

calling the attention of the House to several provisions in the Quebec Scheme, and state my objections to them; whether it will have any influence upon the Delegates I know not; but first let us hear what are the opinion of Canadian statesmen on this Scheme, and how far the people of this country may expect concessions, and get better terms than those contained in the Scheme. Mr. D'Arcy M'Gee in describing the Scheme. (Mr. Tilley. When)

When the Parliament of Canada approved of the Scheme, and asked Her Majesty to bring it into effect by Imperial Legislation. (Mr. Smith then quoted from speeches delivered by Messrs. D'Arcy McGee and John McDonald, to show the Scheme was unalterable.) We have also the testimony of Mr. Brown, and Mr. Galt that it cannot be altered. When Mr. Allan and I were in England Mr. Cardwell intimated that some alterations might take place. We asked him could representation by population be altered? No. Could the representation in the Legislative Council be altered? No. Could the provision of eighty cents per head be altered? No. Thus we found no material part of the Scheme could be changed, and any delegation which goes home will have to accept the Quebec Scheme in its entirety, unless they receive instructions from the people of the country. If they go there clothed with restrictive power, which says you may go to a certain extent and no farther; then, when the Canadian Delegates know that they cannot deviate from the letter of their instructions, they may consent to some alterations.

The debate was then adjourned until to-morrow. Mr. Smith to resume at half-past nine.

The House then went into Committee on "A Bill relating to the administration of Justice in Equity," which created some discussion, when progress was reported and leave asked to sit again.

The House was then adjourned until 9 a. m. to-morrow.

T. P. D.

WEDNESDAY, JUNE 29th.

The House met pursuant to adjournment at 9 a. m.

A number of Bills received a second reading.

The Bills passed through Committee yesterday were read a third time, and passed the House.

Leave was granted to bring in certain Bills, and petitions were received in support of the same.

Mr. CAIE gave notice of a motion asking for the Correspondence which had taken place on the appointment of Chief Justice Ritchie, and also for all Correspondence which had passed between His

Excellency the Lieutenant Governor, and Mr. Justice Wilnot on the same subject.

Mr. SMITH asked if it was the intention of the Government to submit the correspondence which had taken place between His Excellency the Lieutenant Governor, and His late Council, with respect to their resignation, without discussion.

HON. Mr. TILLEY would give an answer to-morrow.

Mr. CAIE asked for the suspension of the rule, so that he might have leave to bring in a Bill to erect a portion of the Parish of Wellington in the County of Kent, into a separate town or Parish. He had filed the certificate of publication with the Clerk of the House at last session, and was prepared to bring in a Bill, but having received an intimation that a petition would be forwarded against the Bill, he had withheld it till he was too late to bring it in, on account of the prorogation. On enquiry he found that the Clerk had lost or mislaid the certificate, and unless the rule was suspended he would be precluded from bringing in the Bill this Session. He was now prepared to submit the petition against the passage of the Bill as soon as it was read a first time.

Several members opposed the suspension of the rule on the ground that it was a matter of no immediate importance, and as there was a petition against it, it was evident the matter was not considered by the people necessary to be hastily carried. The rule however, was suspended and leave granted, when the Bill was read a first time and the petition presented.

Mr. JOHNSON moved a rider to the Bill relating to offences against the army and navy, on its third reading; to the effect that nothing in said Act should be construed to affect any action now in progress under the old Act, or to affect the penalty already adjudged to such offenders.

At 10 o'clock the order of the day was taken up.

#### DELEGATION ON UNION.

Mr. SMITH resumed—I have asked the hon. Provincial Secretary if it is the intention of the Government to submit the Correspondence on resignation of the late Government, and what it means. I do not know, but I am told that he will answer to-morrow. I am aware that I can obtain the papers by motion.

HON. Mr. TILLEY—You asked if the Government would submit them without a motion, and I replied that I would give you an answer to-morrow.

Mr. SMITH—Well then, I now ask for an answer from the Attorney General to the question I put to him yesterday, whether any despatches have passed between the Colonial Secretary and His

Excellency relating to the resignation of the late Government; and if they are to be submitted to the House.

HON. Mr. FISHER—The Governor only returned from Woodstock last week and I have not yet had an opportunity to see him during the day and give me the necessary information.

Mr. SMITH—The Government do not appear disposed to be very courteous in their replies to questions for information with regard to public papers, and yet they expect respect to be shown to their wishes in the pushing on of the public business. I suppose I must submit to the explanations they give.

When I closed my remarks yesterday, I stated that I believed that it was most important that the House should have time for the consideration of so important a matter as is involved in the Resolutions before the House. I believe that it is the solemn duty of hon. members to bring their judgments to bear on this great question, and deliberately and calmly arrive at conclusions that will be satisfactory to the people of this Province, I stated yesterday, and again repeat it, that as the matter now stands, and from information which I have obtained, the Quebec Scheme, and that alone, without any alteration, will be decided on as the plan of uniting these Colonies. I ask hon. members around the boards of this House if they are ready to adopt that Scheme? Many of them have been returned by constituencies to support a plan of Union on a new basis: I would ask them if they were sent to pass the Quebec Scheme? Were they sent to go it blind? to leave it entirely in the hands of the delegates to say what the terms of Union should be? Or were they sent here to exercise their judgments in regard to the terms of any new plan that may be submitted? Were they sent here to delegate their power to two or three men who are committed to the terms of the Quebec Scheme? I would ask if hon. members are ready to lay aside their right of judging and passing upon the plan of Union proposed to be adopted? This is what the Government ask us to do; to divest ourselves of our powers of judgment, to delegate all our powers to delegates—we are not told how many—who are to meet delegates from other Provinces in London, and there frame a Scheme binding on this country for all time to come, and the people are to know nothing at all about it. I believe that the majority of the people of this Province are opposed to the Quebec Scheme. It was put before them that new negotiations were to be opened, and they, under this impression, sent men here to see to it that the terms proposed should be such as would be for the interest of the

country. Are hon. members prepared to go back to their constituents and say: "You need have no fear, the Quebec Scheme will not be inflicted on this continent." These Resolutions give plenipotentiated in the drawing, very men who Scheme, and when they meet the delegates from Canada what will they be able to say. Nothing, absolutely nothing—their mouths will be stopped. Has the Government given to the House any increased information by which they will be able to return to their people, and say, "The Quebec Scheme will be altered?" No, they are asked to go it blind, they have no information they can give more than hon. members already know. I say again, that for men to go to London and say, "We'll take the Quebec Scheme if we can't get anything better," is mere child's play. And to give out to the country that new negotiations will be opened, and then bring in a bold resolution like this, is to put things in a very unfair position. The Canadian Parliament having passed upon this Scheme, they are bound to its terms, and the Imperial Parliament must also be confined to it in all its features in their dealings with the delegates. I know that the British Government are in favor of that Scheme, and that alone. When in England with Judge Allen we asked Mr. Cardwell if a any change could be effected in the terms of that Scheme, and he assured us that no important alteration would be allowed. When the Canadian delegates see that we are willing to take the Quebec Scheme, if we can do no better, they will not ask the House now in session for power to effect any change, but if they know that this House has confined the delegates to accept Union on certain conditions which they have laid down, the Canadian Government will, I am sure, at once ask and obtain leave to make such modifications as will meet with our wishes and requirements. They will ask for such delegated power as will enable them to make such concessions as are demanded by the Lower Provinces. Unless we do restrict the powers of our delegates, no such course will be taken, and they will not have the power to make alterations even though our delegates have the assurance to ask for them, and we shall have the Quebec Scheme, and the Quebec Scheme alone.

I will now come to the scheme which it is proposed by our Government to make the "basis," as they term it, for new negotiations, and I shall state my objections to that scheme pretty fully. And first there is a provision for the appointment of the representatives according to population.

"The basis of representation in the House of Commons shall be population,

as determined by the official census every ten years; and the number of members at first shall be 194, distributed as follows:

Upper Canada, .....	82
Lower Canada, .....	65
Nova Scotia, .....	19
New Brunswick, .....	15
Newfoundland, .....	8
Prince Edward Island, .....	5
	194

In no other part of the British dominions is such a provision made for the representation. They have probably taken the idea from the plan adopted by the Constitution of the United States. There they have representation by population in the House of Representatives. But in the Senate it is provided that every State alike sends two Senators. And it must be remembered that the Senate of the United States have executive as well as legislative functions; they have power even to veto many of the acts of the President. What he does must have their approval and consent. Here they have a check on the House of Representatives. But under the provisions of this scheme, the people's House will be the all-important and all-powerful branch, for they will be able even to overturn the executive of the country. It is not so in the United States. But large as the House is, there is another provision that the number of representatives may be increased.

"Immediately after the completion of the census of 1871, (no change is to take place til that time,) and immediately after every decennial census thereafter, the representation from each section in the House of Commons shall be readjusted on the basis of population."

There is then to be a new arrangement every ten years, and we should, therefore, all the more require that there should be some check to this great power. Under this scheme it is evident that Canada will become the all-important power, and I therefore invoke the aid of hon. members of this House to ask for some further checks in our favor in the second branch over the lower. I warn the delegates against admitting this to pass as part of the scheme of Union, and I ask them in the name of a common interest and a common country to deliberate well on this point.

While the framers of this scheme have copied this provision from the United States, have they given us the same checks as are provided there? Not at all. There every State, large and small, send one representative to the Senate, but here the provision is,

"Upper Canada shall be represented in the Legislative Council by 24 members, Lower Canada by 24 members, and

the three Maritime Provinces by 24 members, of which Nova Scotia shall have 10, New Brunswick 10, and Prince Edward Island 4 members."

This Canada is not only to have the great majority in the Lower House, but in the Legislative Council she is to be represented by 48 members, whilst all the Lower Provinces will only have 24. We are told that Canada sympathises with us, that the men in power there have no desire to override us, or infringe on our rights. Even were this the case, we must remember, Mr. Speaker, that men pass away, that they are transitory, and men may arise in the future who will abuse the power they possess to our ruin. Let us then see that we have conceded, not as an indulgence but as a right, the proper checks in the Upper Branch. New Brunswick has by this arrangement but ten members to their 24 each. It may be asked why we should have an equal number with them in the second branch? I say because they have full power and control in the Lower House. I again repeat, we have come here to express our opinions and form a judgment with regard to a subject that is to affect for all time our common welfare and our common country, and it behooves us to look carefully into every matter that concerns us. I may be wrong, and it is possible that my voice will have no effect in obviating the difficulties that surround us. I am aware that I have no power, but the Government have all power at the present time, and I ask them not to be bound by a previously expressed opinion on this subject. I say that we should have at least an equal number of representatives in the Legislative Council with Upper and Lower Canada. There is another reason why this should be, for it is provided that the members of that Council

"Shall be appointed by the Crown, under the Great Seal of the General Government, and shall hold office during life."

In the United States the Senators are elected by the people, and not for life, but one-third of their numbers every two years. But here they acknowledge no sway from the people, and with all this Canada is to have a two-third's majority in that House.

Then there is a point that has been omitted from the Scheme altogether. I do not know whether it was intended or not, but it is certain that there is no provision made that the Legislative Councilors should reside in the districts they represent. Now we know that in the selection of these men, at first they can't go outside of the body up stairs, and there is nothing to prevent their going out of this Province to live. The temptation is very strong to men in the decline of life, to desire to be in a position of social quiet and to secure a status in society,

and this could best be secured by their removal to Canada. And if such were to occur, then we may look for the same result here as centralization has produced in Ireland. I ask hon. members if those who represent New Brunswick in the second Branch of the Legislature should not reside in this Province? We know exactly what has occurred here. Mr. Steeves was appointed to the Upper Branch to represent the interests of the County of Alber, but he removed to St. John and all his interests and sympathies go with his place of residence, but still he retains his seat, and the County whose interests he was appointed to look after is unrepresented. Yet there is no power to put him out. I ask these delegates when they go home to require and demand that the Scheme be so altered that when Legislative Councillors are appointed they shall be compelled to reside in our own country and among our own people, or lose their seats. But in this matter as in every other, I submit my opinion with great deference to hon. members on the floors of this House.

"The first selection of the members of the Legislative Council shall be made \* \* \* from the Legislative Councils of the various Provinces \* \* \* such members shall be appointed by the Crown at the recommendation of the General Executive Government, upon the nomination of the respective local Governments, and in such nomination due regard shall be had to the claims of the members of the Legislative Council of the opposition in each Province, so that all political parties may as nearly as possible be fairly represented."

I see no hope even in this, for political parties and lines have faded out in the discussion of this question. I see many of my personal friends who have fought measures side by side with me, now politically opposed to me. Still I hope in the selection they will choose the best men. There are men in our Upper Branch who would adorn any Council, and do honor to any people, and I do hope they will appoint those best qualified to represent us without regard to political feelings or party promises. But the Government in this case too have the power in their own hands to do as they choose.

There is one thing that strikes my mind as somewhat strange, and that is the great hurry the thirty-three men who formed the Council at Quebec were in to push through this matter. I think they should not have finally decided on the various terms until they had had time to deliberate, and have had a second meeting of the Conference. Here matters of the utmost moment were brought up and decided on in a few days, and the unanimity with which they acted is most wonderful. And, Mr. Speaker, I should very

much like to have an expression from you on the subject, but I suppose I shall not be able to get it.

In all the Constitution there is no provision requiring that the parties selected to go to form the General Government should be qualified in the Provinces they represent, and yet it is evident to my mind that such a provision should be made, and with a strong clause that they should also reside in it.

"For the purposes of readjustment, Lower Canada shall always be assigned 65 members, and each of the other sections shall at each readjustment receive, for the ten years next succeeding, the number of members to which it will be entitled, on the same ratio of representation to population as Lower Canada will enjoy according to the census last taken by having 65 members."

Now looking at the advantages of Upper Canada, it is evident that she will increase in population much more rapidly than Lower Canada. In the last twenty-five years she has far outstripped the latter Province, so that now Lower Canada is only to have 65 members whilst Upper Canada will have 82. She has, therefore, 17 members more than her sister Province, and looking forward to a similar increase in the next twenty-five years, she will then have 17 more, or 34 members more than Lower Canada. On this decennial re-adjustment principle then Upper Canada in twenty five years from this will have a majority in the House of Commons, and the result will be that we shall lie bound at the foot of Upper Canada for her to do with us as she chooses. I think the delegates should see to it that a modification is made in this particular.

But there is a further provision, and I am alarmed and tremble for the consequences to this country. Not only is Upper Canada to go into this Union with a much larger number of representatives than either of the other Provinces, not only will that number be increased every ten years, but there is a still further concession made which provides that

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

It permits the representation to increase at "any time," besides the decennial increase, so that Upper Canada can gain the majority at any time she chooses, even at once. I would ask, is it necessary that there should be such a large representation in the Lower House? Is not 194 members enough? Why this section was inserted I do not know, and I again invoke the serious consideration of this House on this

question, especially when we are told that this scheme is to be the basis for Union, and when we know that no power has been given to the Canadian delegates to depart from its provisions.

"The General Parliament shall have power to make laws for the peace, welfare, and good government of the Federated Provinces."

And among those enumerated is,

"The raising of money by all or any other modes of taxation."

And this General Parliament have the further power to make any laws

"Respecting all matters of a general character not specially and exclusively reserved for the local Governments and Legislatures."

Now here is an overriding power which may come in conflict with the interests of the local Parliaments. And then when there is such a power the question of taxation is one of the greatest importance, for it effects the poor man and the man that toils for his living, and should, therefore, receive the most careful consideration. Now let us see. A power is given to the General Parliament not only to raise the necessary resources by duties on the imports and exports, but also to raise money "by all or any other modes or systems of taxation." I reiterate the statement that I call upon the delegates to see to it, that in the appointments made they select the best men they have. In the powers given to the General Government by specification is, that of "lines of steam or other ships, railways, canals, and other works, connecting any two or more of the Provinces together, or extending beyond the limits of any Province." Now in Canada they have a line of steamers running to Great Britain, and in Confederation I believe the cost and support of that line would be made a burden on us. And more than this, they have the power to subsidize any other steamers, and to throw the cost of canals and other public works upon the whole Provinces. Now I would ask the Attorney General what is meant by the words "other works?" In my opinion it means that any work in Upper or Lower Canada, of any description whatever, may be undertaken by the General Government if they consider it for the general welfare. I ask the Attorney General if such is the fact?

Hon. Mr. TILLEY.—I will explain it.  
Mr. SMITH.—I wish the explanation from the Attorney General. I ask him as a lawyer. He does not reply, so I may assume that I am correct. Another power given is the providing for

"Militia—Military and Naval Service and Defence." I have always been afraid of this section, knowing, as I do, that the people of England understand by this provision that the expenses for military services in times of peace will be removed from their shoulders and be borne by this country. The next provision is for "Beacons, buoys and lighthouses;" these become the property of the Confederation. In the United States these belong to the General Government, but there they have no dues on shipping for the purpose of keeping them up. Here there is a power to raise money for lighthouses and tax ships for it. Now this is a matter of great moment to these Maritime Provinces, and should be looked into very carefully. Another power given to this Parliament is to legislate on

"The criminal law, excepting the constitution of Courts of Criminal Jurisdiction, but including the procedure in criminal matters."

I don't know what that means, so I shall pass on. The next power is to render uniform the laws of all the Provinces except Lower Canada. So it is in reality a provision that the laws of the United Provinces shall not become uniform at any future time. This also is unlike the case in the United States where the laws relating to property and civil rights are the same in every State. The next section provides for a Court of Appeal, and Mr. Speaker, I did at one time intimate that you, sir, would doubtless secure a seat on the bench in that Court. And it is possible they may appoint the Attorney General as one of the Judges as well.

HON. MR. FISHER—I am sore I hope so.

MR. SMITH—I have not the slightest doubt but that he tells the truth. The last section of the specified powers which I have already mentioned just reverses the principle of the Constitution of the United States.

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

There is another obliquity about this that I can't understand. It does not say what officers are meant. It seems to me that any officer of the local governments will become an officer of the General Government, and it is not the meaning, I shall be obliged to the Attorney General to explain it.

"The General Government shall appoint and pay the Judges of the Superior Courts in each Province."

But a favor is granted to Upper Canada, for there the Judges of the County Courts are provided for, whilst here they are appointed and paid by the local government.

"The Judges of the Courts of Lower Canada should be selected from the Bar of Lower Canada."

But here, after the consolidation of the laws, they may not be selected. Why, I ask, is this? We all know the feeling of dissatisfaction that was raised in this Country when Chief Justice Carter was brought from England, and put over our heads, but here Judges may come from any part of the United Provinces, to the exclusion of members of our own Bar.

The first section under the local governments is the appointment of a Lieutenant Governor. Now I believe that when Confederation is consummated our local government will be nothing but a burlesque and farce. Why even George Brown believes the same thing, for he admits that Upper Canada may not retain the machinery of a Responsible Government, but become merely a municipality. Here however, will be all the machinery of government, responsible heads of Departments, except, I suppose, the Postmaster General; they'll have to give that up I suppose, although the interests involved will be of less importance than those of the Corporation of the City of Saint John. Well the Governor is to be paid out of the funds of the General Government, so that ensures that all his sympathies will go with them. Now here are the powers vested in the Local Legislatures; first, Direct Taxation, and this is a power I am afraid they will very soon need to use. Let us look at the question of Western Extension. There are a majority perhaps who would make it a Government work. But if the amount provided by the Subsidiary Act won't pay the cost, and a company can't go on with it, how is the road to be built under Confederation. It cannot be done unless direct taxation be resorted to. Then in Nova Scotia they have a power granted them to legislate on their coals and other minerals, and I would ask the Attorney General, if we are to be excluded from such legislation, and if the Attorney General won't reply, then I appeal to the Solicitor General. We come now to the Sea and Inland fisheries, and on this subject, the Local and General Governments come in conflict, for they both have the power to legislate upon them. The 17th section of the 29th resolution gives it to the General Government, whilst the 8th section of the 43rd resolution gives it to the local government. Now how are differences and controversies on this subject to be settled? Have they a Superior Court to which the matter can be carried as in the United States, where differences between States and the Gene-

ral Government can be carried and settled? No, there is, nothing of the kind provided. Is it not important that there should be some tribunal where disputes of this nature may be settled; and I ask the Attorney General to look into the matter and provide for some means of appeal. But even then there is the other power they possess of vetoing any action of the Local Legislatures. Should we submit that Canada should have the power to abrogate and qualify all or any of our legislation, with no power to which to appeal? They have also let us the power of managing our own private or local affairs, but the question may be raised what is private and local, and then who is to determine? We may also administer Justice "both of civil and criminal jurisdiction, and including also the procedure in civil matters." There is something here again I can't understand. I must again assert that this House has a right to deliberate on the different objections I have stated. They may not appear to have much weight to minds of hon. members, but to my mind they have much force. I should like to take the judgment of this House upon them, but I suppose I shall not get it. If however this Resolution passes, every man on the floors of this House yields up his right of judgment to those who have already approved of a scheme not sanctioned by this people. If the Government will assure us that no Scheme will be carried unless it is submitted to the people for their approval or condemnation, then I shall be satisfied, but if not, I shall move before I sit down a resolution to that effect. This may be the last time my voice may be heard in this House, and whilst I have breath I will protest against our judgments being cloaked, and I will to the last raise my voice against the delegation of such power to two or three men. I say it is only right and fair that any measure decided on in England should be sent back to this House. It is provided by this Scheme that Bills passed by this House may be reserved for the consideration of the General Government, but I do not think that it is necessary to do this as the General Government will have a veto power over any Bill we may pass without the power of appeal. It has been the pride and glory of our country that politics has been kept clean of the sacred precincts of our Courts of Law. We have been able to boast that our Judges have kept themselves free from the turmoil of political strife. But shall we be able to say the same under this Union? I fear not.

It is provided under the head of property and liabilities that "All Stocks, Cash, Bankers' Balances and Securities for money belonging to each Province at the time of the Union, except as hereinafter mentioned, shall belong to

the General Government." Now suppose that the Union should take place at the middle of a quarter, when there are large sums becoming due for salaries of public officers, &c., the whole of our cash, stocks, bankers' balances and securities are to be handed over to the General Government, and our local Government will have to pay them out of the sum we are to get at 80 cents a head. Then all public harbors are to be provided for, as are also canals. Now I think the construction of new canals should not be made chargeable upon the General Government, for if these canals are enlarged, ships of large tonnage will be enabled to pass through them; and thus an injury will be inflicted upon the trade of the Maritime Provinces. I believe if the House give powers to the delegates to claim that canals shall not be chargeable on the Confederation, while the Canadian Parliament is in session, that they will concede it to us. The harbors are to belong to the General Government, St. John not excepted, for there is no such thing as a private harbor. In Canada too they have spent immense sums in the improvement of their rivers and lakes, and for these improvements they will be able to tax us. The moment Confederation passes into law, the railroad we now own and control passes into the hands of the General Government, and every man employed upon it will owe allegiance and alone be responsible to the Government at Ottawa. The seven-million dollars of debt we go in with includes the cost of this road, but if we get connection with Nova Scotia and with the United States, that road will in a very short time pay six per cent, and the moment it does that, it ceases to be a debt. By this arrangement then about five millions of the seven millions will be lost to us. In Canada the debt has been incurred on improvements on their rivers, canals, &c., which will not pay anything like such a per centage, and, therefore, they will be in a better position than we. It is further provided that all lands, mines, minerals, and royalties shall belong to the local government of the territory in which they are so situate. Now I would ask is it intended to give us the power to legislate on our mines and minerals? Why then in the provisions for the local Legislatures is there an exception made in favor of Nova Scotia with regard to her "coals and other minerals?"

## AFTERNOON SESSION.

Mr. SMITH resumed.—I think the course adopted by the Government

should be that as they intend to make the Quebec Scheme the basis of Union, they should have resolved this House into Committee, and submitted it and its modifications to us. Why, we have not the *Folleio* before us, except as it is published in books. If every hon. member returned to support Union had said on the hustings, "Here is the Scheme of Union, and I am bound to support it," the course now adopted might have been right. But it was not so. It is known that many of the hon. members were opposed to the provisions of that Scheme. Why, Mr. Speaker, it is reported that you, sir, on the hustings declared that you expected to assist in the preparation of a new Scheme. It seems to me if these Resolutions pass, hon. members will not be able to render a just account to their constituents for their conduct in this matter. There is no way that I can lay the subject before the House; I have no power here. The Government may say that Smith raises these objections merely to defeat the Union. I have not the power even if I had the will. I suggest these objections as they strike my own mind, because as I feel there is no power to prevent Union, it is for the interests of this country that the best terms possible should be obtained. To do this I think the delegates should receive certain and definite instructions from this House as to the terms they shall require. The delegates cannot oppose the Scheme in its entirety, for they have already declared it to be all that can be desired, unless they are instructed by this House to demand such modifications as the interests of the people demand. I find that a number of alterations have been made in this Scheme, and there is something strange in that. For two years past we have been trying to find out about the change that was made with regard to the electoral districts, and now again I have been just informed that in the Canadian journals another charge has been made with regard to the impositions of duties on the exports of timber, logs, masts, spars, deals, and sawn lumber; this is made to apply to New Brunswick only, and in "Nova Scotia on coals and other minerals." In our reports the words New Brunswick and Nova Scotia are left out, and it is made applicable to all the Provinces. Now which Scheme is right? the Canadian one, or that submitted to this people?

Hon. Mr. TILLEY.—The document laid before our people is the copy certified by the chairman of the Conference. Sir E. P. Tache, and there is no doubt that this is the copy of the resolutions as signed at Montreal. You, Mr. Speaker, and I recollect that as we derive a revenue from stampage we thought it right that it should be put into the rights conferred upon the local Governments, but in Upper and Lower Canada they have no stampage duty,

neither do they receive any revenue from mines of coal, &c., as in Nova Scotia. They, therefore, did not want it, and in the copy they submitted to their Parliament they inserted the words referred to, to show their people to what Provinces it referred. It was not in the original document, but left open as it is in our copies. The arrangement was, that this section should cover the wants of these two Provinces, and so the alteration was made.

Mr. SMITH.—Then we have the right to legislate on our mines and minerals, and so a little alteration in the phraseology will make that all right. Railways, post offices, and other public works are transferred from us to the use of the General Government, and so all the patronage and control that belong to them go with them.

"In consideration of the transfer to the General Parliament of the powers of taxation, an annual grant in aid of each Province shall be made equal to eighty cents per head of the population, as established by the census of 1861."

Here is another peculiarity with regard to the eighty cents a head. This is a section against which I have expressed my opposition again and again. Any one must know that as we increase in population our wants must increase. We shall want more money for our roads than now; we shall want more money for schools and other local purposes. We shall also want to assist those who are willing to go back and clear up new farms; and so as our numbers increase we shall want to do more. But how will it be? Why even now it is as much as we can do to provide for these purposes, and why then should the amount we are to receive be carried back to the population in 1861? And if our population increases in ten years to double what it is now, then we shall only get forty cents a head, and ten years after that again only twenty cents a head, and so on. The statesmen of Canada do not fail to state that if the wants of the people increase, resort must be had to direct taxation. But while population and consequent wants increase, the amount we are to receive remains the same. Canada will have the power to do as they will with their own money, and with ours too. If the population doubles in ten years we shall pay \$480,000 into the general treasury, and get out a sum based on the population of 1861 at eighty cents a head. I believe this will bring desolation and ruin upon this country. If the country grows as it ought to grow, we may look into the future and see the time when we shall get only ten cents a head for our whole population. But this appropriation is to be made annually. Instead of being paid out of the treasury it is to be made an annual grant of the Legislature, and I would ask if the public works of Canada go on, where will the money come

from to pay us even this paltry eighty cents a head. We make appropriations for our schools, but even though the sum required may not be in the treasury, the warrants issue just the same. But if the money in the general treasury runs out, it will be for them to say whether the grant of eighty cents a head shall issue for any year, and then what redress have we? None whatever, for we, under this arrangement, become subject to the whim and caprice of Canada.

"In consideration of the surrender to the General Government, by Newfoundland, of all its rights in mines and minerals, and of all the ungranted and unoccupied Lands of the Crown, it is agreed that the sum of \$150,000 shall each year be paid to that Province by semi-annual payments."

Again I would appeal to this House and ask hon. members if they are ready to accept that proposition; if they are ready to subject our people to a burden of ten or fifteen thousand dollars a year to buy up the Crown Lands of Newfoundland, and its mines and minerals, something that does not exist. Why was this done? Was it not a mere colouring to gain over Newfoundland? The whole Crown Lands of Newfoundland are utterly worthless. I don't believe they would support a rabbit. Why does she want to sell her Crown Lands to Canada? I think it is a very bad speculation, and no private person would care to invest his money in those Lands. I do not believe the people of this Province are willing to pay \$10,000 or \$15,000 a year for all time to come for such a purpose. The whole thing was merely a sop to get her into the Union.

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

Now before we agree to this we should know what arrangements Canada has entered into. I think this is a dangerous section.

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

It is evident that Canada is very much interested in the opening of her Canals. This section seems to be extraordinarily worded. It is without doubt put forward for a purpose. As it reads it seems to be nothing but a mere expression of opinion of the Council. Is it so, or is it a part of the Constitution? What does it mean? It means that every work and improvement in Canada is to be a charge on the

and pay the Judges of the Superior Courts in each Province."

General Government, and that we are to be taxed for it; and these works are to be carried on as soon as the finances permit. Let me ask if Canada has the power to increase the taxation by every means as she likes, and her desires are for increased public works. What is there that will cause the finances not to permit of their being proceeded with? Yes, the finances will permit just whenever they choose to tax the people for that very purpose. And more than this, I am led to believe that under this section the purchase money of the Hudson's Bay Territory will be made chargeable also upon the General Government.

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

I take the position that the Government have not done this. They have not submitted a Scheme, but a bald resolution to appoint delegates with unheard of powers to change the constitution of this Country without its being submitted either to the people or their representatives.

I stated yesterday that I saw yet one chance of escape, and that was that Newfoundland and Prince Edward Island may not be represented, and as this Resolution gives authority to our Delegates to confer with Delegates from all the Colonies, if any are unrepresented, our Delegates will have no power to act. We have been told even by the framers of the Quebec Scheme that the safety of this Province against Canada was in the co-operation with us of these other Provinces whose interests are identical with our own. And now if these Provinces send no delegates, the whole matter must fall to the ground. I do not believe moreover that Nova Scotia will enter into this Union unless her people are appealed to. I have too much faith in the integrity of the House of Commons to believe they will pass an Act in favor of a Union that has never been submitted to the people. The Government of that Province were not appointed to barter away the rights and privileges, the valuable mines and minerals, the success and prosperity of that noble Province, but to preserve them. Nova Scotia will send home a delegation with that great man Joseph Howe at its head, and I believe he will be heard at the bar of the House of Commons pleading in the strongest terms for an appeal to the people on this subject. It has of late become quite common to speak lightly of the abilities and acquirements of this truly great man, a man who may with justice be called the greatest statesman of at least British America. About a year ago his voice was heard in the Convention at Detroit pleading in the interest of these Colonies, and he was justly styled

the champion of British America. It now on account of the stand he has taken on this subject of the Quebec Scheme he is charged with "imbecility." The Hon. Joseph Howe an imbecile! The people of Nova Scotia have risen in their might, and called for a dissolution of the House and an appeal to the people on this question, and if it is refused to them I tremble for the consequences. But I am confident they will be heard, and that the House of Commons in England will not suffer their Constitution to be taken from them against their will.

We have no guarantee from the Government what course the delegates will pursue. They have not condescended to give any explanations as to what modifications they will insist on. But I do think they should come before this House and assure us that they will not accept the Quebec Scheme unless we can get certain concessions. The Government have refused to this House the right of members expressing their opinions and judgment on this question. I know that my efforts will be unavailing, and I expect we shall get the Quebec Scheme and nothing else, but I hope in God I am mistaken in my opinion.

In reference to the Inter-Colonial Railroad, hon. members seem to be under the impression that no Union will take place unless this is secured. Now I would require that it should be stated in the Scheme that no taxation should take place until the Inter-Colonial Railway was *bona fide* commenced. This would make them go on with the work, but if it is left as it stands in the Scheme, viz: that "the General Government shall secure without delay the completion of the Inter-Colonial Railway from Riviere du Loup through New Brunswick to Truro in Nova Scotia," and this is to be done only as the finances permit, then there is no difference made between the prosecution of this work and those works in Upper Canada provided for by the next section for the opening up of the Great Western Territory, and the railway will not be built.

There is another provision which I think, ought to be inserted, and that is, that a member of the Executive Council should be taken from these Provinces, one from each. The Executive Council is to consist of twelve members, and this arrangement would give us one-third. Does any hon. member think it desirable that no Government should be formed unless we are represented? Is there anything improper in this request?

I once more appeal to the manly sentiment and reason of hon. members of this House who have been sent here by the people, because they believed their interests would be carefully guarded in any arrangements which may be entered into. I ask that they shall not delegate their power to two or three persons

hereinafter mentioned, shall be carried as in the

differences between States and the Gene-

without a strong expression of their judgment on the subject before us. I have heard it stated that the delegation is to leave on Tuesday next, and that Dr. Tupper and Mr. Archibald, of Nova Scotia, have gone on to Canada on the matter of the delegation. Why, I would ask, this indecent haste? Why prevent a calm and deliberate discussion of the question? Hon. members are not to be allowed to see the Scheme or pass their judgment upon it. Was ever a plentipotentiary so empowered before? This may be light, but in my opinion it is entirely wrong. If my predictions are verified, I shall have the satisfaction of knowing that I have cleared my conscience. I put it to the Hon. Attorney General, I put it to the Hon. Solicitor General, and to the Hon. Provincial Secretary, if it is right to appoint delegates to go to England—3,000 miles away—and there frame a Scheme of Union, binding upon the people of this Province for ever, without their ever seeing it, or knowing its provisions. I have, in making these remarks, had no selfish end, in view, and as I have said I do not suppose they will have any weight, but I have freed my conscience and myself before the country. I will now conclude with the following amendment to the resolution:

“Provided that no Act or Measure for such Union shall have force or effect in New Brunswick until it shall be approved by the Legislature or people of this Province.”

Hon. Mr. TILLEY.—The hon. ex-President of the Council in his opening remarks taunted the Attorney General with not entering at length into the terms of the proposed Union, and with that solemnity which the subject demands. Mr. Speaker, if we had entered upon it with the spirit of levity, the eloquent appeals and the deep sentiments which characterized his remarks could not have failed in producing quite as solemn a feeling as even he could desire, and I say, sir, that I can express the pleasure I have had in listening to his stirring appeals with as much sincerity and with as much power as when the hon. ex-President of the Council, fourteen months ago, said he was sorry there were none of the delegates to the Council held at Quebec then on the floors of the House to whom he could put a few questions. His remarks produced almost as great an effect on the House at that time as at the present. But to-day, sir, he stands here with a less majority than the friends of Union did then. The hon. member says that if this question were delayed, a great reaction would take place in the minds of the people. Why, Mr. Speaker, the great reaction has taken place, and on my recent visit to St. John, when the hon. member was also there, I found it hard to find a disunionist. No, sir, there are few to-day who

oppose Union. He attributes the change in public opinion to Fenianism, and the “treachery of His Excellency the Lieutenant Governor.” I am not going into the question of dispute between the Governor and his late advisers, but if any body was guilty of unconstitutionality I say it was the late President of the Government. Talk of unconstitutionality, why the acts of the late Government show who was guilty in this respect, and yet they went back to the people with the constitutional plea, when they had violated every principle of responsible Government whilst they were in power. There was the removals from office of certain parties obnoxious to the then Government. I heard one of the members of that Government (Mr. Hatheway) state openly in his place on the floors of this House that he had advised His Excellency to make certain changes, and His Excellency told him he would not do it, and further said, if the Government did not like it they could resign, for Tilley could form a Government.

Mr. SMITH—I know nothing of what might have been said by His Excellency to any members of the Government on the bank of the river, but this I do say that no recommendations were made by the Government to the Governor with regard to removals from office, but he complied with. There was no difference between us on that ground.

Hon. Mr. TILLEY.—I only state what I heard an hon. member of the Government declare to his colleagues and the members of the House. When the hon. ex-Attorney General rises here and declares that the charge in public opinion on this great question has been brought about by “the treachery of the Governor,” I should be recreant to my trust, my position to my duty if I did not take it up. The hon. member says that no recommendation was made but was complied with. That memorandum may never have been again presented to His Excellency, but it is none the less true that the hon. member of the Government stated that the Governor would not make the required changes. The hon. ex-President of the Council said that these things could not be attended to because Confederation stood in the way. Mr. Speaker, if there was “treachery” anywhere it lies at the door of the hon. ex-President of the Council and his Government. I admit that we had an advantage in going to the people with this question at the late elections, but it was an advantage given to us by the late Government. I know something about the matter of “treachery,” for I was in communication with Mr. Mitchell at the time when he was in conjunction with the late President, preparing for a change on the subject of Union. The hon. ex-Attorney General

says he would like to “see hon. members rise above party on this matter, but who stood up” during the late House and claimed for party and nothing but party? The hon. ex-President. During the arrangements between the Governor and Mr. Mitchell, I had nothing to say to His Excellency. Mr. Mitchell came to me and told me what was being done, and I said if the then Government would go for Union, I would, although not a member of the House, use all my interest and influence to carry the proposed measure. I knew that Mr. Mitchell was working with and for the government party. It was also the wish of His Excellency to carry the Union by means of his then existing Government. Go to the Country on the Constitutional question! Why the hon. member knows as well as any body that the matter was all prepared for, and in perfect consonance with the Speech at the opening of the last Session, the answer to which was prepared by the Government and put in Colonel Boyd’s mouth, and in favor of Union. The question of Fenianism may also have affected the late elections in some measure, inasmuch as some of the friends of the late government were supposed to have some feelings of sympathy for them.

I believe with the hon. ex-President of the Council that this subject should be discussed without abuse. I have used more hard words in the last ten minutes than during the whole of the late campaign. I have been very careful not to make use of any language that could be charged as personalities, and I wish the ex-President of the Council had done the same thing. He has said that the action of the Legislative Council was prompted by personal motives, but the late elections have shown that they, six weeks ago, spoke the feelings of the people on this question. The hon. member has striven to throw around the subject a veil of sophistry, and to frighten the hon. members of this House, but, sir, they are on a platform that cannot be shaken. Let us go back to the origin of the affairs in connexion with Union, and see how it arose. The hon. ex-President came down to Saint John, and told the people that it arose out of the troubles and necessities of Canada, and asked them not to speak too hastily, but to assist the other counties in the defeat of the Scheme. But, sir, the question was not new to the Government of this country. As early as 1858, a proposition was made to us to go into a Union with the other Provinces. It was not deemed advisable on certain grounds, and even though of late it may be that, as the hon. member observes, the renewed proposal for Union grew out of the dead lock which had taken place in the government of Canada, was the mere fact of her necessities urg-

ing her to make the renewed offer any ground why it should be rejected? I say a proposal was made to this Government in 1858, and is recorded on the Journals of this House for the Session of 1859. The following is the Report of the Committee of the Council of Canada as laid before the House that Session.

Copy of a Report of a Committee of the Executive Council of Canada, dated 4th September, 1858, approved by His Excellency the Governor General:

The Committee of Council are respectfully of opinion that it is expedient to bring the subject of the Union of the British North American Colonies under the notice of Her Majesty's Government with as little delay as possible, and to inform the Government of each such Colony that the attention of Her Majesty has been called to the subject by Your Excellency.

That Your Excellency should submit to the Right Honorable the Secretary of State for the Colonies, the propriety of authorizing a meeting of Delegates on behalf of each Colony, and of Upper and Lower Canada respectively, for the purpose of considering the subject of such Federative Union, and reporting on the principles on which the same could properly be based.

That such Delegates should be appointed by the Executive Government of each Colony, and meet with as little delay as possible.

That the Report of such Delegates should be addressed to the Secretary of State for the Colonies, and that a copy of it, as soon as it is prepared, should be placed in the hands of the Governor and Lieutenant Governor of each Colony, in order that he may lay the same before the Provincial Parliament with as little delay as possible.

Certified.

(Signed) W. H. LEE, C. E. C.

Here is a distinct proposal for a Federal Union of these Colonies, and it was not new even then, for it has been before the people and discussed by statesmen of British North America for some twenty years. The hon. ex-Attorney General stated that Canada had interfered with our legislation. Now the fact is, that an arrangement was made with us that unless the measure of Union could be carried out they would have to take some other steps with regard to a change in their constitution, and they delayed the opening of the House there till late, to see what changes would be made here. The hon. member appealed to this House in most glowing and eloquent terms in favor of the Hon. Joseph Howe. But, sir, I always had a great respect for that gentleman's abilities, and I have sat at the feet of that Gamaliel, hoping to hear something from him, and from him I learned some deep and profitable lessons on the confederation of these Colonies. But I remember a time, sir, when the hon. member did not eulogise the Hon. Joseph Howe. I remember that when that gentleman and others had concluded an ar-

angement with Canada to build the later Colonial Railway, he made a stirring speech in opposition to that arrangement. The hon. ex-Attorney General says that Mr. Howe is opposed to this Union, and that his voice will be heard at the bar of the House of Commons against it, but what have been the ideas and sentiments expressed by that great man from time to time?

In a speech delivered in the year 1851 he said, after eloquently describing the greatness of the back country (the cold country) of Canada:

"With such a territory as this, to overrun, organize and improve, think you we shall stop soon at the Western bounds of Canada, or even at the shores of the Pacific? Vancouver's Island with its vast coal fields lies beyond. The beautiful islands of the Pacific and the growing commerce of that ocean are beyond. Populous China and the rich East are beyond, and the sails of our children's children will reflect as familiarly the sunbeams of the South as they now brave the angry tempests of the North. The Maritime Provinces which I now address, are but the Atlantic fringe of this boundless and prolific region—the wharves upon which the business will be transacted, and beside which its rich argosies lie."

"I am neither a prophet or the son of a prophet, yet I will venture to predict that in five years we shall make the journey hence to Quebec and Montreal and home through Portland and St. John by rail; and I believe that many in this room will live to hear the whistle of the steam engine in the passes of the Rocky Mountains, and to make the journey from Halifax to the Pacific in five or six days."

Having sketched some of the public men of New Brunswick, and brought out in bold relief the proportions of that great field of honorable ambition and exertion upon which they would tread if Union of the Provinces by iron roads had been followed by the political organization which would be the result, Mr. Howe said:

"If the sphere were wide enough here what would you do with such men? You would send Judge Wilnot to administer justice. Where? To a small Province? No, but to our American Empires."

And where did the hon. member place him?

Mr. SMITH—Where he ought to be.

Hon. Mr. TILLEY—Yes, and the people have left the late Government where they ought to be. But Mr. Howe went on: "You would place Mr. Chandler on the Bench of the United Provinces. You would hold out to the young men of your country a sphere and a field for their exertions and ambition which none of them have open to them now. How? With the consent of the Sovereign and the acquiescence of the Imperial authorities, by the united action and good sense of the Provinces, you would seek by Union to

elevate them all to a higher station than any of them separately can ever occupy."

This is the language of the friend of the hon. ex-President of the Council.

Again, at a dinner in Halifax in the summer of 1864, he made a most telling speech, which is but imperfectly sketched by the reporter. He says: "In almost every city of importance in British America his voice had been heard, and if ever occasion required it would be heard again. He had never pursued a sectional policy. He had for many years been looking at the important Provinces of British North America, and thinking how they could be made strong, vigorous and great, with the old flag of England floating over the inhabitants. A Union of the Provinces was the dream of his boyhood, and he was now pleased to find Her Majesty's subjects of all creeds and professions anxiously looking forward to the time when they could build up a new England—Monarchical and not Republican—on this side of the Atlantic. He hoped the day was not far distant when a railway would connect Nova Scotia, New Brunswick and Canada. He wanted to see Canada not every five years, but twice a year; and he wanted the Canadians, when fever and ague racked their bones, to come down to the ocean to renew their energies and recruit their strength. After referring to the agricultural capabilities of Canada, the fisheries and mineral resources of Nova Scotia, and the importance of New Brunswick, he asked if the people would be content to remain divided and live and die in territorial insignificance? He had always been in favor of uniting two, three, or even four and five of the Provinces, and he hoped it would yet be accomplished. He observed that there was a movement on foot, the object of which was to divide Canada; but he would say to the Canadians that if they did separate, they would commit an act of political suicide."

So says the Hon. Joseph Howe, the friend of the hon. ex-President of the Council. I happened to be in Nova Scotia when Mr. McGee held a meeting in Halifax to agitate the Union of the Colonies. Dr. Tupper waited on Mr. Howe to second a resolution of vote of thanks to Mr. McGee, which was proposed by Mr. Johnson. The speech is thus reported:

"Hon. Mr. Howe rose to second the vote of thanks. In the course of a brief but eloquent address, he paid a high tribute to the excellent qualities of Mr. McGee both in public and private life. He was pleased to see him there, because he was an admirable propagator of the opinions he entertained. He hoped the time was not far distant when local feeling and prejudice would



be obliterated, and sectional lines rubbed out in Canada. He agreed in what Mr. McGee had said respecting the Confederation of the Colonies; he was in favor of Union either before or after the construction of the Intercolonial Railroad; but in his opinion the road ought to be first built and Union come after. He wanted to see Nova Scotia the frontage of a great country, of which it might almost be said that the sun never set upon it. He was glad to see Mr. McGee here for many reasons; the subject of Union was now being generally discussed in the Provinces, and there was not a man on the Continent more capable to take the lead in this question than that hon. gentleman. Hon. Mr. Howe closed his remarks by stating he was glad an occasion had presented itself which afforded him an opportunity of doing Mr. McGee justice in his (Mr. Howe's) native Province.

These remarks were made by the friend of the hon. ex-President of the Council. In 1862 when Mr. Howe with others were in Canada arranging about the Railroad, there was a great political picnic just out from Saint Catharines, near to Niagara Falls, and at that meeting Mr. Howe made a very eloquent and able speech in closing which he said, "He looked hopefully forward to the time when this great Province of Canada would be connected with the Province below, and when a man would feel that to be a British American was to be the citizen of a country which included all these fertile lands, all these inexhaustible fisheries, all this immense marine, carrying to all seas the flag of old England, if she would let us, and if she will not let us, the flag of British America, bearing to foreign countries the lineaments, the enterprise, and the spirit of Britons, and the civilization of British America of which he trusted none of us need be much ashamed."

I have all along felt great surprise, knowing the opinions he held, that he should now be found working with the anti-Confederates against that for which he has laboured all his life.

The hon. ex-Attorney General said it was intended to push the Quebec Scheme through the Legislature without appealing to the people. This was not the case. The matter was talked over, and Canada said she could pass the Scheme without an appeal, but we said the House in New Brunswick is near its last Session, and it would not do. I appeal to the hon. Attorney General, and to the hon. Mr. Chandler on this point; for the matter was freely talked over, and we said we were only two or three out of a Council of nine, and could not decide. The first time we returned I had a five miles walk with His Excellency, and this matter was talked over, and I then said to him that the question must be submitted to the people. When the question was laid before the Council there was not one who was in favor of bringing the matter before

the House. We did intend to meet the Legislature, but did not intend to submit the Scheme to them for action. But when we found that Canada was pressing this matter on, we decided to submit the question at once to the people, the House was dissolved; new writs were issued, and the government fell. I feel as much as the hon. ex-Attorney General the responsibility which rests upon the Government in their present position, but I have never wavered on the subject. I know that the consummation of the Union is an object desired by the people. The hon. member has no responsibility resting on him, and when he says the delegates will have no instructions, I say they will not go home without instructions. My idea is that our delegates should go home and meet with delegates from the other Provinces who in conjunction with the Imperial Government shall decide upon such terms of Union as will best conserve the interests of these Provinces. I do not for many reasons think it would be right to bind the delegates down to certain prescribed provisions, but I can assure the hon. member that his suggestions as well as those of all others will be most carefully considered. The hon. ex-President of the Council has said that he does not believe that one-tenth of this House are in favor of the Quebec Scheme. Now let us see. There is Victoria, one member pledged to Union and returned at the former contest, and two returned this time; Carleton, both members I think favorable to the Scheme, and both returned at each election. In York there are our friends the Attorney General and Dr. Dow, candidates at the former election, who then lost their seats, but who now are returned with two others pledged to Union with overwhelming majorities; in Sunbury we have two members again returned who were elected when the Quebec Scheme was submitted; in Queen's we have one member at least favorable to Union, and one always in favor of the Scheme. In Charlotte we have two able advocates of the Scheme, supported by two others strongly in favor of Union. In Saint John; well, I suppose there is not much doubt of us, we were in favour of the Scheme.

Mr. SMITH.—Didn't you promise your constituents to make modifications in that Scheme?

Hon. Mr. TILLEY.—Yes, Mr. Speaker, and we should have been recreant to our duty and unfit for the trust reposed in us had we not, when we found that certain sections of that Scheme were objectionable, promised to see that the very best terms possible should be obtained. Well, then, there were Mr. Wilnot and Mr. Wetmore, who were returned at first by the Anti-Confederates and now for Union, Messrs. Skinner and Quinlan were

at first rejected, but now have been elected. In King's, we have now one formerly rejected with at least one who worked with us, and all for Union. In Albert, both the members were returned at each election. We have very little opposed to Union yet, and even Westmorland does not altogether oppose Union, for they have returned the hon. ex-Attorney General, who was willing to go for Union, and even to take the Quebec Scheme "with certain checks." In Northumberland we have four men, unambiguously in favor of the Scheme; Kent is Anti, Restigouche is Union, and Gloucester Anti again. But in Kent Mr. Caie was not opposed to Union last session, and in fact it will be hard to find an anti-Unionist on the floors of the House to-day. But where are Boyd, Thompson, Otty, Needham, who said if they had Confederation it would be over his dead carcass? The majority of the House are for Union, some perhaps committed to obtain new and more advantageous terms of Union, and the rest though not committed are all favorable.

Now let us look at some of the advantages of the Quebec Scheme. It is impossible to satisfy some of the opponents of Union. Previous to the former election the cry was, you are going to force the question through the House and not appeal to the people; then when we did appeal to the people they said it was very wrong to dissolve the House at such an inclement season of the year; how very delicate the people got all at once. The hon. ex-Attorney General is very difficult to please; he raised many objections and made many statements, but he did not tell this intelligent House what he told his constituents over in Westmorland, that in Confederation we should only get \$360,000, whilst we should pay into the general revenues about a million of dollars. Oh no, he did not tell us that, neither did he tell us a good many other things he said then.

It is scarcely necessary to go into the matter and position of trade and commerce, although it has been said that we could have free trade out of the Union as well as in it. Now in 1833 this was tried. We drew up a memorandum of Council, asking the then Lieutenant Governor, Mr. Manners Sutton, to send a despatch to the Colonial Office to obtain for us free trade between the Colonies, and the British Government returned answer that the variation of the tariffs in the different Provinces prevented this being done. Some persons may labor under wrong impressions with regard to the financial arrangements. Some are opposed to the Quebec Scheme who have never read it. It reminds me of a circumstance which occurred in a school down the river in my native place. The boys have got hold of the question and are either Confeds. or Anti, and are

little fellow of some nine years was heard to say, in conversation with some other boys, "I'm in favor of Union, but opposed to the Quebec Scheme. So some of the people heard the story about the \$300,000 and believed it, but when their eyes were opened they saw the fallacy of the whole thing. The able speeches delivered in the Upper Branch by such men as the Hon. Mr. Chandler and others, whose arguments are indisputable, were printed and scattered over the country by the thousand, and the result has been that the people's minds have been enlightened. Now let us see. Our revenue in 1864 amounted to - - - \$971,998 85  
in 1865 it was - - - 758,661 95  
this gives us - - - 1,730,660 00  
Divide this by 2, and we have an average of - - - 865,330 00  
Add to this the earnings of the Railroad - - - 40,000 00  
and we have - - - \$905,330 00

as the amount we received in the years 1864 and 1865 out of Union. Now let us see what our position would have been in Union in these years. Two or three years ago when the hon. ex-Attorney General went out of the Government on the Intercolonial Railway question, he said that, for the road we then had, our engagements in England were then taking £200 a day out of the country to pay interest. He also said that that road cost £5 for every passenger that passed over it, and further that it would never pay running expenses. But to-day he regards that road as good property, and about to pay a debt of six per cent. We go into the Union with a debt of \$7,000,000, not that our debt amounts to that, but \$1,300,000 of that amount is allowed us to secure Western Extension and branches, which the hon. member voted against at the time in this House, but now expresses a deep sympathy for it, and fears it will not be built, and low anxious, earnest and solicitous he is that Government should build it. Our debt is not in proportion to the debt in which Canada comes in, for while she comes in with a debt of sixty-two and a half millions, with ten times our population, we come in with only \$7,000,000. The debt of Canada is, indeed, more than this, but the balance is assumed by the respective Legislatures of Upper and Lower Canada, and this concession is made to us above the difference which really exists between our debt and the sum on which we go in. The interest on our debt this year is \$354,000, but in the Union they take this off our shoulders, and pay \$420,000 on the debt of \$7,000,000. For the Intercolonial Railroad, assuming the three and a half-twelfths of the cost as was proposed, out of the Union, we should have to pay \$175,000

a year, but in the Union, instead of this, the General Government will assume the whole cost of the line. We also have assured for us the salaries of the Judges, Governor, &c., \$23,000. The hon. member stated that it was probable our Local Legislature would be left without any powers, and dwindle down so low that its action would be a mere farce. Now, whatever may be the opinion of the hon. member with regard to this Legislature, or of Mr. Brown in reference to the Local Government of Upper Canada, I believe that our Constitution will remain just as it is. It is a fact that out of the whole number of Bills passed by this Legislature in 1864, all but seven would have come before us in Confederation, and all but three during the last Session. No, the work to be performed will not dwindle down to insignificance. Another objection raised was in reference to the Judges of the County Courts. Now in Lower Canada the arrangement is different from that in Upper Canada. In Lower Canada they have no County Courts, but in Upper Canada much of the business in done in these Courts, and it is therefore right they should be provided for, and they only receive the same as the other Provinces. The next item we get taken off our hands is the Protection and Collection of the Revenue, some \$11,000 or \$42,000; then there is the Post Office deficiency, \$22,500. But it is objected that this will amount to nothing, inasmuch as there will be a tax on newspapers, that with us now go free. The amount will be insignificant compared with our deficiency, but let that go, strike it out altogether if you like, it will make little difference with regard to the result. Then for Militia purposes, \$1,000,000 have to be provided. Our portion of that will be \$75,000; then Steamboat Communication, Improvement of Rivers, Geological Surveys and Harbors, say \$12,000. The ex-Attorney General seems to imagine that the harbors are not provided for, but there is a special arrangement for our benefit. He says there will be an enormous expenditure for improvement of Canadian rivers and lakes. Now the Saint Lawrence can hardly be improved much, for ships can now pass as far as Montreal, and for the lakes, I should like to know what improvements they can put upon them. No, this arrangement was entered into with a special regard to the interests of New Brunswick. I put down for Steam Communication and other items \$12,000, although it would doubtless be much more. Then there is the Subsidy at 80 cents a head, \$201,000. Exception has been taken to this, that the proportion will be less in ten years. True, but where do we get it? Does it not come out of the chest into

which the people of British North America contribute? And then the increase of expenditure is not, as has been put forward, in the same ratio as the increase of population. In this arrangement all the other Provinces get the same as we. Then there is our Casual and Territorial Revenue \$78,000, and beside all this, the bonus for ten years of \$63,000. The hon. ex-President said nothing about that. But he did take exception to buying up the Crown Lands, Mines and Minerals of Newfoundland, and I beg to say that it is clear in this matter he is not read up. In the Exhibition in 1862 in London, I saw specimens of minerals, chiefly copper, which came from Newfoundland, which fairly astonished me, for at that time I had no idea of the richness of that Province in this respect. Now, add the whole of these amounts together, and we have \$1,130,000 assured for us by the General Government, against \$905,000, including the earnings of our Railways out of Union, which is \$225,000 to our advantage, or \$162,000 better, leaving out the subsidy. Why, sir, it would take us twenty years to arrive at such a position as we commence the Union with. "Oh! but we shall have to give up our Railway, and get nothing for it." "Our debt is in our Railway, but the Canadian debt is for rebel losses." But, Mr. Speaker, I am prepared to prove that while our public works do not pay three quarters per cent., the works and assets of Canada pay one and a quarter per cent. on the debt with which they come in. There is another point that needs to be touched on, and that is the amount of revenue which would have been collected if the Canadian tariff had been applied to our receipts for 1864 and 1865. Col. Mr. Smith says if we had been in Union, and our revenues had been collected on their tariff, we should have paid \$480,000 more than we did. Should we? Nothing of the kind. I am not going to deny the statements of Mr. Smith. I will assume them to be correct, but I deny that the arguments based upon them are worthy of any consideration. He says we collected in those years on Spirits \$54,000, and it is said if the Canadian tariff had been applied we should have paid \$200,000. But it must be remembered that in Canada in 1863 they adopted a protective policy. Finding the grain going out of the country at a low price and the spirits manufactured from returning and paying a duty, they said: We will keep the grain, make our own whiskey, &c., and so they put on an excise duty of thirty cents per gallon, and on imported spirits a duty of one dollar per gallon and 15 per cent. ad valorem. This stopped the importation, and only 280 galls of spirits were brought in.

And so it is said, that we should have paid \$140,000 more on the article of Spirits alone, but the truth is we should only have paid the thirty cents a gallon, instead of the thirty-five cents as we did. In Newfoundland they pay a higher rate than we do, with a lower tariff, but in Canada they paid a lower rate with a higher tariff. In 1864, in Union, we should not have paid as much, for they only paid \$2.60 to our \$3.10. The tariff there is higher, but the rate lower, and why? Because manufactures have increased, and importations decreased. "No," it is objected, "it is because they are a poorer country." But the fact is they consume much more in proportion to the population than we do. Of all the articles upon which they have a specific tariff there are only two that we use in larger quantities than they. The consumption of tea and molasses is much greater here than in Canada? Why? We know that during the late war in the United States the Government put a high rate upon tea, and the consequence was that much of the tea that paid duty here was consumed out of the country. Then in Canada they have Sugar Refineries, and they use the golden syrup instead of molasses, because they can get it at a dollar a gallon, the same price they have to give for molasses in Upper Canada, on account of the expense of moving: The several rate for the Provinces in 1864 was as follows:

In Canada they paid	\$2.56 per head
" Nova Scotia they paid	2.69 "
" New Brunswick they paid	3 10 "
" Newfoundland they paid	3.65 "
" Prince Edward Island they paid	1.98 "

The whole amount of the revenues raised in these Provinces in that year was \$9,580,000. Apply to this the tariff of \$3.10, and we get \$1,670,000 more than was raised by all British North America out of the Union.

With regard to the North-West Territory, and its admission into the Union, that will be a matter for discussion for the General Government. The surplus revenue will not be taken to purchase that territory, but go to meet the cost of the Intercolonial Railroad and the improvements in Canals for purposes of the General Government. In Prince Edward Island it is said they are opposed to the Railroad, because they will not be directly benefited by it. But such an argument cannot be used in this Province. The Railroads now provided for under the Subsidy Act are:

Western Extension,	88 miles.
St. Stephen Branch,	18 "
Wood-lack	12 "
Fredricton "	21 "
Eastward Extension,	30 "
Albert Branch,	20 "

Total say, 190 "

For the same rate which we paid per head in 1864 we can have the Intercolonial Road and all these Branches without the expenditure of a penny more than we did:

On motion of Mr. SUTTON the debate and House here adjourned till tomorrow morning at 9 o'clock.

J. M.

THURSDAY, JUNE 28.

Mr. WETMORE by leave brought in the following bills.

" A Bill to revive and continue an Act to amend the law for the relief of insolvent Debtors."

" A bill relating to the Registry of Deeds and other instruments."

" A Bill to amend the law of evidence.

" A Bill to authorize the Justice of the Supreme Court to preside at trials in which the City of St. John is interested."

" A Bill relating to Debtors confined in Jail or on the limits."

" A Bill to provide for the registration of births and deaths."

CONTINUATION OF THE DEBATE ON MR. FISHER'S RESOLUTION FOR THE APPOINTMENT OF DELEGATES.

Mr. TILLEY resumed.—I feel that I am trespassing upon the patience of this House in continuing my remarks upon this resolution; for it is well known that thirty-three of the members of this House have been elected in favour of the principles of this resolution now on the table, and some of the remaining eight for Union but against the Quebec Scheme. My hon. friend (Mr. Smith) has taken exception to a great many of the provisions of the Quebec Scheme, therefore I feel myself called upon to occupy the attention of the House for a short time in discussing this question, but before taking up the principle points in the objections, I desire to reiterate the financial statement made yesterday, because it has been stated it was imaginary and there was nothing real in it. In the first place can there be any doubt about our being relieved from paying \$420,000 annually, that being the interest of our debt of \$7,000,000? Can there be any doubt about the construction of the Intercolonial Railway that under the arrangement of 1862 we would have to pay \$4 twelfths, whereas if we go into Union we will have to pay but one-thirteenth? Can there be any doubt but that the salaries of the Governor and Judges and the expenses of the collection and protection of the revenue will be paid by the General Government. The deficiency in the Post Office will be paid by the General Government, although it may be that there will be a charge upon newspapers the same as in Canada. My hon. friend (Mr. Smith) has not spoken upon

these points because he knows that they are unanswerable. If he had had a leg to stand upon he would have used the same arguments here that he formerly used in addressing his constituents. The very fact that he himself has given adhesion to Union upon some terms has taken away a great deal of the arguments which he used twelve months ago. I have just been informed by the Postmaster General that there is now a proposition before the Canadian Legislature to do away with the postage on newspapers. (Mr. Smith—very opportune.) There are many opportune circumstances which have convinced the public mind of the advantages of Union, while the late Government have not been favored by Providential circumstances or anything else. Let us look at some of the points which the late Attorney General considers objectionable. He says we have not a sufficient number of representatives in the upper branch of the Legislature. There might be some concessions made to us in this. When the arrangement was made, and representation by population was conceded, it was considered that there was a great protection given to the Maritime Provinces, for New Brunswick was to have one representative for every 25,000 of her population, Lower Canada one to every 50,000, and Upper Canada one to every 75,000. That was twenty-four representatives for Upper and twenty-four for Lower Canada, and twenty-four for the Maritime Provinces, and Newfoundland was to have four. In every case the interests of the Maritime Provinces are nearly identical, and there is scarcely an important question that can come up in which Lower Canada would not be with us. It has been said that Upper Canada wishes to buy the North West Territory, suppose such a question came up, and a majority of the people's representatives were in favor of the measure. It would still have to pass the Upper House, and twenty-four representatives of Upper Canada would vote for it, and the other fifty-two members against it. Is there not some protection in this? Again there is a protection in the fact that the number of representatives in the Upper Branch cannot be increased by the Crown. Suppose we had not that protection, the Government could come to the Upper Branch and say, unless you pass this Act we will increase your numbers and force it through. There were some remarks made in reference to the residence of the Legislative Councillors. The sixteenth paragraph, in reference to Lower Canada, says:

Each of the twenty-four Legislative Councillors representing Lower Canada in the Legislative Council of the General Legislature, shall be appointed to