matthew Crooks meron, a Conservative of the highest integ-y and afterwards chief justice, then moved r a reference to the people by a dissolution parliament. But after an animated debate e motion was defeated, and no further efforts this direction were attempted. That an gerness to invoke the judgment of democracy

was not seen at its best, when displayed by t
Tories of the old school, may justify the bel
that parliamentary tactics, rather than t
pressure of public opinion, inspired the mov

Fortune had smiled upon the statesmen
the Canadian coalition. In a few months th
had accomplished wonders. They had secur
the aid of the Maritime Provinces in drafti
a scheme of union. They had made tou
in the east and the west to prepare pub
opinion for the great stroke of state. Th
and their co-delegates had formulated a
adopted the Quebec resolutions, on which
chorus of congratulation had drowned, f
the time, the voices of warning and expost
lation. And, finally, the ministers had m
parliament and had secured the adoption
their scheme by overwhelming majorities.

But all was not so fair in the provinces
the sea. Before the Canadian legislature pr
rogued, the Tilley government had be
hurled from power in New Brunswick, Jose
Howe was heading a formidable agitation
Nova Scotia, and in the other two provinc
the cause was lost. It seemed as if a stor
had burst that would overwhelm the uni
and that the hands of the clock would
put back.

CHAPTER IX

ROCKS IN THE CHANNEL

the month of March 1865, as the Canadian bates drew to a close, ominous reports began arrive from all the Maritime Provinces. An ction campaign of unusual bitterness was ing on in New Brunswick. The term of the islature would expire in the following June; d the Tilley government had decided to dis- ve and present the Quebec resolutions to a wly elected legislature, a blunder in tactics e, it may be, to over-confidence. The recy which had shrouded the proceedings the delegates at first was turned to account their opponents, who set in motion a cam- ign of mendacity and misrepresentation. e actual terms became known too late to nteract this hostile agitation, which had en systematically carried on throughout the ovince. The bogey employed to stampede e electors was direct taxation. The farmers re told that every cow or horse they pos-

sessed, even the chickens in the farmyar would be taxed for the benefit of Canad Worse than all, it was contended, the barga struck at the honour of the province, becaus as the subsidy was on the basis of paying the provinces annually eighty cents per hea of population, the people were really bei sold by the government like sheep for th paltry price. The trusted Tilley, easily first popular affection by reason of his probity a devotion to public duty, was discredited. H opponent in the city of St John, A. R. We more, illustrated the dire effects of Confeder tion in an imaginary dialogue, between hi self and his young son, after this fashio ' Father, what country do we live in ? '—an of course, the reply came promptly—' My de son, you have no country, for Mr Tilley h sold us all to the Canadians for eighty cents head.' Time and full discussion would ha dissipated the forces of the anti-confederate But constituencies worked upon by specio appeals to prejudice are notoriously hard woo during an election struggle. The existed also honest doubts in many minds r garding federation. Enough men of cha acter and influence in both parties joined form a strong opposition, while one of Tilley

colleagues in the ministry, George Hathaway, vent over to the enemy at a critical hour. The agitation swept the province. It was not firmly rooted in the convictions of the people, but it sufficed to overwhelm the government. All the Cabinet ministers, including Tilley, were beaten. And so it happened that, when the Canadian ministers were in the full tide of parliamentary success at home, the startling news arrived that New Brunswick had rejected federation, and that in a House of forty-one members only six supporters of the scheme had been returned from the polls.

Equally alarming was the prospect in Nova Scotia. On arriving home from Quebec, Dr Tupper and his fellow-delegates found a situation which required careful handling. 'When the delegates returned to the Province,' says a pamphlet of the time, 'they did not meet with a very flattering reception. They had no ovation; and no illuminations, bonfires, and other demonstrations of felicitous welcome hailed their return. They were not escorted to their homes with torches and banners, and through triumphal arches; no cannon thundered forth a noisy welcome. They were received in solemn, sullen and ominous silence.

No happy smiles greeted them; but they entered the Province as into the house of mourning.'[1] And in Nova Scotia the hostility was not, as in New Brunswick, merely a passing wave of surprise and discontent. It lasted for years. Nor was it, as many think, the sole creation of the ambitious Joseph Howe. It doubtless owed much to his power as a leader of men and his influence over the masses of the Nova Scotians. But there is testimony that this proud and spirited people, with traditions which their origin and history fully warranted them in cherishing, regarded with aversion the prospect of a constitutional revolution, especially one which menaced their political identity. Robert Haliburton has related the results of his observations before the issue had been fairly disclosed and before Howe had emerged from seclusion to take a hand in the game.

> In September and October, 1864, when our delegates were at Quebec, and therefore before there could be any objections raised to the details of the scheme, or to the mode of its adoption, I travelled through six

[1] *Confederation Examined in the Light of Reason and Common Sense,* by Martin I. Wilkins.

counties, embracing the whole of Cape Breton and two counties in Nova Scotia, and took some trouble to ascertain the state of public opinion as to what was taking place, and was greatly surprised at finding that every one I met, without a solitary exception, from the highest to the lowest, was alarmed at the idea of a union with Canada, and that the combination of political leaders, so far from recommending the scheme, filled their partisans with as much dismay as if the powers of light and darkness were plotting against the public safety. It was evident that unless the greatest tact were exercised, a storm of ignorant prejudice and alarm would be aroused, that would sweep the friends of union out of power, if not out of public life. The profound secrecy preserved by the delegates as to the scheme, until an accomplice turned Queen's evidence, added fuel to the flame, and convinced the most sceptical that there was a second Gunpowder Plot in existence, which was destined to annihilate our local legislature and our provincial rights.[1]

[1] *Intercolonial Trade our only Safeguard against Disunion,* by . G. Haliburton. Ottawa, 1868.

This was the situation which confronted Howe when he returned in the autumn from his tour as fishery commissioner. He had written from Newfoundland, on hearing of the conference at Charlottetown: 'I have read the proceedings of the delegates and I am glad to be out of the mess.' At first he listened in silence to the Halifax discussions on both sides of the question. These were non-partisan, since Archibald and McCully, the Liberal leaders, were as much concerned in the result as the Conservative ministers. Howe finally broke silence with the first of his articles in the Halifax *Chronicle* on 'The Botheration Scheme.' This gave the signal for an agitation which finally bore Nova Scotia to the verge of rebellion. Howe's course has been censured as the greatest blot upon an otherwise brilliant career. In justice to his memory the whole situation should be examined. He did not start the agitation. Many able and patriotic Nova Scotians urged him on. Favourable to union as an abstract theory he had been: to Confederation as a policy he had never distinctly pledged himself. The idea that the Quebec terms were sacrosanct, and that hostility to them involved disloyalty to the Empire, must be put aside. It is neither

ecessary nor fair to assume that Howe's con-uct was wholly inspired by the spleen and ealousy commonly ascribed to him; for, with nany others, he honestly held the view that he interests of his native province were about o be sacrificed in a bad bargain. Neverthe-ess, his was a grave political error—an error or which he paid bitterly—which in the end ost him popularity, private friendship, and olitical reputation. But the noble courage nd patience with which he sought to repair it hould redeem his fame.[1]

It was no secret that the governor of Nova cotia, Sir Richard Graves Macdonnell, was pposed to Confederation. The veiled hos-ility of his speech in Halifax has already been oted; and he followed it with another at Montreal, after the conference, which revealed captious mind on the subject. Arthur Hamilton Gordon (afterwards Lord Stanmore), he lieutenant-governor of New Brunswick, lso hampered the movement; although the mperial instructions, even at this early stage f the proceedings, pointed to an opposite

[1] Howe's biographers have dealt with this episode in his life a vein of intelligent generosity. See *Joseph Howe* by Mr ustice Longley in the 'Makers of Canada' series and *The Tribune f Nova Scotia,* by Prof. W. L. Grant, in the present Series.

course. In the gossipy diary of Miss France Monck, a member of Lord Monck's household at Quebec in 1864, appears this item: 'Sir R. M. is so against this confederation scheme because he would be turned away. He said to John A.: You shall not make a mayor of *me* I can tell you! meaning a deputy governor of a province.' Macdonnell was transferred to Hong-Kong; and Gordon, after a visit to England, experienced a change of heart. But the mischief done was incalculable.

In view of the disturbed state of public opinion in Nova Scotia the Tupper government resolved to play a waiting game. When the legislature met in February 1865, the federation issue came before it merely as an open question. The defeat of Tilley in New Brunswick followed soon after, and the occasion was seen to be inopportune for a vote upon union. But, as some action had to be taken, a motion was adopted affirming the previous attitude of the legislature respecting a maritime union. There was a long debate; Tupper expounded and defended the Quebec resolutions; but no one seemed disposed to come to close quarters with the question. Tupper's policy was to mark time.

Prince Edward Island made another contri-

bution to the chapter of misfortune by definitely rejecting the proposed union. The Legislative Council unanimously passed a resolution against it, and in the Assembly the adverse vote was twenty-three against five. It was declared that the scheme 'would prove politically, commercially and financially disastrous'; and an address to the Queen prayed that no Imperial action should be taken to unite the Island to Canada or any other province.

Newfoundland, likewise, turned a deaf ear to the proposals. The commercial interests of that colony assumed the critical attitude of the same element in Nova Scotia, and objected to the higher customs duties which a uniform tariff for the federated provinces would probably entail. It was resolved to take no action until after a general election; and the representations made to the legislature by Governor Musgrave produced no effect. Although the Governor was sanguine, it required no great power of observation to perceive that the ancient colony would not accept federation.

The Canadian government took prompt measures. On the arrival of the bad news from New Brunswick it was decided to hurry the debates to a close, prorogue parliament, and send a committee of the Cabinet to England

to confer with the Imperial authorities on federation, defence, reciprocity, and the acquisition of the North-West Territories. This programme was adhered to. The four ministers who left for England in April were Macdonald, Brown, Galt, and Cartier. The mission, among other results pertinent to the cause of union, secured assurances from the home authorities that every legitimate means for obtaining the early assent of the Maritime Provinces would be adopted.[1] But the calamities of 1865 were not over. The prime minister, Sir Etienne Taché, died; and Brown refused to serve under either Macdonald or Cartier. He took the ground that the coalition of parties had been held together by a chief (Taché) who had ceased to be actuated by strong party feelings or personal ambitions and in whom all sections reposed confidence. Standing alone, this reasoning is sound in practical politics. Behind it, of course, was the unwillingness of Brown to accept the leadership of his great rival. Macdonald then proposed Sir Narcisse Belleau, one of their colleagues, as leader of the government. Brown assented; and the coalition was

[1] Report of the Canadian ministers to Lord Monck, July 12, 1865.

econstituted on the former basis, but not with
ne old cordiality. The rift within the lute
eadily widened, and before the year closed
rown resigned from the ministry. His differ-
nce with his colleagues arose, he stated, from
heir willingness to renew reciprocal trade rela-
ons with the United States by concurrent
gislation instead of, as heretofore, by a definite
eaty. Although his two Liberal associates
mained in the ministry, and the vacancy
as given to another Liberal, Fergusson Blair,
ne recrudescence of partisan friction occa-
oned by the episode was not a good omen.
rown, however, promised continued support
f the federation policy until the new consti-
ution should come into effect—a promise
hich he fulfilled as far as party exigencies
ermitted. But the outlook was gloomy.
here were rocks ahead which might easily
reck the ship. Who could read the future
o surely as to know what would happen ?

CHAPTER X

'THE BATTLE OF UNION'

At the dawn of 1866 the desperate plight o the cause of union called for skilful generalshi in four different arenas of political action. I any one of them a false move would have bee fatal to success; and there was always th danger that, on so extended a front, th advocates of union might be fighting a cross purposes and so inflicting injury o each other instead of upon the enemy. I was necessary that the Imperial influenc should be exerted as far as the issues at stak warranted its employment. Canada, the ob ject of suspicion, must march warily to avoi rousing the hostile elements elsewhere. The unionists of New Brunswick should be give time to recover their position, while those o Nova Scotia should stand ready for instant co-operation.

The judicious but firm attitude of the Imperial authorities was a material factor in the

tuation. From 1862 onwards there was no istaking the policy of Downing Street, as ex-ressed by the Duke of Newcastle in that year the governor of Nova Scotia. Colonial cretaries came and went and the complexion British ministries changed, but the prin-ple of union stood approved. Any proposals, owever, must emanate from the colonies emselves; and, when an agreement in whole in part should be reached, the proper pro-dure was indicated. 'The most satisfac-ry mode,' said the dispatch of 1862, 'of test-g the opinion of the people of British North merica would probably be by means of re-lution or address proposed in legislatures of ch province by its own government.' This urse all the governments had kept in mind, ith the additional safeguard that the minis-rs of the day had associated with themselves e leaders of the parliamentary oppositions. othing could have savoured less of partisan-ip than the Quebec Conference; and Mr rdwell, the colonial secretary, had acknow-dged the resolutions of that body in hand-me terms.

The home authorities faced the difficulties th a statesmanlike front. They had no dis-osition to dictate, but, once assured that a

substantial majority in each consenting pr vince supported the scheme, it was their du to speak plainly, no matter how vehemently section of opinion in England or in the pr vinces protested. They held the opinion, th since the provinces desired to remain with the Empire, they must combine. All t grounds for this belief could not be public stated. It was one of those exceptional occ sions when Downing Street, by reason of i superior insight into foreign affairs and b full comprehension of the danger then threate ing, knew better than the man on the spo The colonial opposition might be sincere an patriotic, but it was wrong. Heed could n be paid to the agitations in Nova Scotia an New Brunswick because they were founde upon narrow conceptions of statesmanship an erroneous information.

Another difficulty with which British gover ments, whether Liberal or Tory, had to co tend was the separatist doctrine known a that of the Manchester School. When Georg Brown visited England in 1864 he was startle into communicating with John A. Macdonal in these terms:

I am much concerned to observe—and

write it to you as a thing that must seriously be considered by all men taking a lead hereafter in Canadian public matters —that there is a manifest desire in almost every quarter that, ere long, the British American colonies should shift for themselves, and in some quarters evident regret that we did not declare at once for independence. I am very sorry to observe this; but it arises, I hope, from the fear of invasion of Canada by the United States, and will soon pass away with the cause that excites it.

The feeling did pass away in time. The responsible statesmen of that period were forced to go steadily forward and ignore it, just as they refused to be dominated by appeals from colonial reactionaries who abhorred change and who honestly believed that in so doing they exhibited the best form of attachment to the Empire.

Why Mr Arthur Gordon, the lieutenant-governor of New Brunswick, was at first opposed to Confederation, when his ministers were in favour of it, is not quite clear.[1]

[1] Gordon's dispatches to the colonial secretary indicate that from the first he distrusted the Quebec scheme and that the over-

However this may be, his punishment was not long in coming; and, if he escaped from the storm without loss of honour, he certainly suffered in dignity and comfort. The new ministry which took office in New Brunswick was formed by A. J. Smith, who afterwards as Sir Albert Smith had a useful career in the Dominion parliament. His colleagues had taken a prominent part in the agitation against Confederation, but it appears that they had no very settled convictions on this question, and that they differed on many others. At any rate, dissension soon broke out among them. The colonial secretary pressed upon the province the desirability of the union in terms described as 'earnest and friendly suggestions,' and which left no doubt as to the wishes of the home government. 'You will express,' said the colonial secretary to the lieutenant-governor, '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 stating

throw of his ministers owing to it occasioned him no great grief. James Hannay, the historian, attributes his conduct to chagrin at the pushing aside of maritime union, as he had hoped to be the first governor of the smaller union.

he reasons for this opinion the dispatch ontinued :

> 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.

'he New Brunswick frontier, as well as anada, was disturbed by the threatened enian invasion, so that the question of deence was apposite and of vital importance.

Presently a change of sentiment began to how itself in the province, and the shaky abinet began to totter from resignations and isagreements. By-elections followed and suporters of federation were returned. The egislature met early in March. In the lieuenant-governor's speech from the throne, a eference to the colonial secretary's dispatch nplied that Gordon had changed his views nd was now favourable to union. He after-

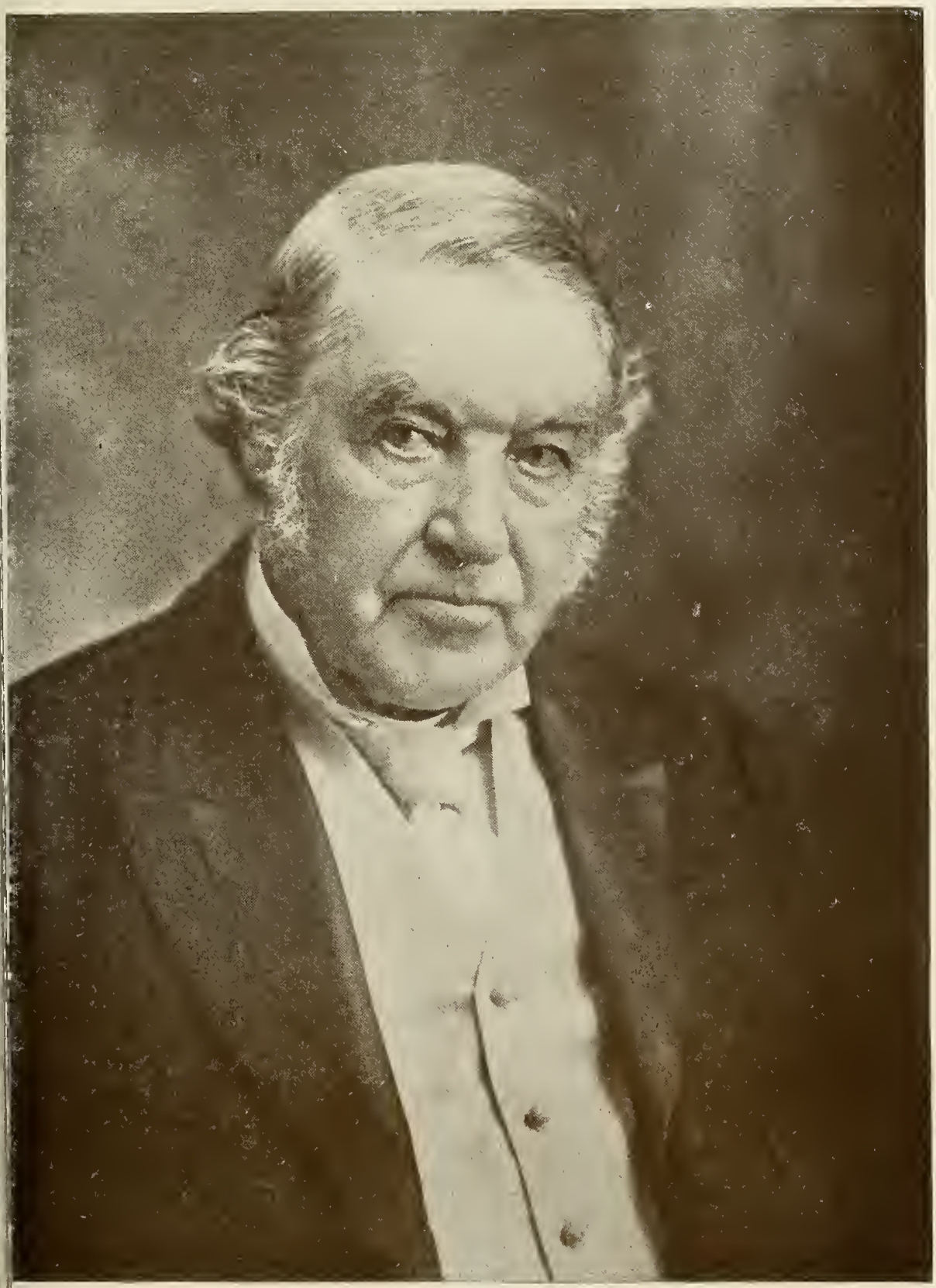
wards explained that the first minister an several of his colleagues had privately int mated to him their concurrence, but felt unabl at the time to explain their altered attitud to the legislature. The next step involve proceedings still more unusual, if not actuall unconstitutional: the address of the Legisla tive Council in reply to the speech from th throne contained a vigorous endorsement o union; and the lieutenant-governor accepte it, without consulting his advisers, and in lan guage which left them no recourse but t resign. A new ministry was formed on th 18th of April, and the House was dissolved The ensuing elections resulted in a complet victory for federation. On the 21st of Jun the legislature met, fresh from the people, an adopted, by a vote of thirty to eight, a resolu tion appointing delegates to arrange with th Imperial authorities a scheme of union tha would secure 'the just rights and interests o New Brunswick.' The battle was won.

Meanwhile, like the mariner who keeps a vigilant eye upon the weather, the Tupper government in Nova Scotia observed the pro ceedings in New Brunswick with a view to action at the proper moment. The agitation throughout the province had not affected the

position of parties in the legislature which met in February. The government continued to treat federation as a non-contentious subject. No reference to it was made in the governor's speech, and the legislature occupied itself with other business. The agitation in the country, with Howe leading it, and William Annand, member for East Halifax and editor of the *Chronicle*, as his chief associate, went on. Then the *débâcle* of the anti-confederate party in New Brunswick began to attract attention and give rise to speculations on what would be the action of the Tupper government. This was soon to be disclosed. In April, a few days before the fall of the Smith ministry in New Brunswick, William Miller, member for Richmond, made a speech in the House which was destined to produce a momentous effect. His proposal was to appoint delegates to frame a scheme in consultation with the Imperial authorities, and thus ignore the Quebec resolutions. To these resolutions Miller had been strongly opposed. He had borne a leading part with Howe and Annand in the agitation, although he was always favourable to union in the abstract and careful on all occasions to say so. Now, however, his speech provided a means of enabling Nova Scotia to enter the

union with the consent of the legislature, and Tupper was quick to seize the opportunity by putting it in the form of a motion before the House. An extremely bitter debate followed vigorous epithets were exchanged with much freedom, and Tupper's condemnation of Joseph Howe omitted nothing essential to the record. But at length, at midnight of the 10th of April the legislature, by a vote of thirty-one to nineteen, adopted the motion which cleared the way for bringing Nova Scotia into the Dominion.

Miller's late allies never forgave his action on this occasion. He was accused of having been bribed to desert them. When he was appointed to the Senate in 1867 the charge was repeated, and many years afterwards was revived in an offensive form. Finally, Miller entered suit for libel against the Halifax *Chronicle*, and in the witness-box Sir Charles Tupper bore testimony to the propriety of Miller's conduct in 1866. Notwithstanding the hostility between Howe and Tupper, they afterwards resumed friendly relations and sat comfortably together in the Dominion Cabinet. In politics hard words can be soon forgotten. The doughty Tupper had won his province for the union and could afford to forget.



SIR CHARLES TUPPER, BART.

From a photograph by Elliott and Fry, London

The tactics pursued in Canada during these exciting months in the Maritime Provinces were those defined by a great historian, in dealing with a different convulsion, as 'masterly inactivity.' In that memorable speech of years afterwards when Macdonald, about to be overwhelmed by the Pacific Railway charges, appealed to his countrymen in words that came straight from the heart, he declared: 'I have fought the battle of union.' The events of 1866 are the key to this utterance. Parliament was not summoned until June; and meanwhile ministers said nothing. That this line of policy was deliberate, is set forth in a private letter from Macdonald to Tilley:

> Had we met early in the year and before your elections, the greatest embarrassment and your probable defeat at the polls would have ensued. We should have been pressed by the Opposition to declare whether we adhered to the Quebec resolutions or not. Had we answered in the affirmative, you would have been defeated, as you were never in a position to go to the polls on those resolutions. Had we replied in the negative, and stated that it was an

open question and that the resolutions were liable to alteration, Lower Canada would have arisen as one man, and good-bye to federation.

Thus was the situation saved ; and, although the delegates from the Maritime Provinces were obliged to wait in London for some months for their Canadian colleagues, owing to the Fenian invasion of Canada and to a change of ministry in England, the body of delegates assembled in December at the Westminster Palace Hotel, in London, and sat down to frame the details of the bill for the union of British North America.

CHAPTER XI

THE FRAMING OF THE BILL

When the British American delegates met in London to frame the bill they found themselves in an atmosphere tending to chill their enthusiasm. Lord Palmerston had died the year before, and with him had disappeared an adventurous foreign policy and the militant view of empire. The strictly utilitarian school of thought was dominant. Canada was unpleasantly associated in the minds of British statesmen with the hostile attitude of the United States which seemed to threaten a most unwelcome war. John Bright approved of ceding Canada to the Republic as the price of peace. Gladstone also wrote to Goldwin Smith suggesting this course. The delegates were confronted by the same ideas which had distressed George Brown two years earlier. The colonies were not to be forcibly cast off, but even in official circles the opinion prevailed that ultimate separation was the inevitable end. The reply

of Sir Edward Thornton, the British minister at Washington, to a proposal that Canada should be ceded to the United States was merely that Great Britain could not thus dispose of a colony 'against the wishes of the inhabitants.' These lukewarm views made no appeal to the delegates and the young communities they represented. It was their aim to propound a method of continuing the connection. Theirs was not the vision of a military sway intended to overawe other nations and to revive in the modern world the empires of history. To them Imperialism meant to extend and preserve the principles of justice, liberty, and peace, which they believed were inherent in British institutions and more nearly attainable under monarchical than under republican forms.

Minds influential in the Colonial Office and elsewhere saw in this only a flamboyant patriotism. The Duke of Newcastle, when colonial secretary, had not shared the desire for separation, and he found it hard to believe that any one charged with colonial administration wished it. He had written to Palmerston in 1861 :

> You speak of some supposed theoretical gentlemen in the colonial office who wish

to get rid of all colonies as soon as possible. I can only say that if there are such they have never ventured to open their opinion to me. If they did so on grounds of peaceful separation, I should differ from them so long as colonies can be retained by bonds of mutual sympathy and mutual obligation; but I would meet their views with indignation if they could suggest disruption by the act of any other, and that a hostile, Power.

The duke was not intimate with his official subordinates, or he would have known that Palmerston's description exactly fitted the permanent under-secretary at the Colonial Office. Sir Frederic Rogers (who later became Lord Blachford) filled that post from 1860 to 1871. He was therefore in office during the Confederation period. He left on record his ideas of the future of the Empire:

I had always believed—and the belief has so confirmed and consolidated itself that I can hardly realize the possibility of any one seriously thinking the contrary—that the destiny of our colonies is independence; and that in this view, the function of the Colonial Office is to secure that

> our connexion, while it lasts, shall be a profitable to both parties, and our separation, when it comes, as amicable as possible. This opinion is founded first on the general principle that a spirited nation (and a colony becomes a nation) will not submit to be governed in its internal affairs by a distant government, and that nations geographically remote have no such common interests as will bind them permanently together in foreign policy with all its details and mutations.

In other words, Sir Frederic was a painstaking honourable official without a shred of imagination. He typifies the sort of influence which the delegates had to encounter.

The conference consisted of sixteen members six from Canada and ten from the Maritime Provinces. The Canadians were Macdonald, Cartier, Galt, McDougall, Howland, and Langevin. From Nova Scotia came Tupper, Henry, Ritchie, McCully, and Archibald; while New Brunswick was represented by Tilley, Johnson, Mitchell, Fisher, and Wilmot. They selected John A. Macdonald as chairman. The resignation of Brown had left Macdonald the leader of the movement, and the nomina-

Canadian prime minister, Sir Narcisse Belleau, was not even a delegate. The impression Macdonald made in London is thus recorded by Sir Frederic Rogers in language which gives us an insight into the working of the conference:

> They held many meetings, at which I was always present. Lord Carnarvon [the colonial secretary] was in the chair, and I was rather disappointed in his power of presidency. Macdonald was the ruling genius and spokesman, and I was very greatly struck by his power of management and adroitness. The French delegates were keenly on the watch for anything which weakened their securities; on the contrary, the Nova Scotia and New Brunswick delegates were very jealous of concessions to the *arriérée* province; while one main stipulation in favour of the French was open to constitutional objections on the part of the Home Government. Macdonald had to argue the question with the Home Government on a point on which the slightest divergence from the narrow line already agreed upon in Canada was watched for—here by the French and

there by the English—as eager dogs watch a rat hole; a snap on one side might have provoked a snap on the other and put an end to the concord. He stated and argued the case with cool ready fluency, while at the same time you saw that every word was measured, and that while he was making for a point ahead, he was never for a moment unconscious of any of the rocks among which he had to steer.

The preliminaries had all been settled before the meetings with the colonial secretary. The gathering was smaller in numbers than the Quebec Conference, and the experience of two years had not been lost. We hear no more of deadlocks or of the danger of breaking up. There was frank discussion on any point that required reconsideration, but the delegates decided to adhere to the Quebec resolutions as far as possible. For the Liberal ministers from Upper Canada, Howland and McDougall, this was the safest course to pursue, because they knew that George Brown had put his hand and seal upon the basis adopted at Quebec and would bitterly resent any substantial departure from it. This was also the view of the representatives of Lower Canada. The mari-

time delegates wanted better financial terms if such could be secured, but beyond this were content with the accepted outline of the constitution.

The delegates were careful to make plain their belief that the union was to cement and not to weaken the Imperial tie. At Quebec they had agreed upon a motion in these terms:

> That 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.

The saving clause at the close was a frank admission that a federal system could not be an exact copy of the British model with its one sovereign parliament charged with the whole power of the nation. But the delegates were determined to express the idea in some form; and this led to the words in the preamble of the British North America Act declaring 'a constitution similar in principle to that of the United Kingdom.' To this writers

of note have objected. Professor Dicey ha complained of the 'official mendacity' in volved in the statement. 'If preambles wer intended to express the truth,' he said, 'fo the word *Kingdom* ought to have been subst tuted *States*, since it is clear that the constitu tion of the Dominion is modelled on that o the United States.' It is, however, equall clear what the framers of the Act intended t convey. If they offended against the precis canons of constitutional theory, they effecte a political object of greater consequence. Th Canadian constitution, in their opinion, wa British in principle for at least three reasons because it provided for responsible govern ment in both the general and local legislatures because, unlike the system in the Unite States, the executive and legislative function were not divorced; and because this enable Canada to incorporate the traditions and con ventions of the British constitution whic bring the executive immediately under contro of the popular wish as expressed through parlia ment. Furthermore, the principle of definin the jurisdictions of the provinces, while th residue of power was left to the federa parliament, marked another wide distinctio between Canada and the Republic. A federa

ion it had to be, but a federation designed in he narrowest sense. In theory Canada is dependent and subordinate country, since ts constitution was conferred by an Act of the mperial parliament, but in practice it is a elf-governing state in the fullest degree. This nomaly, so fortunate in its results, is no greater than the maintenance in theory of oyal prerogatives which are never exercised.

It was intended that the name of the new tate should be left to the selection of the Queen, and this was provided for in the first draft of the bill. But the proposal was soon dropped. It revived the memory of the regrettable incident of 1858 when the Queen had, by request, selected Ottawa as the Canadian capital and her decision had been condemned by a vote of the legislature. The press had discussed a suitable name long before the London delegates assembled. Some favoured New Britain, while others preferred Laurentia or Britannia. If the maritime union had been effected, the name of that division would probably have been Acadia, and this name was suggested for the larger union. Other ideas were merely fantastic, such as Cabotia, Columbia, Canadia, and Ursalia. The decision that Canada should give up its name

to the new Confederation and that Upper an Lower Canada should find new names for them selves was undoubtedly a happy conclusio to the discussion. It was desired to call th Confederation the Kingdom of Canada, an thus fix the monarchical basis of the constitu tion. The French were especially attache to this idea. The word Kingdom appeare in an early draft of the bill as it came from th conference. But it was vetoed by the foreig secretary, Lord Stanley,[1] who thought tha the republican sensibilities of the United State would be wounded. This preposterous notio serves to indicate the inability of the control ling minds of the period to grasp the tru nature of the change. Finally, the wor 'Dominion' was decided upon. Why a ter was selected which is so difficult to render i the French language (*La Puissance* is th translation employed) is not easy of compre hension. There is a story, probably invented that when 'Dominion' was under considera tion, a member of the conference, well verse in the Scriptures, found a verse which, as piece of descriptive prophecy, at once clinche the matter: 'And his dominion shall be fro

[1] He became Lord Derby in 1869 and bore this title in 188 when Sir John Macdonald related the incident.

sea even to sea, and from the river even to the ends of the earth.' [1]

The knotty question of the second chamber, supposed to have been solved at Quebec, came up again. The notes of the discussion [2] are as interesting as the surviving notes of the Quebec Conference. Some of the difficulties since experienced were foreseen. But no one appears to have realized that the Senate would become the citadel of a defeated party, until sufficient vacancies by death should occur to transform it into the obedient instrument of the government of the day. No one foresaw, in truth, that the Senate would consider measures chiefly on party grounds, and would fail to demonstrate the usefulness of a second chamber by industry and capacity in revising hasty legislation. The delegates actually believed that equality of representation between the three divisions, Upper Canada, Lower Canada, and the Maritime Provinces, would make the Senate a bulwark of protection to individual provinces. In this character it has never shone.[3] Its chief value has been as

[1] Zechariah ix 10.

[2] Sir Joseph Pope's *Confederation Documents*.

[3] The recent increase in the number of western senators modifies this feature.

a reservoir of party patronage. The opinions of several of the delegates are prophetical:

HENRY (Nova Scotia)—I oppose the limitation of number. We want a complete work. Do you wish to stereotype an upper branch irresponsible both to the crown and the people? A third body interposed unaccountable to the other two. The crown unable to add to their number. The people unable to remove them. Suppose a general election results in the election of a large majority in the Lower House favourable to a measure, but the legislative council prevents it from becoming law. The crown should possess some power of enlargement.

FISHER (New Brunswick)—The prerogative of the crown has been only occasionally used and always for good. This new fangled thing now introduced seventy-two oligarchs, will introduce trouble. I advocate the principle of the power of the crown to appoint additional members in case of emergency.

HOWLAND (Upper Canada)—My remedy would be to limit the period of service and vest the appointment in the local legislatures. Now, it is an anomaly It won't work and cannot be continued. You cannot give the crown an unlimited power to appoint.

One result of the views exchanged is found in the twenty-sixth section of the Act. This gives the sovereign, acting of course on the advice of his ministers and at the request of the Canadian government, the right to add

three or six members to the Senate, selected equally from the three divisions mentioned above. These additional members are not to be a permanent increase of the Senate, because vacancies occurring thereafter are not to be filled until the normal number is restored. Once only has it been sought to invoke the power of this section. In 1873, when the first Liberal ministry after Confederation was formed, the prime minister, Alexander Mackenzie, finding himself faced by a hostile majority in the Senate, asked the Queen to add six members to the Senate 'in the public interests.' The request was refused. The colonial secretary, Lord Kimberley, held that the power was intended solely to bring the two Houses into accord when an actual collision of opinion took place of so serious and permanent a kind that the government could not be carried on without the intervention of the sovereign as prescribed in this section. The Conservative majority in the Senate highly approved of this decision, and expressed its appreciation in a series of resolutions which are a fine display of unconscious humour.

Not the least important of the changes in the scheme adopted at London was that relating to the educational privileges of minori-

ties. This is embodied in the famous ninety-third section of the Act, and originated in a desire to protect the Protestant minority in Lower Canada. Its champion was Galt. An understanding existed that the Canadian parliament would enact the necessary guarantees before Canada entered the union. But the proposal, when brought before the House in 1866, was so expressed as to apply to the schools of both the Protestant minority in Lower Canada and the Catholic minority in Upper Canada. This led to disturbing debates and was withdrawn. No substitute being offered, Galt, deeming himself pledged to his co-religionists, at once resigned his place in the Cabinet and stated his reasons temperately in parliament. Although no longer a minister, he was selected as one of the London delegates, partly because of the prominent part taken by him in the cause of Confederation and partly in order that the anxieties of the Lower Canada minority might be allayed. Galt's conduct throughout was entirely worthy of him. That he was an enlightened man the memoranda of the London proceedings prove, for there is a provision in his handwriting showing his desire to extend to all minorities the protection he claimed for the Lower

Canada Protestants. The clause drawn by him differs in its phraseology from the wording in the Act and is as follows:

> And in any province where a system of separation or dissentient schools by law obtains, or where the local legislature may adopt a system of separate or dissentient schools, an appeal shall lie to the governor 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.[1]

The bill passed through parliament without encountering any serious opposition. Lord Carnarvon's introductory speech in the House of Lords was an adequate, although not an eloquent, presentation of the subject. His closing words were impressive:

> We are laying the foundation of a great State—perhaps one which at a future day

[1] *Confederation Doeuments*, p. 112. Mr Justice Day of Montreal, an English Protestant enjoying the confidence of the French, is believed to have had a hand in framing the Galt policy on this subject.

> may even overshadow this country. But, come what may, we shall rejoice that we have shown neither indifference to their wishes nor jealousy of their aspirations, but that we honestly and sincerely, to the utmost of our power and knowledge, fostered their growth, recognizing in it the conditions of our own greatness. We are in this measure setting the crown to the free institutions which more than a quarter of a century ago we gave them, and therein we remove, as I firmly believe, all possibilities of future jealousy or misunderstanding.

No grave objections were raised in either the Lords or the Commons. In fact, the criticisms were of a mild character. No division was taken at any stage. In the House of Commons, Mr Adderley, the under-secretary for the Colonies, who was in charge of the measure, found a cordial supporter, instead of a critic, in Mr Cardwell, the former colonial secretary, so that the bill was carried through with ease and celerity. John Bright's speech reflected the anti-Imperial spirit of the time. 'I want the population of these provinces,' he said, 'to do that which they believe to be the

best for their own interests—remain with this country if they like, in the most friendly manner, or become independent states if they like. If they should prefer to unite themselves with the United States, I should not complain even of that.'

The strenuous protests made by Joseph Howe and the Nova Scotian opponents of Confederation were not unnoticed. It was claimed by one or two speakers that the electors of that province should be allowed to pronounce upon the measure, but this evoked no support, and the wishes of all the provinces were considered to have been sufficiently consulted. The argument for further delay failed to enlist any active sympathy; and the wish of the delegates that no material alteration be made in the bill, as it was a compromise based upon a carefully arranged agreement, was respected. The constitution was thus the creation of the colonial statesmen themselves, and not of the Imperial government or parliament.

That so important a step in the colonial policy of the Empire should have been received at London in a passive and indifferent spirit has often been the subject of complaint. When the Australian Commonwealth came into existence, the event was marked by more

ceremony and signalized by greater impressiveness. But another phase of the question should be kept in mind. The British North America Act contained the promise of the vast Dominion which exists to-day, but not the reality. The measure dealt with the union of the four provinces only. The Confederation, as we have it, was still incomplete. When the royal proclamation was issued on the 10th of May bringing the new Dominion into being on July 1, 1867, much remained to be done. The constitution must be put to the test of practical experience; and the task of extending the Dominion across the continent must be undertaken. Upon the first government of Canada, in truth, would rest a duty as arduous as ever fell to the lot of statesmen. They had in their hands a half-finished structure, and might, conceivably, fail in completing it.

CHAPTER XII

THE FIRST DOMINION MINISTRY

BEFORE the delegates left London the governor-general privately invited John A. Macdonald to form the first ministry of the Dominion. A month later the same offer was made more formally in writing :

> I entrust this duty to you as the individual selected for their chairman and spokesman by the unanimous vote of the delegates when they were in England, and I adopt this test for my guidance in consequence of the impossibility, under the circumstances, of ascertaining, in the ordinary constitutional manner, who possesses the confidence of a Parliament which does not yet exist. In authorizing you to undertake the duty of forming an administration for the Dominion of Canada, I desire to express my strong opinion that, in future, it shall be distinctly understood that the position of first minister shall be

> held by *one* person, who shall be responsible to the Governor-General for the appointment of the other ministers, and that the system of dual first ministers, which has hitherto prevailed, shall be put an end to.[1]

The selection of Macdonald was inevitable. When George Brown by his action in 1864 made Confederation possible and entered a Cabinet where his great rival was the commanding influence, he must have foreseen that in the event of the cause succeeding, his own chances of inaugurating the new state as its chief figure were not good. And by leaving the coalition abruptly before union was accomplished he had put himself entirely out of the running. In a group of able men which included several potential prime ministers Macdonald had advanced to the first place by reason of gifts precisely suited to the demands of the hour. Lord Monck's choice was therefore justified. Nor was the resolve to abolish the awkward and indefensible system of a dual premiership less open to question. It may have given pain to Cartier, but it was a wise and necessary decision.

[1] *Memoirs*, vol. i, p. 319.

Lord Monck, however, does not rank high in the list of talented men who have filled the office of governor-general. The post had gone a-begging when he accepted it in 1861. It had been offered to and refused by Lord Wodehouse, a former viceroy of Ireland; Lord Harris, once governor of Madras and a contemporary of Elgin; Lord Eversley, who had been speaker of the House of Commons; and the Duke of Buckingham. Lord Monck had scarcely arrived in Canada when the *Trent* Affair occurred. Later on the St Albans Raid intensified the bitter feelings between Great Britain and the United States. On both occasions he performed his duties as an Imperial officer judiciously and well. But his relations with Canadian affairs were not so happy. He became dissatisfied with the political conditions as he found them; and his petulance over the slow progress of Confederation led him to threaten resignation. He contrived, moreover, to incur much personal unpopularity, which found vent, during the first session of the Dominion parliament, in a measure to reduce the salary of the governor-general from £10,000 to $32,000. That this unparalleled action was, in part, directed at Lord Monck is shown in the determination

to put the reduction in force at once. Th home authorities, however, disallowed the bil In his speech in the House of Lords on th British North America Act, Monck failed t rise to the occasion, owing to a sympathy wit the views of the Manchester School. To re main long enough in Canada to preside ove the new Dominion had been his own wish. Bu it does not appear that he utilized his oppor tunities to marked advantage.

A unique political situation confronted Mac donald. It was natural to suppose that, a the federation leaders belonged to both parties the first Cabinet should be composed of repre sentative men of both. This was the lin Macdonald proposed to take. By this polic a strong national party, with larger aims would arise, and the old prejudices and issue would be swept away. This statesmanlik conception involved certain embarrassments because the number of ambitious men lookin for Cabinet appointments would be increase and the expectations of faithful Conservativ supporters must suffer disappointment. Thes problems, however, were not new to Mac donald. He had faced similar dangers before and his skill in handling them was equal to hi experience.

Meanwhile, Brown set himself to prevent a plan which would detach a section of the Liberals from their former associates and permanently range them under a Conservative leader. He cannot be blamed for this. Confederation being now a fact, he considered himself under no obligation to continue an alliance proposed for a special object. Although Macdonald might be able to enlist the support of some maritime Liberals, Brown strove to reunite his party in Ontario and present a solid phalanx to the enemy.

A Liberal convention met in Toronto on the 27th and 28th of June 1867. There was a good attendance, and impassioned appeals were made to men of the party throughout the province to join in opposing any ministry which Macdonald might form. It was generally understood that the three Liberal ministers—Howland, McDougall, and Blair—were to continue in the government, which would be renewed as a coalition with a certain degree of Liberal support in the House. To strict party men this was obnoxious. George Brown denounced any further coalition of parties:

> If, sir, there is any large number of men in this assembly who will record their votes

this night in favour of the degradation o the public men of that party [the Liberals by joining a coalition, I neither want to be a leader nor a humble member of that party [Cheers.] If that is the reward you intend to give us all for our services, I scorn con nection with you. [Immense cheering.] G into the same government with Mr John A. Macdonald! [Cries of never! never! Sir, I understood what degradation it wa to be compelled to adopt that step by th necessities of the case, by the feeling tha the interests of my country were at stake which alone induced me ever to put my foot into that government; and glad wa I when I got out of it. None ever wen into a government with such sore hearts a did two out of the three who entered it o behalf of the Reform party—I cannot speak for the third. It was the happiest day o my life when I got out of the concern [Cheers.]

These were warm words, designed to rally a divided party. In due time the tireless energy of the speaker and his friends reawakened th fighting strength of their followers. For th moment, however, a considerable number o

Liberals were disposed to give the new conditions a trial. Howland and McDougall were invited to address the convention, and they put their case in temperate and dignified language. Howland pointed out that in the new ministry there would be several Liberals from the lower provinces, and these men had requested their Ontario friends not to leave them. McDougall's address was especially apt and convincing:

> We think that the work of coalition is not done, but only begun. We think that British Columbia should be brought into the confederacy, that the great north-western territory should be brought in, that Prince Edward Island and Newfoundland should be brought in. I say that the negotiations of the terms upon which these provinces are to be brought in are important, and that it is as necessary that the government in power should not be obliged to fight from day to day for its political existence, as when Confederation was carried up to the point we have now reached. . . . I think the coalition ought not to cease until the work begun under Mr Brown's auspices is ended.

It was evident from these remarks that the arguments—what his critics called the blandishments—of Macdonald had prevailed.

The first Cabinet, which was announced on July 1, began on a non-party basis. This commended it to moderate men generally. But the task of getting it together had been herculean. To secure a ministry representative of all parts of the country seemed a reasonable policy at the beginning. With time this has grown into an unwritten convention of the constitution which cannot be ignored. In 1867 the Cabinet representation had to be determined by geography, race, creed, and party. None but an old parliamentary hand could have made the attempt successfully. Ontario claimed and was assigned five ministers, Quebec four, and the Maritime Provinces four. So much for geography. Then came race and creed. It was found necessary to give the Irish Catholics and the English minority in Quebec each a minister. The French demanded and were granted three ministers. Finally, the fusion of parties imposed another difficulty upon the cabinet-maker. He could not find room for all the really deserving. There were thirteen ministers—too many.

thought Brown and the *Globe*—and of these six were Liberal and six Conservative, while Kenny of Nova Scotia had once been a Liberal but had lately acted with the Tupper party. The surprises were the absence of the names of McGee and Tupper from the list. To have selected McGee as the Irish Catholic minister meant five representatives for Quebec, and Ontario would not consent. This threatened a deadlock, and Macdonald was about to advise the governor-general to send for George Brown, when McGee and Tupper, with a disinterested generosity rare in politics, waived their claims, and Edward Kenny became the Irish representative and second minister from Nova Scotia. The first administration was thus constituted :

JOHN A. MACDONALD, Prime Minister and Minister of Justice.
GEORGE E. CARTIER, Minister of Militia and Defence.
S. LEONARD TILLEY, Minister of Customs.
ALEXANDER T. GALT, Minister of Finance.
WILLIAM McDOUGALL, Minister of Public Works.
WILLIAM P. HOWLAND, Minister of Inland Revenue.
ADAMS G. ARCHIBALD, Secretary of State for the Provinces.
A. J. FERGUSSON BLAIR, President of the Privy Council.

PETER MITCHELL, Minister of Marine and Fisheries
ALEXANDER CAMPBELL, Postmaster-General.
JEAN C. CHAPAIS, Minister of Agriculture.
HECTOR L. LANGEVIN, Secretary of State of Canada
EDWARD KENNY, Receiver-General.

The two men who had stepped aside in order that a ministry might be formed under Macdonald were actuated partly by personal regard for their leader. It was not a small sacrifice. Macdonald wrote to McGee :

> The difficulties of adjusting the representation in the Cabinet from the several provinces were great and embarrassing. Your disinterested and patriotic conduct—and I speak of Tupper as well as yourself—has certainly the effect of removing those difficulties. Still, I think you should have first consulted me. However, the thing is done and can't be undone for the present; but I am very sure that at a very early day your valuable services will be sought for by the government.

McGee was to have retired from political life and to have received the appointment of commissioner of patents at $3200 a year, a sinecure which would have enabled him to pursue his literary work. His assassination in the

early morning of April 7, 1868, on returning to his lodging after a late session of the House, is one of the most tragic episodes in the annals of Canada.

The ministers having been sworn of the Privy Council, Lord Monck announced that Her Majesty had been pleased to confer upon the new prime minister the rank of Knight Commander of the Bath, and upon Cartier, Galt, Tilley, Tupper, Howland, and McDougall the companionship of the same order. No previous intimation had been given to any of them. Cartier and Galt, deeming the recognition of their services inadequate, declined to receive it. This incident is only worthy of mention because it tended to disturb the personal relations of men who should have acted in complete harmony at a time of national importance. No Imperial honours had been conferred in Canada since 1860, and it was unfortunate that the advice tendered the crown on this historic occasion should have been open to criticism and have engendered ill feeling. Cartier thought that his race had been affronted in his person, and his reasons for protest were political. He told his colleagues: 'Personally I care nothing for honours, but as a representative of one of the

two great provinces in Confederation I hav
a position to maintain, and I shall not accep
the honour. I regret that such an action i
necessary, because it may be construed as a
insult to Her Majesty. I feel aggrieved tha
I should not have been notified in advance
so that I should not now have to refuse, bu
I shall write to Her Majesty myself explain
ing the reasons for my refusing the honour.'
The error was soon rectified and Cartier wa
made a baronet. A number of persons, in
cluding Charles Tupper and Edward Watkin,
member of the Imperial parliament, interested
themselves in the matter, pointing out to th
London authorities the unwisdom of bestow
ing titles without due regard to the Imperia
services of the recipients. The reputations o
Galt and Cartier as serious statesmen were no
enhanced. Explain it as we may, there is
flavour of absurdity about their proceedings
Galt was offered a knighthood in 1869, an
would not accept until the Imperial govern
ment had been made aware of his views upo
the ultimate destiny of Canada. In a lette
to the governor-general he thus placed him
self on record :

[1] *Sir George Etienne Cartier, Bart., His Life and Times*, by Jo
Boyd. Toronto, 1914.

I regard the confederation of the British North American Provinces as a measure which must ultimately lead to their separation from Great Britain. The present connection is undoubtedly an embarrassment to Great Britain in her relations to the United States and a source of uneasiness to the Dominion, owing to the insecurity which is felt to exist from the possibility of a rupture between the two nations. It cannot be the policy of England, and is certainly not the desire of the people here, to become annexed to the United States; but I believe the best, and indeed the only way to prevent this, is to teach the Canadian people to look forward to an independent existence as a nation in the future as desirable and possible. Unless such a spirit be cultivated, the idea will become engrained in the public mind, that failing the connection with Great Britain annexation must ensue.

Galt went on to state that he hoped separation would be postponed as long as possible. The reply of the secretary of state, Lord Granville, was private, but it appears to have been in effect a declaration that Galt could hold

any views he pleased about the future o the Empire. He accepted the K.C.M.G. an worthily wore it to the end of an honourabl and public-spirited career. Thus was vindi cated the freedom of speech which is the birth right of every British subject. But Galt, i exercising it, showed lack of stability and tendency to take an erratic course, whic crippled his influence in the young state h had done so much to found.

It was an enormous burden of duty whic now fell upon the executive. The whol machinery of state required recasting. Th uncertainties of a situation wherein part bonds sat lightly and diversities of opinio lingered, taxed all the resources of the leade of the government. Although different view are held as to the particular stage in his lon career in which the remarkable qualities of Si John Macdonald displayed themselves mos conspicuously, the first five years of the unio may well be regarded by future historians a the period when his patience, tenacity, an adroitness were especially in evidence.

The provincial governments had to be con stituted; and in Ontario Macdonald score again by persuading Sandfield Macdonald t form a coalition ministry in which party line

were effaced and the policy of coalition was defended by an erstwhile Liberal leader. Sandfield Macdonald was a man of talent and integrity. His attitude of mind was rather that of an oppositionist, upon whom the functions of independent critic sat more easily than the compromises and discipline entailed by party leadership. He bore restraint with impatience, and if his affiliations had always been with the Liberals, it was not because his sympathies were radical and progressive.[1] In the Liberal caucus of 1864 he had moved the resolution requesting George Brown to enter the coalition government, without recognizing, apparently, that he thereby incurred an obligation himself to support federation. Both in the Ontario legislature, where he was loth to follow any course but his own, and in the Dominion parliament, where he ostentatiously

[1] Sir James Whitney, prime minister of Ontario from 1905 to 1914, who was a young student in Sandfield Macdonald's law office in Cornwall and shared his political confidence, assured the present writer that Ontario's first prime minister was not a Liberal in the real sense, his instincts and point of view being essentially Conservative. After Robert Baldwin's retirement Sandfield Macdonald's natural course would have been an alliance with the progressive Conservatives under John A. Macdonald, but his antipathy to acknowledging any leader kept him aloof. His laconic telegram in reply to John A. Macdonald's offer of cabinet office is characteristic: 'No go!'

sat on an Opposition bench, he presented a shining example of that type of mind which lacks the capacity for unity and co-operation with others. He illustrated, too, one of the difficult features of Macdonald's problem—the absence of unity among the public men of the time—a condition which complicated, if it did not retard, the formation of a homogeneous national sentiment.[1]

The general elections were impending, and everything turned upon the verdict of the country. The first elections for the House of Commons took place during the months of August and September, the practice of holding elections all on one day having not yet come into vogue. The three provinces of Ontario, Quebec, and New Brunswick sustained the government by large majorities. But in Nova Scotia the agitation against the union swept the province. Tupper was the only Conservative elected. His victory was the more notable in that he defeated William Annand, the chief lieutenant of Howe and afterwards the leader of the repeal movement. Adams Archibald, the secretary of state, was

[1] A conspicuous case in point is the entire want of sympathy between Brown and Galt, men of similar type, whose opinions on several questions coincided.

defeated in Colchester by A. W. McLelan, and Henry, another member of the Quebec Conference, was rejected in Antigonish. In Ontario there were losses. George Brown was defeated in South Ontario by a few votes, and did not again sit in parliament until he was appointed to the Senate in 1874. In the early years of the Dominion a member might sit both in the House of Commons and in the legislature of his province. So it was that at this election Edward Blake was returned from South Bruce to the Ontario legislature and from West Durham to the House of Commons. Other members who occupied seats in both bodies were Sandfield Macdonald, John Carling, Alexander Mackenzie, and E. B. Wood. Cartier's success in Quebec left his opponents only fifteen seats out of sixty-five. The stars in their courses fought for the government; and had it not been for Nova Scotia, where the victorious and hostile forces were pledged to repeal, the consolidation of the Dominion could have gone forward without hindrance.

To deal with 'that pestilent fellow Howe,' to use Macdonald's phrase, was a first charge upon the energies of the government. The history of the repeal movement in Nova Scotia,

with all its incidents and sidelights, has yet to be written. It was but one of the disintegrating forces which Macdonald found so hard to cope with, that in a moment of discouragement he seriously thought of withdrawing from the government and letting others carry it on. A large portion of the year 1868 was occupied with the effort to reconcile the Nova Scotians. Instead of abating, the anti-confederate feeling in that province grew more bitter. A delegation headed by Howe and Annand went to England to demand repeal from the Imperial authorities. To counteract this move the Dominion government sent Charles Tupper to present the other side of the case. None of the passages in his political life reflect more credit upon him than his diplomacy upon this occasion. He had already declined, as we have seen, a seat in the Cabinet. Later, he had further strengthened his reputation by refusing the lucrative office of chairman of the commission to build the Intercolonial Railway. This fresh display of independence enabled him to meet the repeal delegates on ground as patriotic as their own, for it had shown that in this crisis they were not the only Nova Scotians who wanted nothing for themselves.

Tupper's first step on reaching London was to call on Howe. 'I said to him,' writes Tupper, 'I will not insult you by suggesting that you should fail to undertake the mission that brought you here. When you find out, however, that the Government and the Imperial Parliament are overwhelmingly against you, it is important for you to consider the next step.'[1] This was to put the finger upon the weakest spot in Howe's armour. After his mission had failed and the Imperial authorities had refused to allow the union to be broken up, as they most assuredly would, what could Howe and his friends do next? A revolution was unthinkable. A province 'on strike' would have no adequate means of raising a revenue, and a government lacking the power of taxation soon ceases to exist. The extremists talked Annexation; but in this they counted without Howe and the loyal province of Nova Scotia. The movement, noisy and formidable as it appeared, was foredoomed to failure. All this Tupper put to Joseph Howe; and when Tupper proposed that Howe should enter the Dominion Cabinet, not as his docile follower but as his leader, it

[1] *Recollections of Sixty Years in Canada*, by the Rt Hon. Sir Charles Tupper, Bart.

can readily be believed that he was 'completely staggered.'

True to Tupper's forecast, and due in part, at least, to his powerful advocacy of the cause of union, the home government stood firm against the cry from Nova Scotia. The delegates and their opponents returned home. Then the rapid development of events compelled Howe to face the issue: when legal and constitutional methods were exhausted without avail, what then? The crisis came. Howe was obliged to break with his associates, some of whom were preaching sedition, and to take a stand more in accordance with his real convictions and his Imperial sentiments. Early in August 1868 Sir John Macdonald went to Halifax and met the leading malcontents. 'They have got the idea into their heads,' wrote Howe in a private letter, 'that you are a sort of wizard that, having beguiled Brown, McDougall, Tupper, etc., to destruction, is about to do the same kind of office to me.' Howe was not beguiled, but a master of tactics showed him the means by which Nova Scotia could be kept in the union; the way was paved for a final settlement; and a few months later Howe joined the Dominion government.

Long after Joseph Howe had passed to his

rest, echoes of the repeal agitation were heard in Nova Scotia ; and it was frequently asserted that the question of union should have been submitted to a vote of the people. Such a course, owing to the circumstances already narrated, was impracticable and would have been fatal to Confederation. But the pacification of the province was a great feat of statesmanship ; for to maintain the young Dominion intact was essential to its further extension.

CHAPTER XIII

FROM SEA TO SEA

THE extension of the Dominion to the Pacific ocean had been discussed at the Quebec Conference. Some of the maritime delegates, however, thought they had no authority to discuss the acquisition of territory beyond the boundaries of the provinces; and George Brown, one of the strongest advocates of western extension, conceded that the inclusion of British Columbia and Vancouver Island in the scheme of union was 'rather an extreme proposition.' But the Canadian leaders never lost sight of the intervening regions of Rupert's Land and the North-West Territory. They foresaw the danger of the rich prairie lands falling under foreign control, and entertained no doubts as to the necessity of terminating in favour of Canada the hold of the Hudson's Bay Company over these regions.

In 1857 the select committee of the Imperial House of Commons, mentioned in a preceding

chapter, had believed it ' essential to meet the just and reasonable wishes of Canada to be enabled to annex to her territory such portion of the land in her neighbourhood as may be available to her for the purposes of settlement.' The districts on the Red River and on the Saskatchewan were considered as likely to be desired ; and, as a condition of occupation, Canada should open up and maintain communication and provide for local administration. The committee thought that if Canada were unwilling to take over the Red River country at an early date some temporary means of government might be devised. Nothing, however, had come of the suggestion. Had it been carried out, and a crown colony created, comprising the territory which is now the province of Manitoba, the Dominion would have been saved a disagreeable and humiliating episode, as well as political complications which shook the young state to its foundations. This was the trouble known to history as the Red River Rebellion. As an armed insurrection it was only a flash in the pan. But it awoke passions in Ontario and Quebec, and revived all those dissensions, racial and religious, which the union had lulled into a semblance of harmony.

One of the first steps taken by parliament in the autumn of 1867 was the adoption of an address to the Queen, moved by William McDougall, asking that Rupert's Land and the North-West Territory be united with Canada. Two members of the government, Cartier and McDougall, went to England to negotiate for the extinction of the rights of the Hudson's Bay Company. After months of delay, caused partly by the serious illness of McDougall, it was agreed that the company should receive £300,000, one-twentieth of the lands lying within the Fertile Belt, and 45,000 acres adjacent to its trading-posts. The Canadian parliament formally accepted the bargain, and the deed of surrender provided that the change of rule should come into force on December 1, 1869.

It was no mean ambition of William McDougall to be the first Canadian administrator of this vast region with its illimitable prospects; a man of talent, experience, and breadth of view, such as McDougall was, might reasonably hope there to carve out a great career for himself and do the state some service. He was appointed on September 26, 1869, lieutenant-governor of the 'North-West Territory'—an indefinite term meant appar-

ently to cover the whole western country—and left at once for his post. He appears to have been quite in the dark concerning the perilous nature of the mission. At any rate, he could not foresee that, far from bringing him distinction, the task would shortly end, as Sir John Macdonald described it, in an inglorious fiasco.

At this time, it should be remembered, the actual conditions in the West were but vaguely known in Canada. Efforts towards communication and exploration, it is true, had begun as early as 1857, when Simon Dawson made surveys for a road from Fort William and Professor Henry Youle Hind undertook his famous journey to the plains for scientific and general observation. A number of adventurous Canadians had gone out to settle on the plains. There was a newspaper at Fort Garry—the *Nor'Wester*—the pioneer newspaper of the country—which had been started by Mr William Buckingham and a colleague in 1859. But even in official circles the community to which Governor McDougall went to introduce authority was very imperfectly understood.

The Red River Settlement in 1869 contained about twelve thousand inhabitants. The English-speaking portion of the population

consisted of heterogeneous groups witho
unity among them for any public purpos
Some were descendants or survivors of Lo
Selkirk's settlers who had come out half
century before; others were servants of t
Hudson's Bay Company, both retired a
active; a third group were the Canadian
while a fourth was made up of a small thou
noisy body of Americans. Outnumbering t
English, and united under leaders of their ow
race, the French and French half-breeds dwe
chiefly on the east bank of the Red Rive
south of Fort Garry. These half-breeds,
Métis, were a hardy race, who subsisted
hunting rather than by farming, and who we
trained to the use of arms. They regard
with suspicion the threatened introducti
of new political institutions, and were qui
content under the paternal sway of the Hu
son's Bay Company and under the leadersh
of their spiritual advisers, Bishop Taché a
the priests of the Métis parishes.

The Canadian population numbered abo
three hundred, with perhaps a hundred adult
and they, conscious that they represented t
coming régime, were not disposed to concilia
either the company or the native settlers.
was mooted among the half-breeds that th

were to be swamped by the incoming Canadians, and much resentment was aroused among them against the assumption of authority by the Dominion government. To make matters worse, a Canadian surveying party, led by Colonel J. Stoughton Dennis, had begun in the summer of 1869 to make surveys in the Province. This created alarm among the half-breed settlers, whose titles did not rest on any secure legal authority, and who were fearful that they were about to lose their possessions. Thus it came about that they resolved upon making a determined attempt to resist the transfer of the country to Canada.

Underrating the difficulty and impatient of delay, McDougall took the unwise step of issuing a proclamation, from his temporary headquarters at Pembina, assuming control of the territory and calling upon the inhabitants to recognize his authority. He supposed, of course, that the transfer would be made, according to agreement, on December 1, and did not know that the Canadian government had declined to accept it or pay over the purchase-money until assured that peace and good order prevailed. The advices from Ottawa to McDougall were delayed, and he felt himself

obliged to act without definite knowledge o the position of affairs.

After months of agitation the Métis unde Louis Riel took command of the situatio armed their fighting men, seized Fort Garry put a number of prominent white resident under arrest, and formed a provisional goverr ment. They sent word to the new governo not to enter the country; and when he ad vanced, with his official party, a short distanc over the frontier, he was forcibly compelle by the insurgents to retreat into the Unite States. The rebels at Fort Garry becam extremely menacing. Louis Riel, the centra figure in this drama, was a young Frenc half-breed, vain, ambitious, with some abilit and the qualities of a demagogue. He ha received his education in Lower Canada and was on intimate terms with the Frenc priests of the settlement. His conduct fiftee years later, when he returned to head anothe Métis rebellion farther west and paid th penalty on the scaffold, indicates that onc embarked on a dangerous course he woul be restrained by no one. That he was hal or wholly, insane on either occasion is nc credible.

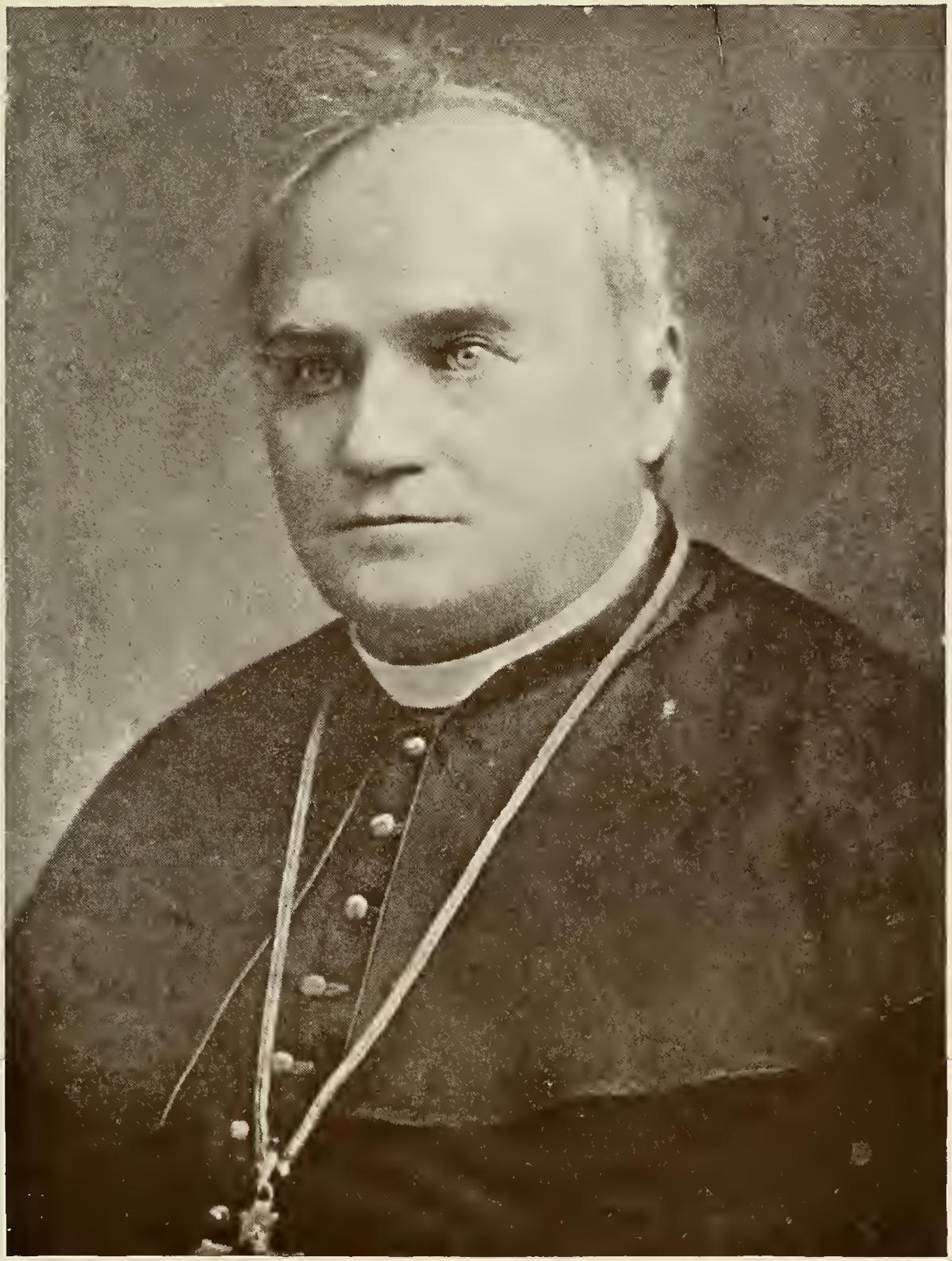
Efforts were now made to negotiate wit

he rebels and quiet the disturbance. Dele-ates went to the West from Canada consist-ng of Grand Vicar Thibault, Colonel de Sala-erry, and Donald A. Smith (afterwards Lord trathcona). There were exciting scenes; but he negotiations bore no immediate fruit. It vas the depth of winter. The delegates had ot come to threaten because they had no orce to employ. The rebels had the game n their own hands. Bishop Taché, who was nhappily absent in Rome, was summoned ome to arrange a peace on terms which might ave left Riel and his associates some of the igh stakes for which they were playing, had hey not spoiled their own chances by a cruel, indictive murder.

After the departure of the Canadian dele-ates and the announcement of Bishop Taché's eturn, Riel felt his power ebbing away. His rovisional government became a thing of hreds and patches, in spite of its large assump-ions and its temporary control during the inter when the country was inaccessible. mong the imprisoned whites was Thomas cott, a young man from Ontario who had een employed in surveying work and who vas prominent in resistance to the usurpers. Riel is credited with a threat to shed some

blood to prove the reality of his power and t quell opposition. He rearrested a number o whites who had been released under promis of safety. One of them was Scott, charge with insubordination and breaking his parole He was brought before a revolutionary tri bunal resembling a court-martial, and wa sentenced to be shot. Even if Riel's lawles tribunal had possessed judicial authority Scott's conduct in no respect justified a deat sentence. He had not been under arms whe captured, and he was given no fair opportunit of defending himself. Efforts were made t save him, but Riel refused to show mercy On March 4, a few days before Bishop Tach arrived at the settlement, Scott was shot b six men, several of them intoxicated, one re fusing to prime his rifle, and one discharging pistol at the victim as he lay moaning on th ground.

When the news of this barbarous murde reached the East, a political crisis was immi nent. Scott was an Orangeman; and Catholi priests, it was said, had been closely identifie with the rising. This was enough to start a agitation and to give it the character of race and creed struggle. There existed als a suspicion that a miniature Quebec was t



ALEXANDRE ANTONIN TACHÉ

From a photograph lent by Rev. L. Messier, St Boniface

be set up on the Red River, thus creating a sort of buffer French state between Ontario and the plains. Another cause of discontent was the belief that the government proposed to connive at the assassination of Scott and to allow his murderers to escape punishment. McDougall returned home, mortified by his want of success, and soon resigned his position. He blamed the government for what had occurred, and associated himself with the agitation in Ontario. The organization known as the Canada First party took a hand in the fray. It was composed of a few patriotic and able young men, including W. A. Foster, a Toronto barrister; Charles Mair, the well-known poet; John Schultz, who many years later, as Sir John Schultz, became governor of Manitoba, and who with Mair had been imprisoned by Riel and threatened with death; and Colonel George T. Denison, whose distinguished career as the promoter of Imperial unity has since made him famous in Canada and far beyond it.

The circumstances of the time, the distrust between the races and the vacillation of a sorely pressed government, combined to make an awkward situation. The evidence does not show that the Ontario agitators let slip any

of their opportunities. The government was compelled to send under Colonel Wolseley an expeditionary force of Imperial troops and Canadian volunteers to nip in the bud the supposed attempt to establish French ascendancy on the Red River. This expedition was completely successful without the firing of a shot. Riel, at the sight of the troops, fled to the United States, and the British flag was raised over Fort Garry. So, in 1870, Manitoba entered the Dominion as a new province, and the adjacent territories were organized under a lieutenant-governor and council directly under federal jurisdiction. Out of them, thirty-five years later, came the provinces of Alberta and Saskatchewan.

But the fruits of the rebellion were evident for years. One result was the defeat in Ontario of Sandfield Macdonald's ministry in 1871. 'I find the country in a sound state,' wrote Sir John Macdonald during the general elections of 1872, 'the only rock ahead being that infernal Scott murder case, about which the Orangemen have quite lost their heads.' [1]

When order was restored the clever miscreant Riel returned to the settlement. By raising a force to aid in quelling a threatened Fenian

[1] *Memoirs*, vol. ii, p. 150.

invasion, he gulled Bishop Taché and the new governor, Adams G. Archibald, and had himself elected to the Dominion parliament. But Riel's crimes were too recent and too gross to be overlooked. His effrontery in taking the oath as a member was followed by his expulsion from the House; and once more he fled the country, only to reappear in the rôle of a rebel on the Saskatchewan in 1884, and, in the following year, to expiate his crimes on the scaffold.

Having carried the Dominion to the foot of the Rocky Mountains, the next step for the government was the acquisition of British Columbia. After the Oregon Treaty of 1846 the British possessions on the Pacific coast lay in three divisions, Vancouver Island, British Columbia, and the Stikeen Territory, all in the domains of the Hudson's Bay Company. In 1863, after the inrush of gold-seekers, the two latter had been united under one government and granted a Legislative Council, partly elective. Vancouver Island already had a legislature with two chambers, one elective. In 1865 Amor DeCosmos, one of the members of the Assembly for Victoria, began the union movement by proposing that Vancouver Island should be joined to British Columbia. There

was friction between the two colonies, largely on commercial grounds. A tariff enacted by the colony on the mainland proved injurious to the island merchants who flourished under a free port. So in 1866 the Imperial parliament passed an Act uniting the two colonies. Despite the isolation of the Pacific coast settlements from the British colonies across the continent on the Atlantic, the Confederation movement had not passed unnoticed in the Far West; and in March 1867 the Legislative Council of British Columbia adopted a resolution requesting Governor Seymour to take measures to secure the admission of British Columbia into the Dominion 'on fair and equitable terms.' In transmitting the resolution to the home authorities the governor candidly pointed out the difficulties. He was not strongly in favour of the policy. The country east of the Rocky Mountains, it should be kept in mind, was still in the hands of the Hudson's Bay Company. An alien population from the United States was increasing in number. Enormous obstacles stood in the way of communication eastward. 'The resolution,' wrote Seymour, 'was the expression of a despondent community longing for change.' However, a public meeting in Victoria held on January

29, 1868, urgently recommended union. A memorial to the Canadian government declared that the people generally were enthusiastic for the change. The leading newspapers endorsed it. The popularly elected councils of Victoria and New Westminster were of the same mind. Opposed to this body of opinion were the official class and a small party who desired annexation to the United States. The terms demanded were the assumption by Canada of a debt of about $1,500,000, a fixed annual subsidy, a wagon-road between Lake Superior and the head of navigation on the Fraser within two years, local representative institutions, and representation in the Canadian parliament.

The legislature, despite the alluring prospect set forth in an address to the Queen moved by DeCosmos, cautiously adopted an amendment declaring that, while it adhered to its previous action in endorsing the principle of union 'to accomplish the consolidation of British interests and institutions in North America,' it lacked the knowledge necessary to define advantageous terms of union. A convention of delegates met at Yale to express dissatisfaction with local conditions in British Columbia and to frame the terms on which

union would be desirable. The Legislative Council, still unconvinced, again declared for delay; but a dispatch from Lord Granville in August 1869, addressed to the new governor, Anthony Musgrave, who, on the recommendation of Sir John Macdonald, had succeeded Seymour, emphatically endorsed Confederation, leaving open only the question of the terms. The Confederation debate took place in the Legislative Council in 1870. In concluding his speech in favour of the policy, Joseph Trutch, one of the three delegates who afterwards went to Canada to perfect the bargain, said:

> I advocate Confederation because it will secure the continuance of this colony under the British flag and strengthen British interests on this continent, and because it will benefit this community—by lessening taxation and giving increased revenue for local expenditure; by advancing the political status of the colony; by securing the practical aid of the Dominion Government . . .; and by affording, through a railway, the only means of acquiring a permanent population which must come from the east of the Rocky Mountains.

The arrangement made by Canada was a generous one. It included a promise to begin within two years and to complete within ten a railway to the Pacific, thus connecting British Columbia with the eastern provinces. The terms were ratified by the people of British Columbia in the general election of 1870, and the union went into force on July 20, 1871. The Dominion now stretched from sea to sea.

Prince Edward Island had fought stoutly in resistance to the union. For six years it remained aloof. The fears of a small community, proud of its local rights and conscious that its place in a federal system could never be a commanding one, are not to be despised. At first federation had found eloquent advocates. There could not be, it was pointed out, any career for men of distinction in a small sea-girt province cut off completely from the life and interests of the larger area. But these arguments failed, as also did proposals of a more substantial kind. Nova Scotia and New Brunswick desired greatly to augment the maritime importance and influence in the Dominion by the inclusion of the little island province. During the summer of 1866, while the delegates from the two maritime provinces

were waiting in London for the arrival of their Canadian colleagues, they made an offer to James C. Pope, prime minister of the Island, who happened to be in London, that the sum of $800,000 should be allowed the Island, in order to extinguish the rights of the absentee land-owners, an incubus that had long caused discontent. The Canadian delegates, at first reluctant, were brought to agree to this proposal. But it was declined, and the same fate overtook better financial terms which Tilley offered in 1869. The Island went its way, but soon found that the capital necessary for internal development was hard to secure and harder still to repay if once obtained. A railway debt was incurred, and financial difficulties arose.

This situation came to the knowledge of Sir John Rose, the first finance minister of Canada, who had gone to reside in London as a partner in the great banking house of Morton, Rose and Co. There is a touch of romance both in the career of Rose and in the fact that it was through his agency that the little province entered the federation. Rose was a Scottish lad who had come to Canada to make his fortune. When a practising barrister in Montreal he had lost his silk gown as Queen's Counsel

for signing the Annexation Manifesto in 1849. His abilities were of the first order, but his tastes inclined to law rather than to politics. The Dominion was in its infancy when his talents for finance attracted attention abroad and secured him the handsome offer which drew him away from Canada and led to his remarkable success in the money centre of the world. But he never lost interest in the Dominion. He maintained a close and intimate correspondence with Sir John Macdonald, and, learning of Prince Edward Island's difficulties, communicated with the Canadian prime minister. Thus was the way opened for negotiations. Finally a basis of union was arranged by which the Dominion assumed the provincial burden and made the Island railway part of the state system of railways. Prince Edward Island joined the union on July 1, 1873, and has contributed its full quota of brain and energy to the upbuilding of Canada.

Newfoundland definitely rejected union in the general election of 1869, and only once since has it shown an inclination to join the Dominion. During the financial crisis of 1893 delegates from Newfoundland visited Ottawa and sought to reach a satisfactory arrange-

ment. But the opportunity was allowed to pass, and the ancient colony has ever since turned a deaf ear to all suggestions of federation. But it is still the hope of many that the 'Oldest Colony' will one day acknowledge the hegemony of Canada.

CHAPTER XIV

THE WORK OF THE FATHERS

THE lapse of fifty years should make it possible for us to value the work of the Fathers with due regard for historical truth. Time has thrown into bold relief the essential greatness of their undertaking and has softened the asperities of criticism which seem inseparable from all political movements. A struggle for national unity brings out the stronger qualities of man's nature, but is not a magic remedy for rivalries between the leading minds in the state. On the contrary, it accentuates for the time being the differences of temperament and the clash of individual opinions which accompany a notable effort in nation-making. But distance from the scene and from the men furnishes a truer perspective. The Fathers were not exempt from the defects that mark any group of statesmen who take part in a political upheaval; who uproot existing conditions and disturb settled interests; and who bid, each

after his own fashion, for popular support and approval. The chief leaders in the federation movement survived to comparatively recent years. The last of them, Sir Charles Tupper, died in the autumn of 1915. All were closely associated with party politics. There yet live many who walked and talked with them, who rejoiced with them in victory and condoled with them in defeat. It were vain to hope that the voice of faction has been silenced and that the labours of the Fathers can be viewed in the serene atmosphere which strips the mind of prejudice and passion. And yet the attempt should be made, because the founders of Canada are entitled to share the fame of those who made the nineteenth century remarkable for the unification of states and the expansion of popular government.

During Sir John Macdonald's lifetime his admirers called him the Father of Confederation. In length and prestige of official service and in talent for leadership he had no equals. His was the guiding hand after the union. The first constructive measures that cemented the Dominion are identified with his régime. When he died in the twenty-fourth year of Confederation he had been prime minister for nearly nineteen years. To his contemporaries

he towered above others. Time established his reputation and authority. The personal attachment of his followers was like to nothing we have seen since, because to their natural pride in his political triumphs was added a passionate devotion to the man himself. His opponents have cheerfully borne tribute to the fascination he exercised over young and old. Holton's delightfully ambiguous remark, on the occasion of Macdonald's marvellous restoration to office in 1878, is historic: 'Well! John A. beats the devil.' Sir Oliver Mowat said, 'He was a genial man, a pleasant companion, full of humour and wit.' Even his satirical foe, Sir Richard Cartwright, recognized in him an unusual personality impressing all who came in contact with it. 'He had an immense acquaintance,' wrote Cartwright, 'with men of all sorts and conditions from one end of Canada to the other.'

As long as he lived, therefore, an impartial estimate of Macdonald's share in effecting Confederation could not be expected. After his death the glamour of his name prevented a critical survey of his achievements. Even yet it is too soon to render a final verdict. He took control of the situation at an early stage, because to frame a new constitution was a task

after his own heart. He managed the Quebec Conference with the arts which none of the other members possessed in equal degree. As political complications arose his remarkable astuteness soon overcame them; and he emerged from the negotiations the most conspicuous figure in a distinguished group. It is inevitable that genius for command should overshadow the merits of others. True in every line of endeavour, this is especially so in politics. With his great gifts, Macdonald preserved his ascendancy in the young nation and was the chief architect of its fortunes for many years.

To assert, however, that one person was the author of Confederation, in the sense that the others played subordinate parts and were mere satellites revolving round the sun, is to mistake the nature and history of the movement. It was a long battle against adverse influences. If left unchallenged, they forbade the idea of a Dominion stretching from sea to sea. It was not Macdonald who forced the issue to the front, who bore down stubborn opposition and who rallied to its support the elements indispensable to success. Into the common fund contributions were made from many sources. At least eight of the Fathers of Confederation

AN ELECTION CAMPAIGN—GEORGE BROWN ADDRESSING AN AUDIENCE OF FARMERS

From a colour drawing by C. W. Jefferys

must be placed in the first rank of those to whom Canada owes undying gratitude. The names of Brown, Cartier, Galt, Macdonald, Tupper, Tilley, McGee, and McDougall stand pre-eminent. All these performed services, each according to his opportunities, which history will not ignore.

The foremost champion of union at the critical moment was George Brown. But for him, it is easy to believe, Confederation might have been delayed for a generation or never have come at all. His enthusiasm inspired the willing and carried the doubting. In the somewhat rare combination of courage, force, and breadth of view no one excelled him. As a political tactician he was not so successful, and to this defect may be traced the entanglements in which he was prone to land both himself and his party. His resignation from the coalition in 1865 was a mistake. It could not be explained. In leaving the ship before it reached the haven of safety he laid himself open to charges of spleen and instability. Impulsive he was, but not unstable, and his jealousy was not greater than other men's. He was always embarrassed by the fact that the criticisms of his newspaper the *Globe*, in the exercise of its undoubted rights as an organ

of public opinion, were laid at his door. He found, as other editors have found, that the compromises of political life and the freedom of the press are natural enemies. In his patriotic sacrifice in behalf of Confederation lies his best claim to the respect and affection of his countrymen.

The quality most commonly ascribed to Cartier is courage; and rightly so. But equally important were his freedom from religious bigotry and his devotion to the interests of his own people. He guarded at every step the place of his race in the constitution of the Dominion; and if we are to believe the story that he fought stoutly in London for strict adherence to every concession agreed upon at Quebec, his insight into the future proved equal to his courage. The French were rooted in the belief that union meant for them a diminished power. There were grounds for the apprehension. To Cartier was due the subordination of prejudice to the common good. He was great enough to see that if Lower Canada was to become the guardian of its special interests and privileges, Upper Canada must be given a similar security; and this threw him into the closest alliance with Brown. This principle, as embodied in the constitu-

tion, is the real basis of Confederation, which cannot be seriously menaced as long as neither of the central provinces interferes with the other. Cartier exemplified in his own person the truth that the French are a tolerant and kindly community, and that pride of race, displayed within its own proper bounds, makes for the strength and not the weakness of the Dominion. Unhappily, his health declined, and he did not live to lead his race in the development of that larger patriotism of which, with good reason, he believed them to be capable. But his example survives, and its influence will be felt in the generations to come.

What share Galt had in affecting Cartier's course is not fully known, but the two men between them dominated Lower Canada, and their *rapprochement* was more than a match for the nullifying efforts of Dorion and Holton. Galt's best work was also done before the consummation of the union. After 1867 he practically retired from the activities of politics, owing more to a distaste for the yoke of party than to any loss of interest in the welfare of Canada. He had an ample mind, and in his speeches and writings there is a valuable legacy of suggestion.

Thomas D'Arcy McGee was the orator of the movement. While other politicians hung back, he proclaimed the advantages of union in season and out with the zeal of the crusader. His speeches, delivered in the principal cities of all the provinces, did much to rouse patriotic fervour.

To Tupper and to Tilley, as this narrative has sought to show, we owe the adherence of the Maritime Provinces. The present Dominion would have been impossible but for their labours and sacrifice. A federated state without an Atlantic seaboard would have resulted in a different destiny for Canada. Each of these statesmen withstood the temptation to bend before the storm of local prejudice. By yielding to the passion of the hour each would have been a hero in his own province and have enjoyed a long term of office. If evidence were needed that Confederation inspired its authors to nobler aims than party victories, the course taken by these leaders furnishes conclusive proof.

William McDougall's part in the movement has suffered eclipse owing to his political mishaps. No one brought more brilliant qualities to bear upon the work than he. On the platform and in parliament he had, as a

speaker, no superior. In his newspaper, the *North American*, he had espoused a federal union as the first article of his political creed; and when Brown purchased the paper, McDougall, as the chief writer for the *Globe*, strengthened Brown's hands and became his natural ally in the coalition. They quarrelled openly when McDougall elected to cast in his lot with Macdonald in the first Dominion ministry. The Red River episode ruptured his relations with Macdonald, who never again sought his support. Avoided by both leaders and never tolerant of party discipline, McDougall sought to fill the rôle of independent critic and thus earned for himself, unfairly, the sobriquet 'Wandering Willie.' But the Dominion owed much to his constructive talent. There is evidence that his influence was potent in the constitutional conferences, and that during his term as minister he had a strong hand in shaping public policy.

Oliver Mowat left politics for the judicial bench immediately after the Quebec Conference. He has related that, as the delegates sat round the table, Macdonald, on being notified of the vacancy in the vice-chancellorship of Upper Canada, silently passed him a note in appreciative terms offering him the place.

For seven years he remained on the bench. But he returned in 1872 to active political life, and his services to the nation as prime minister of Ontario display his balanced judgment and clearness of intellect.

Some Canadian statesmen who were invaluable to the new nationality suffer in being judged too exclusively from a party standpoint. Canada was fortunate in drawing from the ranks of both Conservatives and Liberals many men capable of developing the Dominion and adapting an untried constitution to unforeseen conditions. None had quite the same opportunities as Sir John Macdonald, who not only helped to frame the union but administered its policy for a lengthy period. Alexander Mackenzie gave the country an example of rectitude in public life and of devotion to duty which is of supreme value to all who recognize that free government may be undermined and finally destroyed by selfishness and corruption. Edward Blake, with his lofty conceptions of national ambition and his profound insight into the working of the constitution, also exerted a beneficial effect on the evolution of the state. He, like Sir John Thompson, was a native of the country. In temperament, in breadth of mind, and in contempt for petty

and sordid aims, Blake and Thompson had much in common. They, and others who are too near our own day for final judgment, fully grasped the work of the Fathers and helped to give Canada its honourable status in the British Empire and its distinctive place as a self-governing community.

A retrospective glance reveals the extent to which the Fathers attained their principal objects. A threefold purpose inspired them. Their first duty was to evolve a workable plan of government. In this they succeeded, as fifty years of experience shows. The constitution, after having stood the usual tests and strain, is firmly rooted in national approval; and this result has been reached by healthy normal processes, not by exaggerated claims or a spurious enthusiasm. The constitution has always been on trial, so to speak, because Canadians are prone to be critical of their institutions. But at every acute crisis popular discontent has been due to maladministration and not to defects of organization. The structure itself stands a monument to those who erected it.

In the second and most trying of their tasks, the unification of the provinces, the Fathers

were also triumphant. From the beginning the country was well stocked with pessimists and Job's comforters. They derived inspiration during many years from the brilliant writings of Goldwin Smith. But in the end even the doubters had to succumb to the stern logic of the facts. Under any federation, growth in unity is bound to be slow. The relations of the provinces to the federal power must be worked out and their relations to each other must be adjusted. Time alone could solve such a problem. Until the system took definite shape national sentiment was feeble. But a modified and well-poised federation, with its strong central government and its carefully guarded provincial rights, at last won the day. Years of doubt and trial there were, but in due course the Nova Scotian came to regard himself as a Canadian and the British Columbian ceased to feel that a man from the East was a foreigner. The provinces have steadily developed a community of interest. They meet cordially in periodical conferences to discuss the rights and claims possessed in common, and if serious, even menacing, questions are not dealt with as they should be, the failure will be traced to faulty statesmanship and not to lack of unity.

To preserve the Imperial tie was the third and greatest object of the Fathers. They realized that many dangers threatened it—some tangible and visible, others hidden and beyond the ken of man. It may not be denied that the barque of the new nationality was launched into an unknown sea. The course might conceivably lead straight to complete independence, and honest minds, like Galt's, were held in thrall by this view. Could monarchy in any shape be re-vitalized on the continent where the Great Republic sat entrenched? What sinister ideas would not the word Imperialism convey to the practical men of the western world? These fears the Fathers met with resolute faith and the seeing eye. They believed that inherent in the beneficent rule of Queen Victoria there was a constitutional sovereignty which would appeal irresistibly to a young democracy; that unwavering fidelity to the crown could be reconciled with the fullest extension of self-government; and that the British Empire when organized on this basis would hold its daughter states beyond the seas with bonds that would not break.

And so it has proved. Of all the achievements of the Fathers this is the most splendid

and enduring. The Empire came to mean, not the survival of antiquated ideas, but the blessings of a well-ordered civilization. And when in 1914 the Great War shook the world, Canadians, having found that the sway of Britain brought them peace, honour, and contentment, were proud to die for the Empire. To debate the future of Canada was long the staple subject for abstract discussion, but the march of events has carried us past the stage of idle imaginings. A knowledge of the laws by which Divine Providence controls the destinies of nations has thus far eluded the subtlest intellect, and it may be impossible for any man, however gifted, to foresee what fate may one day overtake the British Empire. But its traditions of freedom and toleration, its ideals of pure government and respect for law, can be handed on unimpaired through the ages. The opportunity to maintain and perpetuate these traditions and ideals is the priceless inheritance which Canada has received from the Fathers of Confederation.

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NOV 17 RETURN			
EDUC DE 8 '77		EDUC FE 2 '77	
NOV 27 RETURN		FEB 21 RETURN	
DEC 13 RETURN			
DEC 15 RETURN		NOV 24 RETURN